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**EUROPEAN COMMISSION FOR DEMOCRACY THROUGH LAW**  
**(VENICE COMMISSION)**

**LAW ON MAKING AMENDMENTS  
TO THE LAW ON ELECTIONS OF PEOPLE'S DEPUTIES  
OF UKRAINE  
(7 July 2005)**

**TABLE OF CONTENTS**

Chapter I. GENERAL PROVISIONS .....	6
Article 1. Main Principles of Elections of People's Deputies of Ukraine.....	6
Article 2. Universal Suffrage .....	6
Article 3. Equal Suffrage .....	8
Article 4. Direct Suffrage.....	8
Article 5. Voluntary Participation in the Elections.....	8
Article 6. Free Elections .....	9
Article 7. Secret Voting .....	9
Article 8. Personal Voting .....	9
Article 9. Right to Be Elected.....	9
Article 10. Right to Nominate Candidates for Deputies .....	10
Article 11. Election Process.....	10
Article 12. Subjects of the Election Process .....	11
Article 13. Transparency and Openness of the Election Process.....	11
Article 14. Legislation on Elections of Deputies.....	12
 Chapter II - TYPES OF ELECTIONS OF DEPUTIES, PROCEDURE, AND TERMS OF THEIR SCHEDULING AND CONDUCT.....	 12
Article 15. Types of Elections of Deputies and Procedure of their Scheduling.....	12
Article 16. Time Periods of Elections Conduct .....	13
Article 17. Calculation of Time Periods .....	13
 CHAPTER III - TERRITORIAL ORGANIZATION OF ELECTIONS OF DEPUTIES .....	 13
Article 18. National and Territorial Election Districts .....	13
Article 19. Polling Stations.....	14
Article 20. Regular Polling Stations.....	14
Article 21. Special Polling Stations.....	15
Article 22. Polling Stations Abroad .....	17
Article 23. Publication of Decisions on Creation of Polling Stations .....	18
 Chapter IV - ELECTION COMMISSIONS.....	 19
Article 24. The System of Election Commissions.....	19
Article 25. Status of Election Commissions .....	19
Article 26. Requirements to Members of District Election Commissions or Polling Station Commissions .....	20
Article 27. Procedure of Creation of a District Election Commission .....	20
Article 28. Procedure of Creation of Polling Station Commissions at Regular or Special Polling Stations.....	22
Article 29. Procedure of Creation of a Polling Station Commission in a Polling Station Abroad .....	25
Article 30. Powers of the Central Election Commission .....	27
Article 31. Powers of District Election Commissions.....	28
Article 32. Powers of a Polling Station Commissions .....	30
Article 33. Organization of Work of Election Commissions.....	31
Article 34. Right to Be Present at a Commission's Meeting .....	33
Article 35. Documenting Activities of Election Commissions.....	34
Article 36. Status of a Commission Member.....	35

Article 37. Pre-term Termination of Authority of All Members of Election Commissions or Individual Election Commission Members .....	37
Article 38. Acquisition and Termination of Legal Entity Status by District Election Commissions .....	39
<b>CHAPTER V. - VOTER LISTS.....</b>	<b>40</b>
Article 39. Procedure for Compiling General Voter Lists .....	40
Article 40. Procedure of the General Voter List Clarification .....	44
Article 41. Procedure of Compiling Voter Lists for Regular Polling Stations.....	46
Article 42. Absentee Certificates for the Right to Vote on Elections of Deputies.....	47
Article 43. Procedure of Familiarization of Voters with Voter List at Regular Polling Stations and Complain against Mistakes in Voter List.....	52
Article 44. Procedure of Making Decisions on Amending Voter List at Regular Polling Stations .....	53
Article 45. Procedure of Making Amendments to Voter List at Regular Polling Stations .....	55
Article 46. Procedure of Compiling of and Clarifying of Voter List at Special Polling Stations .....	56
Article 47. Procedure of Compiling and Clarifying Voter List at Polling Stations Abroad.....	58
<b>CHAPTER VI - FINANCIAL AND LOGISTIC SUPPORT FOR THE PREPARATION AND CONDUCT OF ELECTIONS OF DEPUTIES.....</b>	<b>60</b>
Article 48. Financing of Elections of Deputies.....	60
Article 49. Financing of the Preparation and Conduct of Elections of Deputies from the Funds of the State Budget of Ukraine Allocated for Preparation and Conduct of Elections of Deputies .....	61
Article 50. Remuneration for Work of Commission Members and Individuals Employed for Commission Work .....	62
Article 51. A Party's (Bloc's) Election Fund.....	63
Article 52. Administrators of Party's (Bloc's) Election Fund .....	64
Article 53. Formation of Party's (Bloc's) Election Fund and Use of its Resources .....	65
Article 54. Logistical Support of Preparation and Conduct of the Elections of Deputies .....	66
<b>CHAPTER VII - NOMINATION AND REGISTRATION OF CANDIDATES FOR DEPUTIES .....</b>	<b>67</b>
Article 55. General Procedure of Nomination of Candidates for Deputies.....	67
Article 56. Procedure of Election Bloc Establishment .....	67
Article 57. Procedure of Nomination of Candidates for Deputies.....	68
Article 58. Conditions of Registration of Candidates for Deputies .....	69
Article 59. Monetary Deposit .....	70
Article 60. Declaration of Income and Property Owned by Candidates for Deputies.....	71
Article 61. Procedure of Registration of Candidates for Deputies .....	71
Article 62. Refusal to Register Candidate (Candidates) for Deputy.....	72
Article 63. Changes in Composition of Election Bloc of Parties .....	73
Article 64. Cancellation of Registration of Candidate (Candidates) for Deputy .....	74

CHAPTER VIII - ELECTION CAMPAIGN .....	76
Article 65. Terms of Conducting Election Campaign .....	76
Article 66. Forms and Means of Election Campaign .....	77
Article 67. Informational Posters and Election Campaign Materials .....	78
Article 68. General Rules of the Use of Mass Media .....	79
Article 69. The Procedure of Electronic (Audiovisual) Mass Media Use .....	81
Article 70. Procedure of Usage of Printed Media .....	82
Article 71. Restrictions on Election Campaigning .....	83
CHAPTER IX - GUARANTIES OF ACTIVITIES OF PARTIES (BLOCS), CANDIDATES FOR DEPUTIES, AND OFFICIAL OBSERVERS .....	87
Article 72. Guaranties of Activities of Parties (Blocs) in Election Process .....	87
Article 73. Guaranties of Activities of Candidates for Deputies .....	90
Article 74. Official Observers .....	90
Article 75. Official Observers from Parties (Blocs) .....	91
Article 76. Official Observers from Non-Governmental Organizations .....	93
Article 77. Official Observers from Foreign States and International Organizations .....	95
CHAPTER X. - VOTING PROCEDURE AND ESTABLISHMENT OF RESULTS OF ELECTIONS OF DEPUTIES .....	97
Article 78. Ballot Paper .....	97
Article 79. The Procedure for Production of Ballot Papers .....	98
Article 80. The Procedure for Transferring Ballot Papers to Election Commissions .....	99
Article 81. Premises for Voting .....	103
Article 82. Preparation to Voting .....	104
Article 83. Organization and Procedure of Voting .....	106
Article 84. Procedure of Voting at the Voter's Place of Stay .....	109
Article 85. Final Meeting of Polling station commission .....	111
Article 86. Voter Lists Processing .....	111
Article 87. Processing Unused Ballot Papers and Control slips .....	113
Article 88. Procedure of Ballot Boxes Opening and Counting of Ballot papers .....	114
Article 89. Protocol of a Polling station commission on Voting Results at a Polling Station .....	117
Article 90. Recognizing Voting at Polling Station Invalid by Polling station commission .....	120
Article 91. Procedure for Transporting and Transferring Election Documents to District Election Commission .....	121
Article 92. Procedure for Receiving and Considering of Documents of Polling station commissions by District Election Commission .....	122
Article 93. Establishing Voting Results in Constituencies .....	125
Article 94. Tabulation of Voting Results in Foreign Election District .....	128
Article 95. Procedure for Receiving and Consideration of Protocols of District Election Commissions by the Central Election Commission .....	129
Article 96. Tabulation of Voting Results of Elections of Deputies .....	130
Article 97. Official Promulgation of the Election Results .....	133
Article 98. Reimbursement of Expenses of Parties (Parties, forming a Bloc) Related to Financing their Election Campaign .....	133
Article 99. Registration of Elected Deputies .....	134
Article 100. Identification Document and Lapel Badge of a National Deputy of Ukraine .....	135
Article 101. Replacing National Deputies whose Authority is Terminated Pre-Term .....	135

Chapter XI. -EXTRAORDINARY ELECTIONS .....	136
Article 102. Specificities of Organization and Conduct of Extraordinary Elections of Deputies .....	136
Chapter XII. - APPEALING DECISIONS, ACTS OR INACTIVITY RELATED TO PROCESS OF ELECTIONS OF DEPUTIES. RESPONSIBILITY FOR VIOLATION OF ELECTION LEGISLATION .....	137
Article 103. Applicants of Complaints.....	137
Article 104. Matter of complaint and Subject to be complained about .....	137
Article 105. Subject entitled to consider Complaints .....	138
Article 106. Time Periods for Appeals .....	138
Article 107. Form and Content of Complaint .....	139
Article 108. Procedure and Terms of Consideration of Complaints .....	140
Article 109. Evidences .....	141
Article 110. Decision of the Subject of Consideration of Complaint after Consideration of the Complaint .....	142
Article 111. Specifics of Revising Court Decisions .....	144
Article 112. Specifics of Lodging a Complaint against Decisions, Action, or Inaction of Executive Authorities, Local Self-Government Bodies, Enterprises, Entities, Institutions and Organizations, their Officials and Personnel .....	145
Article 113. Specifics of Lodging a Complaint against Decisions or Actions of Parties (Blocs) and Other Associations of Citizens .....	146
Article 114. Specifics of Lodging a Complaint against Acts, or Inaction of Mass Media, their Owners, Officials, and Creative Staff Members.....	146
Article 115. Particularities of Disputing Acts, or Negligence of Candidates for People's Deputies .....	146
Article 116. Peculiarities of disputing decisions, acts or inaction of Election Commissions and their Members .....	147
Article 117. Responsibility for Violation of Legislation on Elections of Deputies .....	147
Chapter XIII. - STORAGE OF ELECTION DOCUMENTATION.....	147
Article 118. Storage of Election and Other Documentation and Material Values.....	147
Chapter XIV - FINAL REGULATIONS.....	148

**LAW OF UKRAINE****ON MAKING AMENDMENTS TO THE LAW OF UKRAINE  
ON ELECTIONS OF PEOPLE'S DEPUTIES OF UKRAINE**

The Verkhovna Rada of Ukraine herewith **resolves to:**

Make amendments to the Law of Ukraine *On Elections of People's Deputies of Ukraine* (*Vidomosti Verkhovnoi Rady Ukrainy* (VVR), 2004, N 27-28, p. 366) and formulate it in the following wording:

**“Law of Ukraine on Elections of People's Deputies of Ukraine****Chapter I. GENERAL PROVISIONS****Article 1. Main Principles of Elections of People's Deputies of Ukraine**

1. People's deputies of Ukraine (of this Law hereinafter referred to as deputies) shall be elected by citizens of Ukraine on the principles of universal, equal, and direct suffrage by secret voting.

2. Numerical strength of the Verkhovna Rada of Ukraine shall be determined by the Constitution of Ukraine.

3. Deputies shall be elected on principles of a proportional system with elections of people's deputies of Ukraine in the multi-mandate all-national constituency (of this Law hereinafter referred to as “the all-national constituency”) by election lists of deputy candidates (of this Law hereinafter referred to as “election lists”) of political parties, Election blocs of political parties (of this Law hereinafter referred to as “parties (blocs)”).

4. Parties (blocs) that obtained at least 3 % of votes given by voters, who took part in the voting, based on voting results, shall take part in distribution of mandates of people's deputies of Ukraine.

**Article 2. Universal Suffrage**

1. Elections of deputies are universal. Citizens of Ukraine who reached the age of 18 by Election Day are granted suffrage rights.

2. A voter shall exercise his/her right to vote based on being included on a voters list at a polling station.

3. A document that identifies a voter and confirms his/her citizenship at parliamentary elections shall be:

- 1) a passport of a citizen of Ukraine;
- 2) a temporary ID card of a citizen of Ukraine (for individuals granted the Ukrainian citizenship not long ago);

3) a military card (exclusively for servicemen serving a mandatory conscription period);

4) a card (a certificate) issued by a penitentiary institution and having the full name, date, month and year of birth, citizenship, an individual's photo, signature of a head of the institution and the seal of this institution (for jailed individuals);

5) a passport of a citizen of Ukraine for travels abroad;

6) a diplomatic passport;

7) a service passport;

8) a seaman's ID.

4. Documents specified in paragraphs 1-3 of part 3 of this article shall be the basis for receiving a ballot paper and may be used at general and special polling stations.

5. A document specified in paragraph 4 of part 3 of this article shall be the basis for receiving a ballot paper and may be used at a special polling station created in respective penitentiary institution.

6. Documents specified in paragraphs 5-8 of part 3 of this article shall be the basis for receiving a ballot paper and may be used at polling stations established abroad as well as at special polling stations established on vessels currently navigating under the State Flag of Ukraine, and at a Ukrainian polar station. At polling stations abroad established in states, which citizens of Ukraine may visit into by internal passports, a passport of a citizen of Ukraine shall also be the basis for receiving a ballot paper.

7. Citizens of Ukraine that have the right to vote may take part in work of election commissions as commission members, as well as in pre-election campaigning, observe elections of deputies and perform other activities under the procedure determined by this law and other laws of Ukraine.

8. Any direct or indirect privileges or restrictions of the election right of citizens of Ukraine based on race, color of skin, political, religious and other beliefs, gender, ethnicity, social status, property status, place of residence, language and other attributes shall be prohibited. It is inadmissible to restrict citizens' participation in the election process, except for restrictions imposed by the Constitution of Ukraine and this Law.

9. A citizen determined as incompetent by court decision shall not have the right to vote.

10. A citizen of Ukraine who resides or stays abroad during preparation and conduct of elections shall have the right to vote in elections of people's deputies of Ukraine, and this right shall be exercised through inclusion of this citizen into a voter list of a respective polling station abroad established in accordance with this Law.

11. Citizens of Ukraine that have the right to vote are voters.

### **Article 3. Equal Suffrage**

1. Elections of people's deputies is equal: citizens of Ukraine shall take part in elections on equal terms.

2. Each voter shall have one vote at the elections of deputies. A voter may cast his/her vote at one polling station only, where he/she is put in the voter list. A voter shall exercise his/her right to vote during elections under the procedure stipulated by this Law.

3. All candidates for people's deputies of Ukraine (henceforth referred to as candidates for deputies) shall have equal rights and opportunities to take part in the election process.

4. All parties (blocs) that are subjects of the election process shall have equal rights and opportunities to take part in the election process under the procedure and within limits stipulated by this Law.

5. Equal rights and opportunities of candidates for deputies, parties (blocs) that are subjects of the election process to take part in the election process shall be secured by:

1) prohibition of any privileges or restrictions to be imposed on candidates for deputies on the basis of race, color of skin, political, religious and other beliefs, gender, ethnicity, social and property status, place of residence, language and other attributes;

2) prohibition of any interference of state authorities and bodies of local self-government into the election process, except for cases stipulated by this Law;

3) equal and unbiased treatment of candidates for deputies, parties (blocs) that are subjects of the election process by state authorities, bodies of local self-government, their staff and officials;

4) prohibition of utilization of any other funds except for funds from the election fund of parties (blocs) and the funds of the State Budget of Ukraine allocated for election campaigning according to this Law;

5) equal and unbiased treatment of candidates for deputies, parties (blocs) that are subjects of the election process by mass media.

### **Article 4. Direct Suffrage**

Elections of deputies are direct. Citizens of Ukraine shall elect deputies directly by voting for candidates for deputies included in the election list of a party (bloc).

### **Article 5. Voluntary Participation in the Elections**

Citizens of Ukraine shall voluntarily participate in elections of deputies. Nobody may be forced to take part or refrain from participation in the elections,



### **Article 6. Free Elections**

1. Elections of deputies is free. Conditions shall be established to allow voters to form their free will and freely declare thereof by voting.
2. It is prohibited to use violence, threats, cheating, bribery or any other acts impeding free formation and free declaration of a voter's will.
3. In order to ensure free expression of will, military servicemen on a mandatory conscription shall be given at least a 4-hour time-off on Election Day.

### **Article 7. Secret Voting**

1. Voting at elections of deputies shall be secret; it is prohibited to control free expression of voters' will.
2. Members of election commissions, other individuals are prohibited to perform acts or disseminate information that would allow determining the will expressed by voters.

### **Article 8. Personal Voting**

Each voter shall cast his or her vote in person. It is prohibited to vote instead of another person or vote by proxy.

### **Article 9. Right to Be Elected**

1. A citizen of Ukraine who has reached the age of 21 years on Election Day, has the right to vote, and has been residing in Ukraine for the last five years, may be elected a deputy.
2. Of this Law, residing in Ukraine shall mean:
  - 1) residing on the territory within the state border of Ukraine;
  - 2) staying on board of a vessel navigating under the State Flag of Ukraine;
  - 3) citizens of Ukraine staying abroad to work in diplomatic and other official representative and consular offices of Ukraine, international organizations and their bodies according to the procedure stipulated by law;
  - 4) staying at a polar station of Ukraine;
  - 5) serving in military units of the Armed Forces of Ukraine deployed outside of Ukraine.
3. Individuals who reside together with individuals specified in paragraph 3 of part 2 of this Article as family members shall be considered as residing in Ukraine.
4. A citizen convicted of a deliberate crime cannot be nominated, included on the election list, or elected a deputy unless such conviction has been served and pardoned under the procedure stipulated by the law.

### **Article 10. Right to Nominate Candidates for Deputies**

1. Citizens of Ukraine that have the right to vote may nominate candidates for deputies. This right shall be exercised by them through parties (blocs) under the procedure stipulated by this law.

2. Candidates for deputies may be nominated by a party which was registered according to the procedure stipulated by law at least 365 days before Election Day, or by an Election bloc of parties if all the parties that compose it were registered at least 365 days before Election Day.

### **Article 11. Election Process**

1. The election process is execution of election procedures, stipulated by this law, by subjects determined in Article 12 of this Law.

2. Election process shall be performed on the following principles:

1) Adherence to Election law principles as determined in Articles 2 through 10 of this Law;

2) Lawfulness and prohibition of any illegal interference into this process;

3) Political pluralism and multi-party system;

4) Transparency and openness;

5) freedom of election campaigning, equal access of candidates for deputies, parties (blocs) that are subjects of the Election process to mass media irrespective of their form of ownership, except for media established (owned) by political parties;

6) unbiased approach of state executive authorities, local self-government bodies, courts, enterprises, institutions, agencies and organizations, their heads and other staff and officials towards parties (blocs) and candidates for deputies.

3. The Central Election Commission shall announce the start of the election process in cases and within time limits, stipulated by the Constitution of Ukraine and this Law.

4. Election process shall comprise the following stages:

1) Formation and modification of voter lists;

2) Establishment of election districts;

3) Establishment of polling stations;

4) Creation of election commissions;

5) Nomination and registration of candidates for deputies;

- 6) Holding of the election campaign;
- 7) Voting;
- 8) Vote tabulation and determination of voting results;
- 9) Determination of results of elections of deputies and official promulgation thereof;
- 10) Termination of election commissions' work.

5. The election process terminates 15 days after the official promulgation of the results of elections of people's deputies of Ukraine by the Central Election Commission.

6. Stages of election process specified in sub-paragraphs 1, 2 and 10 of paragraph 4 of this Article may partly exceed the time periods of the election process stipulated by paragraph 3 and paragraph 5 of this Article.

#### **Article 12. Subjects of the Election Process**

Subjects of the election process include:

- 1) a voter;
- 2) an election commission established in accordance with this Law or the Law of Ukraine on the Central Election Commission;
- 3) a party (bloc) that nominated candidates for deputies;
- 4) a candidate for deputy registered according to the procedure stipulated by this Law;
- 5) an official observer from a party (bloc) that is a subject of the election process.

#### **Article 13. Transparency and Openness of the Election Process**

1. Preparation to and conduct of elections of deputies shall be public and open.
2. Election commissions shall:
  - 1) inform citizens on their composition, location and working hours, on creation of territorial election districts and polling stations, on place and time of voting, on basic rights of voters, including their right to complain against unlawful decisions, actions or inaction of election commissions and their members, state executive authorities and bodies of local self-government, enterprises, institutions, agencies and organizations, their heads, other staff and officials;
  - 2) ensure that all subjects of the election process have an opportunity to familiarize themselves with voter lists, election lists of parties (blocs), election programs of parties (blocs), information on candidates for deputies, and the procedure of marking ballot papers;

- 3) explain to voters the voting procedure, and the procedure of marking ballot papers;
- 4) promulgate voting results and results of elections of deputies;
- 5) provide other information in cases and according to the procedure stipulated by this Law.

3. Decisions of election commissions and decisions of state authorities and bodies of local self-government dealing with elections of deputies shall be brought to notice of all citizens through printed media or, in case of impossibility of informing through printed media, through other media.

4. Mass media shall ensure impartial coverage of preparation to and conduct of the elections. Mass media representatives shall be guaranteed free access to all public events dealing with the elections, and access to meetings of election commissions and to a polling station on Election Day under the terms stipulated by paragraph 3 of Article 34 of this Law. Election commissions, state executive authorities, bodies of local self-government, their staff and officials are obligated to provide mass media with information on preparation to and conduct of the elections within their authority.

5. Diplomatic and other official representative offices, consular institutions of Ukraine that host polling stations abroad in states where many Ukrainians that have the right of vote reside, shall ensure publication of information in local media on place and time of voting, location of respective polling stations, procedures and terms of petitioning district election commissions, in particular on matters of including voters in voter lists of the polling station abroad.

#### **Article 14. Legislation on Elections of Deputies**

Preparation to and conduct of elections of deputies are regulated by the Constitution of Ukraine, the Law of Ukraine *On the Central Election Commission*, this Law and other laws of Ukraine, and other legal acts passed in accordance with these acts.

### **Chapter II - TYPES OF ELECTIONS OF DEPUTIES, PROCEDURE, AND TERMS OF THEIR SCHEDULING AND CONDUCT**

#### **Article 15. Types of Elections of Deputies and Procedure of their Scheduling**

1. There may be regular and extraordinary elections.
2. Regular elections shall be scheduled due to termination of the constitutional term of authority of the Verkhovna Rada of Ukraine and does not require special decision on its scheduling.
3. Extraordinary elections of deputies shall be scheduled by the President of Ukraine on the basis and under the procedure stipulated by the Constitution of Ukraine.

### **Article 16. Time Periods of Elections Conduct**

1. Regular elections of deputies shall be held on the last Sunday of March of the last year of authority of the Verkhovna Rada of Ukraine.
2. The election process of the regular elections of deputies shall start 120 days before Election Day. The Central Election Commission shall make announcement about the beginning of the election process no later than 125 days prior to Election Day.
3. Extraordinary elections of deputies shall take place on the last Sunday of the 60-day period after publication of the Decree of the President of Ukraine on pre-term termination of authority of the Verkhovna Rada of Ukraine, issued in accordance with the Constitution of Ukraine.
4. The election process of an extraordinary elections of deputies shall start on the following day after the day of publication of the Decree of the President of Ukraine specified in paragraph 3 of this Law.

### **Article 17. Calculation of Time Periods**

1. Time periods stipulated by this Law shall be calculated in calendar days; in individual cases, time periods shall be calculated in hours and minutes.
2. The first day of the time period, which according to this Law should begin as a result of a certain event, shall be the day following the day of this event.
3. The last day of the time period, which according to this Law should end as a result of a certain event, shall be the day before the day of this event.

## **CHAPTER III - TERRITORIAL ORGANIZATION OF ELECTIONS OF DEPUTIES**

### **Article 18. National and Territorial Election Districts**

1. Elections of deputies shall be held in the all-national multi-mandate constituency comprising the whole territory of Ukraine and the foreign election district.
2. For holding of elections of deputies, the territory of Ukraine shall be divided into 225 territorial election districts. The number of such election districts in the Autonomous Republic of Crimea, oblasts, cities of Kyiv and Sevastopol (hereinafter referred to as regions) shall be determined by the Central Election Commission, taking into account their administrative and territorial arrangement. Territorial election districts shall be created with approximately the same number of polling stations based on the number of polling stations created during the previous regular elections of the President of Ukraine or elections of people's deputies of Ukraine. A territorial election district shall comprise one or several rayons, and/or towns. More than one territorial election district may be created on the territory of big cities. It is not allowed to include parts of territories of two or more regions into one territorial election district.

3. The out of country election district shall include all polling stations abroad created in accordance with Article 22 of this Law.

4. The Central Election Commissions shall make a decision on creation of territorial election districts no later than 110 days before Election Day.

5. The Central Election Commissions shall publish a decision to establish territorial election districts with indication of their numbers, boundaries and district centers in state-owned printed media within three days after passing the respective decision, and in regional printed media within seven days after the day of passage of this decision.

#### **Article 19. Polling Stations**

1. Polling stations shall be created for preparation of organization and conduct of voting and vote tabulation.

2. A polling station may be regular, special, or out of country.

3. The number of voters within the jurisdiction of a polling station shall range from 20 to 2500. Polling stations shall be divided into:

1) small — with the number of voters up to 500 individuals;

2) medium — with the number of voters from 500 to 1500 individuals;

3) large — with the number of voters over 1500 individuals.

4. If there are less or more voters than the limits for a polling station on the respective territory, in an institution or organization, and it is impossible to include such voters (or their excessive number) into another polling station or to establish an additional polling station on this territory, in the institution or organization, this polling station shall be established with the number exceeding or less than the limits for the number of voters.

5. Polling stations shall be established no later than 50 days before Election Day.

6. A district election commission by its decision shall establish unique numeration of polling stations in its respective territorial election district.

#### **Article 20. Regular Polling Stations**

1. Regular polling stations shall be created for organization of voting of voters in places of settlements.

2. Regular polling stations shall be created by territorial election commissions within time limits stipulated by paragraph 5 of Article 19 of this Law upon submission of executive committees of village, settlement, city (towns without rayon councils) councils, rayon councils in cities, and in case of absence of such bodies upon submission of heads of respective village, settlement, and city councils, heads of rayon councils in cities or officials being authorized by law to perform their functions. These submissions shall be filed with a territorial election commission by respective bodies or officials no later than 58 days before Election Day.

3. A territorial election commission with its decision shall determine boundaries of each regular polling station (name of the settlement, street, a list of residential buildings), as well as the location of the polling election commission and the premises for voting.

### **Article 21. Special Polling Stations**

1. Special polling stations shall be established in stationary medical institutions, on vessels navigating under the State Flag of Ukraine on Election Day, at polar stations of Ukraine, in penitentiary institutions and other places of temporary stay of voters with limited freedom of movement. Special polling stations are established in order to allow the voters to vote without violation of the internal operations regime in the respective institution (facility). It is not allowed to establish more than one polling station for two or more institutions or facilities.

2. Special polling stations shall be created by territorial election commissions at places of location of respective institutions or facilities, or at a place of registration of a vessel or a polar station within time limits stipulated by paragraph 5 of Article 19 of this Law on the basis of submissions by rayon state administrations or city executive committees of cities of oblast (republican in the Autonomous Republic of Crimea) significance. These submissions shall be filed with a territorial election commission by respective bodies or officials no later than 58 days before Election Day.

3. In a submission regarding creation of a special polling station in a respective institution or facility one shall include:

- 1) name of the institution or facility;
- 2) legal address of the institution or facility;
- 3) approximate number of voters that would stay in the institution or facility at Election Day;
- 4) availability of respective premises for voting and its address (in the event when the address of the premises is different from the legal address of the institution or facility);
- 5) commitment of management of the institution or facility to ensure open access to the premises for voting for members of the respective election commission and individuals authorized by this Law to be present during the voting and vote tabulation.

4. In a submission regarding creation of a special polling station on the vessel that is navigating under the State Flag of Ukraine one shall include:

- 1) the name of the vessel;
- 2) port of the vessel registration;
- 3) approximate number of voters on the vessel;
- 4) the last day before the leaving of the vessel from the port of registration prior to Election Day;

5) approximate date of return to any port of Ukraine closest to Election Day.

5. No polling stations are usually created at military units (formations). Military servicemen shall cast their votes at regular polling stations located outside of military units (formations). A special polling station on the territory of a military unit (formation) deployed outside of a settlement on a big distance from it may be created as an exception by the Central Election Commission upon submission of the respective district election commission. Such a submission shall be received by the Central Election Commission no later than 58 days before Election Day. In this submission, apart from the information required by part three of this Article, a justification of the necessity to create the respective special polling station shall be included. The basis for this submission shall be a petition of the commander of the military unit (formation) to the respective district election commission that should be received no later than 58 days before Election Day.

6. In the submission stipulated by paragraph 5 of this Article, one shall include:

- 1) the number of and/or the address of the military unit (formation);
- 2) a justification of the necessity to create of the special polling station in a military unit (formation);
- 3) approximate number of voters at such polling station;
- 4) availability of respective premises for voting and its address (in the event when the address of the premises is different from the legal address of the military unit (formation));
- 5) commitment to ensure open access to the premises for voting for members of the respective election commission and individuals authorized by this Law to be present during the voting and vote tabulation.

7. In exceptional events of creation of a new medical treatment facility, penitentiary institution or other institution (facility) where voters with limited freedom of movement would temporarily stay, an unexpected beginning of navigation of a vessel under the State Flag of Ukraine, or an unexpected creation (relocation) of a military unit (formation) that is dispatched long distance from a settlement, the Central Election Commission may create a special polling station no later than 10 days before Election Day upon submission of the respective district election commission. The said submission should be made no later than 15 days before Election Day. This submission shall be filed by the district election commission no later than 15 days before Election Day on the basis of a respective petition of a rayon state administration, city executive committee of the city of oblast significance (republican significance, in the Autonomous Republic of Crimea), or a commander of the military unit (formation). This submission shall include information stipulated respectively by paragraphs 3, 4, or 6 of this Article.

8. A district election commission shall submit to the Central Election Commission its proposals regarding a polling station's number in the event of creation of a special polling station according to paragraphs 5 and 7 of this Law.



## **Article 22. Polling Stations Abroad**

1. Polling stations abroad shall be created by the Central Election Commission upon submission of the Ministry of Foreign Affairs of Ukraine.

2. Polling stations abroad shall be created at diplomatic and other official representative offices and consular institutions of Ukraine abroad, in military units (formations) deployed outside of Ukraine.

3. The list of states where many Ukrainian voters reside shall be determined by the Central Election Commission no later than on September 15 of the year before the year of regularly elections of deputies upon submission of the Ministry of Foreign Affairs of Ukraine.

4. In certain cases, a polling station abroad may be established with premises for voting outside of an official representative office or consular institution of Ukraine. Such polling stations may be created only in big cities of the foreign state where at least 1000 Ukrainian citizens who have voter rights reside or temporarily stay.

5. In order to ensure timely establishment of polling stations abroad, the Ministry of Foreign Affairs, immediately after announcement of the start of the election process, shall request that the authorities of foreign states grant approval, in particular, to establish polling stations with premises for voting outside of the official representative office or a consular institution of Ukraine.

6. The Central Election Commission shall establish polling stations abroad within time limits determined by paragraph 5 of Article 19 of this Law. The Central Election Commission with its decision shall determine boundaries of each polling station; name and address of a diplomatic, other official representation or a consular institution of Ukraine abroad, where a polling station shall be created or name and location of a military unit (formation) deployed outside of Ukraine; shall determine the premises for voting at a polling station abroad; shall establish a unique numeration of polling stations abroad.

7. A submission of the Ministry of Foreign Affairs of Ukraine as stipulated by part 1 of this Law shall be received by the Central Election Commission no later than 55 days before Election Day. This submission shall be signed by the Minister of Foreign Affairs of Ukraine and sealed with the Ministry's seal. A submission shall indicate as follows:

- 1) name of the foreign state where a polling station should be established;
- 2) name and address of diplomatic, other official representative office or a consular institution of Ukraine abroad where a polling station shall be created, name and address of a military unit (formation) deployed outside of Ukraine;
- 3) name and address of the premises for voting;
- 4) availability of a written approval of respective authorities of the state of location to open a polling station abroad, including the permission to use the premises for voting outside of an official representative office or a consular institution of Ukraine;

5) boundaries of each polling station taking into account territories of consular districts or their parts;

6) approximate number of voters to be included in voter lists.

8. In exceptional cases when a new diplomatic or other official representative office or consular institution of Ukraine is opened abroad, or a military unit (formation) re-locates, the Central Election Commission may open a polling station abroad no later than 10 days before Election Day upon submission of the Ministry of Foreign Affairs of Ukraine. This submission should be received by the Central Election Commission no later than 15 days to Election Day. Such submission, in addition to the information stipulated by paragraph 7 of this Article, shall contain a mandatory justification of the necessity to establish a respective polling station abroad.

### **Article 23. Publication of Decisions on Creation of Polling Stations**

1. A decision of a district election commission on creation of regular and special polling stations with indication of polling stations numbers, their boundaries or institutions (facilities) where they are established, location of respective polling station commissions and premises for voting shall be published in regional and local printed media, or if such publication is impossible shall be promulgated otherwise no later than five days after the date of the decision.

2. A decision of the Central Election Commission on creation of a special polling station in accordance with paragraphs 5 or 7 of Article 21 of this Law shall be published in respective regional or local printed media or, if such publication is impossible, it shall be made public otherwise no later than five days after the date of the decision.

3. A decision of the Central Election Commission on creation of polling stations abroad shall be published in national printed media. The respective official representative office or a consular institution of Ukraine in the state where a foreign polling station is created shall publish an announcement on opening a polling station abroad with indication of information stipulated by paragraph 6 of Article 22 of this Law, in printed media accessible to citizens of Ukraine residing or temporarily staying on respective territory, or if such publication is impossible, it shall be made public otherwise no later than five days after the date of the decision.

4. A decision of a district election commission on establishing of regular and special polling stations according to the procedure stipulated by paragraph 2 of Article 20 and paragraph 2 of Article 21 of this Law shall be forwarded to authorized representatives of parties (blocs) that are subjects of the election process in the respective territorial election district no later than on the next day after the date of this decision.

5. A decision of the Central Election Commission on establishing polling stations abroad according to the procedure stipulated by paragraph six or eight of Article 22 of this Law shall be forwarded to authorized representatives of parties (blocs) that are subjects of the election process in the Central Election Commission no later than on the next day after the date of this decision.

## **Chapter IV - ELECTION COMMISSIONS**

### **Article 24. The System of Election Commissions**

1. The system of election commissions that prepare and conduct elections of deputies shall comprise:

- 1) the Central Election Commission;
- 2) district election commissions;
- 3) polling station commissions.

2. Authority of election commissions with regard to preparation to and conduct of elections of deputies shall be exercised by:

- 1) the Central Election Commission – on the whole territory of Ukraine and in the out of country election district;
- 2) a district election commission – within boundaries of a territorial election district;
- 3) a polling station commission – within boundaries of a polling station.

3. Authority of the district election commission of the out of country election district shall be exercised by the Central Election Commission.

### **Article 25. Status of Election Commissions**

1. Election commissions shall be special collective bodies authorized to prepare and conduct elections of deputies and ensure compliance with and equal application of laws of Ukraine on elections of deputies.

2. The status of the Central Election Commission is determined by the Constitution of Ukraine, the Law of Ukraine *On the Central Election Commission*, this Law and other laws of Ukraine. The Central Election Commission shall preside over the system of election commissions that prepare and conduct elections of deputies, and shall be the higher level commission for all district election commissions and polling station commissions stipulated by this Law.

3. The Central Election Commission shall not be legal inheritor of district election commissions.

4. The status of district election commissions and polling station commissions shall be determined by this Law.

5. A district election commission shall be a legal entity. A district election commission shall be a commission of higher level to all polling station commissions within boundaries of the respective territorial election district on issues dealing with elections of deputies.

6. A polling station commission shall not be a legal entity. A polling station commission shall be a subject of the respective election process, shall have the right of petitioning state authorities and bodies of local self-governance within limits of its competence, as well as enterprises, institutions, organizations and facilities, their staff and officials. A polling station commission shall have its own seal, a sample of which shall be approved by the Central Election Commission.

#### **Article 26. Requirements to Members of District Election Commissions or Polling Station Commissions**

1. Voters residing on the territory of Ukraine may be members of a district election commission or a polling station commission of a regular or a special polling station.

2. A voter may be member of only one election commission that is charged with preparation and conduct of elections of people's deputies of Ukraine; as well as commissions on elections of President of Ukraine, elections of deputies of the Verkhovna Rada of the Autonomous Republic of Crimea, elections of deputies of local councils and village, settlement, city mayors, commissions on national or local referendum if these elections shall be held at the same time with elections of the people's deputies of Ukraine.

3. Candidates for deputies, representatives of parties (blocs) in the Central Election Commission, authorized representatives of parties (blocs) that are subjects of the election process, staff and officials of state authorities and bodies of local self-government, employees of courts and law-enforcement bodies, and citizens detained by penitentiary institutions or individuals convicted of a deliberate crime, unless such conviction was served or pardoned under the procedure stipulated by law, cannot be members of district election commissions or polling station commissions.

4. A polling station commission of a special polling station established in a stationary medical treatment facility or a penitentiary institution may not include employees of respective facility or institution.

5. If other elections are held simultaneously with the elections of deputies, district election commissions or polling station commissions shall not include candidates at these elections, their authorized or entrusted representatives, and authorized representatives of other subjects of the respective election process.

6. A secretary of a district election commission or a polling station commission shall have command of the state language at the level required for paperwork.

#### **Article 27. Procedure of Creation of a District Election Commission**

1. The Central Election Commissions shall establish a district election commission no later than 60 days before Election Day. It shall comprise a head, deputy head, secretary, and other commission members no less than 12 and no more than 18 individuals.

2. Parties (blocs) that in the current composition of the Verkhovna Rada of Ukraine have their party factions (bloc factions) as of 15 September of the year preceding the election year, as well as other parties (blocs) that are subjects of the election process shall have the right to nominate members of district election commissions.

3. One representative from each party (bloc) that have their party factions (bloc factions) in the current composition of the Verkhovna Rada of Ukraine as of September 15 of the year preceding the election year must be included in the membership of the district election commission upon respective submission. No more than one representative from other parties (blocs) that are subjects of the election process shall be included in the membership of the district election commission by casting lot by the Central Election Commission no later than on the third day after the day of expiration of the period of making submissions, stipulated by paragraph 4 of this Article. Nominees included in the membership of a district election commission may be rejected only on the basis of their incompliance with the requirements stipulated by Article 26 of this Law or because of the mechanism of casting lot stipulated by this paragraph.

4. Central governing body of a party (governing body of a bloc), no later than 68 days before Election Day, shall submit a list of individuals nominated by a party (bloc), who are members of such party (parties comprising a bloc) or non-affiliated individuals, to be included into respective district election commission (no more than one candidate per each commission) in hard copy form and electronic form to the Central Election Commission in the format approved by the Central Election Commission. This submission shall indicate nominees for a head, deputy head and a secretary of the commission. The submission shall be signed by the party leader (leaders of parties constituting a bloc) and sealed with a party seal (seals of parties constituting a bloc).

5. Nomination of candidates for district election commissions shall indicate as follows:

- 1) full name of the individual;
- 2) year of birth (date of birth for those who would reach the age of 18 in the year of elections);
- 3) citizenship of the individual;
- 4) place of residence and address of the individual, and also contact phone numbers;
- 5) command of the state language;
- 6) education;
- 7) place of work and position;
- 8) previous of experience in work of election commissions;
- 9) respective experience or training;
- 10) position in the commission for which an individual is nominated.

6. A nomination should be accompanied with an request of an individual nominated for a district election commission on his/her consent to take part in commission's work on behalf of the respective party (bloc).

7. Technical errors or inaccuracies in submissions shall not be the basis for rejection of nominated candidates. The Central Election Commission shall immediately inform a representative from the respective party (bloc) in the Central Election Commission about such errors and inaccuracies. These errors and inaccuracies may be corrected through an amended submission on respective candidates no later than on the next day upon receipt of the indicated information. If an amended submission shall not be received in the specified period, the respective candidates shall be rejected.

8. In the event when no submissions for the membership of a district election commission are received in the period stipulated by this Article or if the number of nominees for members of a district election commission is less than 12, the Central Election Commission shall create a district election commission upon submission of its head in the count of 12 individuals with mandatory engagement of individuals nominated by parties (blocs) stipulated by paragraph 2 of this Article.

9. Head, deputy head and a secretary of a district election commission may not represent the same party (bloc).

10. Each party (bloc) that has members in district election commissions shall have the right for a proportional share of each category of management positions in district election commissions. Share of management positions reserved for each party (bloc) within the all-national constituency shall be determined by the number of nominees from a party (bloc) included into district election commissions and the overall number of individuals included into district election commissions from parties (blocs). An individual included into a district election commission upon submission of the Head of the Central Election Commission may not be appointed to management position in a commission except in cases when submissions from parties (blocs) for membership in a respective district election commission were not received or the number of nominees was less than the required number. The procedure of management positions distribution between parties (blocs) within shares stipulated by this Article shall be determined by the Central Election Commission. At the same time, positions granted to representatives of each party (bloc) shall be evenly distributed throughout the territory of Ukraine.

11. Decisions on creation of district election commissions and their composition passed in accordance with this Law shall be published by the Central Election Commission within three days following adoption of the respective decision in state printed media. A part of this decision concerning creation of district election commissions and their composition in respective region shall be published by the Central Election Commission in regional printed media within seven days after making this decision. Decisions on making amendments to composition of a district election commission shall be published under the same procedure within the same time limits but no later than on the last day before Election Day.

#### **Article 28. Procedure of Creation of Polling Station Commissions at Regular or Special Polling Stations**

1. A polling station commission shall be created by the respective district election commission no later than 35 days before Election Day. It shall comprise a head, deputy head, a secretary, and other commission members.

2. A polling station commission shall comprise:

- 1) for small polling stations — 10-18 individuals;
- 2) for medium polling stations — 14-20 individuals;
- 3) for large polling stations — 18-24 individuals.

3. At polling stations where the number of voters does not exceed 50 individuals, a polling station commission may comprise a head, secretary and 2-4 commission members.

4. Parties (blocs) that in the current composition of the Verkhovna Rada of Ukraine have their party factions (bloc factions) as of 15 September of the year preceding the election year, as well as other parties (blocs) that are subjects of the election process shall have the right to nominate members of polling station commissions. An authorized representative of a party (bloc) in the respective territorial election district or all-national constituency shall file this submission.

5. A polling station commission of a regular or a special polling station, except for cases stipulated by paragraph 12 of this Law, must comprise, upon availability of respective submissions, of one representative from a party (bloc) that have their party factions (bloc factions) in the current composition of the Verkhovna Rada of Ukraine as of 15 September of the year preceding the election year. No more than one representative from each party (bloc) that are subjects of the election process shall be included into a polling station commission by casting lot by a district election commission no later than on the 3<sup>rd</sup> day after expiration of the time period for submissions stipulated by paragraph 6 of this Article. Nominees to the membership of a polling station commission may be rejected only because of their failure to comply with requirements stipulated by Article 26 of this Law or because of the mechanism of casting lot stipulated by this paragraph, as well as because of violation of requirements for submissions as stipulated by paragraphs 6 and 7 of this Article.

6. An authorized representative of a party (bloc) in the respective territorial district or all-national constituency no later than 45 days before Election Day shall file the list of nominees from a party (bloc) who are members of such party (parties constituting a bloc) or non-affiliated individuals (no more than one candidate per one election commission) in hard copy form and electronic form to a respective district election commission for including them into respective polling station commissions. This submission shall contain indication of individuals nominated for a head, deputy head, and a secretary of a commission. This submission should be signed by a head of the respective party branch (heads of branches of a party constituting a bloc) and sealed with a seal of the respective party branch (seals of respective branch of a party constituting a bloc).

7. Submissions of candidates for polling station commission members shall contain information stipulated by paragraph 5 of Article 27 of this Law. A submission shall be accompanied with acts of individuals nominated for polling station commission members, on their consent to take part in commission's work on behalf of the respective party (bloc).

8. In case when no submissions for the membership of a polling station commission are received in the period stipulated by paragraph 6 of this Article or the number of nominees for polling station commission members is less than the minimum number stipulated by paragraphs 2 and 3 of this Article, a district election commission shall create a polling station commission

upon submission of district election commission's head in the count of minimum number stipulated by paragraphs 2 and 3 of this Article with mandatory consideration of nominees by parties (blocs) stipulated by paragraph 4 of this Article.

9. Technical errors or inaccuracies in submissions shall not be the basis for rejection of nominated candidates. Upon discovery of such errors and inaccuracies a district election commission shall immediately inform a representative from the respective party (bloc) in the territorial election district about them. These errors and inaccuracies may be corrected through an amended submission on respective candidates no later than on the next day upon receipt of the indicated information. If an amended submission shall not be received in the specified period, the respective candidates shall be rejected.

10. Each party (bloc) that has members in polling station commissions shall have the right for a proportional share of each category of management positions in polling station commissions at each small, medium, and large polling station within boundaries of the territorial election district, and this share depends on the number of candidates nominated by the respective parties (blocs) included into polling station commissions. Share of management positions reserved for each party (bloc) in each category of polling stations within boundaries of the territorial election district shall be determined by the number of nominees from a party (bloc) included into membership of each category of polling station commissions and the overall number of individuals included into membership of each category of polling station commissions from parties (blocs). An individual included into a polling station commission upon submission of a district election commission head may not hold a management position in the election commission except in cases when submissions from parties (blocs) for membership in a respective election commission were not received or the number of nominees was less than the required number. The procedure of management positions distribution between parties (blocs) according to shares stipulated by this Law shall be determined by the Central Election Commission.

11. A head, deputy head and a secretary of a polling station commission may not represent the same party (bloc) that is the subject of the election process.

12. A polling station commission of a special polling station established on a vessel navigating under the State Flag of Ukraine on Election Day, on a polar station of Ukraine, shall be established by a district election commission at the place of registration of a vessel, a polar station of Ukraine upon submission of, respectively, a captain of the vessel or head of a polar station of Ukraine, which may be sent by technical communication means in the time period stipulated by paragraph 6 of this Article.

13. If a special polling station is created as an exception in accordance with paragraph 7 of Article 21 of this Law, a polling station commission shall be established by the Central Election Commission simultaneously with creation of a polling station upon submission of a district election commission.

14. A district election commission shall inform authorized representatives of all parties (blocs) in the respective territorial election district on preparation of submission to the Central Election Commission for creation of the special polling station as an exception and propose that they nominate candidates for polling station commission members under the procedure stipulated by this Article, within time periods specified by the district election commission but no later than 5 days after the notice.



15. A decision on creation of a polling station commission shall be published in regional and local printed media or, if it is impossible, shall be made public by other means no later than on the 5<sup>th</sup> day after passing of the decision. A decision on creation of a polling station commission of the special polling station created as an exception, and a decision on changes in composition of polling station commissions shall be published or promulgated under the procedure and in the time periods stipulated by this paragraph but no later than on the last day before Election Day.

#### **Article 29. Procedure of Creation of a Polling Station Commission in a Polling Station Abroad**

1. A polling station commission of a polling station abroad shall be created by the Central Election Commission no later than 35 days before Election Day; it shall comprise a head, deputy head, secretary, and other commission members. A numeric composition of a polling station commission of a polling station abroad shall be determined according to paragraphs 2 and 3 of Article 28 of this Law.

2. A polling station commission of a polling station abroad may comprise voters residing or staying on the territory of the respective foreign state during preparation to and conduct of elections.

3. Parties (blocs) that in the current composition of the Verkhovna Rada of Ukraine have their party factions (bloc factions) as of 15 September of the year preceding the election year, other parties (blocs) that are subjects of the election process as well as Ministry of Foreign Affairs of Ukraine shall have the right to nominate members of polling station commissions of polling stations abroad.

4. Central management body of a party (management body of a bloc) shall file a list of nominees from a party (bloc) who are party members (members of parties constituting a bloc) or non-affiliated individuals (one candidate per one election commission) to the Central Election Commission to be included into the respective polling station commissions of polling stations abroad no later than 45 days before Election Day. The submission shall indicate proposed nominees for a head, deputy head, and a secretary of a commission. The submission shall be signed by a head of party (heads of parties constituting a bloc) and sealed with a party seal (seals of parties constituting a bloc).

5. The Ministry of Foreign Affairs shall include into a submission, filed within terms specified in paragraph 4 of this Article, employees of diplomatic or other official representative offices of Ukraine abroad, servicemen of military units (formations) deployed outside of Ukraine, or other citizens of Ukraine that have the right of vote and reside or stay in the period of preparation and conduct of elections on the territory of the respective foreign state, in the quantity no less than the minimum number and no more than the average numerical strength of polling station commission members as stipulated by paragraphs 2 or 3 of Article 28 of this Law.

6. A submission of nominees to polling station commission members shall contain information stipulated by paragraph 5 of Article 27 of this Law. Nomination should be accompanied with acts of individuals nominated to be polling station commission members, on their consent to take part in a commission's work on behalf of the respective party (bloc) or upon submission of the Ministry of Foreign Affairs of Ukraine.

7. A polling station commission of a polling station abroad shall comprise (if there are respective submissions) no more than one representative from each party (bloc) that are subjects of nomination of candidates. This shall be done in compliance with paragraph 5 of Article 28 of this Law.

8. A polling station commission of a polling station abroad shall include, in compliance with paragraphs 2 and 6 of this Article and Article 26 of this Law, candidates nominated by the Ministry of Foreign Affairs in such quantity that the numerical strength of an election commission comply with requirements of paragraphs 2 or 3 of Article 28 of this Law.

9. Only incompliance with requirements stipulated by paragraph 26 of this Law and also by paragraphs 2 and 6 of this Article or because of the mechanism of casting lot stipulated by paragraph 5 of Article 28 of this Law can serve as the grounds for rejection of nominated candidates.

10. Technical errors or inaccuracies in submissions of parties (blocs) shall not serve as the grounds for rejection of nominated candidates. Upon discovery of such errors and inaccuracies the Central Election Commission shall immediately inform a representative from the respective party (bloc) in the Central Election Commission about them. These errors and inaccuracies may be corrected through an amended submission on respective candidates no later than on the next day upon receipt of the indicated information.

11. Each party (bloc) shall have the right for a proportional share of management positions in each category of polling station commissions in small, medium, and large polling stations separately within boundaries of the foreign election district, and this share is defined based on the number of candidates nominated by respective parties (blocs) included into election commissions. A share of management positions for each party (bloc) in each category of polling stations within boundaries of the foreign election district shall be determined by the number of nominees from a party (bloc) included into election commissions of each category of polling stations and the overall number of individuals included into polling station commissions of the respective category of election commissions on behalf of parties (blocs). The procedure of management positions' distribution between parties (blocs) according to shares stipulated by this paragraph shall be determined by the Central Election Commission.

12. An individual included into a polling station commission by submission of the Ministry of Foreign Affairs may be appointed to a management position in the election commission only if there are no other nominees for this position from parties (blocs).

13. If a polling station abroad is established as an exception in accordance with paragraph 8 of Article 22 of this Law, a polling station commission shall be created by the Central Election Commission simultaneously with creation of a polling station abroad upon submission of the Ministry of Foreign Affairs of Ukraine. This submission shall be made in compliance with paragraphs 2 and 6 of this Article, as well as Article 26 and paragraph 14 of Article 28 of this Law simultaneously with submission on creation of a polling station.

14. Decision on creation of polling station commissions of polling stations abroad and on their composition passed in accordance with requirements of this Law shall be published by the Central Election Commission within three days after adoption of the respective decision in state mass media. A decision on creation of a polling station commission of a polling station abroad, established as an exception in accordance with paragraph 8 of Article 22 of this Law shall be published under the same procedure and within the same time limits but no later than five days before Election Day. Respective official representations and consular institutions of Ukraine shall, taking into account local conditions of the respective foreign state, publish information on location, postal address and working hours of polling station commissions established at diplomatic and other official representative offices and consular institutions of Ukraine abroad, including those located outside of official representative offices and consular institutions of Ukraine, at military units (formations), deployed outside of Ukraine.

### **Article 30. Powers of the Central Election Commission**

1. Powers of the Central Election Commission in preparation and conduct of elections of deputies are determined by this Law, the Law of Ukraine *On the Central Election Commission* and other laws of Ukraine.

2. In addition to powers determined by the Law of Ukraine *On the Central Election Commission*, the Central Election Commission shall:

1) monitor adherence to election legislation and ensure its uniform application by voters, district and polling station commissions and commission members, executive authorities and bodies of local self-government, staff and officials of such bodies, enterprises, institutions, organizations and their employees, mass media, their owners, staff and creative employees, candidates for deputies, parties (blocs), their representatives and authorized individuals, official observers, other associations of citizens;

2) provide logistical support to election commissions activities;

3) organize training of heads, deputy heads, and secretaries of district commissions;

4) convoke, in cases of necessity on its own initiative, meetings of subordinate election commissions;

5) establish regulations and approve the list of equipment for premises of an election commission and premises for voting, and also types of services and work to be rendered to election commissions;

6) terminate flow of funds on accounts of district election commissions with banking institutions when the authority of such commissions expire or if a commission violates budgetary and financial discipline; pass decision on transfer of remaining funds to the account of the Central Election Commission;

7) ensure publication of informational posters of parties (blocs) that are subjects of the election process;

8) ensure centralized publication of and control over absentee certificates for the right of vote in elections of deputies and their delivery to district election commissions;

9) approve the format and the text of a ballot paper for elections of deputies; ensure centralized publication of the required number of ballot papers and their delivery to district election commissions;

10) provide ballot papers, absentee certificate forms, forms of other documents, seals, and stamps to a representative of the Ministry of Foreign Affairs of Ukraine for delivery to polling station commissions of polling stations abroad;

11) determine voting results and draw up a protocol on voting results within the foreign election district;

12) consider claims and complaints dealing with preparation to and conduct of the elections in the foreign election district and pass decisions on them;

13) register official observers from parties (blocs), public organizations in the foreign election district;

14) exercise other powers of a district election commission in the foreign election district, as well as exercise other powers stipulated by this Laws and other laws of Ukraine.

3. In order to ensure organizational, legal and technical aspects of exercise of powers stipulated by this Law and the Law of Ukraine *On the Central Election Commission*, the Central Election Commission may hire respective specialists, experts, and technical staff.

### **Article 31. Powers of District Election Commissions**

1. Powers of a district election commission shall commence upon the moment of taking the oath by no less than two thirds of its minimum number of members, stipulated by paragraph 1 of Article 27 of this Law, on its first meeting that shall be called no later than on the third day after the day when the decision on its creation was made.

2. A district election commissions shall:

1) ensure preparation and conduct of elections of people's deputies within the boundaries of a territorial election district;

2) control, within the boundaries of respective territorial election district, adherence to and equal application of the legislation on elections of people's deputies by voters, polling station commissions and their members, executive authorities and local self-government bodies, staff and officials of such bodies, enterprises, institutions, agencies, organizations and their officials, mass media, their owners, staff and creative staff members, candidates, parties (blocs), their representatives and authorized individuals, official observers, and other associations of citizens;

3) render legal, logistical, and technical assistance to polling station commissions; organize training of such commission members on the election process organization issues;

4) establish polling stations, except for cases stipulated by paragraphs 5 and 7 of Article 21 of this Law, determine their boundaries and unique numeration within in the territorial election district;

5) establish polling station commissions in accordance with this Law, except for cases stipulated by paragraph 13 of Article 28 of this Law;

6) if required, convoke meetings of a polling station commission on its own initiative;

7) makes decisions on use of funds from the State Budget of Ukraine allocated for preparation to and conduct of the elections of deputies under the procedure established by the Central Election Commission;

8) control composition of voter lists at polling stations on the territory of the election district by bodies authorized to do so by law, deliver these lists to respective polling station commissions, control their presentation for public inspection;

9) control activities of executive authorities and bodies of local self-government on issues of rendering premises for voting, transport, communication means, equipment; consider and solve, within its competence, other issues of logistical support of the elections on the territory of the election district;

10) together with respective executive authorities and bodies of local self-government, facilitate meetings of candidates for deputies, authorized representatives of parties (blocs) with voters at enterprises, institutions, organizations of all forms of ownership, and organize such meetings in cases stipulated by this Law;

11) deliver ballot papers, absentee certificate forms and forms of other documents to polling station commissions as stipulated by this Law; ensure control over the count of ballot papers and absentee certificate forms within boundaries of its district;

12) ensure production of seals, stamps and deliver them to polling station commissions;

13) hear information of polling station commissions, local executive authorities and bodies of local self-government on preparation to and conduct of the elections;

14) register official observers from parties (blocs), public organizations in the territorial election district;

15) consider claims and complaints dealing with preparation and conduct of the elections of deputies in the territorial election district and pass decisions thereupon;

16) determine voting results in the territorial election district, draw up a protocol on voting results in the district, submit it and other election documents stipulated by this Law to the Central Election Commission;

17) declare voting at a polling station unreliable in cases stipulated by this Law;

18) ensure depositing election and other documents with a respective state depository under the procedure established by the Central Election Commission;

19) exercise other powers stipulated by this Law and other laws of Ukraine.

3. Powers of a district election commission shall terminate 20 days after the official promulgation of voting results by the Central Election Commission under the procedure stipulated by this Law.

4. A district election commission shall terminate its activities under the procedure and within time limits stipulated by Article 38 of this Law.

### **Article 32. Powers of a Polling Station Commissions**

1. Powers of a polling station commission shall commence upon the moment of taking the oath by no less than two thirds of its minimum number of members, stipulated by paragraphs 2 and 3 of Article 28 of this Law, on its first meeting that shall be called no later than on the third day after the day when the decision on its creation was made.

2. A polling station commission shall:

1) control adherence to and equal application of the legislation on elections of people's deputies in the course of voting and vote tabulation at a polling station;

2) receive a voter list from a district election commission, compile a voter list in cases stipulated by this Law, present it to public for familiarization and make amendments to it in cases stipulated by this Law;

3) provide voters with possibility to inspect election lists of parties (blocs), election programs of such parties (blocs), information on candidates for deputies, and decisions promulgated by the Central Election Commission, respective district election commission, its own decisions and announcements;

4) hand over or send to each voter, within time limits stipulated by paragraph 2 of Article 43 of this Law, an individual invitation with indication of the date of Election Day, address of the premises for voting, time of beginning and ending of the voting, a voter's number in the voter list at the respective polling station;

5) ensure control over the count of ballot papers and absentee certificate forms;

6) ensure preparation of the premises for voting and ballot booths;

7) subject to decision of the Central Election Commission, make amendments to ballot papers in cases and within time limits stipulated by this Law;

8) organize voting at the polling station;

9) tabulate votes cast at the polling station, draw up a protocol on voting results at the polling station and submit it and other election documents to the respective district election commission or (for a polling station commission of a polling station abroad) send it to the Central Election Commission under the procedure stipulated by this Law;

10) declare voting at the polling station invalid if there are grounds for it as stipulated by Article 90 of this Law;

11) consider claims and complaints concerning the voter list, preparation and organization of voting at the polling station and make respective decisions within its competence;

12) exercise other powers stipulated by this Law and other laws of Ukraine.

3. Powers of a polling station commission shall terminate 15 days after the official promulgation of voting results by the Central Election Commission.

4. A polling station commission terminates its activities simultaneously with termination of its authority.

### **Article 33. Organization of Work of Election Commissions**

1. An election commission is a collective body. The basic form of work of an election commission shall be meetings convoked by the commission head or by the deputy head in case of the commission head's absence, or by the secretary of the commission if the head and the deputy head are absent.

2. If necessary, meetings of an election commission may be convoked by decisions of a superior election commission.

3. Upon written demand of one-third of the commission membership, a head or a deputy head of the commission must convoke the commission's meeting no later than on the following day after receiving this demand.

4. First meeting of an election commission shall be convoked no later than on the third day after its creation, and the following meetings as necessary. If an election commission is established simultaneously with creation of a polling station in accordance with paragraph 13 of Article 28 or paragraph 13 of Article 29 of this Law, the first meeting of such commission shall be convoked no later than on the day following its creation.

5. A meeting of an election commission shall be deemed valid if there are at least two thirds of commission members present at the meeting. On Election Day, in particular during vote tabulation, determination of voting results at a polling station, summing up voting results in the territorial election district, a meeting of a district election commission or a polling station commission shall be reliable if attended by more than one half of commission members.

6. A meeting of an election commission shall be convoked with mandatory notification of all commission members about time, place, and agenda of the meeting.

7. Commission members shall be given draft decisions of the commission and necessary materials, usually no later than on the last day before the date of the commission's meeting, but no later than the beginning of the meeting.

8. A head or a deputy head of an election commission shall preside over a meeting; if they fail to perform such duty, a commission shall appoint a headperson of a meeting from among its members.

9. Upon demand of three commission members, and also subject to a decision of a superior election commission or a court decision, an election commission has to consider at its meeting issues falling within the commission's competence, no later than 3 days after the declared demand or passage of respective decision but prior to Election Day; on Election Day other commissions, except for a polling station commission, shall consider such issues without delay. A polling station commission must consider issues falling within its competence at its meeting on demand of the said members on Election Day or upon a decision of a superior election commission or a court decision passed on Election Day immediately after the end of voting.

10. A decision of an election commission shall be passed through open vote by the majority of votes from the commission membership, except for the cases stipulated by this Law.

11. A decision of the commission becomes valid upon the moment of its passage, except for cases stipulated by this Law.

12. In case that there is less than two thirds of the commission's members at a meeting of a district election commission or a polling station commission held on Election Day, in particular during the vote tabulation, determining the voting results at the polling station, summing up voting results in the territorial election district, the decision of the commission shall be passed by no less than two thirds of the number of commission members present at the meeting.

13. A member of the election commission present at its meeting and not agreeing with the decision passed by the commission shall have the right, within two days after the meeting, to express his/her written dissent opinion that shall be attached to the respective protocol of the election commission's meeting and becomes their integral part.

14. A decision of an election commission passed within its competence shall be mandatory for compliance by all subjects of the election process, executive authorities and bodies of local self-government, their staff and officials, as well as mass media.

15. A decision of an election commission that contradicts Ukrainian legislation or has been passed through exceeding of its powers may be cancelled by a superior election commission or declared illegal and cancelled by court. In such a case, a superior election commission shall have the right to pass a decision on this particular issue.

16. Petitions, complaints and other documents submitted to an election commission shall be accepted and registered under the procedure established by the Central Election Commission.

17. An election commission may employ respective specialists, experts, and technical staff to provide organizational, legal, and technical support of exercise of its authorities stipulated by this Law.



18. Nobody has the right to interfere into activities of election commissions, except for cases stipulated by law.

### **Article 34. Right to Be Present at a Commission's Meeting**

1. Representatives of parties (blocs) in the Central Election Commission shall take part in meetings of the Central Election Commission and have a recommendation vote.

2. The following individuals shall have the right to be present at a meeting of the Central Election Commission without permission or invitation:

- 1) candidates for deputies and authorized representatives of parties (blocs) in the all-national constituency (altogether no more than two individuals from each party or bloc);
- 2) official observers from foreign states and international organizations;
- 3) representatives of mass media.

3. Only the following individuals shall have the right to be present at meetings of a district election commission or a polling station commission without permission or invitation of the respective commission, including during the vote tabulation and determination of voting results, and at a polling station on Election Day on the premises where the voting is conducted:

- 1) commission members of the superior level
- 2) candidates for deputies, authorized representatives of parties (blocs), official observers of parties (blocs) that are subjects of the election process (altogether not more than two individuals including candidates for deputies, authorized representatives or official observers from one party or a bloc)
- 3) official observers from non-governmental organizations (no more than three individuals from different non-governmental organizations altogether);
- 4) official observers from foreign states and international organizations;
- 5) representatives of mass media (not more than two individuals from each media outlet).

4. Other individuals, except for those indicated in paragraph 3 of this Article, may be present at a meeting of an election commission only upon permission or invitation of this commission. Presence of individuals not stipulated by paragraph 3 of this Article at a polling station during the voting and also at a meeting of an election commission during the vote tabulation and determination of the election results is prohibited.

5. An election commission may pass well-grounded decision on deprivation of individuals referred to in paragraphs 3 and 4 of this Article of the right to be present at its meeting if they illegally impede upon the conduct of the meeting. Such decision shall be passed by two thirds of commission members.

6. Agents of law enforcement bodies may protect law and order on Election Day and during the vote tabulation only outside the premises for voting. In the event of a breach of law and order, a commission head or a commission secretary may call upon them exclusively to reinstall law and order for the period of time necessary to accomplish this.

### **Article 35. Documenting Activities of Election Commissions**

1. Documenting of activities of an election commission shall be performed under the procedure stipulated by this Article and the procedure of paperwork of election commissions approved by the Central Election Commission.

2. A secretary of a commission shall compile a protocol of an election commission's meeting. In the secretary's absence or in the event the secretary does not perform his/her duties at the meeting, the commission shall elect a secretary of the meeting from among its members to perform duties of the commission's secretary during the respective meeting and during preparation of the meeting's documents. The protocol of a commission's meeting shall be signed by a headperson of the meeting and a commission's secretary (or the secretary of the meeting). The protocol of the commission's meeting shall be provided to all commission members for familiarization no later than on the next meeting of the commission, and commission members shall have the right to sign it.

3. A decision of an election commission on the considered issue shall be set forth in form of a resolution that includes the following details:

- 1) a commission's name;
- 2) a resolution's title;
- 3) date and place of adoption and number of a resolution;
- 4) motivation with referral to circumstances that constituted grounds for consideration of the issue at the commission's meeting, references to specific provisions of legal acts or a resolution of a superior election commission or court decisions which were taken as a basis when passing the resolution;
- 5) a concluding part.

4. A resolution shall be signed by a head presiding at a commission's meeting. The resolution's content and number shall be indicated in the protocol of the respective commission's meeting.

5. A resolution passed by a district election commission or a polling station commission shall be posted on the board of official commission's materials for general familiarization no later than on the morning after its passage, while a resolution passed prior to and on Election Day and during the determination of voting results shall be posted no later than four hours after termination of the election commission's meeting. Such a resolution shall be brought to notice of related subjects of the election process. A copy of the resolution signed by the head of election commission or his/her deputy and secretary of the election commission and stamped with the official seal shall, upon his or her demand, be handed to the subject of the election process whom it concerns no later than four hours after its passage. The board of

official commission's materials shall be set up in the premises of the commission location in a place freely accessible to all visitors.

6. A commission may pass protocol decisions on issues of its current activity.

7. An election commission shall draw up acts and protocols. Acts of the commission documenting a certain fact or event determined and acknowledged by the commission. Protocols of the commission establish results of actions performed by the commission.

8. Acts and protocols of an election commission shall be drawn up in cases stipulated by this Law, in the form approved by the Central Election Commission and in the number of copies stipulated by this Law. A commission's act or a protocol shall be signed by all members of an election commission present at the meeting and their signatures shall be certified with the commission's seal. First copy of the act or protocol may be signed by candidates for deputies, representatives of parties (blocs) in the Central Election Commission or authorized representatives of parties (blocs), and official observers present at the meeting.

### **Article 36. Status of a Commission Member**

1. The status of a member of the Central Election Commission shall be determined by the Law of Ukraine *On the Central Election Commission*.

2. Status of a member of a district election commission and a polling station commission, as well as the procedure for acquiring this status, shall be determined by this Law.

3. A member of a district election commission or a polling station commission shall be obliged to familiarize him- or herself with the content of paragraphs 7 through 12 of this Article on the first meeting of the election commission he or she participates in and shall take the following oath of the commission member:

"I (last name, first name and patronymic), taking upon myself the authority of an election commission's member and being conscious of the high responsibility before the Ukrainian people, swear to comply with the Constitution and the laws of Ukraine, honestly and diligently perform my duties based on the principles of rule of law, legality, objectivity and without bias, as well as ensure realization and defense of election rights of citizens of Ukraine".

4. An individual who has taken the oath shall put his or her signature under the test of the oath. This document shall be an integral part of the documentation of the respective commission. After taking the oath, member of the commission shall receive a certificate signed by head of the superior commission.

5. A refusal to take an oath shall mean a refusal of the individual to be a member of the commission.

6. Subject to an election commission's decision, approved by a superior election commission, head, deputy head, secretary or other members of a district election commission or a polling station commission (no more than three individuals altogether) may perform their duties in the election commission on a paid basis in accordance with Article 50 of this Law or on the basis of civil agreement between them and the election commission for the whole period of authority of the election commission or a part of this period. For this period, the said individuals

shall be released from their work or service duties at place of their main employment with preservation of their general and special service record.

7. A commission member shall have the right to:

1) take part in preparation of issues being submitted for the election commission's consideration;

2) take the floor at election commission's meetings, put questions to other participants of the meeting regarding the agenda, make proposals on issues falling within the commission's competence;

3) inspect activities of subordinate election commissions upon order of a respective election commission;

4) examine, without impediments, documents of the election commission he/she is a member of, as well as documents of subordinate election commissions on the respective territory;

5) to receive compensation for damages to his/her life, health or property inflicted as a result of execution of a commission member's duties, including travel expenditures related with execution of a commission member's duties under the procedure and in the scope established by the Cabinet of Ministers of Ukraine.

8. A commission member may not be dismissed or transferred to a lower-level position at place of employment on the basis of execution of his/her duties in the election commission.

9. A commission member shall be obliged to:

1) observe the Constitution of Ukraine, this Law and other laws of Ukraine concerning preparation to and conduct of elections;

2) take part in the election commission's meetings;

3) carry out decisions of the election commission and perform duties vested into him/her in accordance with allocation of responsibilities in the commission.

10. An election commission member shall also have other rights and responsibilities in accordance with this Law and other laws of Ukraine.

11. Each election commission member shall enjoy guaranties and compensations stipulated by current legislation for execution of public or civil duties during working hours provided for direct execution of duties of an election commission member (participation in commission meetings, other activities aimed at implementation of this Law and decisions of a commission). Election commission members shall be released from professional duties at place of their main employment for period required to perform a commission member's duties upon written notice of a head, deputy head or a secretary of the respective election commission about meeting of a commission or upon decision of an election commission to engage the commission member in other activities stipulated by this Law. Such notices or decisions shall indicate date, time and expected duration of an election commission's meeting or another event.

12. An election commission member shall be prohibited to campaign in favor or against parties (blocs), candidates for deputies and publicly assess activities of parties (blocs) that are subjects of the election process and candidates for deputies during the time period of reliability of his/her authority.

**Article 37. Pre-term Termination of Authority of All Members of Election Commissions or Individual Election Commission Members**

1. Authority of all members of a district election commission or a polling station commission may be pre-term terminated by an election commission that established it upon its own initiative or based on a court decision if a commission systematically infringes upon the Constitution of Ukraine, this Law and other laws of Ukraine.

2. Pre-term termination of authority of all members of an election commission shall not mean liquidation of this commission.

3. Authority of a member of a district election commission or a polling station commission shall be pre-term terminated by an election commission that established it in the following instances:

1) the commission member files a personal petition for resignation as commission member;

2) the entity that nominated his or her candidacy withdraws this nomination;

3) his or her Ukrainian citizenship is terminated;

4) he or she leaves the territory of Ukraine or the territory of a country where a polling station abroad is established for the period until Election Day which shall prevent him or her from performing duties of a commission member;

5) he or she is registered as a candidate for people's deputy of Ukraine, or a candidate for deputy of the Verkhovna Rada of the Autonomous Republic of Crimea, a candidate for local council deputy or a candidate for head of village, settlement, and city council, if these elections are held simultaneously with the elections of people's deputies of Ukraine;

6) he or she is registered as a representative of party (bloc) in the Central Election Commission, as an authorized representative of a party (bloc) or an entrusted representative of a candidate for a deputy of the Verkhovna Rada of the Autonomous Republic of Crimea, a candidate for deputy of local council or a candidate for head of village, settlement, and city council, and as an authorized representative of a local branch of a party (bloc of local branches of parties) if these elections are held simultaneously with the elections of people's deputies of Ukraine;

7) he or she becomes member of another election commission that prepares the conduct of elections of people's deputies of Ukraine, or deputies of the Verkhovna Rada of the Autonomous Republic of Crimea, deputies of local councils or heads of villages, settlements, and city councils, if these elections are held simultaneously with the elections of people's deputies of Ukraine;

8) he or she refuses to take an oath of a commission member;

9) he or she violates the oath of a commission member revealed in repeated failures to fulfill his or her duties, and these failures are confirmed by at least two decisions of the election commission where he or she is a member;

10) he or she commits a gross violation or repeated violations of the legislation of Ukraine on elections confirmed by a court decision or a decision of the superior election commission;

11) when he or she is convicted for a deliberate crime and this conviction enters into legal force;

11) he or she is declared incompetent;

12) he or she dies.

4. If events referred to in sub-paragraphs 1, 3, 5-8, 11-13 of paragraph 3 of this Article shall occur, authority of a commission member shall be terminated from the moment of their occurrence or discovery, and in the case of events referred to in sub-paragraphs 2, 4, 9, 10 of paragraph 3 of this Article – from the moment of a decision on termination of his or her authority is passed.

5. A superior election commission that pre-term terminated authority of all members of an election commission or an individual commission member, or discovered grounds for termination thereof, shall inform subjects of the election process that nominated commission members whose authority is terminated or against whom grounds for termination of authority are discovered no later than on the following day.

6. In case of pre-term termination of authority of all election commission members, a superior election commission shall approve new composition of the election commission under the procedure stipulated by this Law no later than on the seventh day after termination of commission's authority and no later than on the last day before Election Day.

7. In case of pre-term termination of a commission member's authority, a respective superior election commission shall include another individual into commission's membership instead of a commission member whose authority was terminated no later than on the seventh day after termination of his or her authority and no later than on the last day before Election Day under the procedure stipulated by this Law.

8. In case of a pre-term termination of a commission member's authority on the last day before Election Day, such a decision shall be passed simultaneously with a decision on including another representative form the same subject of the election process into the respective election commission.

9. A party (bloc) that are subjects of nomination of a candidate whose authority is terminated pre-term shall have the priority right to nominate an individual for a commission member instead of the excluded commission member. Such nomination, made in accordance with requirements of this Law, may not be rejected.

10. In case of a pre-term termination of authority of a polling station commission member abroad, if a subject of nomination referred to in paragraph 9 of this Law fails to propose another nominee, another individual shall be included into a commission upon submission of the Ministry of Foreign Affairs of Ukraine only in the event when the numerical strength of a polling station commission falls under the minimum membership number stipulated by paragraphs 2 and 3 of Article 28 of this Law.

11. In case a head, deputy head or a secretary of an election commission repeatedly neglects his or her duties, a respective district election commission or a polling station commission may complain to the election commission that established it with a well-grounded petition for substitution if at least two thirds of commission members voted in favor of this petition. This petition shall be mandatory for consideration within the time period stipulated by paragraph 7 of this Article. A decision on substitution of a head, deputy head, and a secretary of an election commission shall not cause termination of their authority as members of the respective election commission. This decision shall be taken in line with provisions of paragraphs 9 and 10 of Article 27 and paragraphs 10 and 11 of Article 28 of this Law.

### **Article 38. Acquisition and Termination of Legal Entity Status by District Election Commissions**

1. Acquisition and termination of the legal entity status by a district election commission shall be performed under the procedure stipulated by laws of Ukraine with specific details stipulated by this Law.

2. A district election commission shall acquire the status of legal entity on the moment of entering notice about inclusion of information on the commission in the Unified State Register of Legal Entities and Individual Entrepreneurs.

3. In order to enter notice about inclusion of information on the district election commission in the Unified State Register of Legal Entities and Individual Entrepreneurs the head of the commission, or deputy head in the event of head's absence, shall personally submit a copy of the respective resolution of the Central Election Commission on creation of the commission and filled in registration card of the established form to a state registrar at a location of the district election commission no later than six days after creation of the commission.

4. A registration fee for registration of a district election commission as a legal entity shall not be paid.

5. The status of a district election commission as a legal entity shall be terminated through entering notice about exclusion of the commission from the Unified State Register of Legal Entities and Individual Entrepreneurs.

6. A head of a district election commission, or deputy head in the event of head's absence, shall personally submit a written notice about the date of termination of the commission to the registration body no later than five days after the official announcement of elections results.

7. The Bulletin of State Registration shall publish information about the date of termination of a district election commission on the basis of the notice indicated in paragraph 6 of this Article, and this information shall be a basis for filing claims on the commission's debt obligations.

8. A payment for publishing information about the termination of a district election commission in the Bulletin of State Registration shall not be paid.

9. In order to perform state registration of termination of a district election commission as a legal entity through liquidation, a head of a district election commission, or deputy head in the event of head's absence, after conclusion of the procedure of termination of the commission, but not sooner than thirty days after the official announcement of the election results, shall personally submit a filled in registration card of the established form, a certificate about the state registration of a legal entity, a statement from the archive institution about receipt of documents that according to law are subject to long-term storage, as well as act of joint review of the financial control bodies to a state registrar at a location of the district election commission. Additional documents for state registration of termination of a district election commission as a legal entity in the result of its liquidation shall not be required.

10. A head of a district election commission, or deputy head in the event of head's absence, shall forward the certificate about state registration of a legal entity with a remark of the registration body about termination of the state registration to the Central Election Commission.

## **CHAPTER V. - VOTER LISTS**

### **Article 39. Procedure for Compiling General Voter Lists**

1. In order to prepare conduct of voting by voters, general voter lists in the format approved by the Central Election Commission shall be compiled by 1 October of the year preceding the year of regular elections of people's deputies of Ukraine.

2. Working groups of voter registration (henceforth district and city working groups of voter registration) for compiling and clarifying of general lists of voters who reside on the respective territory of each village, settlement, city and city district in cities of Kyiv and Sevastopol shall be created by respective state administrations, executive bodies of city councils (of cities of the republican significance in the Autonomous Republic of Crimea, and of cities of oblast significance) for the period of 1 August of the year preceding the year of regular elections of people's deputies of Ukraine through 1 March of the year of regular elections.

3. Working groups of voter registration (henceforth regional working groups of voter registration) to assist the work of district and city working groups of voter registration and to generalize and clarify general lists of voters who reside on the respective territory of the Autonomous Republic of Crimea, oblasts, cities of Kyiv and Sevastopol shall be created respectively by the Council of Ministers of the Autonomous Republic of Crimea, oblast and Kyiv and Sevastopol city state administrations for the period of 1 August of the year preceding the year of regular elections of people's deputies of Ukraine through 1 March of the year of regular elections.



4. The Ministry of Internal Affairs of Ukraine, the Ministry of Justice of Ukraine, the Ministry of Defense of Ukraine, and the State Department of Ukraine on Execution of Verdicts shall, by 1 August of the year preceding the year of regular elections, appoint officials in charge of cooperation with working groups of voter registration and in order to provide them with information necessary for compiling general voter lists.

5. The Council of Ministers of the Autonomous Republic of Crimea, oblast and Kyiv and Sevastopol city and rayon state administrations, executive bodies of city councils (of cities of the republican significance in the Autonomous Republic of Crimea, and of cities of oblast significance) shall provide premises for work of respective working groups of voter registration that have phone lines, means of electronic communication, furniture and computers.

6. District, city and regional working groups of voter registration shall compile general voter lists according to the procedure stipulated by this Law and the Procedure of Compiling General Voter Lists approved by the Central Election Commission.

7. Funding of general voter lists compilation shall be done through the respective category of the State Budget of Ukraine. The Central Election Commission shall be the responsible party using these moneys. The Cabinet of Ministers shall determine the procedure of transferring necessary funds to executive bodies of councils or to bodies that carry out their powers according to law.

8. Employees of executive bodies of local councils and members of working groups of voter registration that are officials of the Council of Ministers of the Autonomous Republic of Crimea, oblast and rayon state administrations, executive bodies of city councils who are involved in compiling of general voter lists may receive remuneration in the amount and under the procedure established by the Cabinet of Ministers of Ukraine.

9. For compiling and clarifying of general list of voters who reside or stay abroad a working group for registration of voters who reside or stay abroad shall be created in the Ministry of Foreign Affairs of Ukraine in terms indicated in the paragraph 2 of this article.

10. The general voter list shall include all citizens of Ukraine who have reached or will reach the age of 18 on Election Day and have the right to vote and who at the moment of compiling of the general voter list reside on the respective territory or serve the mandatory conscription service in military units (formations) dispatched on the respective territory or are in penitentiary institutions locate on the respective territory. The following information about the voter shall be included in the general voter list:

- 1) Last name, first name, and patronymic;
- 2) Date of birth;
- 3) Place of birth (state, oblast, rayon, city, settlement, or village) according to the administrative-territorial division at the moment of compiling voter lists;
- 4) Place of residence (with indication of the address of residence) or place of stay;
- 5) If necessary, an indication that the individual has a permanent disability of movement.

11. The place of residence and the address of residence of a voter shall be determined on the basis of information of registration according to the Law of Ukraine *On Freedom of Movement and Free Choice of Residence in Ukraine*.

12. The following individuals shall submit information about citizens of Ukraine who have reached or will reach the age of 18 on Election Day to rayon and city working groups of voter registration by September 1 of the year preceding the year of regular elections of people's deputies of Ukraine and in the form approved by the Central Election Commission:

1) heads of respective territorial units of the Ministry of Interior of Ukraine – information about citizens of Ukraine who are registered on the respective territory, in particular citizens who will reach the age of 18 by Election Day as well as about the citizens who reside or used to reside on the respective territory and have changed their place of residence after the last elections of the President of Ukraine or elections of people's deputies of Ukraine;

2) heads of villages, settlements, cities (towns having rayon significance) – about citizens of Ukraine who reside on the territory of a respective local council and about citizens who cannot permanently move on their own;

3) heads of territorial units of the Ministry of Justice of Ukraine – about citizens of Ukraine who used to reside on the respective territory and died after the last regular elections of the President of Ukraine or elections of people's deputies of Ukraine, as well as about citizens who changed their last name, first name, or patronymic within the indicated period;

4) heads of local military registration and enlistment offices – about citizens of Ukraine who used to reside on the respective territory and were conscripted for the mandatory military service within past eight months;

5) commanders of military units (formations) deployed on the territory of a respective city or rayon – about citizens of Ukraine who reside at a place of deployment of the respective military unit (formation), including mandatory conscription military servicemen who will serve until Election Day;

6) heads of local units of execution of verdicts of the State Department for Execution of Verdicts – about citizens of Ukraine who serve their terms at institutions located on the respective territory;

7) heads of education institutions – about citizens of Ukraine who reside in dormitories of respective education institutions;

8) heads of enterprises, institutions, agencies, and organizations – about citizens of Ukraine who reside in apartment houses (dormitories) owned by respective enterprises, institutions, agencies, and organizations;

9) heads of respective entities of custody and care – about citizens of Ukraine who have been declared incompetent by courts;

10) heads of special institutions being charged with registration of homeless citizens in accordance with the Law of Ukraine *On Foundations of Social Protection of Homeless Citizens and Children* – about citizens of Ukraine who are registered at the special institution's legal address;

11) heads of social protection institutions – about citizens of Ukraine who reside on the respective territory and who permanently cannot move on their own.

13. The following entities shall submit information, by September 1 of the year preceding the year of the regular elections of people's deputies of Ukraine, to working groups of registration of voters who reside or stay abroad:

1) diplomatic and other official representative offices and consular institutions of Ukraine in foreign states – about citizens of Ukraine who are registered in consular institutions, and other citizens of Ukraine who reside or stay in the respective foreign state;

2) the Ministry of Defense of Ukraine – about citizens of Ukraine who serve a military service at military units (formations) deployed outside of Ukraine.

14. Diplomatic and other official representative offices and consular institutions of Ukraine shall be obligated to take measures to obtain reliable information stipulated by subparagraph 1 of paragraph 13 of this Article, including through complaints to authorized bodies of power in the foreign or directly to citizens of Ukraine who reside or stay in the respective foreign state.

15. Information stipulated by paragraphs 12 and 13 of this Law shall be submitted in a form established by the Central Election Commission. This information shall be submitted in a hard copy form and electronic form. Information's reliability shall be certified with a signature of heads of the respective body, enterprise, institution, organization, commanders of a military unit (formation), heads of village, settlement, and city council affixed on each page, and sealed with the seal of such a body, enterprise, institution, organization, representative office and a military unit (formation).

16. Officials, heads of entities, enterprises, institutions, organizations, and representative offices, commanders of military formations (units) referred to in paragraphs 12 and 13 of this Article shall be obligated to ensure timely submission of full and reliable information in the required form.

17. State control over adherence by entities, enterprises, institutions, organizations, representative offices, commanders of military formations (units) to the procedure of compiling general lists of voters shall be vested in the Cabinet of Ministers of Ukraine and the Central Election Commission.

18. In order to ensure public control over the process of compiling general lists of voters and their reliability, the Central Election Commission shall establish, no later than on 1 October of the year preceding the year of regular elections of people's deputies of Ukraine, a central control group and regional control groups (in the Autonomous Republic of Crimea, oblasts, and cities of Kyiv and Sevastopol) comprising one representative from each party (bloc) that has its party (bloc) faction in the current convocation of the Verkhovna Rada of Ukraine as of 15

September of the year preceding the election year, upon nominations submitted by central party bodies (joint nominations of central bodies of parties constituting a bloc).

19. Working groups of voter registration stipulated by paragraphs 2 or 9 of this Article shall, by 1 October of the year preceding the year of elections, compile respective local (rayon, city, and city district) general voter lists or a general lists of voters who reside or stay abroad in a form established by the Central Election Commission. The lists shall be made in a hard copy form and electronic form in line with the format established by the Central Election Commission. Voters shall be included in such a list according to places of their residence. The general voter list shall have a continued numbering of voters. The general voter list in hard copy form shall have continuous numbering of pages. The general voter list shall also contain information on other possible place of residence of a voter and, if necessary, on his or her permanent moving disability.

20. The general voter list compiled within boundaries of the respective region on the basis of local general voter lists stipulated by paragraph 19 of this Article shall be forwarded by the regional working group of voter registration in an electronic form to the Central Election Commission under the procedure and within the time period established by the Central Election Commission. The general list of voters who reside or stay abroad shall be forwarded by the working group of voter registration stipulated by paragraph 9 of this Article to the Central Election Commission under the same procedure and within the same time period.

21. The Central Election Commission shall provide electronic copies of the general voters list to members of the central control group stipulated by paragraph 18 of this Article, at their request.

#### **Article 40. Procedure of the General Voter List Clarification**

1. Regional working groups of voter registration shall send information about citizens that changed their place of residence to working groups of voter registration of rayons, towns, city districts where citizens may be put in the voter list at their previous place of residence, by 20 October of the year preceding the year of elections of people's deputies of Ukraine.

2. Working groups of voter registration of a rayon and city shall present general voter lists for inspection of citizens in the premise accessible for visitors no later than 1 November of the year preceding the year of elections. General voter lists shall be accessible for inspection until 1 January of the year of elections. Announcement on presentation of the general voter list for inspection with indication of place and time when one may examine it shall be published within the indicated period no less than once a week in local printed media, and announced by local TV and radio channels no less than twice a week.

3. Working groups of registration of voters who reside or stay abroad shall compile general lists of voters by foreign states. Such voter lists shall be presented for general inspection in the premises of diplomatic or other official representative offices or consular institutions of Ukraine abroad, at the place of location of a military unit (formation) of Ukraine that is deployed abroad within time periods stipulated by paragraph 2 of this Law. The respective representative office or an institution shall publish notice on presentation of the general voter list for inspection with indication of place and time when one may examine it in the way accessible for citizens of Ukraine staying abroad.

4. A voter may be put in the general voter list only once.

5. Each citizen shall have the right to inspect a voter list on the premises indicated in paragraphs 2 and 3 of this Article, and verify the information put in the list. He or she may provide information to the respective working groups of voter registration about individuals that permanently cannot move on their own because of disability or the old age, and this shall be the basis for checking of this information and, in the event they are confirmed, for inclusion of respective information in the general voter list. A citizen shall have the right to complain with rayon and city working group of voter registration and with the local court against mistakes made during compilation of the general voter list, including non-inclusion, wrongful inclusion or exclusion from the general voter list of him/her or other individuals, or presence or absence of the remark about the voter's permanent disability of movement. A citizen staying abroad shall file a respective complaint with an official representation or a consular institution of Ukraine where he/she has inspected the general voter list. This institution or a representation shall immediately forward this complaint to the working group of registration of voters who reside or stay abroad.

6. Working groups of voter registration shall clarify general voter lists. The clarification of the general voter list shall be performed from the time of presenting them for general inspection until 1 February of the year of elections.

7. Clarification of the general voter list shall be performed by working groups of voter registration together with regional control groups created according to paragraph 18 of Article 39 of this Law.

8. The Central Election Commission, in the time period stipulated by paragraph 6 of this Article, shall ensure preparation of the general voter list in electronic form, in particular in order to discover erroneous or multiple entries of one individual to voter lists. The Central Election Commission shall immediately notify, using technical means of communication, respective working groups of voter registration about discovered instances of erroneous or multiple inclusions of voters into the general voter list.

9. For clarification of general voter lists notices stipulated by paragraphs 1 and 8 of this Article or complaints of voters submitted as a result of their familiarization with the general voter list shall be used.

10. If multiple inclusions of a voter into the general voter list are discovered based on notices stipulated by paragraphs 1 and 8 of this Article, a working group of voter registration or upon its directive a respective official representation or a consular institution of Ukraine shall check availability of the voter at the indicated place of residence. In the event of confirmation of residence of the voter at the respective address, the working group of voter registration or the respective official representation or consular institution of Ukraine shall apply with the written petition to such a voter requesting to determine the place of his or her inclusion in the general voter list. The voter shall be obligated to provide a response that eliminates the possibility of multiple inclusion of him or her in the voter list during 15 days after receipt of this petition. In case of the availability of the voter at the indicated place of residence and address is not confirmed, the working group of voter registration shall exclude such a voter from the general voter list at the indicated place of residence.

11. When the voter shall not provide a response to the petition stipulated by paragraph 10 of this Article, the working group of voter registration shall exclude such a voter from the general voter list at the indicated place of residence; such a voter shall be included in the general voter list of the settlement where his or her place of residence is registered according to the registration information by places of residence.

12. The form of the petition of the working group of voter registration concerning clarification of the settlement where the citizen, who was multiple times included in the general voter lists, shall be included in the general voter list, as well as the form of the response to the petition shall be established by the Central Election Commission.

13. After completion of clarification of the general voter list a working group of voter registration shall draw up a clarified general voter list in line with the form established according to paragraph 19 of Article 39 of this Law. The clarified general voter list shall be sent by a respective working group of voter registration in an electronic form to the Central Election Commission under the procedure and within the time period established by the Central Election Commission. The Central Election Commission shall provide electronic copies of the clarified general voter list to members of the central control group stipulated by paragraph 18 of Article 39 of this Law.

#### **Article 41. Procedure of Compiling Voter Lists for Regular Polling Stations**

1. After polling stations are established, working groups of voter registration shall compile voter lists for each regular polling station based on the respective clarified general voter list referred to in paragraph 13 of Article 40 of this Law, and pass it in two copies in hard copy form and electronic form to respective settlement, village and city head, and head of the rayon in city council or other official who perform his/her duties according to the law.

2. A voter list of a polling station shall be compiled under the form established by the Central Election Commission in three copies in hard copy form and electronic form. A voter list in hard copy form shall be signed by the respective settlement, village and city head, head of rayon in city council of a rayon council or other official who perform his/her duties according to the law. Signature of such official shall be certified with a respective seal.

3. A voter may be put in a voter list only at one polling station.

4. A voter list at polling stations shall include full name, date of birth (day, month and year), place of residence and address of a voter; for servicemen of the mandatory military service and jailed persons – address of the place of staying. The voter list shall have respective fields for signatures of voters for the receiving of the ballot paper on Election Day and for notes. Voters should be put in a voter list in a format convenient for voting.

5. In the voter list on a regular polling station based on the general voter list respective notice in the field “Notices” should be made in front of names of voters, who cannot move by their own.

6. Settlement, village and city head, and head of the rayon in city council or other official who perform his/her duties according to the law no later than 40 days before Election Day pass the voter list at the regular polling stations in hard copy form (in 2 copies) and in electronic form to the respective district election commissions at their meetings. An act on

handing over of the mentioned voter lists shall be drawn up in form and under the procedure stipulated by paragraph 8 of Article 35 of this Law. One copy of the act shall be kept with the settlement, village and city head, and head of the rayon in city council of other official who perform his/her duties according to the law, other copy of the act - with the district election commission.

7. If the district election commission is not provided with a voter list on regular polling station 40 day before Election Day it shall complain against inactivity of the settlement, village and city head, and head of the rayon in city council of other official who perform his/her duties according to the law under the procedure stipulated by this Law.

8. A district election commission no later than 32 days before Election Day shall hand over one copy of the voter list at the polling station to the respective polling station commission of the regular polling station. The second copy shall be kept with the district election commission. No less than three commission members of the polling station commission representing different parties (blocs), including a commission's head, or in case of his/her absence – deputy head or a secretary of a commission shall receive voter lists on behalf of a polling station commission. An act on handing over the list to a polling station commission shall be drawn up in two copies in form and under the procedure stipulated by paragraph 8 of Article 35 of this Law.

#### **Article 42. Absentee Certificates for the Right to Vote on Elections of Deputies**

1. A voter, who leaves a settlement where he / she has been put in a voter list at an regular polling station earlier than 30 days (inclusive) before Election Day or who comes back to Ukraine from abroad, may complain to a polling station commission with a written request to issue him/her an absentee certificate for the right to vote on elections of deputies (hereafter – absentee certificate) and for excluding him/her from a voter list. The request should indicate reason preventing him/her from voting at the place of his/her residence as well the number of the territorial election district or the foreign election district, where he/she is going to vote on Election Day. A voter may file such request no later than at 20.00 Friday before Election Day. Based on such application and one of documents, as referred in paragraph 4 (for regular polling stations) and paragraph 6 (for polling stations abroad) of article 2 of this Law, two commission members shall issue an absentee certificate to a voter.

2. The Central Election Commission shall establish the form of the absentee certificate no later than 60 days before Election Day. Absentee certificates shall have unique numeration throughout Ukraine.

3. The absentee certificate shall contain fields for:

1) last name, first name and patronymic of the voter who was issued the absentee certificate;

2) number of the territorial election district or foreign election district, and number of the polling station, where it was issued;

3) number of the territorial election district or foreign election district where the voter is going to vote;

- 4) names and signatures of two commission members issuing the certificate;
- 5) date of issuance of the certificate;
- 6) seal of the polling station commission;
- 7) signature of the voter, who received an absentee certificate.

4. Absentee certificates shall be printed in the quantity of 2% of the number of voters put in the general voter list, as referred to in paragraph 12 of article 40 of this Law. A printing plant shall ensure strict compliance with requested number of absentee certificates, their stocktaking, and delivery in accordance with decisions of the Central Election Commission. Procedure of printing out absentee certificates, their acceptance by the Central Election Commission from a printing plant, handing over to district election commissions shall be determined by the Central Election Commission.

5. The Central Election Commission shall ensure printing of the absentee certificates under the centralized procedure no later than 45 days before Election Day by the state printing plant on the basis of the contract signed with the mentioned plant.

6. Absentee certificates shall be registered high-security documents. The producer of the absentee certificates shall ensure strict adherence to the ordered quantity of the absentee certificates, their storage and handing over to the customer in accordance with the procedure, established by the Central Electoral Commission. The Central Election Commission, district and polling station commissions shall ensure storage, strict stocktaking of accepted and issued absentee certificate in accordance with requirements of this Law. Documents, which ensure storage and stocktaking of absentee certificates, shall be handed over to the Central Election Commission by the printing plant, district and polling station commissions. The Central Election Commission after official promulgation of the elections results shall ensure handing over to the respective archives all control documents for storage.

7. The Central Election Commission no later than 35 days before Election Day shall hand over absentee certificates to the district election commissions in a quantity not exceeding 2 % of the number of voters put in the voter lists within a respective territorial election district under the procedure established by the Central Election Commission.

8. District election commissions no later than 32 days before Election Day together with the voter lists hand over absentee certificates to the polling station commissions in a quantity not exceeding 2% of the tentative number of voters put in the voter lists at the respective polling station according to the procedure stipulated by the paragraph 8 of article 41 of this Law. An act in two copies on handing over absentee certificate to the polling station commission shall be drawn up in form and under the procedure stipulated by paragraph 8 of article 35 of this Law.

9. Polling station commissions of special polling stations shall not be given absentee certificates.

10. Polling station commissions of polling stations abroad established in the diplomatic and other official representative offices and consular institutions of Ukraine abroad shall be provided with absentee certificates under the procedure established by the Central Election



Commission, in a quantity totaling 1% of the number of voters put in voter list within a respective polling station as of handing over forms. The absentee certificate issued at a polling station abroad shall give reasons for putting a voter on a voter list at the regular polling station only under the procedure stipulated by paragraph 20 of this article.

11. Absentee certificates not handed over to the polling station commissions, shall be stored at the district election commission. Based upon a well-grounded request of the polling station commission of the regular polling station, presented no later than 5 days before Election Day, the district election commission by its decision shall hand over the necessary quantity of the absentee certificates to the mentioned polling station commission under the procedure stipulated by paragraph 8 of this article.

12. At issuing an absentee certificate on the voter's request in accordance with paragraph 1 of this Article, two members of a polling station commission shall fill in entries in the absentee certificate as referred to in sub-paragraphs 1-6 of paragraph 3 of this Law, and shall ask a voter to affix his/her signature to an absentee certificate. The entry "Absentee certificate # [number of an absentee certificate] has been issued" shall be made in document presented in accordance with paragraph 2 or 6 of article 2 of this Law on the page "special entries" or in other suitable place as well date of the entry, number of the territorial of mentioning of the foreign election district, and a polling station number where an absentee certificate was issued should be indicated. An entry shall be certified with signatures of two polling station commission members with indication of their names and sealed with a polling station commission's seal. Date of issuance and number of the absentee certificate shall be indicated in a field "signature of voter" of the voter list on the polling station, and signatures of polling station commission members, who issued and absentee certificate, shall be affixed in a field "note" of the mentioned list. Members of the polling station commission at the indicated by the voter place of his/her staying on Election Day (city, rayon, oblast) have by themselves to ascertain number of the territorial election district and provide the voter with the certificate containing address of the respective district election commission as well inform voter on terms of applying to the respective district election commission for his/her putting in voter list based on absentee certificate.

13. At 20.00 of the last Friday preceding Election Day polling station commission shall determine the number of voters, who received absentee certificates and calculate the number of unused absentee certificates available. Unused absentee certificates shall be cancelled by separation of the right bottom corner. An act on cancellation of absentee certificates shall be drawn up in a form and under the procedure stipulated by paragraph 8 of Article 35 of this Law. The act shall be drawn up in two copies, one of which shall be handed over to a district election commission no later than 12.00 of the last Saturday preceding Election Day, and the second one shall be stored together with other elections related documents in the polling station commission. The act shall include following information:

- 1) quantity and numbers of absentee certificates received by a polling station commission;
- 2) quantity of voters who received absentee certificates;
- 3) numbers of unused absentee certificates;
- 4) quantity of cancelled absentee certificates;

5) numbers of territorial election districts, where voters, who have received absentee certificates, are going to cast their votes, and the number of such voters by each territorial election district.

14. When drawing up the act mentioned in paragraph 12 of this article, a polling station commission shall check if the quantity of absentee certificates received matches with the number of voters, who received their absentee certificates, and the number of cancelled absentee certificates. If there are any discrepancies between the mentioned data, a polling station commission shall refer to it in the act, and shall give cause of such discrepancy determined with a polling station commission's decision.

15. Unused cancelled absentee certificates shall be packed under the procedure stipulated by paragraph 10 of article 86 of this Law. An inscription "cancelled absentee certificate for the right of voting on elections of people's deputies of Ukraine" shall be made on a package.

16. The package with cancelled absentee certificates and the act of cancellation shall be stored with the secretary of the polling station commission until the voting ends and shall be delivered to a territorial election commission together with elections related documents as referred to in paragraph 11 of article 89 of this Law.

17. District election commissions at 20.00 of the last Friday preceding Election Day shall cancel unused absentee certificates under the procedure indicated in paragraph 13 of this article. Following information shall be indicated in the act of the district election commission of cancellation of unused absentee certificates:

1) quantity and numbers of absentee certificates received by a district election commission;

2) quantity and numbers of absentee certificates handed over to polling station commissions;

3) number of unused absentee certificates, which were stored at the district election commission;

4) number of absentee certificates cancelled by the district election commission.

18. The district election commission shall pack unused cancelled absentee certificates under the procedure stipulated by paragraph 10 of article 86 of this Law. An inscription "cancelled absentee certificates for the right of voting in elections of people's deputies of Ukraine" shall be made on a package. The package with cancelled absentee certificates and the act of cancellation shall be stored with the secretary of the district election commission until the protocol promulgating the results of the voting in the territorial election district is prepared.

19. A district election commission no later than 30 days before Election Day shall determine within a territorial election district created in the big city one large or medium regular polling station, and within other territorial election districts one large and one medium regular polling station on the territory of each city of oblast importance or administrative center of each rayon as well in resort areas that belongs to the territorial election district, where voters put in a voter list based on their absentee certificates, shall cast their votes.

20. A voter who received at a regular polling station an absentee certificate to cast his/her vote in the foreign election district has the right to be put in the voter list and vote at the every polling station abroad. The voting of the voter based on the absentee certificate at the polling station abroad shall fall under procedure stipulated by the paragraph 9 of article 47 of this Law.

21. A voter who intends to cast his/her vote based on an absentee certificate shall file no later than at 12.00 of the last Saturday before Election Day an application with a district election commission, indicated on the absentee certificate, and submit the absentee certificate and a document where an entry on issuance of an absentee certificate is made. In his/her application, the voter shall indicate a polling station determined in accordance with paragraph 19 of this article he/she is going to vote at on Election Day. The absentee certificate shall not give the voter a right to vote in the settlement, where such absentee certificate was issued.

22. District election commissions shall compile for each polling station determined in accordance with paragraph 19 of this article a list of voters intending to cast their votes by absentee certificates at the respective polling station in the form, established by the Central Election Commission. A voter's name shall be put in the voter list with indication of absentee certificate's number in a "notice" field and signatures of two district election commission members affixed. A voter shall not be put in a voter list if an absentee certificate is unduly executed or records in it differ from records in the entry on receipt of the absentee certificate according paragraph 12 of this article. The absentee certificate without a voter's signature shall be invalid.

23. A polling station commission member of a regular or special polling station located within the respective territorial election district in a settlement without a polling station determined in accordance with paragraph 19 of this article who is put in the voter list on the polling station in another settlement, may complain under the procedure stipulated by paragraph 21 of this article to a district election commission requesting to allow he/she to vote at the polling station, where he/she is a commission member. In such a case the district election commission may decide to put such person on the voter list at the respective polling station.

24. When the district election commission puts a voter on the voter list on the basis of the absentee certificate under the procedure stipulated by paragraph 22 of this article or decides to put a voter on a voter list under the procedure stipulated by paragraph 23 of this article the entry on receipt of the absentee certificate mentioned in paragraph 20 of this article, shall be cancelled by crossing out a seal of a polling station commission, which issued the absentee certificate, with indication of the date of crossing out and affixing signatures of two members of a district election commission.

25. A list of voters being compiled by a district election commission based on absentee certificates under the procedure stipulated by paragraph 22 of this article shall be handed over to a polling station commission of a respective polling station determined in accordance with paragraph 19 of this article no later than on 16.00 of the last Saturday before Election Day. Such handing over shall be performed by two district election commission members at the meeting of the respective polling station commission and shall be certified with an act drawn up in form and under the procedure stipulated by paragraph 8 of article 35 of this Law. The mentioned list shall be an integral part of a voter list for voting on the respective polling station. Voters and sheets in a voter list for an absentee voting shall be numbered separately from numbering voters and

sheets in a voter list received by the polling station commission in accordance with paragraph 8 of article 41 of this Law.

26. A district election commission shall submit consolidated information on the number of absentee certificates issued by all polling station commissions of a respective territorial election district and the number of voters intending to cast their votes by absentee certificates in a respective territorial election district to the Central Election Commission no later than 16 hours before voting starts. The Central Election Commission shall submit information on expected number of absentee voters to respective district election commission and shall publish it on its web site no later than 12 hours before the voting starts.

#### **Article 43. Procedure of Familiarization of Voters with Voter List at Regular Polling Stations and Complain against Mistakes in Voter List**

1. A polling station commission of the regular polling station shall present a voter list to public in a polling station's premise after receiving thereof in terms and under the procedure stipulated by paragraph 8 of Article 41 of this Law.

2. A polling station commission of the regular polling station shall send two personal invitations to each voter informing him/her about his/her putting in a voter list at the respective polling station, his/her number in the voter list, polling station commission's address, its telephone number and work schedule, as well time and date of the voting. Voters, whose names in the voter list are marked in accordance with paragraph 5 of article 41 of this Law, shall be simultaneously informed that they will be allowed to vote at the place of his/her staying. Such written notices shall be sent no later than 25 and not earlier than 7 days before Election Day.

3. Each citizen shall have the right to look through a voter list in the premises of the polling station commission and check out the information put in the voter list. A citizen shall have the right to complain to a polling or a district election commission or directly to a local court at the place of location of a polling station against mistakes made at compiling the voter list, including his/her non-inclusion, erroneous inclusion or withdrawal from a voter list or other persons, as well existence or non-existence of a notice that voter can not move by his/her own

4. A citizen shall personally file a complaint with a polling station or district election commission on circumstances falling within paragraph 3 of this article. The complaint in a form, stipulated by article 107 of this Law (without notification of the subject of complaint), being filed with the election commission, shall be considered at the next commission's meeting, usually, in a complainant's presence. A commission member who receives the complaint shall inform a complainant on time of the next commission's meeting.

5. A complaint as referred to in paragraph 4 of this article may be filed with the respective polling station commission no later than five days before Election Day. A commission shall consider such claim in two days. Based on consideration results, the polling station commission should adopt a decision on amending the voter list or a well-grounded decision on refusal in meeting the complaint. The copy of a decision shall be given to a complainant no later than on the following day after making thereof. A complaint filed with a polling station commission after expiration of the said term shall not be considered.

6. A complaint as referred to in paragraph 4 of this article may be filed with a respective district election commission no later than three days before Election Day. A

commission shall consider such complaint within two days, but no later than on the third day before Election Day; and a complaint filed in three days before Election Day shall be considered immediately. Based on consideration results, a district election commission should adopt a decision on amending the voter list or a well-grounded decision on refusal in meeting the complaint. The copy of a decision shall be given to the complainant no later than on the following day after the making thereof and in case of adopting such decision in three days before Election Day – immediately.

7. A complaint as referred to in paragraph 4 of this article may be filed with a local court at the place of location of a polling station no later than two days before Election Day. The court shall consider such complaint within two days, but no later than in two days before Election Day, and the complaint filed in two days before Election Day shall be considered immediately. A complainant shall be given a court decision on the day of adoption thereof. A court decision shall be handed over to a polling station commission no later than five days before Election Day, and if passed after this day but no later than two days before Election Day - it should be handed over to a district election commission.

8. An election commission or a court shall adopt decision on voter's inclusion or non-inclusion in the voter list on the respective polling station based on ascertaining the voter's place of residence and taking into account requirements of paragraph 3 of article 41 of this law. If required, the election commission or a court when considering the complaint may contact the respective working group of voter registration, mentioned in paragraphs 2, 3 or 9 of article 39 of this Law requesting the clarification of the voter's data.

9. When considering the complaint on voter's inclusion in the voter list under procedure stipulated by paragraph 5 of this article a polling station commission reveals reasons for possible putting a voter on the voter lists on one or several other polling stations, the commission no later than on the following day after passing a decision on putting the voter in the voter list on the respective polling station shall inform a district election commission of the territorial election district covering the polling station on putting the individual on the voter list and on other possible places of his/her inclusion in the voter lists. The district election commission being informed thereof, shall ensure immediate notification of district election commissions of territorial election districts, covering polling stations, where the said person could have been put in the voter list, on putting this person on the voter list.

10. When considering the complaint on voter's inclusion in the voter list under procedure stipulated by paragraph 6 of this article as well receiving notifications, mentioned in paragraph 11 of article 46 and paragraph 15 of article 47 a district election commission reveals reasons for possible putting a voter in the voter list on one or several other polling stations the district election commission shall inform district election commissions of territorial election districts covering such polling stations, on putting the voter in the voter list.

#### **Article 44. Procedure of Making Decisions on Amending Voter List at Regular Polling Stations**

1. Upon request of a commission member, candidate for a deputy, authorized representative of a party (bloc), a polling station or district election commission may file an inquiry with a head of the respective working group of voter registration for clarification and verification of information concerning place of residence of the voter or other his/her data. The head of the respective working group of voter registration should provide such data no later than

on the third day after being inquired by the election commission, but no later than three days before Election Day.

2. A polling station commission shall make decision on amending a voter list based on citizen's complaints as well based on data received under procedure stipulated by paragraph 1 of this article. The polling station commission may decide on amending a voter list no later than three days before Election Day.

3. In two days before Election Day a polling station commission shall hand over to a district election commission at its meeting the list of voters, who were put in the voter list within the respective polling station, and the list of voters, who were excluded from a voter list according to the polling station decision commission. The said lists, being compiled in the form of a voter list, shall be accompanied with decisions of a polling station commission on excluding individuals from and putting in a voter list and documents, based on which respective decisions were passed. At least three polling station commission's members representing different parties (blocs), including a commission's head, and in case of his/her absence deputy head or a commission's secretary, shall hand over the said lists and documents on behalf of a polling station commission. An act on handing over such lists and documents shall be executed in two copies in form and under the procedure, stipulated by paragraph 8 of article 35 of this Law.

4. No later than six days before Election Day, following entities shall provide a district election commission with information in a form stipulated by paragraph 15 of article 39 of this Law:

1) heads of the respective territorial bodies of the Ministry of Internal Affairs of Ukraine - on citizens of Ukraine who have changed their place of residence within a respective territory for the period from 1 July of the year preceding the year of elections;

2) heads of territorial bodies of the Ministry of Justice of Ukraine - on citizens of Ukraine, who used to reside within the respective territory and died after 1 July of the year preceding the year of elections, and on citizens of Ukraine who changed their first, second names and patronymics within the said period;

3) heads of local military commissariats - on citizens of Ukraine, who used to reside within the respective territory and were conscripted after 1 September of the year preceding the year of elections, and on citizens who opted out within the same period;

4) commanders of military units (formations), deployed within the territory of a respective city or rayon – on changes in the list of citizens of Ukraine residing within territory of the respective military unit (formation), including information on enlisted personnel who will not be opted out until Election Day, as compared with submission, being referred to in subparagraph 5 of paragraph 12 Article 39 of this Law;

5) heads of local bodies of the State Department for Execution of Sentences - on changes in contingent of citizens of Ukraine serving their terms at penitentiary institutions located within the respective territory as compared with submission, being referred to in subparagraph 6 of paragraph 12 Article 39 of this Law;

6) heads of local custody and care bodies — on citizens of Ukraine, who were declared incompetent by courts after 1 July of the year preceding the year of elections, and on citizens in relation to whom a court cancelled decision on declaring them incompetent for the same period;

7) heads of specialized institutions being engaged in registration of homeless citizens in accordance with the law of Ukraine *On Principles of Social Protection of Homeless Citizens and Street Children* on citizens of Ukraine who were registered at the respective legal address after 1 July of the year preceding the year of elections, and on citizens of Ukraine, whose registration at such address was cancelled during the same period.

5. A district election commission shall adopt a decision on putting a voter in the voter list or on excluding a voter from the voter list in the respective polling station of a territorial election district by results of a citizen's complaint consideration in accordance with paragraph 6 of Article 43 of this Law, and also based on information being referred to in paragraph 1 of this article, submissions of bodies and institutions, as referred to in paragraph 4 of this article, notices received from district election commissions on putting voters on the voter list at another polling station, as referred to in paragraphs 9 and 10 of article 43 of this Law.

6. Based on decisions adopted according to paragraph 5 of this article and paragraph 23 of article 42 of this Law, as well as based on a court's decision submitted to a district election commission in accordance with paragraph 7 of article 43 of this Law, a head, deputy head or a secretary of a district election commission shall compile lists of voters to be put in a voter list at each regular polling station, and list of voters to be excluded from a voter list at each polling station of a territorial election district no later than three days before Election Day. The list shall indicate reasons for putting a voter on or excluding from a list. Each list shall be drawn up in two copies in the form of a voter list of a polling station. The reliability of such voter lists shall be certified with signatures of the head and secretary of a district election commission and a commission's seal affixed to each page of a list.

7. A district election commission at the meeting held according to paragraph 3 of this article shall hand over to each polling station commission one copy of the respective lists as referred to in paragraph 6 of this article. An act on handing over the said lists to a polling station commission shall be executed in two copies in form and under the procedure stipulated by paragraph 8 of article 35 of this Law. The second copy of each list shall be deposited with a district election commission.

#### **Article 45. Procedure of Making Amendments to Voter List at Regular Polling Stations**

1. Head, deputy head or a secretary of a commission may make amendments to a voter list at the regular polling station.

2. A voter list at the regular polling station may be amended on the following grounds:

1) a voter's application for excluding him/her from a voter list and issuance of an absentee certificate in accordance with paragraph 1 of article 42 of this Law;

2) a decision of a polling station commission passed in accordance with paragraph 2 of article 44 of this Law;

- 3) a court decision passed in accordance with paragraph 7 of article 43 of this Law;
  - 4) lists of voters to be put in a voter list at a polling station and to be excluded from a voter list, drawn up by a district election commission in accordance with paragraph 6 of article 44 of this Law.
3. In making amendments to a voter list on grounds indicated in sub-paragraphs 3 and 4 of paragraph 2 of this Article, a polling station commission shall not pass a decision.
  4. Head, deputy head or a secretary of a polling station commission shall make amendments to a voter list immediately after closing a commission's meeting, at which they passed a decision as referred to in sub-paragraph 2 of paragraph 2 of this Article, or immediately after a polling station commission receives documents as referred to in sub-paragraphs 3 and 4 of paragraph 2 of this article.
  5. When putting a voter in a voter list at a polling station under the procedure of making amendments to a voter list, information on such voter, as stipulated by the voter list form, shall be added in the end of the voter list subject to documents, which gave basis for putting a voter on a voter list. At that, in a field "notes" date and number of a polling station or a district election commission's resolution or a court decision on putting a voter on a voter list shall be indicated.
  6. Individuals, who have been put in a voter list illegally, shall be excluded from a list by crossing out, which act shall be certified with a "crossed-out" entry and signatures of a head and a secretary of a polling station commission to be affixed in the "note" field. At that, in the field next to a voter's name, date and number of a polling station or a district election commission's resolution or a court decision on excluding a voter on a voter list shall be indicated.
  7. A voter list after being amended with changes indicated in sub-paragraph 4 of paragraph 2 of this article should be closed by crossing-out of unfilled entries of the list in the way that makes impossible further amendments of the voter list and is affixed by the signatures of the head and secretary of the commission, and certified by the polling station commission's seal.
  8. Head, deputy head and a secretary of a polling station commission may correct errors and technical mistakes in a voter list on Election Day – wrongful spelling of a first, second name, patronymic, date of birth, house, apartment number – if, despite of such technical mistakes, it is clear that a voter who arrived at a polling station for voting is the same person who was put in the list. Such correction shall be certified with signatures of a head or a deputy head and a secretary of a polling station commission being put in a "notice" field.
  9. It is prohibited to make any amendments to a voter list at the regular polling station after execution of actions referred to in paragraph 7 of this article.

#### **Article 46. Procedure of Compiling of and Clarifying of Voter List at Special Polling Stations**

1. At special polling stations (except polling station in the hospitals) the voter lists shall be compiled no later than 20 days before Election Day by the respective polling station



commissions in form stipulated by paragraph 2 of Article 41 of this Law based on information submitted by heads of respective institutions, bodies, captains of vessels, commanders of military units (formations), where such polling stations have been created.

2. At special polling stations created in the hospitals the voter lists shall be compiled no later than 10 days before Election Day by the respective polling station commissions in form stipulated by paragraph 2 of article 41 of this Law based on information submitted by heads of respective institutions. The voters who shall leave the hospital before Election Day shall not be included into submission and a voter list at such polling station.

3. Information, as referred to in paragraphs 1 and 2 of this article, shall be submitted in one copy bearing a signature of a head of the respective institution, body, captain of a vessel, commander of a military unit (formation) and shall be certified with a respective seal. Head of the respective institution, body, captain of a vessel, commander of a military unit (formation) no later than 23 days and head of the hospital – no later than 11 days before Election Day shall ensure submission of the said information to a polling station commission and reliability thereof.

4. A polling station commission of a special polling station shall provide one copy for public inspection at the premise of a polling station commission on the following day after execution of a voter list at a polling station.

5. Citizens shall look through the voter list at a special polling station and complain against any errors revealed under the procedure stipulated by article 43 of this Law.

6. After a voter list was compiled at a special polling station, one copy of it shall be handed over to the respective district election commission. The content of the voter list at the polling station created on the vessel navigating under the State Flag of Ukraine or at a polar station of Ukraine may be handed over using technical means of communication.

7. If a voter went to a hospital later than 10 days before Election Day, but earlier than two days before Election Day, a respective polling station commission shall clarify a voter list by putting a voter to a list based on information submitted immediately by the head of the respective institution, whose signature shall be certified with a seal of the respective institution. On putting the voter in a voter list a district election commission shall be informed immediately.

8. A voter who went to a hospital in the same settlement, where he/she resides, may complain to election commission of the regular polling station, where he/she is put in a voter list, for voting at the place of his/her stay under the procedure stipulated by paragraph 5 of article 84 of this Law. In such a case, he/she shall not be put in a voter list at a special polling station.

9. A district election commission or a polling station commission of a special polling station on demand of a commission member, candidate for a deputy, authorized representative of a party (bloc) shall have a right to file a request with heads of respective institutions and bodies, commanders of military units (formations) to provide for verifying documents that certify voters staying in the respective institutions or body or contain information on their residence (stay) within a territory where a military unit (formation) is deployed. The said officers or officials should provide these documents or true copies thereof no later than on the third day after being requested by an election commission, but no later than two days before Election Day.

10. If a special polling station is created as an exception in accordance with paragraph 7 of article 21 of this Law, a voter list shall be compiled by a polling station commission no later than 7 days before Election Day based on information submitted by a head of the respective institution, body, captain of a vessel, commander of a military unit (formation). The said information shall be submitted no later than 8 days before Election Day in one copy, bearing signature of a head of the respective institution, body, captain of a vessel, commander of a military unit (formation), sealed with a respective seal. After a voter list was compiled at such polling station, one copy of the list shall be immediately handed over to a respective district election commission. A commission of the polling station created on a vessel navigating under the State Flag of Ukraine or at a polar station of Ukraine may hand over the content of a voter list using technical means of communication.

11. An election commission of a special polling station when amending the voter list shall inform a district election commission of the territorial election district covering the polling station on putting respective individuals on a voter list and on their place of residence no later than on the next day after putting a voter on a voter list.

12. A district election commission shall inform district election commissions of respective territorial election districts on putting all individuals on a voter list of this specific polling station based on received copy of a voter list, as indicated in paragraph 10 of this article, or a notice indicated in paragraph 11 of this article.

#### **Article 47. Procedure of Compiling and Clarifying Voter List at Polling Stations Abroad**

1. After polling stations abroad created a working group of registration of the voters residing or staying abroad based on the verified general voter lists by foreign countries compile voter lists at each polling station abroad in form adopted according to paragraph 2 of article 41 of this Law. Those lists in hard copy form and electronic form shall be hand over by the Ministry for Foreign Affairs of Ukraine to the respective polling station commissions no later than 30 days before Election Day. Such voter lists in hard copy format shall be signed by the Deputy Minister for Foreign Affairs of Ukraine and sealed by the respective seal.

2. No later than 10 days before Election Day a polling station commission of a respective polling station abroad should be informed in form stipulated by paragraph 15 of article 39 of this Law by:

1) heads of diplomatic and other official representations, and consular institutions of Ukraine in foreign states – on citizens of Ukraine on consular register, and other citizens of Ukraine residing in the respective foreign state, taking into account changes, which occurred after 1 July of the year preceding the year of elections;

2) commanders of military units (formations), deployed outside of Ukraine – on citizens of Ukraine, serving in military units (formations), deployed outside of Ukraine, taking into account changes, which occurred after 1 July of the year preceding the year of elections;

3. Information referred to in paragraph 2 of this article, shall be submitted in one copy bearing the signature of the head of the respective representation, institution, commander of a military unit (formation), certified with the respective seal. The head of the respective

representation, institution, commander of a military unit (formation) shall ensure timely submission of the said information to a polling station commission and the reliability thereof.

4. A polling station commission of a polling station abroad shall adopt a decision on putting a voter in the voter list or on excluding a voter from a voter list at the respective polling station based on consideration of citizens' complaint in accordance with paragraph 7 of this article as well based on submissions referred to in paragraph 2 of this article.

5. A polling station commission of a polling station abroad on the following day after reception of a list on a polling station shall provide one copy of a voter list for public examination in a premise of a polling station commission.

6. Citizens shall look through the voter list at a polling station abroad under the procedure stipulated by Article 43 of this Law. Personal invitation containing information about voter inclusion in the voter list at the respective polling station abroad, voter's number in the voter list, polling station commission address, its telephone number and working hours as well time and date of the voting shall be send to voter no later than 7 days before Election Day.

7. Each citizen may file a complaint against any irregularities in a voter list at a polling station abroad with a respective polling station commission under the procedure stipulated by paragraphs 3-5 of article 43 of this Law.

8. If a polling station abroad is established as an exception in accordance with paragraph 8 of Article 22 of this Law, the polling station commission shall compile a voter list no later than 7 days before Election Day based on information submitted by a head of the respective official representation or consular institution of Ukraine, commander of a military unit (formation). The said information shall be submitted no later than 8 days before Election Day in one copy bearing a signature of a head of the representation, institution, commander of a military unit (formation) and shall be certified with a respective seal. After the voter list compiled its content immediately shall be handed over to the Central Electoral Commission by technical means of communication.

9. A voter who arrived to a polling station abroad before Election Day inclusive with absentee certificate shall personally submit to respective polling station commission a written application on putting him/her on a voter list at this polling station, his/her absentee certificate, and document with the entry on issuing him/her the absentee certificate according to paragraph 12 of article 42 of this Law. On basis of those documents a voter is put in the voter list by head, deputy head or secretary of the polling station commission. At that, number of the absentee certificate, numbers of territorial election district and polling station where the absentee certificate was issued shall be indicated in the entry "notice" of the voter list. A polling station commission of the polling station abroad after voting finished immediately shall inform by technical means of communication the Central Election Commission on the quantity of voters, included in the voter list at the respective polling station by the absentee certificates.

10. A voter who arrived at a polling station abroad no later than seven days before Election Day without an absentee certificate, shall submit personally to the respective polling station commission a written application on putting him/her on a voter list at this polling station with indication of his/her place of residence, and one of documents, as referred to in paragraph 6 of article 2 of this Law.

11. Head, deputy head or a secretary of a commission shall make amendments to a voter list at a polling station abroad.

12. Amendments to a voter list at a polling station abroad shall be made based on:

1) a voter's application on excluding him/her from a voter list and issuance of an absentee certificate in accordance with paragraph 1 of article 42 of this Law;

2) decision of a polling station commission made by results of consideration of complaint mentioned in paragraph 7 of this article or application mentioned in paragraph 10 of this article;

3) a voter's application with added absentee certificate under the procedure stipulated by paragraph 9 of this article;

4) information, mentioned in paragraph 2 of this article.

13. When amending a voter list on grounds as referred to in sub-paragraph 1 and 3 of paragraph 12 of this Article, a polling station commission shall not pass a decision.

14. Head, deputy head or a secretary of a polling station commission shall make amendments to a voter list immediately after closing a commission's meeting, at which decision is passed as referred to in sub-paragraph 2 of paragraph 12 of this Article paragraph 4 of this Law.

15. A polling station commission of a polling station abroad when including persons in the voter list according to paragraph 8 and 12 of this article shall notify the Central Election Commission by technical means of communication no later than next day after voter list's compilation finished at the respective polling station or after inclusion a voter into the voter list on putting those persons on the voter list and on their place of residence.

16. The Central Election Commission based on received voter list mentioned in paragraph 8 of this article or notification mentioned in paragraph 15 of this article shall inform district election commissions of the respective territorial election districts on putting all individuals on a voter list of such polling station abroad and on necessity to exclude them from the voter lists of the respective polling stations.

## **CHAPTER VI - FINANCIAL AND LOGISTIC SUPPORT FOR THE PREPARATION AND CONDUCT OF ELECTIONS OF DEPUTIES**

### **Article 48. Financing of Elections of Deputies**

1. Expenditures for the preparation and conduct of elections of deputies shall be incurred exclusively from the funds of the State Budget of Ukraine, allocated for preparation and conduct of elections of deputies as well as the resources of election funds of parties (blocs), candidates for deputy of which are registered by the Central Election Commission.

2. In order to finance their election campaign, a party (bloc) of the candidates for deputy, which are registered by the Central Election Commission shall establish their election funds, which shall be formed in accordance with the procedure set forth by this Law.

3. It is prohibited to finance election events or materials through sources not stipulated by paragraph 1 of this Article, irrespective of availability of agreements with parties (blocs) — subjects of the election process or candidates nominated by such parties (blocs).

**Article 49. Financing of the Preparation and Conduct of Elections of Deputies from the Funds of the State Budget of Ukraine Allocated for Preparation and Conduct of Elections of Deputies**

1. The Central Election Commission, being the main funds administrator, shall ensure financial provision of preparation to and conduct of the elections of deputies through the State Budget of Ukraine.

2. Amount of funds for preparation to and conduct of the elections of deputies shall be stipulated by a separate line of the State Budget of Ukraine upon submission of the Central Election Commission.

3. Expenditures for preparation to and conduct of elections of deputies, including expenditures for printing out informational posters of parties (blocs), which have nominated deputies registered by the Central Election Commission, payment for publication of election programs of parties (blocs) in mass media, radio- and TV broadcasting shall be carried out by the Central Election Commission and district election commissions in accordance with estimates of expenditures, approved by the Central Election Commission within limits of funds reserved for preparation to and conduct of the elections in the State Budget of Ukraine.

4. Funds for preparation and conduct of the elections of deputies allocated through the State Budget of Ukraine shall be transferred to the Central Election Commission by the State Treasury of Ukraine within three days after announcement on the election process beginning.

5. The Central Election Commission shall approve average norms of expenditures for a district election commission, and average norms of expenditures for polling station commissions, which should cover, in particular, expenditures for rent of election commissions' premises and payment for use of technical devices and remuneration for commission members.

6. A district election commission shall draw up a unified estimate of expenditures for preparation to and conduct of the elections, including expenditures of a district election commission and expenditures of polling station commissions within a territorial election district based on average norms of expenditures within ten days after establishment of a commission. The Central Election Commission shall approve unified estimates of a district election commission.

7. Election commissions shall be funded under the procedure established by the Central Election Commission together with the Ministry of Finance of Ukraine.

8. A district election commission shall transfer all funds of the State Budget of Ukraine, which were not used for preparation to and conduct of the elections, back to accounts of the Central Election Commission no later than seven days after promulgation of the elections of deputies results. The State Treasury of Ukraine shall inform the Central Election Commission on transference of such funds back to its account within three days.

9. A district election commission shall execute and submit to the Central Election Commission a financial report on receiving and allocation of funds of the State Budget of Ukraine for preparation and conduct of the elections of deputies under the procedure, established by the Central Election Commission, in a form, approved by the Central Election Commission together with the State Treasury Office of Ukraine within fifteen days after promulgation of the election results.

10. Control of correct and purposeful utilization of funds of the State Budget of Ukraine, allocated for preparation to and conduct of the elections, shall be vested in the Central Election Commission and the respective bodies of the State Audit Service of Ukraine under the procedure established by the Central Election Commission together with the Ministry of Finance of Ukraine.

#### **Article 50. Remuneration for Work of Commission Members and Individuals Employed for Commission Work**

1. Work of a commission member, who performs his/her duties at an election commission on a paid basis, shall be remunerated for in the amount and under the procedure established by the Cabinet of Ministers of Ukraine upon submission of the Central Election Commission, through funds of State Budget of Ukraine allocated for preparation to and conduct of the elections.

2. Amount of wage payments to a commission member, whose production or official duties at his/her principal place of business are suspended, shall not be less than his/her average wage payment at the principle place of business. Amount of wage payments to a commission member who is a pensioner or temporary unemployed, shall not be less than the amount of minimal wage established for the moment of its accounting.

3. A one-time monetary bonus may be calculated and paid to members of the election commissions within limits of saved funds of the wage pool, as reserved by the estimate of expenditures of a respective election commission for preparation and conduct of the elections under the procedure, established by the Central Election Commission.

4. Work of commission members (including pensioners and temporary unemployed individuals) on Election Day and days when voting results are determined, shall be paid for in the amount and under the procedure established by the Cabinet of Ministers of Ukraine upon submission of the Central Election Commission.

5. Work of individuals as referred to in paragraph 17 of Article 33 of this Law, shall be paid for in the amount and under the procedure established by the Cabinet of Ministers of Ukraine at the expense of funds of the State Budget of Ukraine, allocated for preparation and conduct of the elections. Amount of wage payments to such persons shall not be less than the amount of minimal wage established for the moment of its accounting.

6. Performance of work related to preparation and conduct of elections by the persons acknowledged by law as unemployed shall not be considered as a basis for taking off the register in the State Employment Service as such who are looking for a job or as a basis for suspension of payments on unemployment or any other kinds of allowances.

7. In order to receive payments, provided in paragraphs 1- 4 of this article, a member of the election commission shall submit a copy of the certificate of his/her identification number or an application of being a person without such identification number to a relevant district election commission.

#### **Article 51. A Party's (Bloc's) Election Fund**

1. A party's (bloc's) election fund shall have one accumulative account, money for funding the election campaign of a party (bloc) shall be transferred to, and current accounts, through which finding of expenditures for election agitation of a party (bloc) shall be made. Funds shall be transferred to current accounts of a party's (bloc's) election fund through an accumulative account of a party's (bloc's) election fund exclusively.

2. A party (bloc) shall open an accumulative account of an election fund with a banking institution in the city of Kyiv chosen at its own discretion. A party (bloc) may open one accumulative account of an election fund in the national currency only.

3. A party (bloc) may open current accounts of an election fund in banking institutions of Ukraine on the "one account per one election district" basis. One current account of an election fund may be used for several territorial election districts.

4. A party (bloc) shall not fund its election campaign in a foreign election district.

5. A party (bloc) should open an accumulative account of an election fund no later than 65 days before Election Day. A basis for opening an accumulative account of an election fund shall be a copy of the Central Election Commission's decision on registration of candidates for deputies, put in the election list of a party (bloc). Grounds for opening a current account of an election fund shall be a certificate on accumulative account opened, issued by a banking institution.

6. Procedures of opening and closing accounts of election funds of parties (blocs) shall be established by the National Bank of Ukraine upon coordination with the Central Election Commission no later than 100 days before Election Day.

7. Services of banking institutions, related to opening and closing of election fund's accounts and their operation, shall be rendered free of charge. A banking institution shall calculate and pay no interest for utilization of funds, being deposited on accounts of a party's (bloc's) election fund.

8. A banking institution shall inform the Central Election Commission in written on an account's opening and its banking details no later than on the next working day after an accumulative or current accounts have been opened.

9. Information on opening of an accumulative account of a party's (bloc's) election fund and its details shall be published by the Central Election Commission in the *Holos Ukrainy* and *Uryadovi Kuryer* newspapers once, no later than on the fifth day after being informed by a banking institution on opening of accumulative account of a party's (bloc's) election fund at the expense of funds, allocated for preparation to and conduct of the elections through the State Budget of Ukraine. Subsequent announcements on banking details of accumulative account of a

party's (bloc's) election fund shall be published in printed media at the expense of a party's (bloc's) election fund.

10. Funds shall be transferred from current accounts of a party's (bloc) election fund in a cashless form.

11. Allotment of money from current accounts of a party's (bloc's) election fund shall be terminated at 3.00 p.m. of the last day before Election Day.

12. No funds may be arrested on accounts of a party's (bloc's) election fund.

13. Accounts may be closed and transactions on accounts of a party's (bloc's) election fund may be terminated prior to expiration of term stipulated by paragraph 10 of this Law if a party (bloc) loses the status of the election process' subject only.

### **Article 52. Administrators of Party's (Bloc's) Election Fund**

1. A party (bloc) shall appoint two administrators of an election fund having an exclusive right to manage funds deposited on an accumulative account of a party's (bloc's) election fund, from among candidates, put in a voter list of such party (bloc), or from among its authorized representatives in all-national constituency, as referred to in paragraph 5 of Article 72 of this Law.

2. A party (bloc) shall appoint one administrator of a party's (bloc's) election fund for each current account from among candidates, put in a voter list of such party (bloc), or from among its authorized representatives in a respective election district. An administrator of a party's (bloc's) election fund shall have an exclusive right to manage funds on the respective current account of a party's (bloc's) election fund.

3. Administrators accumulative account funds of a party's (bloc's) election fund should keep record of receiving and allocation of funds of a party's (bloc's) election fund among current accounts. Administrators of current accounts funds of a party's (bloc's) election fund should be accountable for strict compliance with financial procedures, purposeful utilization of the a party's (bloc's) election fund.

4. A banking institution, where an accumulative or a current account of a party's (bloc's) election fund is opened, should provide an administrator with information on amount and sources of contributions, which have been transferred to accounts of a party's (bloc's) election fund, cash flow, and account balance on a weekly basis or upon his/her request.

5. An administrator of a current account of a party's (bloc's) election fund should keep record of utilization of money deposited on a current account of a party's (bloc's) election fund. An administrator of a current account of a party's (bloc's) election fund should provide an administrator of an accumulative account of a party's (bloc's) election fund with a financial act on utilization of money deposited on a current account of a party's (bloc's) election fund no later than on the seventh day after Election Day.

6. Administrator of funds of an accumulative account of a party's (bloc's) election fund should provide the Central Election Commission with a financial report on receipts and



utilization of money deposited on a party's (bloc's) election fund no later than on 15<sup>th</sup> day after Election Day.

7. Form of a financial report, as referred to in paragraphs 5 and 6 of this article, shall be established by the Central Election Commission no later than 80 days prior to Election Day.

### **Article 53. Formation of Party's (Bloc's) Election Fund and Use of its Resources**

1. A party's (bloc's) election fund shall be formed at expense of own funds of a party (parties constituting an election bloc), and voluntary contributions of individuals (further – voluntary contributions).

2. Voluntary contribution of an individual to a party's (bloc's) election fund shall not exceed four minimum wages. Own funds of a party (bloc), which are transferred on an accumulative account, shall not be limited by sums or numbers of transfers.

3. Following individuals cannot make voluntary contributions to a party's (bloc's) election fund:

- 1) foreigners and stateless individuals;
- 2) anonymous contributors (if a payment document bears no details as stipulated by paragraph 4 of this Law).

4. Voluntary contribution to a party's (bloc's) election fund shall be accepted by a banking institution or a post office if a citizen submits one of documents, as referred to in subparagraphs 1 or 2 of paragraph 3 of Article 2 of this Law. This payment document should contain the first, second name, patronymic, date of birth and the place of residence of the person as well as his/her lodging address.

5. A banking institution or a post office should transfer a voluntary optional contribution to an accumulative account of a party's (bloc's) election fund no later than on the following working day after receipt of the respective payment document. General term of cashless transfer of contributions to an accumulative account of a party's (bloc's) election fund should not exceed two banking days.

6. An administrator of an accumulative account of a party's (bloc's) election fund shall have the right to reject a contribution of an individual by submission of a respective application and a payment document to a banking institution, where an accumulative account of a party's (bloc's) election fund is maintained. Such contribution shall be paid back to an individual at the expense of an voluntary contribution, and if it is impossible to do so, it shall be transferred into the State Budget of Ukraine.

7. If an optional contribution made by an individual exceeds the amount stipulated by paragraph 2 of this Law, exceeding sum shall be paid back to the individual by a banking institution, where an accumulative account of a party's (bloc's) election fund is maintained based on a respective application and a payment document, submitted by an administrator of an accumulative account of a party's (bloc's) election fund, at the expense of such funds, and if it is impossible to do so, it shall be transferred into the State Budget of Ukraine.

8. An administrator of an accumulative account of a party's (bloc's) election fund should reject contribution of an individual, who cannot make such contributions in accordance with this law, if an administrator is aware of it. Based on administrator's application on rejection of a contribution, a banking institution, where an accumulative account of a party's (bloc's) election fund is maintained, shall transfer such contribution to the State Budget of Ukraine. If an administrator of an accumulative account of a party's (bloc's) election fund is aware of fact, that an contributing individual had no right to do so, he/she has to reject such contribution by filing an application to a banking institution, where an accumulative account of a party's (bloc's) election fund is maintained, for transference of the respective sum to the State Budget of Ukraine within three days following the day, when he/she became aware of it.

9. A banking institution, where an accumulative account of a party's (bloc's) election fund is maintained, shall transfer funds from an accumulative account to current accounts of the same a party's (bloc's) election fund based on the respective application of an administrator of an accumulative account of a party's (bloc's) election fund.

10. The Central Election Commission and a banking institution, where an accumulative account of a party's (bloc's) election fund is maintained, shall exercise control over receipts, accounting and utilization of election funds of parties (blocs) in accordance with the procedure established by the Central Election Commission together with the National Bank of Ukraine and an authorized central executive authority in the sphere of communications no later than 90 days before Election Day.

11. A banking institution, where an accumulative account of a party's (bloc's) election fund is maintained, shall transfer funds, not used by a party (bloc), to an accumulative account of a respective a party's (bloc's) election fund no later than on the fifth day after Election Day.

12. Within five days after receipt of a respective decision of a party (bloc) by a banking institution, funds of an election fund, not used by a party (bloc), shall be transferred from an accumulative account of a party's (bloc's) election fund to a current banking account of a party (parties, constituting a bloc) upon decision of a management of a party (bloc) passed within tend days after promulgation of voting results. If a party (bloc) fails to pass such decision within the said term, a banking institution shall transfer unutilized funds of a party's (bloc's) election fund to the State Budget of Ukraine on the 15<sup>th</sup> day after promulgation of the election results by the Central Election Commission.

13. Contributions which are transferred to the accumulative account of a party's (bloc's) election fund later than one day prior to Election Day shall be returned by the banking institution to the relevant person at the expense of such contributions, and if it is impossible to do so, it shall be transferred into the State Budget of Ukraine.

#### **Article 54. Logistical Support of Preparation and Conduct of the Elections of Deputies**

1. Executive authorities and local self-government bodies, their officials should assist election commissions in execution of their duties: provide them with all required premises in accordance with norms, determined by this law or respective regulations of the Central Election Commission passed in compliance with this Law, assist in equipping thereof; ensure their protection and security of ballot papers and other election documents; provide transport facilities and communication means, devices, office equipment to be returned after termination of election

commissions' office, in accordance with norms and lists given by the Central Election Commission. Procedure of payment and remuneration for such services shall be determined by the Cabinet of Ministers of Ukraine.

2. Purchase of goods, payment for work, services as required for preparation to and conduct of elections of deputies during the election campaign shall be made by election commissions at the expense of funds of the State Budget of Ukraine under the procedure established by the Cabinet of Ministers of Ukraine.

## **CHAPTER VII - NOMINATION AND REGISTRATION OF CANDIDATES FOR DEPUTIES**

### **Article 55. General Procedure of Nomination of Candidates for Deputies**

1. A citizen of Ukraine, who in accordance with Article 9 of this Law may be elected a deputy, should give his/her consent to run for position of a deputy on behalf of a party (bloc).

2. Nomination of candidates for deputies shall start in 119 and end in 90 days before Election Day.

### **Article 56. Procedure of Election Bloc Establishment**

1. An election bloc may be created by two or more parties, being referred to in paragraph 2 of Article 10 of this Law, based on decisions of a congress (meeting, conference) of each of the said parties. Such decision should be signed by a party leader and sealed with a party's seal. Congresses (meetings, conferences) of parties, which decide to establish an election bloc, may be held in any time prior to expiration of nomination term.

2. Heads or representatives of parties, being authorized by congresses (meetings, conferences) to establish an election bloc, shall enter into agreement on creation thereof, to be signed by them and sealed with seals of establishing parties.

3. An agreement on creation of an election bloc should determine as follows:

- 1) full and abbreviated name of a bloc;
- 2) management bodies of an election bloc and ways of operation thereof;
- 3) representative quotas and way of delegation of representatives to an inter-party congress (meeting, conference) of parties constituting a bloc;
- 4) procedure of an inter-party congress (meeting, conference) holding for nomination of candidates;
- 5) procedure of taking decisions by an inter-party congress (meeting, conference);
- 6) terms of nomination and quotas of deputy representation in the election list of parties constituting an election bloc;

7) procedure of making decisions on excluding an individual from an election list of candidates for deputies of a party (bloc).

4. Full name of a bloc should contain names of all parties, constituting a bloc. Full or abbreviated name of a bloc may not include name of party, which is not included in a bloc, names and surnames of persons or historical individuals if they are not candidates on behalf of this bloc or if their names or surnames are not used in the official name at least of one party which is included in the bloc.

5. The Central Election Commission shall be informed on establishment of a bloc no later than five days before the inter-party congress (meeting, conference). A notice signed by party representatives, authorized to create an election bloc, shall be accompanied with an agreement on creation of an election bloc, decision of each party on creation of an election bloc, and extracts from protocol of congresses (meetings, conferences) on consideration of the issue, and copies of certificates on registration of parties, which have created an election bloc, their charters being certified free of charge by the Ministry of Justice of Ukraine after announcement of the election process beginning. If a name of a bloc contains an individual's name, a notice shall also be accompanied with an individual's permit, bearing his/her signature certified under the established procedure.

6. If it is revealed that an agreement on establishment of an election bloc conflicts with this Article or if a party enters an election bloc in defiance of paragraph 2 of Article 10 of this Law, the Central Election Commission shall send a notification to parties, which created an election bloc, demanding that infringement should be eliminated and saying that repeat infringement may cause refusal in registration of candidates nominated by a bloc based on subparagraphs 1, 2 of paragraph 1 of Article 62 of this Law, within two days after being informed on a bloc establishment. The said notification shall be sent to parties constituting an election bloc no later than on the third day after receipt of documents, as referred to in paragraph 5 of this Article.

#### **Article 57. Procedure of Nomination of Candidates for Deputies**

1. The number of candidates for deputies nominated by a party (bloc) may not exceed the number of deputies making the constitutional composition of the Verkhovna Rada of Ukraine, as determined by the Constitution of Ukraine, and may not be less than 18 individuals.

2. A party (bloc) may nominate an individual, being a party member (member of a party constituting a bloc) or a non-affiliated person, who may be elected a deputy in accordance with Article 9 of this Law, for a deputy.

3. A party being an election bloc member may not nominate deputies or be a member of another election bloc by its own.

4. A party shall nominate candidates for deputies at its congress (meeting, conference), and a bloc — at the inter-party congress (meeting, conference) of parties constituting a bloc. A congress (meeting, conference), which nominate candidates for deputies, should be attended by at least 200 delegates.

5. Candidates for deputies shall be nominated as election list of candidates for deputies from a party (bloc) in a form approved by the Central Election Commission. All candidates for

deputies nominated by a party (bloc) shall be put in the unified election list of a party (bloc). Positions of candidates in the list shall be determined at a congress (meeting, conference). An individual may be put in an election list of only one party (one bloc).

6. Form of the election list of candidates for deputies from a party (bloc) shall be approved by the Central Election Commission no later than 130 days before Election Day.

7. A protocol of a congress (meeting, conference) of a party, inter-party congress (meetings, conferences) of parties constituting a bloc, should indicate as follows: date of an event, agenda, information on individuals nominated for deputies (full name, date, month and year of birth, citizenship, party affiliation, information on education, position (occupation), place of residence), results of voting on an election list of candidates for deputies. Protocol shall be signed by the headperson of a congress (meeting, conference), and an election list of candidates for deputies shall be signed by a head of party (heads of parties constituting an election bloc). The said documents shall be sealed with a seal of party (parties constituting a bloc).

8. A head of party (heads of parties constituting an election bloc) shall inform the Central Election Commission in written on time and place of a congress (meeting, conference) of a party, inter-party congress (meetings, conferences) of parties constituting a bloc devoted to nomination of candidates for deputies no later than 5 days before a congress (meeting, conference). Member of the Central Election Commission may be present at such congress (meeting, conference) by order of the head of the Central Election Commission.

9. Mass media shall be informed on time and place of a congress (meeting, conference) devoted to nomination of candidates for deputies no later than three days prior to the date of a congress (meeting, conference). Organizers of an event shall establish procedure of accreditation of journalists for such congress (meeting, conference).

#### **Article 58. Conditions of Registration of Candidates for Deputies**

1. The Central Election Commission shall register candidates for deputies included on the election list of a party (bloc) on condition that the following documents are provided:

1) an application on registration of candidates for deputies signed by a head of party (parties constituting a bloc) and sealed with a seal of a party (seals of parties constituting a bloc);

2) a copy of a registration certificate of a party (parties constituting a bloc) and its statute (statutes of parties constituting a bloc), being certified by the Ministry of Justice of Ukraine free of charge after announcement on the election process beginning;

3) decisions of a congresses (meetings, conferences) of parties on creation of an election bloc and extracts from protocol of congresses (meetings, conferences) on creation of an election bloc, certified with signatures of heads of parties constituting a bloc and sealed with seals of such parties (if candidates for deputies are nominated by a bloc);

4) agreements on establishment of an election bloc (if candidates for deputies are nominated by a bloc);

5) extract from the protocol of congresses (meetings, conferences) of a party (inter-party congresses (meetings, conferences) of parties constituting a bloc) on nomination of

candidates for deputies from a party (bloc), which should contain information as referred to by paragraph 7 of Article 57 of this Law, and should be certified by a head of party (heads of parties constituting a bloc) and sealed with a seal of a party (seals of parties constituting a bloc);

6) an election list of candidates for deputies from a party (bloc) in a form approved by the Central Election Commission;

7) applications of individuals included on an election list of a party (bloc) on their consent to run for a deputy on behalf of a party (bloc) with obligation to terminate activity or abdicate any other representative mandate, conflicting with a mandate of a people's deputy of Ukraine in accordance with the Constitution of Ukraine and laws of Ukraine, in order to assume authorities of people's deputy of Ukraine, and his/her consent for publication of biographic information for campaigning, and obligation to transfer enterprises and corporate rights owned by such person to another person under the procedure stipulated by the law in case of being elected a people's deputy within a month following official promulgation of voting results;

8) autobiographies of individuals put in an election list of a party (bloc) up to 2,000 printed charters, which should contain as follows: full name, date, month and year of birth, citizenship, information on education, service record, office (occupation), place of work, social work (including those performed at elected positions), party affiliation, family composition, place of residence with indication of period of residence in Ukraine, information on previous convictions (if any);

9) election program of a party (bloc) set forth in the state language, up to 7800 printed charters;

10) act of income and property owned of each candidate for a deputy in accordance with Article 60 of this Law;

11) a document on monetary deposit made in accordance with Article 59 of this Law;

12) photos of individuals put in an election list of a party (bloc) dimensions and quantity of which is established by the Central Election Commission no later than 120 days before Election Day.

2. Documents submitted to the Central Election Commission after announcement on the election process beginning under the procedure stipulated by paragraph 5 of Article 56 of this Law, shall not be repeatedly submitted.

3. The Central Election Commission shall issue an act on acceptance of documents as referred to in paragraph 1 of this Article, to a representative of a party (bloc) to the Central Election Commission. An act should enlist documents received, date, month year, and time of their acceptance, position and name of a receiving person.

### **Article 59. Monetary Deposit**

1. Monetary deposit shall total 2,000 minimum wages, to be transferred by a party (bloc) in cashless form to the special account of the Central Election Commission.

2. If the Central Election Commission passes decision on refusal in registration of candidates for deputies, monetary deposit shall be transferred to an account of a party (bloc) within 5 days after passing of the respective decision.

3. If a decision on registration of all candidates for deputies, put in an election list of a party (bloc) in accordance with the paragraph 4 of Article 62 and paragraph 10 of Article 63 of this Law, is cancelled, monetary deposit shall be transferred to the State Budget of Ukraine within five days after passing of the respective decision.

4. Monetary deposit shall be paid back to parties (blocs), participating in deputy mandates distribution.

5. Monetary deposit, made by a party (bloc), which does not take part in deputy mandates distribution, shall be transferred to the State Budget of Ukraine within eight days after promulgation of voting results.

#### **Article 60. Declaration of Income and Property Owned by Candidates for Deputies**

1. A candidate for a deputy shall fill in his / her declaration on income and property owned for the previous year.

2. The Ministry of Finance of Ukraine shall approve a form of a declaration of income and property to be filled in by candidates for deputies, no later than 130 days before Election Day.

3. The Central Election Commission may complain to the State Tax Administration for verification of information indicated in a declaration of a candidate for a deputy.

4. Errors and inaccuracies revealed in a act shall be corrected, and shall not give reasons for refusal in registration of a candidate for a deputy.

#### **Article 61. Procedure of Registration of Candidates for Deputies**

1. Candidates for deputies included in an election list of a party (bloc) shall be registered by the Central Election Commission on condition that the documents as stipulated by Article 58 of this Law are submitted.

2. Documents for registration of candidates for deputies shall be submitted to the Central Election Commission no later than 85 days before Election Day.

3. An individual included in an election list of candidates for deputies by a party (bloc), who failed to give his/her consent to run for a deputy's office on behalf of the party (bloc) on the day when an application of a party (bloc) for registration of candidates for deputies is submitted, shall be deemed as excluded from an election list of a party (bloc) on the date of application of a party (bloc), as referred to in sub-paragraph 1 of paragraph 1 of Article 58 of this Law. An application of such person on his/her consent to run for the deputy's office, submitted thereafter, shall not be accepted.

4. An individual put in an election list by a party (bloc), shall have the right to withdraw his/her consent to run for a deputy's office until the registration day. When the Central

Election Commission receives an application on withdrawal of consent to run for a deputy's office, such person shall be deemed excluded from an election list of a party (bloc). The Central Election Commission shall inform a representative of a party (bloc) on such application received in written no later than on the day following acceptance of an application. Repeated consent of an individual to run for a deputy's office on behalf of a party (bloc) shall not be accepted.

5. An individual put in several election lists of parties (blocs) upon his/her written consents to run for a deputy's office on behalf of such parties shall be excluded from all election lists he/she was included by the decision of the Central Election Commission.

6. The Central Election Commission shall pass a decision on registration of candidates for deputies or on refusal in registration no later than on the 7<sup>th</sup> day after the day when an application for registration of deputies and accompanying necessary documents were received.

7. List and positions of candidates for deputies in a election list as determined by a party (bloc) may not be changed after their registration by the Central Election Commission, except for exclusion of individual candidates from an election list in cases stipulated by this Law.

8. If candidates for deputies are registered, a representative of a party (bloc) shall be given certificates of candidates for deputies, made in a form established by the Central Election Commission, together with a copy of decision on registration within three days after the respective decision is passed. An election list of candidates for deputies of a party (bloc) shall be published in the *Holos Ukrainy* and *Uryadovyi Kuryer* newspapers together with a decision on registration within the same period.

9. If the Central Election Commission reveals any signs of infringements of paragraph 1 of Article 37 of the Constitution of Ukraine in documents submitted by a party (bloc), it should complain to the Ministry of Justice of Ukraine on submitting a petition to the Supreme Court of Ukraine on prohibition of activities of a respective party. Registration of candidates for deputies of such party (bloc) shall be postponed until a court decision takes legal effect.

#### **Article 62. Refusal to Register Candidate (Candidates) for Deputy**

1. The Central Election Commission shall refuse in registration of a candidate (candidates) for deputies if:

1) laws of Ukraine were violated during the establishment of an Election bloc and nomination of candidates for deputies;

2) there are no documents referred to in Article 58 of this Law or such documents have not been duly executed;

3) candidate for a deputy losses his/her citizenship of Ukraine;

4) person nominated for a candidate for a deputy leaves Ukraine for permanent residence or for being granted the political asylum;

5) person nominated for a candidate for a deputy is declared as legally incapable person;



6) sentence for an intended crime takes a legal effect against an individual nominated for a candidate for a deputy;

7) The Central Election Commission reveals circumstances preventing an individual nominated for a candidate for a deputy from being elected a deputy in accordance with Article 9 of this Law.

2. Decision on refusal in registration of candidates for deputies shall contain exhaustive reasons for refusal. A copy of decision shall be given to a representative of a party (bloc) no later than on the next day after adoption thereof.

3. Refusal in registration of candidates for deputies being put in an election list of a party (bloc) because of undue execution of documents submitted by a party (bloc), as stipulated by paragraph 1 of Article 58 of this Law, shall not exclude repeated application for registration of candidates for deputies, included in the a respective list of a party (bloc) by such party (bloc). Such application with documents corrected in accordance with requirements of this Law, should be submitted to the Central Election Commission no later than 75 days before Election Day. Final decision on registration of candidates for deputies, put in an election list of a party (bloc), shall be passed by the Central Election Commission no later than 71 day before Election Day.

4. If less than minimum of required by the paragraph 1 Article 57 of this Law nominees remain on the election list of a party (bloc) because of refusal of the Central Election Commission in registration on candidates for deputies included in an election list or because of subsequent cancellation of registration of such candidates, the Central Election Commission shall pass a decision on refusal in registration or cancellation of registration of all candidates for deputies, included in such election list of party (bloc).

5. The decision of the Central Election Commission on cancellation of the registration of a candidate for deputy which has not been appealed shall take an effect after the terms for such appellation expired.

### **Article 63. Changes in Composition of Election Bloc of Parties**

1. A party constituting a bloc may quit a bloc no later than 35 days before Election Day. Such decision shall be passed by a congress (meeting, conference) of a party in accordance with its statute. A decision of party on quitting a bloc and extract the from protocol of a congress (meeting, conference) on consideration of the issue, signed by a party's head, the headman of a congress (meeting, conference) and sealed with a party's seal, shall be submitted to the Central Election Commission and a management body of a bloc within three days.

2. If a party leaves a bloc, which includes more than two parties, it shall not affect a bloc's status as a subject of the election process irrespective of the number of remaining parties. Name of a quitting party shall be excluded in ballot papers and other election documents from the list of parties constituting a bloc.

3. If a party leaves a bloc, which includes two parties, a remaining party shall be successor f a bloc — subject of the election process. At that, name of a successor party shall be indicated instead of a bloc's name in ballot papers and other election documents.

4. If a decision, as referred to in paragraph 1 of this Law, is passed no later than 90 days prior to Election Day, a party, which left a bloc, shall have a right to nominate candidates for deputies under the procedure and in terms stipulated by this Law.

5. If a decision, as referred to in paragraph 1 of this Law, is passed later than 90 days prior to Election Day, a leaving party shall lose the status of a subject of the election process.

6. Based on the decision as stipulated by paragraph 1 of this Article, the Central Election Commission shall pass a decision on exclusion of individuals – members of a party, which has left a bloc, from an election list of bloc (a successor party being) or on cancellation of registration of candidates for deputies – party members.

7. Parties constituting a bloc may pass a decision on election bloc dissolution no later than 35 days prior to Election Day. Such decisions shall be passed by a congress (meeting, conference) of each party constituting a bloc. A decision on bloc dissolution and extracts from the protocol of congresses (meetings, conferences) of each party on consideration of the issue, signed by heads of parties, headmen of congresses (meetings, conferences) and certified with seals of parties, shall be submitted to the Central Election Commission within three days.

8. If decisions stipulated by paragraph 7 of this Article are passed no later than 90 days before Election Day, then each party compositing a bloc shall have the right to nominate candidates for deputies under the procedure and in terms stipulated by this Law.

9. If decisions stipulated by paragraph 7 of this Article are passed later than 90 days prior to Election Day, then parties constituting an election bloc shall lose their status of the election process subjects.

10. If decisions stipulated by paragraph 7 of this Article are passed before registration of candidates for deputies, included in an election list of a bloc, the Central Election Commission shall not consider an issue of their registration. If the said decisions are passed after registration of candidates for deputies, included in an election list of bloc, the Central Election Commission shall cancel registration of candidates for deputies, included into an election list of bloc, based on such decisions.

#### **Article 64. Cancellation of Registration of Candidate (Candidates) for Deputy**

1. The Central Election Commission shall pass a decision on cancellation of registration of an individual candidate for a deputy, included in a election list of a party (bloc), and excludes him/her from the list no later than three days prior to Election Day, if:

- 1) candidate for a deputy refuses to run in written after his/her registration;
- 2) party (bloc) appeals for cancellation of decision on registration of a candidate for a deputy in accordance with a decision passed on the basis of a party's statute (agreement on a bloc creation) no later than 15 days before Election Day;
- 3) any reasons as stipulated by paragraph 6 of Article 63 of this Law occur;
- 4) candidate for a deputy loses his/her citizenship of Ukraine;

5) candidate leaves Ukraine for permanent residence or for being granted political asylum;

6) candidate for deputy is declared as legally incapable person;

7) sentence for an intended crime takes a legal effect against a candidate for a deputy;

8) candidate was included in several voter lists of parties (blocs) upon his/her written consents to nominate from such parties (blocs);

9) The Central Election Commission reveals circumstances preventing an individual nominated for a candidate for a deputy, from being elected a deputy in accordance with Article 9 of this Law.

10) second commitment of action by the candidate for which he/she was already warned in accordance with paragraph 4 of this Article.

2. No later than 10 days before Election Day, the Central Election Commission shall cancel its decision on registration of all candidates for deputies include in an election list of a party (bloc) if it reveals reasons as stipulated by paragraph 4 of Article 62 of this Law after registration, or reasons stipulated by paragraph 10 of Article 63 of this Law occur. After adoption of the said decision, a respective party (bloc) shall loss its status of a subject of the election process.

3. If a decision referred to in paragraph 2 of this article is passed after ballot papers have been printed out, the Central Election Commission shall pass a decision on re-printing of ballot papers or making amendments to ballot papers under the procedure stipulated by paragraphs 7, 8 of Article 79 of this Law.

4. The Central Election Commission shall warn a party (bloc) or individual candidate which shall be published in national mass media, if:

1) a court establishes a fact of bribing voters or commission members by a candidate, party (bloc), which nominate a candidate, authorized representative or another official thereof, and by another person upon order of a party (bloc), which nominated candidates, when considering an election-related dispute under the procedure stipulated by the law;

2) a court establishes a fact of providing voters or commission members with money or free or beneficial goods, work, services, securities, credits, lotteries, other tangible assets or goods (except goods which contain visual image of name, symbolic, flag of the party (party which constitutes a bloc) in case the cost of such goods does not exceed 3% of the minimal wage) or any other kind of indirect bribe by an organization, founder, owner or member of a management body of which is a candidate, a party, which nominated candidates (one of parties constituting a bloc, which nominated candidates) or official of such party.;

3) a court establishes that a party (bloc) allocates funds for election campaign form other sources, than its election fund, when considering an election-related dispute under the procedure stipulated by the law;

4) a court establishes that a candidate holding an office, including part-time position, in executive authorities or bodies of local self-government, in public or municipal companies, in institutions, agencies, entities or military units established in accordance with the laws of Ukraine, has engaged or used his/her subordinates, service transport, communication, equipment, premises, other objects and resources at his/her place of work for campaigning (abuse of official position), when considering an election-related dispute;

5) if a party (bloc), candidate for deputy holds direct or indirect election campaign in the course of election process in defiance of time limits stipulated by Article 65 of this Law.

5. The Central Election Commission shall consider an issue on cancellation a candidate's registration or warning him/her or his/her party (bloc) in presence of a candidate or a representative of a party (bloc) in the Central Election Commission. The said individuals shall be informed on time of consideration no later than one day of the consideration. If such individuals are absent at the hearings without any reliable reasons, and if an issue is considered less than three days before Election Day, — by any reason, the Central Election Commission shall consider the issue in absence of such individuals.

6. In case of infringements referred to in paragraph 4 of this Article, or other infringements which are subject to criminal or administrative liability in accordance with the Law, the Central Election Commission shall inform the respective law enforcement bodies for investigation thereof and response thereto in accordance with the law.

7. The Central Election Commission shall inform a party (bloc), a candidate for a deputy on cancellation of registration of a candidate(s) or on warning no later than on the next day after a decision has been made, and shall give a copy of this decision to a representative of a party (bloc) or a candidate within the same period. If the said decision is passed on the last day before Election Day, then the copy of said decision shall be issued to individuals concerned without delay.

8. If a candidate for deputy died or was declared missing, the Central Election Commission shall declare his/her as dropped out of the nomination and shall cross him/her out of the respective election list.

## **CHAPTER VIII - ELECTION CAMPAIGN**

### **Article 65. Terms of Conducting Election Campaign**

1. A party (bloc) shall have the right to start its campaigning from the moment when the Central Election Commission passes a decision on registration of candidates for deputies included in an election list of a party (bloc).

2. Campaigning shall end at 12.00 p.m. of the last Friday before Election Day.

3. Campaigning on the eve and on Election Day shall be prohibited. At the same time, it is prohibited to conduct mass actions (meetings, marches, demonstrations) on behalf of a party (bloc) — subject of the election process, distribute agitation materials and make public announcements on support of concerts, performances, sport events, films, programs, and other public events by a party (bloc) or individual candidates.

## **Article 66. Forms and Means of Election Campaign**

1. Campaigning may be performed in any forms and by any means not conflicting with the Constitutions of Ukraine and laws of Ukraine. Citizens of Ukraine shall have the right to discuss political programs of parties (blocs), political, business, and personal features of candidates for deputies freely and thoroughly, to campaign in support or against parties (blocs), candidates for deputies.

2. Campaign may be held in the following forms:

- 1) meetings of citizens, other meetings with voters;
- 2) protest meetings, marches, demonstrations, pickets;
- 3) public debates, discussions, round tables, press conferences on provisions of the election programs and political activities of parties (blocs) — subjects of the election process or candidates for deputies;
- 4) publication (in printed media) and broadcasting (in electronic media) of political advertisement, speeches, interviews, essays, video films, audio- and video ads, other publications and information;
- 5) distribution of leaflets, posters and other printed agitation materials or printed editions, where agitation materials are published;
- 6) printed agitation materials posted on outdoor advertisement constructions;
- 7) concerts, performances, sport events, films and TV broadcasting or other public events, organized with support of a party (bloc) — subject of the election process or a candidate for a deputy as well as dissemination on such support;
- 8) public appeals to vote in favor or against parties (blocs) — subjects of the election process or public assessments of activities of such parties (blocs) or candidates for deputies;
- 9) other forms not conflicting with the Constitution of Ukraine and laws of Ukraine.

3. Political advertisement is any kind of printed, oral, sound, and audio-visual types and forms of ideological impact on people, not prohibited by the law, which ads are designed for direct or indirect attracting attention to subjects of the election process, forming positive or negative attitude to them with citizens or directing political behavior of citizens and social groups in their acceptance of subjects of the election process in the course of elections, including information on events being held or supported with this purpose. A time of broadcasting set for political advertisement on TV and radio shall not exceed 20% of factual amount of broadcasting of any broadcasting company of any form of ownership during astronomical day.

4. Financial support by a party (bloc) – subject of the election process or by candidate for deputies in conducting concerts plays, sports, and demonstration of films, TV programs or other events could be done on the expenses of election fund of the relevant party (bloc) only.

5. Official announcements made in the course of elections on activities of candidates for deputies, related with execution of official duties thereof, as stipulated by the Constitution of Ukraine and laws of Ukraine, and being prepared under the procedure stipulated by the Law of Ukraine *On Procedure of Coverage of Activities of Public Authorities and Bodies of Local Self-Government in Ukraine by Mass Media* shall not be regarded as political advertising. The said official announcements should not contain comments having agitation nature, and video and audio records, films, pictures covering activities of the said individuals as candidates for deputies.

6. Election campaign shall be held with utilization of allocations from the State Budget of Ukraine for preparation to and conduct of the elections for purposes as determined by this Law, and money of election funds of parties (blocs). It is prohibited to use own funds of candidates for deputies or funds from other sources for campaigning, including agitation on voters' initiative.

7. Campaigning at the expense of allocations from the State Budget of Ukraine for preparation to and conduct of the elections, shall be performed in compliance with equal opportunities principle (providing parties (blocs) — subjects of the election process with equal space in printed mass media and equal broadcasting time on radio and TV).

8. Executive authorities and bodies of local self-government shall provide premises suitable for public agitation events being organized by a district election commission. At that, a district election commission should ensure equal opportunities for all parties (blocs) — subjects of the election process. Payment for utilization of premises rendered shall be made under the procedure stipulated by Article 54 of this Law.

9. A party (bloc) — subject of the election process shall have the right to rent buildings and premises of all forms of ownership for meetings, discussions, debates and other mass agitation events on contractual basis and at the expense of a party's (bloc's) election fund.

10. A party (bloc) shall inform a respective district election commission on time and place of mass agitation.

11. If a building (premise) of any form of ownership was rented for holding a mass event or campaigning of one party (bloc), an owner (user) of such building (premise) may not refuse in its renting to another party (bloc) — subject of the election process on the same terms and conditions. The said requirement does not concern premises being owned or permanently used by parties (blocs) — subjects of the election process.

#### **Article 67. Informational Posters and Election Campaign Materials**

1. The Central Election Commission shall ensure publication of informational posters of parties (blocs) — subjects of the election process at the expense of funds allocated from the State Budget of Ukraine for preparation to and conduct of the elections of deputies no later than 35 days before Election Day. Such posters shall contain election programs of parties (blocs), submitted at registration of candidates for deputies, an election list of a party (bloc) with indication of full name, year of birth, position (occupation), place of work and residence, party affiliation of candidates put in the list, and photos of the first five candidates for deputies. Form, size, and layout of informational posters shall be determined by the Central Election Commission.

2. The Central Election Commission shall agree text and layout of informational posters with representatives of a party (bloc).

3. The Central Election Commission shall ensure publication of the equal number of informational posters of parties (blocs), at least five copies per each polling station. The Central Election Commission shall deliver informational posters of parties (blocs) to respective polling stations (at least five copies per each polling station). Remaining copies shall be given to a representative of a respective party (bloc).

4. The informational posters shall be disseminated to relevant election commissions and representatives of parties (blocs) no later than 20 days before Election day.

5. A party (bloc) – the subject of the election process may produce election campaign materials on its own expense and in a framework of its own election fund. A party may produce printed materials of its campaign (election campaign of a bloc the party is affiliated) using an equipment which belongs to the party. The information contained in such materials shall be in accordance with requirements of the Law.

6. A party (bloc) – subject of the election process shall be obliged to submit one copy of every single printed material of election campaign which is produced on its own expense and in a framework of its own election fund and using its own equipment to the Central Election Commission no later than five days from the day of producing.

7. Printed materials of the election campaign shall contain an information on an agency which made printing or information that the printing is done using equipment of the party, circulation, information about individuals responsible for publication.

8. Local executive authorities as well as local self-governmental bodies shall determine places and prepare stands, bulletin boards in crowded places for putting there election campaign materials no later than 100 days before Election day.

#### **Article 68. General Rules of the Use of Mass Media**

1. Campaigning with the use of all forms of mass media shall be performed in compliance with equal opportunities principle and under the procedure stipulated by this Law.

2. Campaigning in mass media, including political advertising, shall be performed in forms, and in compliance with requirements stipulated by this Article and Articles 66, 69-71 of this law.

3. A party (bloc) — subject of the election process shall have the right to use public and municipal mass media at the expense and within limits of funds of the State Budget of Ukraine allocated for preparation and conduct of the elections, on terms stipulated by this Law.

4. Procedure of granting airtime and printed sections at the expense and within limits of allocations from the State Budget of Ukraine for preparation to and conduct of the elections shall be determined by the Central Election Commission no later than 100 days before Election Day.

5. An election campaign in all forms of ownership of mass media at the expense of the funds of a party (bloc) shall be provided with equal cost for airtime unit or printed section.

6. Cost of a printed section and airtime unit for election campaign at the expense of the funds of a party (bloc) – subject of the election process shall be established by the respective media outlet no later than 130 days before Election Day in the scope not exceeding normal price of commercial ads (advertisement which has a purpose to get a profit) for the first three quarters of the year preceding the year of elections of national deputies. At that, media outlets may calculate cost of a printed section and airtime unit separately for working days and holidays (days off), and for different periods of airtime or different printed sections, taking into account the scope of potential audience.

7. Mass media outlets registered after the 1<sup>st</sup> of April of the year preceding the year of elections of people's deputies, shall determine cost of a printed section and airtime unit based on information for the whole period of their activities in compliance with procedure prescribed in paragraph 6 of this Article. Prices of such media outlets shall not exceed prices of the *Holos Ukrainy* (for printed media), the National TV Broadcasting Company and the National Radio Broadcasting Company (for TV and radio organizations), respectively.

8. National mass media shall officially send prices for a printed section and airtime unit, determined in accordance with requirements of paragraph 6 of this Article, to the Central Election Commission no later than 110 days before Election Day, and regional as well as local mass media to district election commissions no later than five days after creation thereof. Prices for a printed section and airtime unit to be used for campaigning shall not be changed within the whole period of campaign. A media outlet may not provide with discounts or set up extra charges for printed sections of airtime for parties (blocs) — subjects of the election process.

9. A mass media outlet, which has provided airtime or printed section to one party (bloc) — subject of the election process, may not refuse another party (bloc) — subject of the election process in granting airtime or printed sections on the same terms and conditions. Mass media outlet may refuse party (bloc) — subject of the election process in granting airtime or printed sections in case if provided materials are contradictory to the paragraph 5 of the Article 71 of this Law.

10. Mass media outlets in case of publishing results of survey related to the elections of deputies should indicate organization, which performed survey, time of survey, number of respondents, method of information gathering, precise formulation of a question, statistical assessment of possible error.

11. Requirements provided in paragraphs 5 – 9 of this Law, shall not cover mass media, owners (founders) of which are parties — subjects of the election process (parties constituting a bloc — subject of the election process).

12. Events of the election campaign may be covered in all media outlets of all forms of ownership as news coverage based on unbiased, objective report of specific information of events, with no comments and assessments.



### **Article 69. The Procedure of Electronic (Audiovisual) Mass Media Use**

1. Television and radio broadcasting organizations of all forms of ownership should publish their prices for one minute (second) of airtime in printed media no later than 110 days before Election Day. Television organizations that broadcast on national television channels shall publish such information in the *Holos Ukrainy* and the *Uryadovyi Kuryer* newspapers: regional and local broadcasting organizations — in respective regional and local printed mass media of state and municipal ownership..

2. Airtime for campaigning at the expense and within limits of funds of state budget of Ukraine, allocated for preparation and conduct of elections, shall be provided by state and municipal broadcasting organizations between 7.00 p.m. and 10.00 p.m.

3. Broadcasting hours (broadcasting schedule) of television and radio broadcasting organizations, which have licenses of the National Council of Ukraine on Television and Radio Broadcasting on use of national broadcasting channels, shall be changed (without alteration of the broadcasting volume) for the period of distribution of programs of campaigning at the expense of allocations from state budget of Ukraine for preparation and conduct of elections during election period for the purpose to allow regional state (municipal) television and radio broadcasting organizations to broadcast their programs in respective regions.

4. Television and radio broadcasting organizations shall provide each party (bloc) — a subject of election process - with airtime for campaigning at the expense and within limits of allocations from state budget of Ukraine for preparation and conduct of elections, in the total volume not less than 60 minutes at a national television channel and 60 minutes at a national radio channel; and also 20 minutes at regional television channels and 20 minutes at regional radio channels in each region of Ukraine. This time shall be given to a party (bloc) at each of the mentioned channels in two equal parts of total allocated airtime.

5. It is prohibited to comment on the content of the election program, give any information on the party (bloc), candidates, nominated by a party (bloc), within 20 minutes before and after television and radio broadcasting of television and radio campaign program of a party (bloc).

6. Preliminary schedule of broadcasting of television and radio campaign programs with indication of dates and time of broadcasting (without indication of exact program participants) shall be compiled by national and regional television and radio broadcasting organizations of state and municipal form of ownership, with which agreements on distribution of election campaigning materials of parties (blocs) at the expense and within limits of allocations from state budget of Ukraine for preparation and conduct of elections, during election period. This schedule should be sent to the Central Election Commission or a district election commission, respectively, no later than 57 days before Election Day.

7. Order of granting radio and television broadcasting organizations air time to parties (blocs) — subjects of the election process within the limits of a schedule as stipulated by paragraph 6 of this Article, shall be determined by casting lots by the Central Election Commission, one of district election commissions in each of regions of Ukraine upon the decision of the Central Election Commission, respectively, with participation of respective representatives of parties (blocs) with the Central Election Commission or authorized persons by parties (blocs).

8. Results of casting lots that is conducted under the procedure stipulated by paragraph 7 of this Article and schedule of airtime distribution compiled basing on the results of casting lots, with indication of campaigning materials television and radio programs, exact dates and time of broadcasting at the expense of allocations of state budget of Ukraine for preparation and conduct of elections, shall be published in the *Holos Ukrainy* and *Uryadovyi Kuryer*, respectively, in local printed mass media of state and municipal form of ownership within three days after approval thereof by the Central Election Commission or a respective district election commission.

9. The Central Election Commission and respective district election commission shall pay for airtime granted in accordance with budgets approved by them within the limit of allocations from state budget of Ukraine for preparation and conduct of elections, and upon respective agreements between the Central Election Commission and the National Television Company of Ukraine, the National Radio Company of Ukraine; and agreements between respective district election commissions and regional television and radio broadcasting organizations of state and municipal form of ownership.

10. Airtime at the expense of a party's (bloc's) election fund shall be granted on the basis of an agreement between an administrator of a current account of the a party's (bloc's) election fund on behalf of the party (bloc) and television and radio broadcasting organization of any form of ownership. It is prohibited to grant such airtime without such agreement and funds being transferred to an account of the television and radio broadcasting company.

11. Television and radio broadcasting organizations should make audio and video records of all programs containing election campaigning, and store them until the expiration of the 30-day term after promulgation of elections results.

12. Television and radio broadcasting organizations of all forms of ownership should provide all information on allocation of airtime for election campaigning to parties (blocs) upon written requests of the Central Election Commission, the National Council of Ukraine on Television and Radio Broadcasting, and if required —copies of the respective agreements, payment documents and programs recorded on tape and other information carriers.

#### **Article 70. Procedure of Usage of Printed Media**

1. A party (bloc), a subject of the election process, shall have the right to publish its election program in the volume of no more than seven thousand eight hundred symbols, having unified layout for all parties (blocs) in the *Holos Ukrainy* and *Uryadovyi Kuryer* newspapers, as well as in one of regional (local) state or municipal printed media in each region of Ukraine at the expenses and within limits of allocations from state budget of Ukraine for preparation and conduct of elections. An agreement on publishing of abovementioned materials with abovementioned mass media is signed by the Central Election Commission or a district election commission in the respective region, respectively, under the order stipulated by paragraph 7 of Article 69 of this Law.

2. Editorial boards of the *Holos Ukrainy* and *Uryadovyi Kuryer* newspapers, as well as editorial boards of regional printed media outlets of the state ownership which are contracted with relevant district election commissions on publications of manifestos of parties (blocs) – subjects of the election process shall be obliged to forward to the relevant election commissions

concrete dates of publication of mentioned issues with programs indicating the place of location those programs in every single issue (number of newspaper page) no later than 55 days before Election Day.

3. Order of election programs publication in media provided in paragraph 1 of this Article at the expense and within limits of allocations from the State Budget of Ukraine for preparation and conduct of the elections shall be determined by the Central Election Commission and respective district election commissions by drawing lots with participation of party (bloc) representatives in the Central Election Commission or authorized representatives of parties (blocs) in a respective election district no later than 53 days before Election Day.

4. Results of drawing lots on order of publication of election programs of parties (blocs) shall be published, respectively, in the *Holos Ukrainy* and *Uryadovi Kur'yer* newspapers, in regional (local) public or municipal printed media within three days after its approval by the Central Election Commission or the respective district election commission.

5. A party (bloc) — the subject of the election process shall have the right to publish materials at the expense from their fund in printed mass media of any form of ownership, issued in Ukraine, except for mass media as referred to in paragraph 19 of Article 71 of this Law, at the expense of its election fund.

6. Election campaign materials as referred in paragraph 5 of this Article shall be published based on an agreement made by an administrator of a current account of a party's (bloc's) fund on behalf of a party (bloc) with an editorial board (publisher) of a printed media outlet. It is prohibited to publish such materials without such agreement and without funds transferred to an account of an editorial board (publisher) of a printed media outlet. This restriction shall not apply to mass media outlet, a founder (an owner) of which is a party — subject of the election process (party constituting a bloc — subject of the election process).

7. Editorial boards (publishers) of printed media of all forms of ownership should provide the Central Election Commission with all information on the use of printed sections for publication of election campaign materials of parties (blocs) upon a written request of the Central Election Commission, and should send copies of all respective agreements, payment documents, and respective publications to it, if required.

#### **Article 71. Restrictions on Election Campaigning**

1. Participation in election campaigning shall be prohibited for:

1) foreign nationals and stateless individuals, including campaigning through journalistic activities or participation in concerts, performances, sport events, other public events, conducted in favor or with support of a party (bloc) — subject of the election process or a candidate for deputy;

2) executive authorities and bodies of local self-government, law-enforcement authorities and courts;

3) officers and officials of bodies referred to in sub-paragraph 2 of this paragraph, except for cases when a respective officer or official is a candidate for deputy;

4) members of election commissions when they hold offices at the respective election commissions.

2. Election campaign shall be restricted in military units (formations) and correctional facilities. Individual candidates for deputies or authorized representatives of parties (blocs) are prohibited from visiting military units (formations) and correctional facilities. Meetings of such individuals with voters shall be organized by respective district election commission together with commanders of military units (formations) or heads of correctional facilities with obligatory notification of all authorized representatives of parties (blocs) in a respective territorial election district on such meeting no later than three days before it.

3. It is prohibited to use premises of the state authorities and bodies of local self-government for election campaigning at the expenses of party (bloc) election fund.

4. It is prohibited to place campaign materials and political advertisement on the buildings and at the premises of the state authorities and bodies of local self-government.

5. Dissemination in any form of materials containing calls on liquidation of Ukraine's independence, forced change of its constitutional regime, infringement of sovereignty and territorial integrity of the state, disruption of its security, illegal seizure of its state power, propaganda of war, violence and [stirring up national, inter-ethnic, racial, religious hatred](#), encroachment on human rights and freedoms, health of the population shall be prohibited.

6. Mass media, their officers and officials and creative staff members shall be prohibited from campaigning in favor or against parties (blocs), their candidates for deputies, favoring them in any form during the election process in their materials and programs not covered by agreements, as entered into in accordance with requirements of paragraph 10 of Article 69 and paragraph 6 of Article 70 of this Law.

7. It is prohibited to place political advertisement in one bloc together with commercial or social advertisement.

8. It is prohibited to place bearers of political advertisement, as well as to disseminate political advertisement via radio broadcasting or other networks of informing passengers in means of public transport, at metro stations, railway stations, in ports, and airports.

9. It is prohibited to distribute knowingly false information or cast aspersion on a party (bloc), a subject of the election process or on a candidate for deputy.

10. If mass media outlets infringe the requirements of paragraphs 5 and 9 of this Article, licenses or publication (printing) of such mass media outlets shall be suspended (until completion of the election process) in the procedure stipulated by the law upon submission of the Central Election Commission or a respective district election commission. In case of other infringements of this Law by mass media outlets, licenses or publication (printing) shall be suspended based on a court decision only.

11. National Council of Ukraine on Television and Radio Broadcasting shall by its decision suspend broadcasting on the territory of Ukraine including through telecommunication operators, foreign television channels, which violate the provision, which prohibit participation of foreign nationals, stateless individuals in election campaigning through journalistic activity,

or which activity contain call on liquidation of Ukraine's independence, forced change of its constitutional regime, infringement of sovereignty and territorial integrity of the state, disruption of its security, illegal seizure of its state power, propaganda of war, violence and [stirring up national, inter-ethnic, racial, religious hatred](#), encroachment on human rights and freedoms, health of the population.

12. A party (bloc), a subject of the election process, a candidate for deputy shall have the right to address to a mass media outlet, which has made public information regarded as false by a party (bloc) or a candidate, and demand to make public their reply. The mass media outlet, which has made public the respective material, shall give to the party (bloc), the candidate for deputy, being a subject of false information, a possibility to make public their reply no later than three days after being addressed with demand for reply, but no later than on the last day before Election Day, as follows: to give the same airtime on TV or radio, respectively, or publish material in printed mass media, submitted by party (bloc) or candidate, which shall be set up in the same type and placed under the "Reply" header in the same section of a page utilizing space no less than the space of the information being denied. The reply must contain references to the respective publication in the printed media, TV program, radio broadcast and to the facts being denied. The reply published on the last day before Election Day must not contain direct calls for voting in favor or against some party (bloc). The reply must be made public with no attachments, comments and in full length at the expense of the mass media outlet. A reply on the reply may not be made.

13. It is prohibited to hold the campaign, accompanied with providing money or free or beneficial providing of goods (except for the goods containing visual images of the name, symbols, flag of the party (a party which is part of a bloc, or a bloc), upon the condition that the value of such goods does not exceed three percent of a minimum wage), services, work, securities, loans, and lotteries, other material valuables to voters, entities, institutions, and organizations. Such campaigning or providing voters, entities, institutions, and organizations with free or beneficial goods, services, work, securities, loans, and lotteries, other material valuables, accompanied with calls on or proposals to vote or refrain from voting in favor of some party (bloc) or mentioning of the name of a party (bloc) or name of a candidate shall be deemed indirect bribing of voters, as referred to in sub-paragraph 2 of paragraph 4 of Article 64 of this Law.

14. The Central Election Commission shall ensure publication in nationwide mass media, as specified in this paragraph, of explanations on prohibition of giving money to or free or beneficial providing voters, entities, institutions, organizations, as well as election commissions and its members with goods (except for the goods containing visual images of the name, symbolic, flag of the party (a party which is part of a bloc, or a bloc), upon the condition that the value of such goods does not exceed three percent of minimum wage), services, work, securities, loans, and lotteries, other material valuables (indirect bribing). The text of explanation shall be approved by the Central Election Commission and published in the *Holos Ukrainy* and *Uryadovyi Kuryer* twice a week on the front page and shall be broadcasted by first channels of the National TV Broadcasting Company of Ukraine and the National Radio Broadcasting Company of Ukraine starting 60 days before Election Day at the expense of funds of the State Budget of Ukraine allocated for preparation and conduct of the elections.

15. Regional (local) TV and radio broadcasting organization of the state and municipal form of ownership shall not override programs of election campaign of parties (blocs) being broadcasted by the national channels at the expense of allocations from the State Budget of Ukraine for preparation and conduct of the elections, with their own programs.

16. Special authorized central executive authority on TV and radio broadcasting together with respective TV and radio broadcasting organizations subordinate to it, shall establish the procedure according to which the election program of one party (bloc) shall not be broadcasted by the First National TV channel simultaneously with broadcasting of the same program of another party (bloc) by the First National Radio Channel, if airtime for both broadcasts is rendered at the expense of allocations from the State Budget of Ukraine for preparation and conduct of the elections.

17. It is prohibited to include election campaigning materials of parties (blocs) into informational TV and radio programs (news coverage). All election campaigning materials must be separated from other materials and indicated as so.

18. It is prohibited to interrupt broadcasts of election programs of parties (blocs) with advertising of goods, services and other announcements.

19. It is prohibited to hold campaign in foreign mass media, which operate within the territory of Ukraine, and in mass media registered in Ukraine, if foreign interest exceeds 50 %.

20. Mass media of all forms of ownership operating within the territory of Ukraine, shall not disseminate information on results of public surveys concerning parties (blocs) — subjects of the election process within 15 days prior to Election Day.

21. It is prohibited to post printed propaganda materials, political ads, and information on course of the election process on the objects of cultural heritage.

22. Candidates for deputies, who hold offices, including those working on part-time basis, in executive authorities and bodies of local self-government, in law-enforcement authorities or courts, state or municipal enterprises, in institutions, entities, organizations, military units (formations) should not engage for campaigning or any work related to campaigning their subordinates at their place of work or other individuals being in service or administrative subordination to them (in working time), or use service transport, communication, equipment, premises, other objects and resources at their place of work, as well as use official or production meetings, staff meetings for campaigning.

23. It is prohibited to produce and distribute printed election propaganda materials containing no information on a printing plant, circulation, information on individuals responsible for issue.

24. When election campaigning is terminated in accordance with paragraph 2 of Article 65 of this Law, it shall be prohibited to hold agitation events, disseminate election propaganda materials in mass media, demonstrate agitation films or clips, distribute election leaflets, posters, other printed agitation materials or printed editions, containing election agitation materials, to call on voting in favor or against parties (blocs), subjects of the election process or make assessments of activities of such parties (blocs) or candidates for deputies in public. Election

propaganda materials shall be removed starting from 24.00 of the last Friday before Election Day by respective services of local executive bodies and bodies of local self-government.

25. It is prohibited to publish on Election Day results of surveys on voter's will during the voting until its termination. Procedures of such surveys should ensure secrecy of voting of a voter being interviewed.

26. Individuals guilty in impeding the exercise of the right to conduct election campaign, as well as violation of the procedure of election campaigning, stipulated by the law, shall be held liable in accordance with laws of Ukraine.

27. If the Central Election Commission or a district election commission receives claim, complaint or other notification on infringement of the requirements of this Article, which bear signs of a crime or an administrative offence, the respective election commission should immediately address to the respective law-enforcement agencies for verification of the mentioned notice and responding in accordance with laws of Ukraine.

## **CHAPTER IX - GUARANTIES OF ACTIVITIES OF PARTIES (BLOCS), CANDIDATES FOR DEPUTIES, AND OFFICIAL OBSERVERS**

### **Article 72. Guaranties of Activities of Parties (Blocs) in Election Process**

1. A party (bloc) that nominated candidates for deputies shall have the right to delegate one representative to the Central Election Commission that has the right of advisory vote and shall be authorized to represent interests of the party (bloc) in the Central Election Commission during the election process. The candidacy of the representative shall be approved by the central executive body of the party (executive body of the bloc).

2. A representative of a party (bloc) in the Central Election Commission shall be a citizen of Ukraine that has the right to vote. The following persons may not be representatives of a party (bloc): member of an election commission; an official of executive bodies or courts, law-enforcement bodies or bodies of local self-government; a military serviceman; persons that serve alternative (non-military) service.

3. Application for registration of the representative of the party (bloc) at the Central Election Commission shall be signed by the head of the party (heads of parties constituting the bloc) and sealed with the party stamp (stamps of the parties constituting the bloc), and a copy of the decision of the central executive body of the party (executive body of the bloc) on approval of the candidacy of representative of the party (bloc) in the Central Election Commission shall be submitted to the Central Election Commission together with the application for registration of candidates for deputies from the party (bloc). The application for registration of the representative of the party (bloc) in the Central Election Commission shall contain the following: surname, name and patronymic of the representative of the party (bloc), his/her citizenship, day, month and year of birth, place of work, position (occupation), place of residence, and telephone number. A written consent of such an individual to represent interests of the party (bloc) in the Central Election Commission shall be attached to the application.

4. No later than on the third working day after the receiving of the documents indicated in paragraph 3 of this Article the Central Election Commission shall register the representative of the party (bloc) in the Central Election Commission that shall have the right of advisory vote

and issue him/her a certificate. In the event the party (bloc) loses the status of a subject of the election process, authority of the representative of the party (bloc) in the Central Election Commission shall be deemed terminated at the moment of this event.

5. A party (bloc) that is a subject of the election process may have no more than five authorized representatives in the all-national constituency and no more than two authorized individuals in each election district. The authorized representative of the party (bloc) shall represent the respective party (bloc) that is a subject of the election process and shall not be an independent subject of the election process. The authorized representative of the party (bloc) shall meet requirements stipulated by paragraph 2 of this Article. A list of authorized representatives of the party (bloc) with mandatory indication of the respective election district shall be approved by the central executive body of the party (executive body of the bloc).

6. Authority of the authorized representatives of the party (bloc) in the all-national constituency shall also extend over the foreign election district.

7. An application for registration of an authorized representatives of a party (bloc) signed by the head of the party (heads of parties constituting the bloc) and sealed with the party stamp (stamps of parties constituting the bloc), and a copy of the decision of the central executive body of the party (executive body of the bloc) on approval of the list of authorized representatives of the party (bloc) shall be submitted to the Central Election Commission anytime after registration of candidates for deputies included in the election list of the party (bloc). The application for registration of the authorized representatives of the party (bloc) shall contain the following: surname, name and patronymic of each authorized representative, respective election district, citizenship of the authorized representative of the party (bloc), day, month and year of birth, place of work, position (occupation), place of residence, and telephone number. Written consents of such individuals to represent interests of the party (bloc) in the respective election district shall be attached to the application.

8. No later than on the third working day after the receipt of the documents indicated in paragraph 7 of this Article the Central Election Commission shall register the authorized representatives of the party (bloc) and issue their certificates in the form stipulated by the Central Election Commission, to the representative of the party (bloc) in the Central Election Commission. In the event the party (bloc) loses the status of a subject of the election process, authority of authorized representatives of the party (bloc) shall be deemed terminated at the moment of this event.

9. The representative of the party (bloc) in the Central Election Commission and authorized representative of the party (bloc) upon agreement with the owner of an enterprise, institution, and organization or a body authorized by the owner shall have the right to be released from work or service duties without preservation of their salaries since their registration by the Central Election Commission and till termination of their authority or completion of the election process.

10. Representative of the party (bloc) in the Central Election Commission and authorized representative of the party (bloc) any time before Election Day may apply to the Central Election Commission with petition to resign from his/her position.



11. Anytime before Election Day an executive body of the party (bloc) that passed a decision on approval of the candidacy of the representative of the party (bloc) in the Central Election Commission or an authorized representative of the party (bloc) may pass a decision to recall the representative of the party (bloc) in the Central Election Commission or an authorized representative of the party (bloc) and to approve another candidacy. The respective application along with a copy of the decision and other documents shall be submitted to the Central Election Commission under the procedure stipulated by paragraphs 3 and 7 of this Article.

12. No later than on the third working day after the receipt of this application but no later than on Election Day, and immediately in the event of receiving of the application on Election Day, based on the application submitted in accordance with paragraphs 10 or 11 of this Article, the Central Election Commission shall pass a decision on cancellation of registration of the representative of the party (bloc) in the Central Election Commission or the authorized representative of the party (bloc) and on registration of another individual as a representative of the party (bloc) in the Central Election Commission or an authorized representative of the party (bloc). A copy of the decision shall be immediately transferred to the representative of the party (bloc) in the Central Election Commission or sent to the address of the executive body of the party (bloc).

13. Certificate of a representative of the party (bloc) in the Central Election Commission or an authorized representative of the party (bloc) whose authority has been terminated before completion of the election process shall be nullified and immediately returned to the Central Election Commission.

14. A representative of a party (bloc) in the Central Election Commission shall have the right to:

1) be present at all meetings of the Central Election Commission during discussions of issues related to the elections of deputies, and take part in consideration thereof with the right of advisory vote: receive the agenda and materials on issues on the agenda before the meeting commence, ask questions to a speaker, make suggestions as to decisions of the Central Election Commission;

2) review content of the protocols of meetings of the Central Election Commission and its decisions, receive copies of such decisions; in the event of his/her absence at a meeting, review the documents based on which decisions were passed at the meeting;

3) immediately review protocols, telegrams, faxes and other official notices delivered to the Central Election Commission from district election commissions and foreign polling station commissions on results of the voting in the respective election district, as well as protocols of respective polling station commissions on counting of votes at the polling station, and receive copies of these documents;

4) exercise other rights of a representative of a party (bloc) in the Central Election Commission. as stipulated by this Law.

15. An authorized representative of a party (bloc):

1) shall assist a party (bloc) in its participation in the election process, including in election campaigning;

2) shall represent interests of the party (bloc) in relations with election commissions (except for the Central Election Commission), executive bodies, courts, local self-government bodies, voters, other subjects of the election process on the territory of a respective election district;

3) may participate in the meetings of election commissions within the respective election district (except for the Central Election Commission) with the right of advisory vote;

4) shall have the right to be present at a polling station during voting and at the meeting of a polling station commission during counting of votes subject to restrictions stipulated in paragraph 3 of Article 34 of this Law;

5) shall have the rights of an official observer from a party (bloc) stipulated by paragraph 7 of Article 75 of this Law;

6) shall have other rights of an authorized representative of a party (bloc) foreseen by this Law.

16. An authorized representative of a party (bloc) shall be a subject to restrictions stipulated by paragraph 8 of Article 75 of this Law.

### **Article 73. Guaranties of Activities of Candidates for Deputies**

1. Candidates for deputies, except for a candidate for a deputy who is President of Ukraine or a national deputy of Ukraine, may not be refused in release from execution of their work or service obligations at the place of their work with provision of an unpaid leave for the period of election campaigning.

2. Candidates for deputies may not be dismissed from job upon initiative of an owner of an enterprise, institution, organization or a body authorized by the owner, commander of a military unit (formation) during the election process. Candidates for deputies may not be transferred to another job, sent on business travel, and conscripted to the military or alternative (non-military) service, and training (inspection) and special military exercises of military conscription without his or her consent.

3. A candidate for a deputy shall have the rights of an authorized representative, stipulated by sub-paragraphs 1, 4, 5 of the paragraph 15 of Article 72 of this Law, in the all-national constituency.

### **Article 74. Official Observers**

1. Official observers from parties (blocs) that are subjects of the election process may take part in the election process. An official observer of a party (bloc) shall be an independent subject of the election process.

2. Official observers from non-governmental organizations shall observe the election process under the procedure stipulated by this Law.

3. Official observers from foreign states and international organizations may observe the election process.

4. Authority of official observers shall start on the day of their registration by a respective election commission under the procedure stipulated by this Law and shall terminate after the Central Election Commission establishes results of the elections of deputies.

5. An election commission which registered an official observer may early terminate his or her authority if he or she violates the laws of Ukraine. A motivated decision shall be passed about the early termination of authority of an official observer.

#### **Article 75. Official Observers from Parties (Blocs)**

1. A citizen of Ukraine who has the right of vote may be an official observer of a party (bloc) that is a subject of the election process. The following individuals may not be representatives of a party (bloc): member of an election commission; an official of executive bodies or courts, law-enforcement bodies or bodies of local self-government; a military serviceman; an individual that serve the alternative (non-military) service.

2. An official observer from a party (bloc) in a territorial election district shall be registered by a district election commission at the application of the authorized representative of the party (bloc) in the respective election district or all-national constituency.

3. The application for registration of official observers shall contain their last name, first name and patronymic, citizenship, date of birth, place of residence and address of residence, place of work and position, and telephone contact numbers. A written consent of such individuals to be official observers from the respective party (bloc) shall be attached to the application.

4. The application for registration of official observers of a party (bloc) signed by the authorized representative of the party (bloc) shall be submitted to the respective district election commission no later than five days before Election Day. Only violation of paragraphs 1 through 3 of this Article may be a ground for rejection of registration of official observers from a party (bloc).

5. A respective district election commission shall carry out registration of official observers and provides official observers from parties (blocs) with certificates in line with the form established by the Central Election Commission no later than on the next day after submission of the application.

6. Registration of official observers from parties (blocs) in the foreign election district shall be done by the Central Election Commission under the procedure stipulated by this Article.

7. An official observer from a party (bloc) shall have the right to:

1) stay at polling stations during voting, observe acts of commission members from any distance, including during ballot papers issuance to voters and tabulation of votes, without physically impeding on commission members' activities;

2) take photos and film, take video and audio records without violation of the secrecy of voting;

3) be present during issuance of ballot papers to polling station commission members, including issuance for organization and conduct of mobile voting;

4) be present, in line with requirements of this Law, at meetings of polling station commissions and district election commissions while taking into account provisions stipulated by paragraph 3 of Article 34 of this Law, including during the vote counting at a polling station, and of voting tabulation in a territorial election district;

5) complain to the respective election commission or to court demanding to eliminate infringements upon this Law in the event of their discovery;

6) draw up acts on discovery of infringements of this Law to be signed by the observer and at least two voters who certify the fact of infringement with indication of their last names, first names and patronymics, places of residence and addresses, and submit this act with a respective complaint to an election commission or to court within the time period stipulated by Article 106 of this Law;

7) take necessary measures to stop illegal acts during voting and vote tabulation at a polling station;

8) receive copies of protocols about transfer of ballot papers, about vote tabulation and determination of voting results and other documents in cases stipulated by this Law;

9) carry out other rights stipulated by this Law to official observers from parties (blocs).

8. An official observer from a party (bloc) shall not have the right to:

1) interfere in work of an election commission without valid grounds, perform acts impeding the legal flow of the election process or illegally prevent commission members from execution of their authority;

2) fill in a ballot paper instead of a voter (including at the request of the voter);

3) be present during filling in a ballot paper by a voter in a booth (room) for secret voting or violate the secret of voting in any other way.

9. If an official observer of a party (bloc) infringes upon requirements of paragraph 8 of this Article, an election commission may reprimand him or her. In the event of the repeat or gross violation of the requirements of paragraph 8 of this Article, the election commission may deprive him or her of the right to be present at its meeting. Such a decision may be appealed against by an official observer of a party (bloc) with a superior election commission or court under the procedure stipulated by this Law.

10. An authorized representative of a party (bloc) shall have the right to recall an official observer of a party (bloc) by filing a written petition to a respective district election commission (and concerning an official observer in an foreign election district – to the Central Election Commission) requesting termination of his or her authority, and submitting documents for registration of another individual as an official observer under the procedure stipulated by this Article.

11. An official observer shall have the right to address to a district election commission (and an official observer in a foreign election district – the Central Election Commission) at any time with a petition on laying down his or her authority. Based on this petition, an election commission shall pass a decision on cancellation of registration of the official observer, and a copy of this decision shall be given to the authorized representative of a party (bloc) in the respective election district.

### **Article 76. Official Observers from Non-Governmental Organizations**

1. Non-governmental organizations, which statutory activities include the election process and observation thereof and are registered under the established procedure at least two years before Election Day, shall have the right to have official observers observing the election process, including the voting, vote calculation and voting tabulation at any polling station and in any territorial election district upon permission of the Central Election Commission.

2. Non-governmental organization that meets the requirements stipulated by paragraph 1 of this Article may apply to the Central Election Commission with request to have official observers during the elections of deputies no later than 90 days prior to Election Day. This application signed by the head of the public organization and sealed with its seal shall have as an attachment a notarized copy of the public organization's statute as well as a copy of the certificate of state registration of the public organization certified by the issuing body or duly notarized.

3. The Central Election Commission shall pass a decision about granting permission to a public organization to have official observers or about rejection to grant such a permission no later than on the tenth day of the receipt of the application and informs about this the public organization on the next day after passage of the respective decision. The only grounds for refusal may be violation by a non-governmental organization of requirements stipulated by paragraphs 1 and 2 of this Article. A copy of the decision on granting permission to a non-governmental organization to have official observers or on rejection to grant such permission shall be given to the authorized representative of the public organization no later than on the next day after passage of the respective decision. A non-governmental organization shall have the right to appeal in a court the decision on rejection to grant it the permission to have official observers.

4. The Central Election Commission shall promulgate the list of non-governmental organizations that are permitted to have official observers at the elections of deputies in the *Holos Ukrainy* and *Uryadovi Kuryer* newspapers no later than 70 days before the elections of deputies.

5. Official observers of non-governmental organizations shall be subject to restrictions stipulated by paragraph 1 of Article 75 of this Law.

6. An official observer of a non-governmental organization shall be registered by a district election commission (by the Central Election Commission to observe elections in a foreign election district) upon an application of a non-governmental organization that is permitted to have official observers at the elections signed by the head of the organization and sealed with the organization's seal.

7. An application for registration of official observers from a non-governmental organization should indicate their last names, first names, and patronymics, citizenship, dates of birth, citizenship, place of residence and address, place of work and position, and contact phone numbers. An application of such an individual with consent to be an official observer on behalf of this non-governmental organization shall be attached to the application.

8. Applications for registration of an observer from a non-governmental organization stipulated by paragraphs 6 and 7 of this Article shall be submitted to a respective district election commission (in case of official observers in a foreign election district – to the Central Election Commission) no later than 5 days before Election Day.

9. A respective district election commission (in case of official observers in an election district abroad – the Central Election Commission) shall issue certificates to official observers in a form stipulated by the Central Election Commission no later than on the next day after the application is submitted.

10. No more than three official observers from different non-governmental organizations may be present at one time at a meeting of an election commission, at its final meeting, or at a polling station during voting. In the event there are more registered official observers from non-governmental organizations, a district election commission recommends that representatives of non-governmental organizations agree upon division of polling stations between non-governmental organizations to observe.

11. An official observer of non-governmental organizations shall have the right to:

1) stay at polling stations during voting, observe actions of commission members at any distance, including during issuance of ballot papers to voters and during vote calculation, without physically impeding on commission members' activities;

2) take photos and film, take video and audio records without violation of the secrecy of voting;

3) be present during issuance of ballot papers to district election commission members, including issuance of ballot papers for mobile voting, and during conduct of such voting;

4) be present at meetings of polling station commissions and district election commissions of the respective territorial election district in accordance with requirements stipulated by paragraph 10 of this a Article and paragraph 3 of Article 34 of this Law, including during the vote counting at any polling station, and during voting tabulation in a territorial election district;

5) receive copies of protocols on transferring ballot papers, on vote calculation and voting tabulation and of other documents in cases stipulated by this Law.

12. An official observer of a non-governmental organization shall be obliged to adhere to restrictions provided by paragraph 8 of Article 75 of this Law.

13. An official observer of non-governmental organization shall not be the subject of the election process and shall not have the rights of the subject of the election process.

14. In case of gross or repeated violation of requirements of paragraph 12 of this Article by an official observer of a non-governmental organization, a polling station commission may deprive him or her of the right to be present at its meeting. Such a decision may be appealed by an official observer of a non-governmental organization in a superior election commission or in a court under the procedure stipulated by this Law.

15. A non-governmental organization shall have the right to recall its official observer filing a petition signed by its head and sealed with the seal of the non-governmental organization to a respective district election commission (and concerning an official observer in a foreign election district – to the Central Election Commission) requesting termination of his or her authority, and submitting documents for registration of another individual as an official observer from the non-governmental organization under the procedure stipulated by this Law.

16. An official observer of a non-governmental organization shall have the right to complain to a district election commission (and an official observer in a foreign election district – to the Central Election Commission) at any time with an application on laying down his or her authority. Based on this application, an election commission shall pass a decision on cancellation of registration of the official observer from the non-governmental organization, and a copy of this decision shall be forwarded to the non-governmental organization.

#### **Article 77. Official Observers from Foreign States and International Organizations**

1. Official observers from foreign states and international organizations shall be registered by the Central Election Commission. Submissions on registration of official observers shall be made by the foreign states and international organizations directly or through the Ministry of Foreign Affairs of Ukraine to the Central Election Commission no later than 10 days before Election Day.

2. A decision on registration of the official observers from the foreign states and international organizations shall be passed by the Central Election Commission no later than 5 days before Election Day.

3. Citizens of Ukraine may not be registered as official observers from foreign states or international organizations. Citizens of Ukraine or foreign citizens or persons without citizenship that have command of the Ukrainian language may accompany the registered official observers from foreign states and international organizations on the territory of polling stations and during meetings of election commissions exclusively in order to perform functions of an interpreter.

4. The Central Election Commission shall issue certificates to the official observers from foreign states and international organizations in a form established by the Central Election Commission.

5. Official observers from foreign states and international organizations shall execute their authority on the territory of Ukraine as well as in the foreign election district.

6. Official observers from foreign states and international organizations shall have the right to:

1) be present at meetings of candidates for deputies and authorized representatives of parties (blocs) with voters, at pre-election gatherings, meetings, and meetings of election commissions;

2) get familiarized with election campaign materials;

3) be present at polling stations during voting, and at meetings of polling station commissions during counting of votes and at meetings of district election commissions during vote tabulation;

4) take photos and film, take video and audio records without violation of the secrecy of voting;

5) make public suggestions regarding organization of elections of deputies and improvement of the legislation of Ukraine taking into account international experience, and hold press conferences in compliance with requirements of the legislation of Ukraine;

6) establish together with other observers from foreign states and international organizations and upon agreement of the Central Election Commission, temporary groups of official observers in order to coordinate their activities within their authority stipulated by this Law.

7. Official observers from foreign states and international institutions shall perform observation independently and autonomously.

8. The Ministry of Foreign Affairs of Ukraine and other executive bodies, bodies of local self-government and election commissions shall assist official observers from foreign states and international organizations in execution of their authority.

9. Financial and logistic support of activities of the official observers from foreign states and international organizations shall be rendered at the expense of states and organizations that sent these observers to Ukraine, or at their own expense.

10. Official observers from foreign states and international organizations may not interfere into work of an election commission, perform actions that break the legal flow of the election process or illegally impede members of the election commission to execute their authority; fill in a ballot paper instead of a voter (including upon request of the voter) or in any other way violate the secret of voting and to use his or her status in activities not related to observation of the election process. This restriction shall be also extended over individuals who according to paragraph 3 of this Article accompany official observers, during the work with an official observer from a foreign state and/or international organization.



## **CHAPTER X. - VOTING PROCEDURE AND ESTABLISHMENT OF RESULTS OF ELECTIONS OF DEPUTIES**

### **Article 78. Ballot Paper**

1. Voters shall vote on elections of deputies using ballot papers on elections of people deputies of Ukraine (further – ballot paper).

2. The form and text of a ballot paper shall be approved by the Central Election Commission no later than 32 days before Election Day. Ballot papers shall have equal dimensions, color, and content. Protection level for a ballot paper shall be established by the Central Election Commission.

3. The ballot paper shall contain name and date of elections of people deputies, the number of a territorial election district or an indication of a foreign election district, number of the polling station, and designated fields for a seal of a polling station commission, name, and initials of a polling station commission member who will issue the ballot paper. The text of the ballot paper shall be printed in the state language and shall consist of one page and its text should be placed on one side only.

4. The ballot paper shall indicate the full name of every party (bloc, with mandatory indication of names of parties constituting the bloc), the surnames, first names, patronymics of the first five candidates for deputy included in the electoral list of the party (bloc). An empty square should be placed to the left of every party's (bloc's) name. After the listing of parties (blocs), the following should be inscribed: "I do not support candidates for people's deputies of Ukraine from any political party, election blocs of political parties", and a blank box should be printed to the left of such text. Names of parties (blocs) shall be placed in a ballot paper in order of numbers assigned to them by lots drawn by the Central Election Commission with participation of representatives of parties (blocs) with the Central Election Commission after termination of registration of candidates from parties (blocs) prior to approval of a form and text of ballot paper.

5. A ballot paper shall contain explanations as to the procedure for completion of the ballot paper during voting.

6. A ballot paper shall have a control slip separated by a line for separation. The control slip shall contain the name and the date of the elections, number of a territorial election district or an indication of the foreign election district, the number of a polling station, and a designated place for the number under which the voter has been put in the voter list in this polling station, the signature of the voter, receiving the ballot paper, and for the surname and signature of the member of the polling station commission, who will issue the ballot paper.

7. A ballot paper shall be a document of rigorous accountability. The Central Election Commission, district, and polling station commissions shall ensure strict registration of received and issued ballot papers in accordance with requirements of this Law. Control documents for ballot papers shall be transferred to the Central Election Commission by the producing enterprise, district, and polling station commissions. The Central Election Commission shall ensure transferring the control documents to relevant archives after official announcement of the election results.

8. Ballot papers for each polling station shall be printed in the number exceeding the number of voters included into the voters' list of the polling station by 2 percent.

9. Additional number of ballot papers, totaling one percent of the number of voters in the respective territorial election district, shall be printed out for polling stations, designated for absentee voting in accordance with paragraph 19 of Article 42 of this Law.

#### **Article 79. The Procedure for Production of Ballot Papers**

1. The Central Election Commission shall provide for the centralized production of ballot papers by state-owned printing enterprise no later than 7 days before Election Day on the basis of agreement concluded by it with such printing enterprise.

2. The enterprise producing ballot papers shall ensure strict compliance with ordered number of ballot papers published, their accounting and transferring to customer according to the procedure established by the Central Election Commission.

3. Technical waste, printing spoilage, as well as printing forms shall be destroyed according to the procedure and within the time period stipulated by the agreement for ballot papers production.

4. Control of publication of ballot papers at the producer enterprise, compliance with requirements as to destroying printing forms, technical waste, printing spoilage shall be performed by a control commission established by the Central Election Commission upon submission of parties (blocs), which have their factions in the Verkhovna Rada of Ukraine, no later than on the day of approval of a ballot paper form.

5. Ballot papers shall be received by the Central Election Commission in wrapping by the producer enterprise according to a form established by the Central Election Commission. Acts of transferring of ballot papers with indication of the number of the ballot papers received shall be posted on the official web site of the Central Election Commission no later than on the next day after signing of each act. Consolidated information from the acts of transferring of ballot papers on the number of the ballot papers produced for each territorial election district shall be published under the same procedure no later than two days before Election Day.

6. At the special polling station established on a vessel navigating on Election Day under the State Flag of Ukraine or at a polar station of Ukraine ballot papers can be produced as an exception, upon permission of the Central Election Commission by the polling station commission. Such permission may be granted no later than three days before Election Day based on submission of the respective district election commission, indicating the number of the polling station, created on a vessel or a polar station, name of the vessel or polar station, and time when the respective vessel departed from the last port within the territory of Ukraine. After the permission is granted, the ballot papers produced for such polling station based on order of the Central Election Commission shall be cancelled by the Central Election Commission (if such ballot papers have not been transferred to a district election commission) or by a district election commission under the procedure stipulated by this Law, which should be witnessed by the act completed in a form and under the procedure stipulated by paragraph 8 of Article 35 of this law. This act should be taken into account by the Central Election Commission when drawing up a

protocol on results of the elections or by the district election commission when drawing up a protocol on voting results within the territorial election district.

7. In case of cancellation of the decision on registration of all candidates for deputies from a party (bloc) after the ballot papers have been published, but more than ten days prior Election Day, the Central Election Commission shall make a decision to produce new ballot papers. New ballot papers shall be published under the procedure stipulated by this Law. New ballot papers shall be produced on a paper of different color.

8. If a decision on cancellation of the registration of all candidates for deputies from the party (bloc) is taken 10 days prior to or less than ten days prior to Election Day, the Central Election Commission shall pass a decision to make changes to the ballot papers. Such changes to the ballot papers shall be made by polling station commission members using the respective stamp under the procedure stipulated by paragraphs 15 – 18 of Article 80 of this Law. It is prohibited to make changes of the ballot paper without a decision of the Central Election Commission. Each voter shall be informed on changes made in the ballot paper when the ballot paper is issued to him/her.

9. The form of a stamp, which is referred to in paragraph 8 of this Law, shall be approved by the Central Election Commission no later than 35 days prior to Election Day. District election commissions shall ensure production of such stamps no later than 10 days prior to Election Day. The stamps shall be transferred to polling station commissions together with the ballot papers.

10. A ballot paper that was not changed accordingly as it is referred to in paragraph 8 of this Article, shall be deemed invalid. The ballot paper, which was changed without decision of the Central Election Commission or in defiance of the said decision, shall be deemed invalid.

11. Individuals guilty of illegal spoilage of ballot papers, shall reimburse the damage caused under the procedure stipulated by law.

#### **Article 80. The Procedure for Transferring Ballot Papers to Election Commissions**

1. A district election commission shall receive ballot papers from an authorized member of the Central Election Commission or representative of the Secretariat of the Central Election Commission, authorized by the decision of the Central Election Commission, at its meeting no earlier than seven days before Election Day. The district election commission shall execute in three copies the protocol on acceptance of ballot papers. The protocol shall be executed under the procedure stipulated by paragraph 8 of Article 35 of this Law, and shall be signed by an authorized member or representative of the Secretariat of the Central Election Commission authorized by the decision of the Central Election Commission, who transfers the ballot papers. The first copy of the protocol shall be delivered to the Central Election Commission, the second — kept at the district election commission, the third one shall be immediately posted in the premises of the district election commission for general familiarization.

2. A district election commission shall ensure preservation and safekeeping of ballot papers received from the Central Election Commission. The ballot papers shall be kept at the premises of the district election commission in a safe box (metal box or separate room), which is sealed with a tape with signatures of everybody present at the commission's meeting and a

commission's seal. The safe (metal box or separate room) constantly (till the ballot papers are handed over to polling station commissions) shall be guarded by an officer of internal affairs bodies.

3. No earlier than three days before Election Day, but no later than 20 hours before Election Day, at its meeting, the district election commission shall hand over the ballot papers to the polling station commissions of the respective election district. No less than three members of each polling station commission shall receive the ballot papers.

4. The polling station commission shall receive all the ballot papers with a number of the respective polling station.

5. Protocol shall be drawn up regarding the handing over of ballot papers from the district election commission to polling station commissions according to the form stipulated by paragraph 8 of Article 35 of this Law. The protocol shall indicate the following:

- 1) the number of the territorial election district;
- 2) the number of ballot papers received by the district election commission;
- 3) the number of each polling station, commission members of which received the ballot papers;
- 4) the number of voters in the polling station in accordance with the voter list on the day of drawing up the protocol (including voters, who were included in the voter list based on absentee voting certificates);
- 5) the number of ballot papers handed over to the polling station;
- 6) the surnames and signatures of the members of the polling station commission who received the ballot papers;
- 7) the number of ballot papers cancelled by the district election commission, which were assigned for special polling stations opened at a vessel navigating on Election Day under the State Flag of Ukraine, at a polar station of Ukraine, which were granted a permission to produce ballot papers in accordance with paragraph 6 of Article 79 of this Law.

6. Protocol of handing over of ballot papers to polling station commissions shall be completed in the number of copies exceeding the number of members of the district election commission by three. The copies of protocol shall be numbered and shall have equal legal effect. The first copy of the protocol shall be sent to the Central Election Commission; the second shall be kept by the district election commission; and the third copy shall be immediately posted in the premises of the district election commission for general familiarization. The other copies shall be distributed among the members of the district election commission - one copy for each member.

7. An excerpt from the protocol completed in a form established by the Central Election Commission and indicating the information concerning the respective polling station, shall be given to representatives of each polling station commission, who received the ballot papers, together with the ballot papers; it shall bear signatures of the head and secretary of the

district election commission and three members of the respective polling station commission and shall be sealed with a seal of the district election commission.

8. Polling station commissions of foreign polling stations shall receive ballot papers no earlier than three days before Election Day through the Ministry of Foreign Affairs under the procedure established by the Central Election Commission; if required, as an exception, the ballot papers may be handed over six days before Election Day. The Central Election Commission shall complete the protocol of handing over the ballot papers to election commissions of foreign polling stations, as referred to in paragraph 5 of this Article.

9. A candidate for deputy, authorized representative of a party (bloc), an official observer, who were present during handing over the ballot papers, upon his/her request, shall have the right to immediately receive the copies of the protocols as referred to in paragraphs 1 and 5 of this Article, signed on each page by the head and secretary of the district election commission and sealed with the seal of the commission, no more than one copy of the protocol for each party (bloc) — subject of the election process. The copies of protocol, referred to in paragraph 8 of this Law, shall be handed to the representatives of parties (blocs) in the Central Election Commission.

10. Members of a polling station commission of regular and special polling stations (except for polling stations on vessels navigating under the State Flag of Ukraine, and at a polar station of Ukraine) shall deliver received ballot papers to the premises of the polling station commission accompanied by an officer of internal affairs bodies.

11. A polling station commission shall accept ballot papers at a meeting of the polling station commission immediately after arrival of members of the polling station commission, who received the ballot papers. The secretary of the commission shall affix a seal of the polling station commission in designated fields of each ballot paper. Another commission member, appointed by a decision of the commission, shall count received ballot papers and verify whether the numbers of the territorial election district and the number of the polling station indicated on the ballot papers correspond to the actual number of the polling station which received the ballot papers.

12. During counting of the ballot papers the member of the commission designated by the election commission shall count the ballot papers aloud. The rest of the members of the commission observe the counting. During the counting it is prohibited to divide the commission into several groups assigning to each of them a part of the ballot papers to count.

13. In case of discrepancies of the actual number of the ballot papers and the number indicated in an excerpt from the protocol of handing over ballot papers completed by the district election commission, the polling station commission shall draw up in two copies an act on discrepancies indicating the established by the decision of the polling station commission cause of discrepancy. The act shall be completed in form and under the procedure stipulated by paragraph 8 of Article 35 of this Law. One copy of the act shall be delivered to the district election commission, and the second one shall be kept at the polling station commission. If there are such discrepancies, the number of the ballot papers received by the polling station commission shall be deemed to be equal to the number of ballot papers, which was established at the meeting of the polling station commission and registered in the act on discrepancies and in the protocol of the meeting of the commission's meeting.

14. Ballot papers shall be kept in the premises of the polling station commission in a safe (metal box) sealed at the same meeting with a tape with signatures of all persons present at the meeting of the election commission and stamp of the election commission, and shall be permanently (till the preparatory meeting of the commission, foreseen by paragraph 3 of Article 82 of this Law, commences) guarded by an officer of interior bodies of Ukraine.

15. If the Central Election Commission passes a decision to make changes in a ballot paper using a special stamp, as referred to in paragraph 8 of Article 79 of this Law, no later than on the eve of Election Day the polling station commission shall convoke its meeting under the procedure stipulated by paragraphs 16-19 of this Article in order to execute the mentioned decision.

16. At the beginning of the meeting, all persons present at the meeting shall examine the tape sealing a safe (metal box), where the ballot papers were kept. If a tape is not damaged and has respective signatures and the seal, the safe box (metal box) with ballot papers shall be opened. The head of the polling station commission shall announce the number of ballot papers received by the polling station commission based on the excerpt from the protocol of handing over the ballot papers to the polling station commission completed by the district election commission, or a act, which is referred to in paragraph 13 of this Law.

17. In case when the tape sealing the safe box (metal box) is damaged or the signatures or seal are inconsistent, the head of the polling station commission shall immediately inform interior bodies of Ukraine and the district election commission thereof. After that, the head of the commission shall immediately open the safe (metal box) and take out the ballot papers, which are kept there. The members of the polling station commission shall check the ballot papers, in particular, whether the numbers of the territorial election district and the polling station correspond to each other, whether the stamp of the polling station commission is in place; and then shall count the ballot papers. The polling station commission shall complete an act on signs of the safe (metal box) opening revealed and (if any) on inconsistencies in the number of the ballot papers. The said act shall be drawn up in the form and under the procedure stipulated by paragraph 8 of Article 35 of this Law. The number of ballot papers revealed in the safe (metal box) shall also be registered in the protocol of the meeting of the election commission. In such a case, the established number shall be deemed the number of the ballot papers received by the polling station commission.

18. When activities, which are referred to in paragraphs 16 or 17 of this Article are performed, the commission shall make changes in ballot paper. A member of the commission designated by the decision of the commission shall affix a stamp, as referred to in paragraph 8 of Article 79, on a ballot paper in the field beside the name of the party (bloc), registration of candidates of which has been cancelled. After that, the ballot papers shall be recounted, put in the safe (metal box), where they shall be kept under the procedure stipulated by paragraph 14 of this Article. In case of any discrepancies of the number of ballot papers, counted after making changes, and the number of ballot papers received by the polling station commission, at the same meeting the commission shall draw up an act in a form and under the procedure as referred to in paragraph 13 of this Article. The number of ballot papers, indicated in the mentioned act, shall be also registered in the protocol of the meeting of the commission and shall be deemed the number of the ballot papers received by the polling station commission.

19. If any changes are made in ballot papers without decision of the Central Election Commission or in defiance of the mentioned decision, the polling station commission at its meeting shall draw up the respective act in two copies in a form and under the procedure stipulated by paragraph 8 of Article 35 of this Law. The act should indicate the number of received ballot papers, the number of spoiled ballot papers and surnames of individuals whose fault it is. One copy of the act shall be immediately delivered to the district election commission; the second one shall be kept at the commission. Information of the mentioned act shall be taken into account by the polling station commission while completing the protocol on counting the votes at the polling station. Based on such act and application of the district election commission, the Central Election Commission shall pass a decision on re-printing of the respective number of the ballot papers. Spoiled ballot papers shall be cancelled and packed under the procedure stipulated by paragraph 10 of Article 86 of this Law. The package shall bear the following inscription: "Spoiled ballot papers". Spoiled ballot papers shall be kept at the polling station commission until Election Day and shall be transferred to the district election commission together with other documents on voting under the procedure stipulated by Article 91 of this Law.

### **Article 81. Premises for Voting**

1. Voting shall be conducted in specially allotted premises equipped with an sufficient number of booths for secret voting and with designated places for issuing ballot papers and installing ballot boxes. The polling station commission shall check equipping premises for voting.

2. Executive bodies of village, town and city (in cities, where there are no district in the city councils), district in the city councils or bodies (officials) that according to the law perform their duties, shall provide polling stations with required premises for voting, which may be equipped in accordance with requirements of this Law and norms established by the Central Election Commission, shall render technical assistance in equipping.

3. Premises for voting for a small-size polling station shall have the space no less than 50 sq. meters; for a medium-size polling station — no less than 75 sq. meters, and for a large-size polling station — no less than 90 sq. meters. Upon permission of the district election commission, the premises for voting at the polling station may be of the smaller size but not smaller than 50% of stipulated by this Law size, if there are no premises of the appropriate size within a polling station.

4. Premises for voting shall be equipped with sufficient number of booths for secret voting. At least two booths shall be installed in a small-size polling station, at least four — in a medium-size polling station, and at least six — in a large-size polling station. Arrangement of the equipment in the premises for voting shall be planned in such a way that places where ballot papers are issued, entrance to booths for secret voting and exit from such booths, and ballot boxes were within the field of vision of the members of the polling station commission and of the persons, which according to this Law have the right to be present in the premises for voting.

5. Members of an election commission, candidates for deputies, authorized representatives of parties (blocs), official observers and mass media representatives shall have free access to premises for voting at the special polling station. Heads of institutions, commanders of military units (formations), where such polling stations are created, have to ensure free access to premises for voting for members of election commissions, voters included

in the list at the polling station, candidates for deputies, authorized representatives of parties (blocs), official observers and mass media representatives.

6. Each polling station shall be provided with sufficient number of ballot boxes — fixed (big) and mobile (small) ones. Ballot boxes shall have dimensions as determined by the Central Election Commission and shall be produced of transparent material. Each ballot box shall be given an individual number to be indicated on the respective box. Small-size polling station shall have at least two fixed ballot boxes, medium-size — at least three ballot boxes, and large-size — at least four fixed ballot boxes. Each polling station shall have at least two mobile ballot boxes. Fixed ballot boxes shall be installed in premises for voting in a way allowing voters to pass through booths (rooms) for secret voting when approaching such boxes. The procedure of ballot boxes production, account, use, and storage shall be determined by the Central Election Commission.

7. In the premises for voting or directly in front of the premises, posters shall be placed by the polling station commission explaining the voting procedures and informing of the liability for breach of legislation on elections of deputies, electoral lists of candidates for deputies from each party (bloc) and informational posters of parties (blocs), to be arranged in a way the parties (blocs) appear in ballot paper.

#### **Article 82. Preparation to Voting**

1. A polling station commission of a regular polling station or a foreign polling station shall inform voters included into voters' list of such polling station about the time and place of voting using personal invitations, which shall be sent according to paragraph 2 of Article 43 of this Law.

2. A polling station commission at its meeting the day before Election Day shall assign duties of members of the polling station commission for a polling day (except for the head and secretary of the commission ) as to the following:

- 1) identification of a voter and finding his/her name in a voters' list;
- 2) issuing a ballot paper to the voter;
- 3) control over voters passing into booths for secret voting;
- 4) control over ballot boxes;
- 5) organization of mobile voting;
- 6) control over entrance and exit from the premises for voting.

3. A polling station commission shall hold a preparatory meeting on Election Day no earlier than 45 minutes before voting commences. At the beginning of the meeting, all persons present at the meeting shall check the tape sealing the safe (metal box) where the ballot papers are kept.

4. The head of the polling station commission shall present all ballot boxes available at the polling station, for inspection of the members of the polling station commission, candidates



for deputies, authorized representatives of parties (blocs), official observers, journalists present at the polling station one by one, announcing the number of each ballot box. After each ballot box is inspected, it shall be sealed or, if it is impossible, stamped with a stamp of the polling station commission; after that, a control sheet shall be inserted into every ballot box, indicating the number of the territorial election district, the time of its insertion in the ballot box, and signatures of the members of the polling station commission and, upon their will, of candidates for deputies, authorized representatives of parties (blocs), official observers. Signatures shall be certified with the stamp of the election commission. After the control letter is inserted in the ballot box, the head of the election commission shall present the next ballot box for inspection and shall follow the same procedure. When the last ballot box is sealed and stamped, a control sheet is inserted in it, and fixed (big) ballot boxes are installed into places designed for them, the premises for voting shall be deemed ready for voting. Mobile (small) ballot boxes shall be placed in the premises for voting having holes for inserting the ballot papers facedown, within the field of vision of the election commission members and other persons present at the polling station in the course of voting in accordance with requirements of this Law.

5. In the event that any damage to the tape sealing the safe (metal box) where the ballot papers were kept or inconsistencies of signatures or the seal is discovered, a polling station commission shall follow the procedure stipulated by paragraph 17 of Article 80 of this Law.

6. After inspection of the safe (metal box) and completing (if required) the acts, referred to in paragraph 17 of Article 80 of this Law, the head of the polling station commission shall announce, based on the act on cancellation of absentee certificates as referred to in paragraph 13 of Article 42 of this Law, the following:

- 1) the number of absentee certificates received by the polling station commission;
- 2) the number of voters who received absentee voting certificates;
- 3) the number of cancelled absentee voting certificates.

7. The secretary of the election commission shall indicate information, referred to in paragraph 6 of this Article, in the protocol of the polling station commission on counting votes at the polling station.

8. The head of the polling station commission shall open the safe (metal box) with ballot papers and shall announce the number of the ballot papers received by the polling station commission based on the excerpt from the protocol of the meeting of the district election commission on handing over the ballot papers to the polling station commission, or the act as referred to in paragraphs 13, 17 or 18 of Article 80 of this Law. The secretary of the election commission shall insert this number into the protocol of the polling station commission on counting the votes at the polling station, and into the protocol of the meeting of the commission.

9. The head of the polling station commission shall hand over the required number of the ballot papers to members of the polling station commission, who will issue the ballot papers to voters in the premises for voting and organize voting outside the premises for voting. Handing over the ballot papers shall be registered according to form established by the Central Election Commission. The mentioned members of the commission shall certify receiving of the ballot papers by putting their signature on the respective form and shall ensure their safekeeping and

observing the stipulated by this Law procedure of the issuing to voters. No single ballot paper may be left in the safe.

10. The head of the polling station commission shall give pages of the voters' list to the members of the polling station commission authorized to work with the voters' list on Election Day. Respective members of the commission shall ensure their safekeeping and using according to the procedure stipulated by this Law.

11. Before the voting commences, the polling station commission shall inform the district election commission on:

- 1) the number of voters included into the voters' list at the polling station as of moment the voting commences;
- 2) the number of voters in the excerpt from the voters' list for mobile voting;
- 3) the number of voters included into the voters' list based on absentee voting certificates (for polling stations designated for voting based on absentee voting certificates).

12. The number of voters foreseen by subparagraph 3 of paragraph 11 of this Article shall be announced and inserted by the secretary of the election commission into the protocol on counting votes at the polling station.

13. The district election commission shall deliver the mentioned information as to the territorial election district to the Central Election Commission through the automatic information and analytical system and by phone (teletype) no later than at 10 a.m. of Election Day. The Central Election Commission shall immediately display such information on its official web-site and publish them in printed media outlets on the day following their receipt.

### **Article 83. Organization and Procedure of Voting**

1. Voting shall be conducted on Election Day from 8.00 a.m. to 8.00 p.m. without break. At foreign polling stations, voting shall be conducted according to the local time of a country where such polling stations are established.

2. A polling station commission shall be responsible for organizing voting, maintaining order in the premises for voting, assuring secrecy of declaring of voters' will during voting. In case of committing offences which cause legal liability, the head or deputy head of the polling station commission shall have the right to invite an officer of the Ministry of Interior into the premises for voting, who should take an offender out of the premises for voting and take measures stipulated by the law toward such a person; after that the officer should leave the premises. Stay of the officer of interior bodies in the premises for voting in other cases is prohibited.

3. During voting at the polling station, two members of the polling station commission shall give a voter an opportunity to cast his/her vote: one member of the polling station commission shall hand over a voters' list to voter for signing if the voter presents one of the documents indicated respectively in paragraphs 4, 5 or 6 of Article 2 of this Law, and if the voter's name is in the voters' list at the respective polling station. The second member of the polling station commission shall insert his/her name and initials and put his/her signature to a

designed field of a ballot paper and a control slip, shall insert the number under which the voter is in the voters' list into the control slip. A voter shall sign for receiving the ballot paper in the voters' list and in the control slip of the ballot paper. After that, the member of the polling station commission shall detach the control slip from the ballot paper and issue the ballot paper to the voter for casting his/her vote. The control slip shall be kept with the member of the commission, who issued the ballot paper. It is prohibited to make any other notes on the ballot papers.

4. A voter may stay in the premises for voting for a time required only for casting his/her vote.

5. A voter shall fill in the ballot paper by his/her own in a booth for secret voting. Other individuals are prohibited to stay in the booth for secret voting when the voter fills in the ballot paper. The voter who cannot fill in the ballot paper on his/her own because of incapacity, upon giving notice of this to the head or other member of the polling station commission may use assistance of another voter, except for a member of an election commission, candidates for deputies, authorized representatives of parties (blocs), official observers.

6. In order to ensure voting of voters with visual impairments, the Central Election Commission shall produce stencils for ballot papers **printed in Braille**, two stencils per regular polling station. For special polling stations this stencils may be produced upon the submission of the district election commission.

7. A voter may not hand over his/her ballot paper to other individuals. It is prohibited to receive the ballot paper from other individuals (except for authorized member of the election commission who issues the ballot papers), encourage, or force voters to pass the ballot paper to other individuals by bribing, threatening or otherwise.

8. A voter shall make a mark "plus" ("+" ) or another mark indicating his/her will, in a box in beside the name of a party (bloc), candidates for deputies of which he/she supports. A voter may cast a vote in favor of candidates of only one party (bloc) or support no candidate from any party (bloc). If he/she does not support candidate for deputies form any party (bloc), a voter shall put a "plus" ("+" ) mark or any other mark indicating his/her will in a box in front of words "I do not support candidates for deputies of Ukraine from any political party, election bloc of political parties".

9. A voter shall put the ballot paper into a ballot box on his/her own. A voter who cannot put the ballot paper into a ballot box because of incapacity, upon giving notice of this to the head or other member of the polling station commission may authorize another person, except for a member of an election commission, candidates for deputies, authorized representatives of parties (blocs), official observers, to do so in his/her presence,

10. In the event of any damage to a ballot box during voting, the head and at least three members of the polling station commission representing different parties (blocs) shall seal it in such a way as to make insertion and collection of the ballot papers impossible. This ballot box shall be kept in the premises for voting in the field of vision of the members of the election commission and other persons present at the polling station during voting in accordance with requirements of this Law, and shall not be used until the completion of voting.

11. In the event that a voter made an error while filling in a ballot paper, such voter may immediately apply in writing to the member of the member of the election commission, who issued him/her with the ballot paper with the request to be issued with another ballot paper. The member of the election commission shall issue another ballot paper to such voter in accordance with the procedure stipulated by paragraph 3 of this Article, but only in return for the spoilt ballot paper; an authorized member of the polling station commission shall put the appropriate sign beside the voter's name in the voters' list, and shall certify with the signature. The spoilt ballot paper shall be immediately cancelled as unused by the member of the commission and an appropriate report shall be drawn up. The report shall be signed by two members of the polling station commission, who have registered the issuing of the ballot paper to the voter, and shall be attached to the voters' list. During counting the votes the spoiled and cancelled ballot paper shall be counted as unused and shall be packed with the control slip in a package with unused ballot papers.

12. At 8 p.m., the head of the polling station commission shall announce the completion of the voting; after this announcement, only those voters who are in the premises for voting shall have the right to cast their votes. It is prohibited to continue voting after the time limits stipulated by this Law. When the last voter leaves the premises for voting, the premises shall be closed and only members of the polling station commission and such persons that are entitled by this Law to attend the meeting of the polling station commission shall stay there.

13. Immediately after completion of voting, the polling station commission shall transfer to the district election commission the preliminary information on:

- 1) the number of voters included into the voters' list at the polling station for the moment of completion of voting;
- 2) the number of voters who received the ballot papers at the polling station for the moment of completion of voting;
- 3) the number of voters who received the ballot papers at the place of their stay;
- 4) the number of voters who received the ballot papers based on absentee voting certificates (for polling stations, designated for the voting based on absentee voting certificates).

14. At the polling station created on a vessel navigating on Election Day under the State Flag of Ukraine, at a polar station of Ukraine, a polling station commission may declare voting completed before the time specified by paragraph 1 of Article 83 of this Law, provided that all voters included into the voters' list have already took part in the voting. Counting of the votes at such polling station shall be conducted under the procedure stipulated by this Law, immediately after declaring the completion of the voting and transferring the message as referred to in paragraph 13 of this Article.

15. Polling station commission of the foreign polling station immediately after the completion of the voting shall transfer to the Central Election Commission preliminary information as foreseen by subparagraphs 1, 2 and 4 of paragraph 13 of this Article, using technical communication devices.

**Article 84. Procedure of Voting at the Voter's Place of Stay**

1. A voter who is included into the voter list at the polling station but due to elderly age, disability or health condition cannot move on his/her own, shall be given by the polling station commission an opportunity to vote at the place of stay.

2. In order to organize voting for those voters, who cannot move on their own, at their place of stay, on a day before Election Day the polling station commission at its meeting shall draw up an excerpt from the voters' list in a form, established by the Central Election Commission.

3. The following voters shall be included into an excerpt from the voter list:

1) without decision of the commission — voters who are permanently incapable of moving on their own and who are marked in the voter list as stipulated by paragraph 5 of Article 41 of this Law, if such voters by 12 p.m. (noon) of the last Saturday before the elections have not informed the respective polling station commission in written form or personally on their will to vote at the premises for voting;

2) based on decision of the polling station commission — voters who are temporarily incapable of moving on their own, based on their application and respective document proving their physical state.

4. If the voter is included into the excerpt of the voter list for voting at the place of stay, in the voters' list a secretary of the polling station commission shall make a mark "Votes at the place of stay" in a field "signature of a voter".

5. A voter who are temporarily incapable of moving on his/her own shall submit through other persons or sent by post a personally hand-written application requesting to organize a voting at his/her place of stay and indicating the place of location of the voter, attaching a document proving his/her inability to move on his/her own. Such application should be submitted to the polling station commission no later than at 8.00 p.m. of the last Friday before Election Day.

6. An application, as referred to in paragraph 5 of this Article, can be deemed as an obligation of the voter to ensure conditions for observing requirements as to voting procedure stipulated by this Law.

7. A document, as referred to by paragraph 5 of this Article, which proves the fact of voter's temporal inability to move on his/her own, may be, in particular, a certificate of a medical-social expert commission, patient care institution or social care institution. If required, a copy of the document, which proves the fact of voter's inability to move on his/her own, shall be certified by the head, deputy head or secretary of the polling station commission and sealed with its stamp under the procedure stipulated by law.

8. At the special polling stations established in hospitals, mobile voting of a voter shall be performed based on a personally written application of a voter with request to provide him/her with possibility to vote at place of his/her stay because of bed rest, certified by the head physician, whose signature shall be evidenced with a seal of the institution.

9. A voter's application for mobile voting together with a respective document or its copy shall be registered by a polling station commission in a separate register, where date and time of its submission, surname, name and patronymic of the voter and his/her address (place of location) shall be indicated.

10. At least three members of the polling station commission designated by the decision of the election commission, as referred to in paragraph 2 of Article 82 shall organize mobile voting. Such members of the election commission should represent different parties (blocs).

11. Mobile voting shall be arranged in such a way that members of the polling station commission, who organize mobile voting, come back to the premises for voting no later than one hour before completion of the voting.

12. The head of the polling station commission shall announce that members of the polling station commission depart for organization of mobile voting. The head of the polling station commission shall provide the designated members of the election commission with an excerpt from the voter list, compiled according to paragraph 2 of this Article, and sealed and stamped mobile ballot box, and insert a control sheet in it. The control sheet shall indicate the number of the ballot box, time of departure (hour and minutes) of the members of the election commission for organization of mobile voting, the number of the ballot papers which they received, the surnames of the members of the polling station commission who received the ballot papers. The control sheet shall be signed by all the members of the election commission, candidates for deputies, authorized representatives of parties (blocs), official observers, who are present there; their signatures shall be sealed with a stamp of the election commission.

13. During mobile voting candidates for deputies, authorized representatives of parties (blocs) and official observers have the right to be present.

14. A voter or members of his/her family may not prevent members of the commission who conduct voting as well as official observers, candidates for deputies and authorized representatives of parties (blocs) who have the right to be present during the voting from being present. If the voter refuses to allow the aforementioned persons into his/her premises, he/she shall not be entitled to mobile vote.

15. During organizing mobile voting, a member of the polling station commission based on the excerpt from the voters' list shall provide the voter with one ballot paper after the voter has presented one of the documents mentioned in paragraph 4 of Article 2 of this Law. The member of the polling station commission shall write his /her surname, and sign at the designated places on the ballot paper and control slip and insert the voter's number in the voters' list on the control slip. The voter shall sign the control slip of the ballot paper and an excerpt from the voter list, fill out the ballot paper in accordance with the procedure set forth in paragraph 8 of Article 83 of the Law, and cast the ballot paper into the ballot box.

16. In the case when the voter who is included into the excerpt from the voter list for mobile voting came to the polling station after the members of the polling station commission have left for mobile voting, the mentioned voter may not receive the ballot paper before the members of the commission return and the issue whether the voter has already voted at home or not is clarified.

17. After conducting mobile voting, a member of the polling station commission who issued a ballot paper to the voter shall put down "mobile voting completed" beside the voter's name in the voters' list, indicate his/her surname and sign .

18. An excerpt from the voters' list used for mobile voting shall be attached to the voters' list and shall be an integral part thereof. Voters' written applications together with documents that prove their inability to move on their own, or copies of such documents shall also be attached to the voters' list.

19. Provisions of this Article shall not apply to voting at foreign polling stations.

#### **Article 85. Final Meeting of Polling station commission**

1. Final meeting of a polling station commission shall commence after the end of voting at the polling station and sending of the information as referred to in paragraph 13, Article 82 of this Law, and shall take place in the same premises where the voting was conducted. The final meeting shall not be interrupted and shall be finished after the protocol on counting of votes has been drawn up and signed.

2. In the event that other elections or a referendum is held simultaneously with the elections of deputies of Ukraine, the counting of votes for the other elections or the referendum is done after the protocol on counting of votes for the elections of people's deputies of Ukraine has been drawn up and signed pursuant to the established procedure during the same meeting of the polling station commission. The packages with protocols and other election documentation related to the elections of people's deputies of Ukraine shall be kept until the meeting is over in the premises where voting is conducted within view of the polling station commission members and individuals present during the meeting of the commission. The packages with election documentation shall be transported in the order stipulated by Article 91 of this Law to a district election commission immediately after the corresponding protocols on all other elections or referendum have been signed.

3. For the period of final meeting, a polling station commission shall entrust the Deputy Head of the polling station commission or another commission member with keeping the protocol of the meeting. During this meeting, the polling station commission Secretary shall enter the information on the results of counting of votes to the protocol.

4. In the event that during voting a polling station commission received requests or complaints concerning violations that took place during the voting at that polling station, the polling station commission shall consider them at the beginning of the meeting before commencing counting of votes cast at the polling station .

5. Counting of votes cast at a polling station shall be done open and transparently exclusively by members of the polling station commission. Counting of votes at a polling station shall follow the procedure set forth in Articles 86-88 of this Law.

#### **Article 86. Voter Lists Processing**

1. Each member of a polling station commission who is responsible for work with the voter list shall count and put down on each page of the voter list the following information on each page separately:

- 1) number of voters on the list as of the moment of end of vote;
- 2) number of voters who received ballot papers in premises for voting (with voters' signatures on the voter list);
- 3) number of voters who received ballot papers at their places of stay (with the mark "voted at the place of stay" near their names);

2. After the information foreseen in paragraph 1 of this Article has been put down, a member of a polling station commission shall sign each page of the voter list, sum up respective figures from all the pages of the voter list he/she receives and transfer them together with the summarized information to the election commission Head. The mentioned summarized information is recorded in the register mentioned in paragraph 9 of Article 82 of this Law. The Head and the Secretary of the polling station commission shall sum up the respective figures, announce them, and put them down on the last page of the voter list.

3. The voter list of a polling station situated abroad after the end of voting shall be closed by means of crossing the empty lines on the list so that no more names could be added to it. Then it is signed by the commission Head and Secretary and stamped with a polling station stamp.

4. On the basis of the voter list, a polling station commission shall establish the number of voters at the polling station. This number shall be announced and recorded by the Secretary in the protocol on counting of votes at a polling station.

5. On the basis of comparison of the voter list and the excerpt from the voter list, a polling station commission shall establish the number of voters at a polling station who were included into the excerpt from the voter list for voting at the place of stay. This number shall be promulgated and entered by the Secretary of the election commission to the protocol on counting of votes at a polling station.

6. A polling station commission shall count the number of voters who received ballot papers in the premises for voting based on voters' signatures in the voter list. This number shall be promulgated and entered by the Secretary to the protocol on counting of votes at a polling station as the number of voters who received ballot papers in premises for voting.

7. A polling station commission shall count the number of voters who received ballot papers at their places of stay based on signatures on the excerpt from the voter list and the notes "voted at the place of stay" near their names. This number shall be promulgated and entered by the Secretary to the protocol on counting of votes at a polling station as the number of voters who received ballot papers at their places of stay.

8. A polling station commission at a polling station where voting with absentee certificates took place shall count the number of voters who received ballot papers upon presenting their absentee certificates, according to the number of signatures on the voter list for voting with absentee certificates. This number shall be promulgated and entered by the Secretary to the protocol on counting of votes at a polling station as the number of voters who received ballot papers upon presenting their absentee certificates.



9. The voter list appended with the excerpt from the voter list drawn up pursuant to paragraph 2, Article 84 of this Law, voter applications together with the copies of respective documents, on the basis of which the excerpt from the voter list was compiled, voter list for voting with absentee certificates, absentee certificates, on the basis of which the voters were included into the list of voters of polling stations abroad according to paragraph 9 of Article 47 of this Law shall be packed in accordance with the procedure set forth in paragraph 10 of this Article. The package shall bear the inscription "Voter List".

10. A polling station commission shall pack the processed election documents in paper packages. The package with election documents shall be glued, the package shall bear an inscription that indicates the type of the packed documents, number of a territorial election district or the mark of the foreign election district, number of a polling station, date and time of packing. The package shall be signed by all the present polling station commission members and sealed with a polling station commission stamp.

### **Article 87. Processing Unused Ballot Papers and Control slips**

1. Members of a polling station commission, except for a commission Head, Deputy Head or another commission member who keeps the protocol of a commission meeting as well as Commission Secretary who enters the information into the protocol on counting of votes at a polling station are forbidden from using pens or any other writing tools from the moment they commence their work with ballot papers.

2. Polling station commission members who received ballot papers pursuant to paragraph 9, Article 82 of this Law shall in turn count aloud the unused ballot papers that they still have.

3. The total number of ballot papers given out to voters by the individual member of the polling station commission (established on the basis of voters' signatures on the corresponding pages of the lists of voters pursuant to clause 2, paragraph 1, Article 86 of this Law) and the number of unused ballot papers that this commission member still has must equal the number of ballot papers received by a commission member in accordance to the Register of Ballot Papers mentioned under paragraph 9, Article 82 of this Law. In the event that these numbers coincide, a commission member shall pass the counted unused ballot papers to the head of a polling station commission. A commission head shall put down the number of unused ballot papers returned by a commission member in the Register of Ballot Papers.

4. In the event that the numbers stipulated by paragraph 3 of this Article do not coincide, a polling station commission shall draw up an act stating a possible reason of such discrepancy, pursuant to the procedure set forth in paragraph 8, Article 35 of this Law.

5. The head of a polling station commission shall sum up the number of the unused ballot papers and announce the result. The announced number shall be put down by the secretary of a polling station commission in the protocol on counting of votes at a polling station.

6. In case of such need or upon the request from members of a polling station commission, unused ballot papers can be re-counted. The ballot papers counting shall be conducted in the order stipulated by paragraph 12 of Article 80 of this Law.

7. Unused ballot papers shall be cancelled by means of cutting off the right bottom corner of the ballot paper. The cancelled unused ballot papers together with ballot papers mentioned under paragraph 11, Article 83 of this Law shall be packed according to the procedure stipulated by paragraph 10, Article 86 of this Law. The package shall bear an inscription reading “Unused Ballot Papers”.

8. Members of the polling station commission who issued ballot papers to the voters shall in turn count aloud the control slips of the issued ballot papers. A commission member shall pass the counted control slips to the head of a polling station commission. The head of a polling station commission shall put down the number of control slips established by each commission member on the Register of Ballot Papers.

9. A commission head shall sum up the total number of control slips of the issued ballot papers and state it aloud.

10. A polling station commission shall check whether the general number of control slips of the issued ballot papers mentioned under paragraph 9 of this Article equals the sum of numbers mentioned under paragraphs 6 and 7 (for polling stations where voting with absentee certificates was conducted – also under paragraph 8) Article 86 of this Law.

11. In case of such need or upon the request from members of a polling station commission, control slips of the issued ballot papers can be re-counted. The control slips counting shall be conducted in the order stipulated by paragraph 12 of Article 80 of this Law.

12. In the event that the numbers mentioned in paragraph 10 of this Article coincide, a commission head shall promulgate them as the number of voters who received ballot papers at a polling station. A commission secretary shall enter them into the protocol on counting of votes at the polling station.

13. In the event that the numbers mentioned under paragraph 10 of this Article do not coincide, a polling station commission shall draw up an act pursuant to the procedure set forth in paragraph 8, Article 35 of this Law. After that, the election commission shall pass a decision on establishing the number of voters who received ballot papers. This number shall be promulgated and entered into the protocol on counting of votes at a polling station.

14. Control slips of the issued ballot papers shall be packed following the procedure set forth in paragraph 10, Article 86 of this Law. The package shall bear an inscription reading “Control slips”.

15. A polling station commission shall check whether the number of ballot papers received by a polling station commission equals the sum of the number of unused ballot papers and the number of voters who received ballot papers. In the event that these numbers do not coincide, a polling station commission shall draw up an act pursuant to the procedure set forth in paragraph 8, Article 35 of this Law stating the reason of such discrepancy established by a commission’s decision.

#### **Article 88. Procedure of Ballot Boxes Opening and Counting of Ballot papers**

1. After the actions foreseen in Article 87 of this Law are completed, a polling station commission shall check the integrity of the seals or stamps on the ballot boxes.

2. In the event that the stamps or seals are found to be damaged or other damages are found that break the integrity of the ballot box otherwise, a polling station commission shall draw up an act pursuant to the procedure set forth in paragraph 8, Article 35 of this Law stating the nature of the established damage.

3. The ballot boxes shall be opened by a polling station commission in turns. Ballot boxes used for mobile voting shall be opened first; ballot boxes with damaged seals or stamps or other damages established in the course of voting, if any, shall be opened last.

4. When an intact ballot box is opened, it shall be emptied on the table, at which polling station commission members sit. Then the availability of the control paper in the box shall be checked (for the mobile ballot boxes – control papers).

5. Ballot papers from a damaged ballot box shall be taken out one by one without mixing. A polling station commission shall count the number of ballot papers in this box. The availability of the control paper, which must be taken out of the box last, shall also be checked.

6. Ballot papers in each ballot box shall be counted separately. Results are not calculated separately for each ballot box. Counting of ballot papers is conducted on the order stipulated by paragraph 12 of Article 80 of this Law.

7. All objects other than ballot papers of the established form found in the ballot boxes shall be collected separately and not counted. The control papers shall also be considered as objects. In the event of doubt whether the object is a ballot paper or not, a polling station commission shall vote to decide on that. Every commission member shall have the right to examine the object personally before voting. For the time of examination, the vote tabulation process shall be postponed. The objects other than ballot papers shall be packed pursuant to the procedure set forth in paragraph 10, Article 86 of this Law. The package shall bear an inscription “Objects”.

8. In the event when, after the mobile ballot box has been opened, the number of ballot papers exceeds the number of ballot papers put down on the control paper in this ballot box, a polling station commission shall draw up a respective Act pursuant to the procedure set forth in paragraph 8, Article 35 of this Law stating the number of ballot papers in the box and family names of commission members who signed these ballot papers.

9. When drawing up the act mentioned under paragraph 8 of this Article, a commission shall check whether ballot papers taken out of the mobile ballot box have the number of the respective territorial election district and polling station, stamp of a polling station commission, family names, and signatures of commission members who organized mobile voting. Ballot papers with lacking indicators shall not be counted during the counting of voters who took part in the voting and the counting of votes. In the event when after such ballot papers have been removed, the discrepancy mentioned under paragraph 8 of this Article is eliminated, proper ballot papers shall be counted for establishing the total number of voters who took part in the voting and counting of votes at a polling station. In the event that there are no undue ballot papers or their removal does not eliminate the discrepancy mentioned under paragraph 8 of this Article, all ballot papers taken out of that mobile ballot box shall not be counted for establishing the total number of voters who took part in the voting and counting of votes at a polling station.

10. In the event that there is no control paper in the ballot box (for mobile ballot boxes – control papers), a polling station commission shall draw up a respective Act on the absence of control paper(s) in the ballot box pursuant to the procedure set forth in paragraph 8, Article 35 of this Law stating the number of ballot papers in the given box. The aforementioned ballot papers shall not be counted for establishing the total number of voters who took part in the voting and counting of votes at a polling station.

11. In the case that authenticity of a control paper evokes doubt and in other doubtful cases in events mentioned under paragraphs 8 and 9 of this Article, a polling station commission shall vote to pass a decision on not counting ballot papers in such boxes for establishing the total number of voters who took part in the voting and counting of votes at a polling station. Respective decision and the results of vote shall be put down in the protocol of a commission meeting.

12. The number of ballot papers in each ballot box except for the objects and invalid ballot papers and the number of the ballot box shall be promulgated and entered into the protocol on the counting of votes at a polling station. After the last box is opened, the total amount of ballot papers in boxes shall be summed. The established results shall mean the number of voters who took part in elections. This number shall be announced by a commission head and entered by a commission secretary into the protocol on counting of votes at a polling station.

13. Ballot papers found in ballot boxes that bear numbers of a territorial election district and (or) polling station that do not correspond to the numbers of the relevant polling station of the relevant territorial election district, as well as the ballot papers that have no stamp of the polling station commission or have the stamp of another election commission or any other stamp shall not be counted for establishing the total number of voters who took part in the voting and counting of votes at a polling station.

14. Ballot papers that, pursuant to paragraph 9, 10, 11, and 13 of this Article, are not be counted for establishing the total number of voters who took part in the voting, but are to be counted for the counting of votes, shall be entered in the protocol on counting of votes and packed pursuant to the procedure set forth in paragraph 10, Article 86 of this Law. The package shall bear an inscription “Ballot papers not to be counted”.

15. Ballot papers that are to be counted shall be sorted according to the plates with the names of parties (blocs) indicated in a ballot box, words “invalid” and “against all” on both sides. When sorting ballot papers, a commission member appointed by the commission shall show each ballot paper to all commission members promulgating the voter’s will declared. In the event of doubt concerning the contents of a ballot paper, the election commission shall vote to resolve it. Every commission member shall have the right to examine the ballot paper personally. For the time of examination, work with other ballot papers shall be postponed.

16. The following ballot papers shall be considered invalid in the event that:

1) there is no family name and (or) signature of a polling station commission member who gave it out, or having a signature of an individual who never gave out ballot papers at this polling station;

2) under circumstances mentioned under paragraph 10, Article 79 of this Law;

- 3) there is more than one sign opposite the name of a party (bloc);
- 4) there are no signs;
- 5) the control slip has not been cut off;
- 6) voter's will cannot be established due to any other reason.

17. In the event of any doubt concerning reliability of a ballot paper, a polling station commission shall vote to resolve it. Before voting, every commission member shall have the right to examine the ballot paper personally. For the time of examination, the process of counting of votes shall be postponed. The respective decision and voting results shall be entered into the protocol of a polling station commission meeting.

18. Invalid ballot papers shall be counted separately pursuant to the procedure set forth in paragraph 12, Article 80 of this Law. This number shall be promulgated by a polling station commission head and entered by a commission secretary into the protocol on counting of votes at a polling station. Invalid ballot papers shall be packed pursuant to the procedure set forth in paragraph 10, Article 86 of this Law. The package shall bear an inscription "Invalid Ballot Papers".

19. A polling station commission shall, pursuant to the procedure set forth in paragraph 12, Article 80 of this Law, count the number of votes cast for candidates for deputies included into the election list of each party (bloc) and the number of votes that did not support any candidate from a political party (bloc). In the course of counting of votes, every commission member shall have the right to examine or re-count respective ballot papers. Voting results at a polling station shall be announced by a commission head and entered by a commission secretary into the protocol on counting of votes at a polling station.

20. A polling station commission in the course of counting of votes must ensure whether the number of voters who took part in the voting equals the sum of invalid ballot papers, ballot papers cast for every candidate included into the election list of all political parties (blocs) and the number of voters who supported no candidate from parties (blocs). In the event that these amounts do not coincide, a polling station commission may re-count the ballot papers. If the aforementioned discrepancy is confirmed, a polling station commission shall draw up an act stating the reason of such discrepancy established by the commission's decision according to the form and procedure set forth in paragraph 8, Article 35 of this Law.

21. Ballot papers cast for candidates included into election lists of political parties (blocs) and ballot papers showing support of no candidate shall be packed separately following the procedure set forth in paragraph 10, Article 86 of this Law. The packages shall bear inscriptions reading the name of a respective party (bloc) and "No Candidate from Parties (Blocs) Supported".

#### **Article 89. Protocol of a Polling station commission on Voting Results at a Polling Station**

1. At its meeting, a polling station commission shall draw up the protocol on counting of votes at a polling station. The form for the protocol of a polling station

commission on counting of votes at a polling station shall be established by the Central Election Commission not later than 32 days before Election Day. The forms for protocols of polling station commissions shall be numbered by the producer enterprise. The Central Election Commission shall ensure the production of forms for protocols of polling station commissions on counting of votes at a polling station for each polling station in the amount of 100 copies in the order and terms stipulated by Article 79 of this Law for the production of ballot papers. The forms for protocols of polling station commissions on counting of votes at a polling station shall be passed to election commissions together with bullets in the order and terms stipulated by Article 80 of this Law.

2. The protocol of a polling station commission on counting of votes at a polling station shall contain the following information entered in figures and in words:

- 1) number of ballot papers received by a polling station commission;
- 2) number of ballot papers produced by a polling station commission;
- 3) number of unused ballot papers;
- 4) number of spoiled ballot papers;
- 5) number of voters on the voter list at a polling station (by the end of the voting);
- 6) number of voters included into the excerpt from the voter list at a polling station for voting at the place of stay;
- 7) number of voters included into the list of voters for voting with absentee certificates;
- 8) number of voters who received ballot papers in premises for voting;
- 9) number of voters who received ballot papers at the place of stay;
- 10) number of voters who received ballot papers on the basis of absentee certificates;
- 11) total number of voters who received ballot papers at the polling station;
- 12) number of ballot papers found in each ballot box (with number of the box indicated);
- 13) number of ballot papers not to be counted;
- 14) number of voters who took part in the voting at a polling station;
- 15) number of ballot papers recognized invalid;
- 16) number of votes cast for the candidates for deputies on election lists of each political party (bloc);

17) number of voters who did not support any candidate on election lists of political parties (blocs);

18) number of absentee certificate forms received by a polling station;

19) number of voters who received absentee certificates;

20) number of cancelled absentee certificates.

3. The protocol on counting of votes at a polling station shall be drawn by a polling station commission in the number of copies exceeding by four the number of commission members. The copies shall be numbered and have equal legal force.

4. The protocol on counting of votes at a polling station shall indicate the date and time (hour and minutes) of its signing by the members of a polling station commission. Each copy of the protocol shall be signed by a commission head, deputy head, secretary, and other members of a polling station commission who were present at a commission meeting. Every commission member present at a commission meeting must sign the protocol on voting results. In the event that a commission member does not agree with the results of the counting of votes entered in the protocol, the member shall sign the protocol indicating "With dissenting opinion" next to the signature. The dissenting opinion stated in writing shall be appended to the protocol on counting of votes at a polling station. In the event that there is no signature of a commission member on the protocol on counting of votes at a polling station, there shall be a reason of the absence indicated next to his/her name. The protocol shall be signed and stamped with the stamp of a polling station commission only after it is completely filled out.

5. Candidates for deputies, authorized representatives of parties (blocs) and official observers present during the meeting of a polling station commission during the counting of votes shall have the right to sign the first and the second copies of the protocol on counting of votes at a polling station.

6. The protocol on counting of votes at a polling station must not be filled out in pencil; no corrections must be done in it without proper authorization of a polling station commission.

7. If after having signing of the protocol on counting of votes at a polling station but before sending of the protocol together with the election documentation to a district election commission, a polling station commission finds inaccuracies in it (a clerical error or a mistake in figures), it shall consider introducing amendments to the established results of voting at the polling station at the same meeting by means of drawing up the new protocol on counting of votes at a polling station with the elimination of the inaccuracies marked "Amended". No re-counting of votes shall be done. The number of copies of the protocol marked "Amended" shall be equal to the number stipulated by paragraph 3 of this Article and signed according to the procedure set forth in paragraph 4 of this Article. The protocol of a commission meeting shall indicate the fact of drawing up the protocol marked "Amended".

8. The first and the second copies of the protocol of a polling station commission on counting of votes at a polling station and – if available – respective copies of the protocol marked "Amended" shall be packed in a package with a special protection system pursuant to

the procedure set forth in paragraph 10, Article 86 of this Law. The package shall bear an inscription "Protocol on Counting of Votes". The third copy of the protocol of a polling station commission on counting of votes at a polling station (protocol marked "Amended") shall be preserved by the secretary of a polling station commission; the fourth copy of the aforementioned protocol shall be immediately posted for public examination in premises of a polling station commission. The remaining copies shall be given to every member of a polling station commission one for each.

9. Candidates for deputies, authorized representatives of parties (blocs), official observers who were present during the counting of votes at a polling station, upon their request shall be immediately provided with a copy of the protocol on counting of votes at a polling station including the protocol marked "Amended", which shall be certified by a commission head and the secretary of the polling station commission and stamped with the election commission stamp not more than one copy of each protocol for every party (bloc).

10. An act shall be drawn up on giving out of the protocol on counting of votes at a polling station according to the form established by the Central Election Commission. The act shall contain the list of persons who received copies of the corresponding protocol, the number of the copy, the date and time of reception of these copies, and the signatures of those persons. The act shall be signed by the head and the secretary of the polling station commission and stamped by the stamp of the polling station commission. The act shall be packaged in a packet together with the first and the second copies of the protocol of a polling station commission on counting of votes at a polling station.

11. The packages with protocols of a polling station commission on counting of votes at a polling station, ballot papers, control slips and objects, lists of voters and, if available, dissenting opinions of commission members stated in writing, acts, requests, complaints, and decisions passed by the election commission shall be transferred to a district election commission immediately after the end of the meeting of a polling station commission.

#### **Article 90. Recognizing Voting at Polling Station Invalid by Polling station commission**

1. A polling station commission may recognize the elections at a polling station invalid in the event that it establishes violations of the requirements of this Law, which make it impossible to reliably determine voters' will. A polling station commission may recognize the elections at a polling station invalid in the event that it establishes the following circumstances:

1) instances of illegal voting (casting a ballot paper to the ballot box by another individual for the voter, except for the cases stipulated by paragraph 9, Article 83 of this Law; voting by individuals not entitled to vote; voting by individuals who are not on the voter list at the polling station or illegally added to it; voting by an individual more than once) amounting to more than ten percent of the number of voters who received ballot papers at a polling station;

2) instances of destruction or damage of the ballot box (boxes) that makes it impossible to determine the contents of the ballot papers if the number of these ballot papers exceeds ten per cent of the number of voters who received ballot papers at a polling station;

3) instances of establishing of ballot papers in ballot boxes in amount that exceeds ten percent of the number of voters who received ballot papers at a polling station.



2. In the event of establishing circumstances mentioned under paragraph 1 of this Article, a polling station commission shall draw up an act in each case pursuant to the procedure set forth in paragraph 8, Article 35 of this Law. This act (acts) shall be the basis for a polling station commission to consider the issue of recognizing the voting at a polling station invalid.

3. In the event that a decision is adopted by a polling station commission on recognizing the voting at a polling station invalid, the protocol of a polling station commission on counting of votes at a polling station shall contain only information mentioned under clauses 1-11, 14, 18-20, paragraph 2, Article 89 of this Law. The columns for other information shall be crossed. The protocol on counting of votes at a polling station shall be drawn up by a polling station commission pursuant to the procedure set forth in Article 89 of this Law.

4. In the event that a polling station commission passes a decision on recognizing the voting at a polling station invalid, ballot papers shall be packed pursuant to the procedure set forth in paragraph 10, Article 86 of this Law. The package shall bear an inscription "Ballot Papers".

5. The decision of a polling station commission on recognizing the voting at a polling station invalid and the act (acts), based on which this decision has been passed, shall be appended to the protocol on counting of votes at a polling station, packed and transported to a district election commission pursuant to the procedure set forth in this Law.

#### **Article 91. Procedure for Transporting and Transferring Election Documents to District Election Commission**

1. Transportation of documents mentioned under paragraph 11, Article 89 of this Law shall be done by polling station commission members of a regular or a special polling station (except for special polling stations created on vessels navigating under the State Flag of Ukraine on Election Day or at Ukrainian polar station) representing three different parties (blocs), in particular the commission head or the deputy head and two members of this commission representing two other parties (blocs) who received the majority of votes cast at the polling station. They must be accompanied by the representative of the law enforcement authorities of Ukraine who should provide protection during the transportation. Upon their request, other members of a polling station, candidates for deputies, authorized representatives of parties (blocs), and official observers may accompany the documents. Transportation of documents by any other means is prohibited.

2. During transportation of documents, it is prohibited to unpack packages with ballot papers and other election documentation.

3. If other elections or a referendum is held simultaneously with elections of people's deputies of Ukraine, election documentation for the other elections or the referendum shall be transported to a respective district or territorial election commission (sic!) by members of a polling station commission who do not accompany the election documentation related to the elections of people's deputies of Ukraine pursuant to paragraph 1 of this Article.

4. The secretary of a polling station commission, other commission members who do not accompany election documentation to a district election commission shall stay in premises

of the polling station commission until they are notified of the receipt of the protocol on counting of votes at a polling station by the district election commission. During the transportation of election documentation, the stamp of a polling station commission shall be kept in a safe (metal box) in the premises of the polling station commission.

5. The protocol on counting of votes at a regular or a special polling station (except for special polling stations created at vessels navigating under the State Flag of Ukraine on Election Day or at Ukrainian polar station) and other election documents of a polling station commission shall be transferred to a respective district election commission at its meeting pursuant to the procedure set forth in Article 92 of this Law.

6. The contents of the protocol on counting of votes at a polling station situated abroad and on a special polling station created on a ship that on Election Day is at sea bearing the national flag of Ukraine or at Ukrainian polar station after signing by members of the polling station commission shall be immediately passed by the polling station commission with the help of technical means of communication to the Central Election Commission (through the Ministry of Foreign Affairs) or to a respective district election commission; the first and the second copies of the protocol on counting of votes at a polling station must be later sent to it pursuant to the procedure established by the Central Election Commission. The protocols shall be appended with other election documents mentioned under paragraph 11, Article 89 of this Law.

#### **Article 92. Procedure for Receiving and Considering of Documents of Polling station commissions by District Election Commission**

1. From the moment of the end of voting, a district election commission shall commence its meeting that shall not be interrupted until voting results in a territorial election district are established. Members of a district election commission can not be involved in other activities during this time besides participation in the meeting of the election commission.

2. A district election commission shall process the information mentioned under paragraph 13, Article 83 of this Law and pass the information on the territorial election district to the Central Election Commission with the help of the information and analytical system and telegraph (teletype) no later than at 10 p.m. on Election Day. The Central Election Commission shall publish the aforementioned information in the printed mass media on the following day after their receipt and promptly publish it on the official web site of the Central Election Commission.

3. Meeting of a district election commission mentioned under paragraph 1 of this Article shall be reflected in the protocol of the uninterrupted meeting signed by a commission head or a commission member who headed the meeting, as well as by a commission secretary or a commission member who acted as a secretary at the meeting. The protocol shall be appended with dissenting opinions (if available) of commission members who took part in the meeting and do not agree with the decision passed by a commission.

4. At the meeting of a district election commission mentioned under paragraph 1 of this Article, the head of the district election commission receives sealed packages with protocols of polling station commissions, unseals them and promulgates the contents of the protocols of polling station commissions on counting of votes at corresponding polling stations. He/she also receives sealed packages with other election documents stipulated by paragraph 11, Article 89 of this Law. The time of receipt by a district election commission of the protocol of a polling

station commission on counting of votes at the polling station, a list of received election documents and information from the protocol on counting of votes at the polling station shall be entered into the protocol of the meeting of a district election commission.

5. When a district election commission receives documents of a polling station commission, it shall check the completeness of the documents and integrity of the packaging of all packages with election documents. Each member of the commission shall have the right to examine each packet with documents. In the event that the election documents are not complete or the packaging of all packages is not intact, the package with the protocol on counting of votes at a polling station shall be opened and the information from the protocol shall be promulgated. Based on the results of consideration of documents of a polling station commission and complaints concerning violations of the requirements of this Law during the voting and counting of votes at a polling station, as well as during the transportation of election documents to a district election commission that arrived to the district election commission by the time of reception of documents of a polling station commission, the district election commission adopts one of the following decisions:

1) accept the election documents of the polling station commission and count the information from the protocol on counting of votes at a polling station when establishing voting results within the territorial election district;

2) reject the election documents of the polling station commission and obligate the polling station commission to correct the faults;

3) conduct repeat counting of votes at the polling station pursuant to the procedure stipulated by this Law.

6. The decision, foreseen in paragraph 5 of this Article, shall be adopted by voting of all members of a district election commission by the majority of the total composition of the commission and recorded in the protocol of the meeting of the district election commission.

7. The protocol of a polling station commission on counting of votes at the polling station is considered by a district election commission immediately after its promulgation. In the event that corrections, mistakes, or inaccuracies are found in the protocol of a polling station commission on counting of votes at the polling station, a district election commission may pass a decision obliging a polling station commission to amend the established results of the voting at the polling station pursuant to the requirements of paragraph 7, Article 89 of this Law, which shall be reflected in the protocol of the district election commission. During the period of consideration of this issue by a polling station commission, the copies of the protocol on counting of votes at the polling station and the attached documents submitted to the district election commission shall be kept by the district election commission.

8. A polling station commission shall consider amendments to the protocol without re-counting ballot papers within the period determined by a district election commission. The protocol marked "Amended" shall be transported to a district election commission pursuant to the procedure set forth in Article 91 of this Law. The time of receipt of the protocol marked "Amended" of a polling station commission by a district election commission and the information from the protocol shall be entered into the protocol of a district election commission's meeting.

9. If there are complaints confirmed by the duly submitted acts drawn up by the candidates for deputies, authorized representatives of parties (blocs), official observers and voters on violation of the requirements of this Law during voting and/or counting of votes at a polling station that call in question results of counting of votes at this polling station, and if there is a act or a written complaint by individuals mentioned under paragraph 1, Article 91 of this Law on violation of this Law during transportation of the protocol on counting of votes at a polling station to a district election commission and other documents, a district election commission may pass a decision on re-counting of votes at a polling station.

10. In the event that it is impossible to eliminate discrepancies in the protocol of a polling station commission without re-counting the ballot papers, and in the event that there are obvious signs of unpacking the packages with the documents of a polling station commission, a district election commission must pass a decision on re-counting votes at this polling station.

11. The protocols on voting results at a polling station and sealed packages with other election documents of a polling station commission before re-counting of votes at a polling station by a district election commission shall be kept in premises where the meeting of a district election commission takes place.

12. Re-counting of votes at a polling station shall be done by a district election commission under mandatory participation of members of a polling station commission who shall transfer the election documentation after consideration and passage of protocols and other documents of the rest of polling station commissions. Re-counting of votes at a polling station by a district election commission may be attended by all members of this polling station commission as well as the candidates for deputies, authorized representatives of parties (blocs) and official observers.

13. A district election commission shall draw up a protocol on re-counting of votes at a corresponding polling station in accordance with the form established by the Central Election Commission. The protocol shall contain information, foreseen in paragraph 2 (with the exception of clause 12) of Article 89 of this Law.

14. A district election commission shall draw up the protocol on re-counting votes at a respective polling station in the number of copies, which exceeds by four the number of members of a district election commission. The copies of the protocol shall be numbered and have equal legal force. All copies of the protocol shall be signed by the present members of a district election commission and members of the polling station commission who participated in re-counting of votes at the corresponding polling station, and certified with the stamp of the district election commission. Information from the protocol shall be promulgated in the process of its compilation in order stipulated by Articles 86-88 of this Law. Candidates for deputies, authorized representatives of parties (blocs) and official observers who were present during re-counting of votes shall have the right to sign the first and the second copies of the protocol.

15. A district election commission may pass a decision on recognizing the voting at a polling station invalid in the following cases:

1) in the event of establishing during re-counting of votes at the respective polling station the circumstances mentioned under paragraph 1, Article 90 of this Law;

2) in the event of establishing instances of deliberate obstruction for fulfillment of their duties for the election commission members or realization by official observers and mass media representatives of their right to be present during the voting at a polling station in the premises where the voting is conducted, at the meeting on counting of votes of an election commission, during tabulation of voting results at a polling station, as well as illegitimate non-admission of the aforementioned individuals in premises for voting.

16. In the event that voting at a polling station is recognized invalid during re-counting of votes, the protocol of a district election commission on re-counting of votes at this polling station shall be drawn up pursuant to the procedure set forth in paragraphs 13 and 14 of this Article and contain only information mentioned under clauses 1-11, 14, and 18-20 of paragraph 2 of Article 89 of this Law. All other lines of the protocol shall be crossed.

17. The first copy of the protocol of a district election commission on re-counting of votes at a polling station together with the respective protocol of a polling station commission on counting of at a polling station, decision of a district election commission on recognizing the voting at this polling station invalid shall be appended respectively to the protocol of a district election commission on voting results at the respective territorial election district. The second copy of the protocol of a district election commission on re-counting of votes at a polling station shall be preserved by the secretary of a district election commission; the third copy shall be transferred to the respective polling station commission; the fourth copy shall be immediately posted in premises of a district election commission for public information. Other copies of the protocol shall be given out to members of a district election commission – one for each member.

### **Article 93. Establishing Voting Results in Constituencies**

1. A district election commission after receiving and reviewing protocols from polling station commissions on voting results on polling stations, including protocol marked “amended,” on the basis of protocol of polling station commissions on voting results and information about content of such protocol of polling station commissions transmitted by technical means of communication from special polling stations created on vessels navigating under the state flag of Ukraine on Election Day, on a Polar station of Ukraine, and in case of re-counting of votes – also the protocol of a district election commission on re-counting of votes at the respective polling station, shall establish:

- 1) number of ballot papers received by a district election commission;
- 2) number of ballot papers cancelled by a district election commission;
- 3) number of ballot papers received by polling station commissions in a territorial election district;
- 4) number of ballot papers produced by polling station commissions of a territorial election district;
- 5) number of unused ballot papers cancelled by polling station commissions of a territorial election district;
- 6) number of spoiled ballot papers on polling station commissions of a territorial election district;

7) total number of voters on voter lists at polling station commissions of a territorial election district;

8) number of voters on the excerpt from voter lists at polling station commissions of a territorial election district;

9) number of voters put in the list for absentee voting in a territorial election district;

10) number of voters who received ballot papers in premises for voting;

11) number of voters who received ballot papers outside premises for voting);

12) number of voters who received ballot papers upon presenting absentee ballot papers;

13) number of voters who received ballot papers in a territorial election district;

14) number of voters who voted in premises for voting;

15) number of voters who voted outside premises for voting;

16) number of ballot papers that can not be counted in polling station commissions of a territorial election district;

17) total number of voters who took part in voting in a territorial election district;

18) number of ballot papers recognized invalid;

19) number of votes cast for candidates for deputies from each party (bloc);

20) number of voters who did not support candidates from any political party (bloc);

21) number of blanks of absentee ballot papers received by polling station commissions of a territorial election district;

22) number of voters who received absentee ballot papers in a territorial election district;

23) number of unused blanks of absentee ballot papers cancelled by a district election commission;

24) number of unused blanks of absentee ballot papers cancelled by polling station commissions;

25) total number of unused blanks of absentee ballot papers in a territorial election district.

2. Information on voting results in a territorial election district shall be recorded by figures and words in the protocol of district election commission on voting results in a territorial election district. The information mentioned under clauses 3-21 of paragraph 1 of Article 93 of

this Law shall be recorded by figures on each polling station commission in a territorial election district; and their sum for a territorial election district – in figures and words.

3. The number of copies of protocol of a district election commission on voting results in the territorial election district shall exceed the number of members of the district election commission by three. The copies of the protocol shall be numbered and have equal legal force.

4. The protocol on voting results in a territorial election district must not be put down in pencil, signed and stamped by district election commission before being filled in completely.

5. Protocols on voting results in a territorial election district shall be signed by a commission head, deputy head, secretary and other district election commission members who were present at the meeting of the election commission, and stamped with the stamp of the district election commission. Time (hours and minutes) of its signing by the members of the district election commission shall be indicated in the protocol. Every member of the district election commission present at the meeting must sign the protocol on voting results. If a commission member does not agree with the voting results tabulated by the commission and recorded in the protocol, he/she should sign the protocol with comment “With dissenting opinion.” The dissenting opinion stated in writing shall be appended to the protocol on voting results. If there is no signature of a commission member, the reason of the absence of his/her signature shall be indicated next to his/her name. Candidates for deputies, authorized representatives of parties (blocs), and official observers who were present during the tabulation of voting results in the territorial election district have the right to sign the first copy of the protocol.

6. If a district election commission after signing the protocol and before sending it to the Central Election Commission finds inaccuracies (slip of pen or a mistake in figures), it shall consider introducing amendments to the voting results in the territorial election district at the same meeting by preparing a new protocol with the mark “amended.” The protocol marked “amended” shall be drawn up and signed according to the procedure and have the number of copies stipulated by this Article. It is prohibited to draw up the “amended” protocol by a district election commission at another meeting without an order of the Central Election Commission.

7. The first copy of a protocol of district election commission on voting results in the territorial election district, and if present, the first copy of the protocol marked “amended,” are packed together with the special system of protection in the order stipulated by Part 10 of Article 86 of this Law. The packaged is marked by “Protocol of voting results” mark.

8. The first copy of a protocol of district election commission on voting results in the territorial election district, and if any amendments were made to this protocol, also the protocol which had mistakes (slips of pen or mistakes in figures), and the protocol marked “amended” together with respective protocol and acts of polling station commissions, decision passed on the basis of these acts and, if present, protocols of a polling station commission on re-counting of votes at the respective polling station, dissenting opinions of district election commission members put in writing, requests and complaints on violations of the procedure of tabulation of voting results in a territorial election district by a district election commission, and decisions made by district election commission upon consideration of violations shall be transported by a district election commission to the Central Election Commission; the second copy of the protocol shall be preserved by a district election commission; the third copy shall be

immediately posted in a polling station commission for public information; the rest of the copies shall be given to a polling station election commission members one copy per each.

9. Transportation of the election documents stipulated by paragraph 7 of this Article shall be done by a head of a district election commission or his deputies and two members of this election commission representing different parties (blocs) that received the majority of votes in the territorial election district. If a head or a deputy head of district election commission who must transport the mentioned documents represents one of two parties (blocs), which received the majority of votes in the territorial election district, or representative of such party (bloc) can not take part in the transportation of election documentation to the Central Election Commission due to the serious reasons, representative of the party (bloc), which received the next consecutive number of votes, takes part in the transportation.

10. Upon their request, candidate for deputy, authorized representative of a party (bloc) and an official observer shall be provided immediately with a copy of protocol (including the one marked "amended") of a district election commission on voting results in the territorial election district and, if present, a copy of protocol on votes re-counting in the respective polling station – one copy per each party (bloc). Each page of the mentioned copies should be authorized by a commission head, secretary of a district election commission and stamped by the election commission stamp.

#### **Article 94. Tabulation of Voting Results in Foreign Election District**

1. At its meeting, the Central Election Commission shall receive, consider and promulgate protocols of polling station commissions on voting results at respective polling stations in foreign election district or information about the contents of respective protocol on voting results transmitted by the technical means of communication, under the procedure stipulated by paragraph 6, Article 91 of this Law.

2. After receiving and considering protocols of polling station commissions in foreign election district on counting of votes in polling stations, the Central Election Commission at the same meeting and on the basis of protocols of polling station commissions on counting of votes on polling stations and information on content of such protocols of polling station commissions, transmitted by the technical means of communication, shall tabulate the information in foreign election district, under the procedure stipulated by paragraph 1, Article 93 of this Law.

3. Information on voting results in a foreign election district shall be announced at the meeting of the Central Election Commission and put down in figures and words to the protocol of the Central Election Commission on voting results in a foreign election district.

4. The protocol mentioned in paragraph 3 of this Article shall be drawn up, under the procedure stipulated by paragraphs 2, 4 - 6 of Article 93 of this Law.

5. The protocol mentioned in paragraph 3 of this Article should be drawn up in two copies. The protocol shall be signed by the head, deputy head, a secretary and other members of the Central Election Commission who are present at the meeting, and stamped with the stamp of the Central Election Commission. The protocol shall contain date and time (hour and minutes) when it was signed by the members of the Central Election Commission. The member of the Central Election Commission who is present at the meeting must sign the protocol on voting results. If he/she does not agree with the tabulated results, recorded in the protocol of the Central



Election Commission, the member of the Central Election Commission shall sign the protocol, adding "With dissenting opinion." The dissenting opinion stated in writing shall be appended to the protocol on voting results. If the signature of a member of the Central Election Commission is absent from the protocol, the reason of the member of the Central Election Commission absence at its meeting shall be written next to his/her name. Candidates for deputies, representatives of parties (blocs) in the Central Election Commission, authorized representatives of parties (blocs) in the all-national constituency who were present at the meeting when voting results in foreign election district were tabulated shall have the right to sign the first copy of the protocol. The content of the protocol should be published on the official web site of the Central Election Commission.

6. Upon their request, candidates for deputies, representatives of parties (blocs) in the Central Election Commission shall be immediately provided with a copy of the protocol (including the protocol marked "Amended") of the Central Election Commission on voting results in a foreign election district one copy per each party (bloc). Each page of the mentioned copies shall be authorized by signatures of the Head and the secretary of the Central Election Commission and stamped with the Central Election Commission stamp.

**Article 95. Procedure for Receiving and Consideration of Protocols of District Election Commissions by the Central Election Commission**

1. At its meeting, the Central Election Commission shall consider and approve protocols of district election commissions on voting results in the territorial election district. The information of the aforementioned protocol shall be announced by a head or a deputy of the respective district election commission at the meeting of the Central Election Commission. The time of receiving of a protocol of a district election commission by the Central Election Commission and the protocol information shall be reported in the protocol of the Central Election Commission meeting.

2. If corrections, mistakes or inaccuracies were found in the protocol of a district election commission on voting results in the territorial election district, the Central Election Commission upon its consideration might oblige the district election commission to introduce amendments to the tabulated voting results in the territorial election district, under the procedure stipulated by paragraph 7, Article 92 of this Law, which shall be reflected in the protocol of the Central Election Commission meeting. During the period of consideration of this issue by the district election commission, the copies of the protocol of the district election commission on the voting results in the territorial election district submitted to the Central Election Commission and the attached documents shall be stored in the Central Election Commission.

3. A district election commission should consider amendments to the tabulated voting results in the territorial election district within the period designated by the Central Election Commission, re-counting votes at individual polling stations in the territorial election district if necessary. The protocol marked "Amended" shall be drawn up under the procedure stipulated by paragraph 7, Article 93 of this Law. The abovementioned protocol and other required election documents shall be transported to the Central Election Commission under the procedure stipulated by paragraph 9, Article 93 of this Law.

4. A protocol of a district election commission on voting results in the territorial election district marked "Amended" shall be received by the Central Election Commission under the procedure stipulated by paragraph 1 of this Article.

**Article 96. Tabulation of Voting Results of Elections of Deputies**

1. At its meeting, the Central Election Commission, on the basis of protocols of district election commissions on voting results in respective constituencies, including protocols marked "Amended," and the protocol of the Central Election Commission on voting results in a foreign election district shall tabulate the results of elections of deputies no later than on the fifteenth day from Election Day and draw up the respective protocol. The protocol on the voting results of the elections of deputies should contain the following information in figures and words:

- 1) number of ballot papers produced on the order of the Central Election Commission;
- 2) number of unused ballot papers cancelled by the Central Election Commission;
- 3) number of ballot papers received by district election commissions;
- 4) number of unused ballot papers cancelled by district election commissions;
- 5) number of ballot papers received by polling station commissions;
- 6) number of ballot papers produced by polling station commissions;
- 7) number of unused ballot papers cancelled by polling station commissions;
- 8) total number of unused ballot papers;
- 9) total number of spoiled ballot papers;
- 10) number of voters on voters lists at polling stations;
- 11) number of voters on excerpt from the voters list at polling stations;
- 12) number of voters, included to voters lists for voting based on absentee voting certificates;
- 13) number of voters who received ballot papers in the premises for voting;
- 14) number of voters who received ballot papers outside the premises for voting;
- 15) number of voters who received ballot papers on the basis of absentee voting certificates;
- 16) total amount of voters who received ballot papers;
- 17) number of voters who voted in premises for voting;
- 18) number of voters who took part in voting outside the premises for voting;
- 19) number of ballot papers that can not be counted at the polling station;

- 20) total number of voters who took part in voting;
- 21) number of ballot papers recognized as invalid;
- 22) the percentage of ballot papers that were recognized as invalid to the number of voters who took part in the voting;
- 23) number of votes cast for candidates for deputies, included to each party (bloc) lists;
- 24) the percentage of votes cast for candidates for deputies, included to each party (bloc) list to the number of voters who took part in the voting;
- 25) number of voters who did not support candidate for deputies, included to any party (bloc) lists on election lists of political parties (blocs);
- 26) the percentage of votes of those who did not support candidates for deputies, included to any party (bloc) from any party (bloc) to the number voters who took part in the voting.

2. The information on voting results shall be recorded to the protocol of the Central Election Commission on the voting results in figures and words. The information stipulated by sub-paragraphs 3-26 of paragraph 1 of this Article shall be recorded in figures for each election district (including the foreign election district), and also in figures and words for the sum for the all-national constituency.

3. Those candidates for deputies included to party (bloc) lists, which received three and more percent of votes who took part in the voting in the all-national constituency, receive the right to take part in the distribution of deputies' mandates.

4. Those candidates for deputies included to party (bloc) lists, which received less than three percent of votes who took part in the voting, shall not be entitled to take part in the distribution of deputies' mandates.

5. The deputies' mandates shall be distributed among party (bloc) lists proportionally to the number of votes cast for the candidates for deputies, included to party (bloc) lists, as stipulated by paragraph 3 of this Article, in the consecutive order stipulated by paragraphs 6-8 of this Article.

6. The Central Election Commission, basing on information stipulated by subparagraph 23 of paragraph 1 of this Article, shall tabulate the total number of votes cast for candidates for deputies, included to party (bloc) lists, which received three and more percent of votes.

7. The number of votes necessary to receive one deputy mandate (hereafter – election quota) shall be calculated by dividing the total number of votes, tabulated in paragraph 6 of this Article by the number of deputies' mandates that equals to quantitative composition of the Verkhovna Rada of Ukraine, as stipulated by the Constitution of Ukraine (254r/96-VR) (hereafter – total number of deputies' mandates).

8. The number of votes cast for candidates for deputies, included to party (bloc) lists shall be divided by election quota. The integral part of the received figure shall be the number of parliamentary mandates that candidates for deputies of this party (bloc) received. The fractions shall be counted for the distribution of the rest of the parliamentary mandates under the procedure stipulated by paragraph 9 of this Article.

9. Parties (blocs), which party (blocs) lists have the highest fraction after the division under the procedure stipulated by paragraph 8 of this Article, receive an additional parliamentary mandate, in the consecutive order starting with the party (bloc) that has the highest fraction. If two or more parties (blocs) have equal fractions, an additional parliamentary mandate is allocated to the party (bloc), which candidates for deputies received more votes. The distribution of additional deputies' mandates ends after the total number of parliamentary mandates is exhausted.

10. The result of elections of deputies is determination of persons in the consecutive order in party (blocs) lists, elected deputies from parties (blocs), accordingly to the number of deputies' mandates, received by party (blocs) lists.

11. After establishing the number of deputies' mandates received by parties (blocs) – subjects of the election process – and tabulation of persons who were elected deputies under the procedure stipulated by paragraph 10 of this Article, the Central Election Commission shall state in the protocol on the voting results:

- 1) total number of votes cast for the candidates for deputies, included to party (bloc) lists that received three and more percent of votes;
- 2) election quota;
- 3) the number of deputies' mandates received by each party (bloc) – subjects of the election process;
- 4) surnames, first names, patronymics, year of birth, profession, position (occupation), place of work, place of residence, and party affiliation of elected deputies.

12. The protocol on the voting results of election of peoples' deputies of Ukraine shall be drawn up in two copies. The protocol is signed by the head, deputy heads, a secretary, and other members of the Central Election Commission present at the meeting, of the Central Election Commission and stamped by the stamp of the Central Election Commission. The protocol shall contain date and time (hours and minutes) of its signing by the members of the Central Election Commission. A member of the Central Election Commission present at its meeting is obliged to sign the protocol on the voting results of elections of deputies. If a member of the Central Election Commission does not agree with tabulated voting results, recorded in the protocol of the Central Election Commission, the member of the Central Election Commission sign the protocol with comment "With dissenting opinion." The dissenting opinion in written form is added to the protocol on the voting results of deputies. If the signature of a member of the Central Election Commission is absent from the protocol, the reason of the member of the Central Election Commission absence at its meeting shall be written next to his/her name. Candidates for deputies, representatives of parties (blocs) in the Central Election Commission, authorized representatives of parties (blocs) in the all-national constituency who were present at the tabulation of voting results of elections of people's deputies shall have the right to sign the

first copy of the protocol. The content of the protocol should be published on the official web site of the Central Election Commission immediately.

#### **Article 97. Official Promulgation of the Election Results**

1. The Central Election Commission no later than on the fifth day from establishing the election results shall promulgate **officially** the results of the elections of deputies in the *Holos Ukrainy* and *Uryadovyi Kuryer* newspapers. The list of elected deputies shall be published in alphabetical order indicating their family names, first names, patronymics, year of birth, **educational background**, position (occupation), place of work, place of residence, party, **membership** and the nominator.

2. Official promulgation of the results of the elections of deputies by the Central Election Commission shall be the ground for the dismissal from the positions, which are not compatible with a deputy mandate and adoption of the decision on termination of other representative mandates of individuals elected deputies.

#### **Article 98. Reimbursement of Expenses of Parties (Parties, forming a Bloc) Related to Financing their Election Campaign**

1. Parties (parties forming blocs) which party lists received three or more percent of votes cast at the elections, shall be entitled for reimbursement of the expenses related to financing their election campaign from the State budget of Ukraine in the amount equal to factual expenses but not more than one hundred thousand of minimal salaries for each party (bloc).

2. On the basis of a financial report on receiving and using the finances of the a party's (bloc's) election fund submitted in accordance with the procedure stipulated by paragraph 6 Article 51 of this Law, the Central Election Commission, no later than on the tenth day from the day of official promulgation of the election results, shall adopt a decision on satisfying or rejecting the request for reimbursement of expenses related to financing election campaign of parties (parties forming blocs). In case if Central Election Commission partly rejected the request for reimbursement, the sum of expenses claimed in the financial report related to financing election campaign of party (bloc), shall be **decreased** on amounts contested value.

3. The grounds for rejecting the request for reimbursement of expenses related to financing election campaign of parties (parties forming blocs) shall be the facts establishing by the Central Election Commission during examination of the information which is specified in the financial report on receiving and using the finances of the a party (bloc), that demonstrate that the party (bloc) violated the requirements of this Law concerning the order of formation of the a party's (bloc's) election fund or use of finances of a party (bloc) for the purposes which are not related to the election campaign..

4. The copy of the decision of the Central Election Commission on accepting or rejecting the request for reimbursement of expenses related to the election campaign of the party (parties forming blocs) shall be forwarded to the concerned party (parties forming blocs) no later than on the second day from the day of the adoption of such decision.

5. **Governing** body of a bloc, no later than on the tenth day from the receiving the copy of the decision concerning the reimbursement of expenses mentioned in paragraph 4 of this

Article, should submit to the Central Election Commission proportions in which expenses intended to the reimbursement to parties forming blocs should be distributed between parties forming blocs. Finances which are designated to reimburse expenses related to the election campaign of parties forming a bloc shall be distributed by the Central Election Commission among parties forming a bloc in proportions determined by the mentioned claim of a governing body of a bloc.

6. The decision of the Central Election Commission on rejecting the request for the reimbursement of expenses concerned with financing of the election campaign of a party (parties forming a bloc) can be disputed in court.

7. Funds for reimbursement to the parties of expenses concerned with financing of the election campaigns of parties (parties forming a bloc) are stipulated by the Law *On the State Budget of Ukraine* for the financial year that follows the year of elections of People's Deputies of Ukraine. Central Election Commission is the principal manager of the funds for the reimbursement of the expenses concerned with financing of election campaigns of parties (parties forming a bloc).

8. The funds for reimbursement of expenses related to financing of election campaigns of parties (parties forming a bloc) shall be transferred to the account of the respective party (parties forming a bloc) based on the decision of the Central Election Commission no later than on the thirtieth day from the day of enactment of the Law *On the State Budget of Ukraine* which, according to paragraph 7 of this Article, provides means for the funds of reimbursing of the expenses concerned with financing of election campaigns of parties (parties forming a bloc).

#### **Article 99. Registration of Elected Deputies**

1. To be registered an individual elected a national deputy no later than on the twentieth day from the day of official promulgation of the election results, shall submit to the Central Election Commission a document on his/her dismissal from the previous place of work, which is not compatible with a deputy mandate, and (or) a copy of a registered request to terminate another representative mandate submitted to the respective council.

2. In the event that an individual elected a national deputy presents to the Central Election Commission legitimate reasons that prevent him/her from complying with the requirements of paragraph 1 of this Law, the Central Election Commission may pass a decision on recognizing the aforementioned reasons legitimate and set a different timeline for fulfillment of these requirements; otherwise the Central Election Commission may pass a decision on not recognizing the aforementioned reasons legitimate.

3. After having received the documents mentioned under paragraph 1 of this Law, the Central Election Commission shall pass a decision on registering the elected national deputy.

4. In the event that an individual elected national deputy, without a legitimate reason, fails to fulfill the requirements stipulated by paragraphs 1 and 2 of this Law, the Central Election Commission shall pass a decision on recognizing him/her an individual who rejected a deputy mandate and recognizing an elected national deputy the person who follows him/her on the party (bloc) list.

5. No later than on the seventh day after registration of an individual elected national deputy, the Central Election Commission shall provide him/her with a temporary ID of a national deputy in the form established by the same Commission.

6. The decision of the Central Election Commission on registering the deputy and a temporary ID of a national deputy shall serve as the grounds for the person to be sworn in as a national deputy of Ukraine.

#### **Article 100. Identification Document and Lapel Badge of a National Deputy of Ukraine**

After the deputy has taken the oath of a national deputy of Ukraine, the Central Election Commission shall provide him/her with the ID of a National Deputy of Ukraine and the lapel badge of the established form.

#### **Article 101. Replacing National Deputies whose Authority is Terminated Pre-Term**

1. In the event of pre-term termination of authorities of a national deputy of Ukraine on the basis and pursuant to the procedure stipulated by the Constitution of Ukraine and laws of Ukraine, after the Central Election Commission passes a respective decision, the next candidate on the party (bloc) list shall become a national deputy. If the aforementioned list is exhausted, the seat in the parliament shall be vacant until the regular or the extraordinary elections are held.

2. Registration of the person elected national deputy pursuant to paragraph 1 of this Law and providing him/her with a temporary ID of a National Deputy of Ukraine shall be done by the Central Election Commission pursuant to the procedure set forth in Article 98 of this Law.

3. The party (bloc) that nominated candidates for national deputies for its party list, which candidates run for the seat in the parliament, may pass a decision on eliminating a candidate for a national deputy who, according to the election results stipulated by paragraph 10, Article 95 of this Law, is considered not elected from its party list at any time after Election Day before this person is registered as a national deputy of Ukraine pursuant to paragraph 1 of this Law. Such decision shall be passed in accordance with the statute of the party (agreement on establishing a bloc) by the congress (meeting, conference) of the party or a multi-party congress (meeting, conference) of parties that belonged to a bloc, signed by the party leader (leaders of parties that, as of Election Day, belonged to a bloc) and bear the party stamp (stamps of respective parties) and, within five days from the day of passage of such a decision, be forwarded to the Central Election Commission. The latter, based on such documents and within seven days, shall pass a decision on eliminating the candidate in question from the party (bloc) list.

4. In the event of changes of the composition of a bloc, the procedures set forth in paragraphs 2 and 3, Article 62 of this Law shall be applied to replace deputies who left.

## **Chapter XI. -EXTRAORDINARY ELECTIONS**

### **Article 102. Specificities of Organization and Conduct of Extraordinary Elections of Deputies**

1. For organization of the extraordinary parliamentary elections, the constituencies' and foreign polling stations created for conducting of the last elections of people's deputies shall be used.

2. Regular and special polling stations for extraordinary elections shall be created no later than nineteen days before Election Day, and in extraordinary case of creation of polling stations upon the procedure stipulated by paragraph 7, Article 21 of this Law – no later than ten days before Election Day under the procedure stipulated by this Law.

3. District election commissions shall be established no later than fifty days before Election Day by submission of parties (blocs) that are represented by party factions in the current convocation of the Verkhovna Rada of Ukraine that are received by the Central Election Commission. no later than fifty-three days before Election Day.

4. Polling station commissions shall be created no later than twelve days before Election Day, and in the extraordinary case of creation of polling station under the procedure stipulated by paragraph 7, Article 21 of this Law – simultaneously with the creation of polling stations after receiving submission of the authorized representatives of parties (blocs) mentioned in paragraph 3, of this Law, which shall be received by district election commission no later than fifteen days before Election Day under the procedure stipulated by Article 28 of this Law.

5. Nomination of candidates for peoples' deputies shall start on the next day after publication of the Decree of the President of Ukraine on pre-term termination of authorities of the Verkhovna Rada of Ukraine and end forty days before Election Day.

6. The Central Election Commission shall stop accepting the documents for registration of candidates for deputies 30 days before Election Day, Registration of candidates shall stop twenty-five days before Election Day.

7. Information posters of parties (blocs) as mentioned in Article 66 of this Law shall be produced no later than twenty days before Election Day.

8. Voter lists at regular polling stations shall be compiled and produced under the procedure stipulated by law and passed to district election commissions no later than twenty days before Election Day.

9. District election commissions shall pass one copy of voter lists to the respective polling station commissions no later than 10 days before Election Day.

10. At special polling stations, voter lists shall be compiled under the procedure stipulated by law no late than ten days be fore Election Day.

11. The voter lists at foreign election district polling stations shall be compiled and produced under the procedure stipulated by law. Voter lists shall be passed to polling station



commissions in foreign election district no later than ten days before Election Day. Amendments to voter lists in foreign election district polling stations shall be done under the procedure stipulated by this Law.

12. The form and the text of ballot paper shall be approved by the Central Election Commission no later than twenty-four days before Election Day.

## **Chapter XII. - APPEALING DECISIONS, ACTS OR INACTIVITY RELATED TO PROCESS OF ELECTIONS OF DEPUTIES. RESPONSIBILITY FOR VIOLATION OF ELECTION LEGISLATION**

### **Article 103. Applicants of Complaints**

1. A complaint concerning the process of elections of deputies may be filed by such persons (henceforth referred to as the “Applicant”):

- 1) a candidate for a People’s Deputy;
- 2) a party (bloc) – subject of the election process represented by the party (bloc) leader, representative of the party (bloc) in the Central Election Commission or by another person authorized by the decision of the central management body of the party (bloc);
- 3) official observer from the party (bloc);
- 4) an election commission that performs functions concerning organizing and holding the elections of deputies represented by a head of commission or a commission member authorized by the decision of the election commission;
- 5) a voter whose rights or legally protected interests related to the participation in the election process including participation in activities of an election commission or observation were infringed by a decision, actions or inactivity of the subject to be complained about.

2. A party leader (leaders of a bloc identified in the agreement on establishing a bloc) or a representative of the party (bloc) in the Central Election Commission acts as a representative of the party (bloc) without an additional authorization. The document confirming authorities of an authorized representative of the party (bloc) or a representative of the party (bloc) in the Central Election Commission shall be a respective certificate issued pursuant to the procedure stipulated by this Law.

### **Article 104. Matter of complaint and Subject to be complained about**

A complaint concerning designation, preparation and organization of elections of deputies (henceforth referred to as the “complaint”) with peculiarities as stipulated by Articles 111 – 115 of this Law may be filed by the Applicant to appeal against a decision, actions or inactivity of:

- 1) an election commission or a member of an election commission;
- 2) a state authority, local self-government body, enterprise, organization or institution, officials thereof;

3) association of citizens, except for those decisions and activity that pursuant to the law or their statute (regulations act) belong to their internal organizational activity or to their exclusively competence;

4) mass media outlet, an official or a creative specialist thereof;

5) other subjects of the election process according to Article 12 of this Law.

#### **Article 105. Subject entitled to consider Complaints**

1. The subject entitled to consider complaints stipulated by Article 104 of this Law shall be an election commission or court.

2. An Applicant mentioned in Article 103 of this Law may file a complaint to either a commission or to a court at his/her own discretion.

3. The court where a complaint stipulated by Article 104 is filed shall immediately notify the election commission and the higher-level commission about the receipt of complaint and about the court decision thereon.

4. If the aforementioned complaint is recognized by the court as acceptable, and in the event, when the same complaint is submitted to an election commission, this election commission, after having received notification from the court, shall suspend consideration of such complaint until the court decision comes into force.

#### **Article 106. Time Periods for Appeals**

1. An Applicant may file a complaint with an election commission or court within five days after adoption of a decision, action or inactivity of the subject to be complain about except for the cases stipulated by paragraphs 2 and 3 of this Article.

2. A complaint concerning a violation committed before Election Day may be filed within the period mentioned under paragraph 1 of this Article but no later than midnight of the day that precedes Election Day.

3. A complaint concerning a violation committed on Election Day may be submitted to the election commission that allowed this violation no later than the end of voting. A complaint concerning decisions, actions, or inactivity of a polling station commission or its members committed on Election Day, during the vote tabulation or establishing voting results at a polling station may be submitted to the Central Election Commission or a court within two days after adoption of such a decision or performance of action or inactivity.

4. The day of performance of inactivity shall be considered the last day of the period stipulated by the law for performing the action described by Law.

5. The day of receiving the complaint shall be considered the day of factual receipt of the complaint by the subject entitled to consider complaints.

6. The period for filing a complaint may not be prolonged or renewed except for the cases of re-submission of complaint after eliminating its defects no later than the next day after its has been returned by the subject entitled to consider complaints without considering this complaint pursuant to paragraph 3, Article 108 of this Law.

7. Changes or revision of the applicant's demands during consideration of the complaint by the subject entitled to consider caused by the emergence of circumstances that were previously not known to the Applicant shall not be considered as a new complaint and shall not be liable to time restrictions.

### **Article 107. Form and Content of Complaint**

1. The complaint to election commission or court should be put down in writing. The complaint should contain:

- 1) name of the subject of complaint to whom it is filed;
- 2) surname, first name and patronymic (name of organization) of the applicant of complaint, his place of residence (mailing address), and also the number of means of communication and e-mail if available;
- 3) surname, first name and patronymic (name of organization) of the subject of complaint, his place of residence (mailing address), and also the number of communication means and e-mail if available;
- 4) the matter of complaint;
- 5) circumstances and proofs that justifies the applicant of complaint demands;
- 6) clearly stated claims with indication of the matter of complaint, the adoption of which is demanded from the subject of complaint;
- 7) list of attached documents and materials;
- 8) list of interested persons whom the applicant of complaint considers necessary to involve into consideration of the complaint;
- 9) a signature of applicant of complaint or an individual who represents him/her under the procedure stipulated by Article 103 of this Law and the date of signing;

2. A complaint from an election commission shall be filed by a decision of this election commission, which shall be appended to the complaint and signed by the person presiding at the commission meeting when the decision on filing a complaint was made, and stamped with a stamp of the election commission.

4. The complaint shall be appended with its copy and copies of all attached documents in the number that equals the number of subjects of complaint and all interested persons that were mentioned in this complaint.

**Article 108. Procedure and Terms of Consideration of Complaints**

1. Consideration of complaints by the court shall be done in the order stipulated by the procedural legislation taking into consideration the peculiarities stipulated by this Law.

2. Consideration of complaints by an election commissions shall be done in the order stipulated by this Article.

3. A complaint, which fails to meet the requirement of Article 107 of this Law, shall be returned by the head of the Central Election Commission or other member of the Central Election Commission by commission of the head of the Central Election Commission or head or deputy head of district or polling station commission to applicant of the complaint no later than the next day after receiving this complaint; the complaint submitted before Election Day, on Election Day or on the next day after Election Day shall be returned immediately. If a complaint is returned without consideration, exhaustive lists of defects that prevent it from being considered is indicated and contains a notice of possibility to re-submit this complaint, drawn up according to the requirements as stipulated by Article 107 of this Law within the term stipulated by this Law.

4. If the complaint is re-submitted with the defects not being corrected or with new defects, the subject of consideration of complaint shall adopt a decision to leave it without consideration on the matter.

5. A complaint drawn up according to the requirements stipulated by Article 107 of this Law shall be considered by court or a respective election commission at its meeting no later than on the fifth day after receiving the complaint except for the cases stipulated by paragraphs 6 through 8 of this Law.

6. A complaint about violations committed before Election Day shall be considered by an election commission within the period stipulated by paragraph 5 of this Law but no later than the beginning of voting.

7. A complaint about violation committed during voting filed to a polling station commission shall be considered by the latter immediately after the end of voting.

8. A complaint about violation committed on Election Day, during the vote counting or voting result tabulation at a polling station filed to the election commission of the supreme level or court shall be considered by the respective subject of complaint consideration within two days after filing the complaint.

9. If an election commission in the course of complaint consideration decide that it is necessary to examine the circumstances indicated in the complaint by law enforcement authorities, the respective law enforcement authorities upon receiving the request from the election commission, examine the these circumstances and take necessary measures to terminate violation of legislation within three days from the day of receiving such a request from the election commission; and if such request was received by law-enforcement authorities less than three days before Election Day, on Election Day or on the next day after Election Day, it shall act immediately. The respective authorities shall report on the result of examination and measures taken to the election commission that has sent a request.

10. The consideration of a complaint by a subject of consideration of complaint is conducted with obligatory notification of applicant of complaint, subject of complaint and other interested persons by a registered telegram, facsimile or electronic mail on the time and place of consideration. An applicant of complaint, subject of complaint and other interested persons may be notified of the time and place of consideration of the complaint by phone, which fact shall be registered by an official of the subject of consideration in a separate written certificate that shall be attached to the case file (protocol). If those persons who were duly notified of the time and place of consideration fail to show up on the meeting of a subject of complaint consideration, this fact shall not prevent the complaint from being considered.

11. Copies of a complaint and attached documents shall be handed to the subject of the complaint and interested persons in advance, and if this is not possible – no later than the beginning of consideration of the complaint. The subject of the complaint shall have the right to submit written explanations to the matter of complaint, which shall be taken into consideration by the subject of consideration of complaint.

12. The subject of consideration of complaint shall decide on leaving the complaint without consideration if the complaint was submitted by a person not entitled to be an applicant of complaint or the timelines for submitting it were violated.

13. The Central Election Commission when adopting a decision on leaving the complaint without consideration may take into consideration the facts stated in the complaint upon its own initiative.

14. Other issues of the procedure of consideration of complaints by election commissions shall be defined by the Central Election Commission, according to the requirements of this Law.

15. Courts, election commissions and prosecutor authorities shall organize their work during the election process in such a way that provides for an opportunity to receive and consider complaints and applications of election commissions within the terms and under the procedure stipulated by this Law.

#### **Article 109. Evidences**

1. The evidences, based on which an election commission establishes the presence or absence of circumstances that justify the demands or protests of an applicant of complaint, subject of complaint or interested persons, as well as other circumstances that are essential for proper consideration of a complaint may be:

1) written documents and materials (including those in electronic form) that contain information about circumstances that are essential for proper consideration of a complaint;

2) written explanations of subjects of election process, officials and civil servants of executive authorities, bodies of self-government, enterprises, institutions, entities and organizations, respective law enforcement authorities, received upon the request of a subject of consideration of complaint, including members of an election commission to exercise authorities of the election commission;

3) material evidences;

4) experts' conclusions, provided in written form on request of an election commission - a subject of complaint consideration, - an applicant of a complaint or subject of complaint;

2. An election commission shall receive evidence from an applicant of complaint, a subject of complaint or interested persons. An election commission - the subject of complaint consideration - may request (order) additional evidence upon its own initiative or upon the request of an applicant of complaint, subject of complaint or interested persons.

3. If an applicant of the complaint, subject of the complaint or interested person fails to provide evidences to prove the circumstances that they refer to, the election commission shall consider the case upon available evidences.

4. An election commission shall take into consideration only those evidences that have relation to the consideration of complaint. The fact of rejection of evidences those are not important for complaint consideration or do not have evidential force should be stated in the decision of election commission - the subject of complaint consideration.

5. Circumstances (facts), proving of which requires certain means stipulated by law, may not be proved by any other means.

6. Written evidence shall be submitted in original or in the form of a duly certified copy. If a copy of written evidence is submitted, an election commission shall have the right to demand submission of an original or order original of written evidence on its own initiative. After consideration of a complaint, an election commission, upon the request of the owner of a document, shall return the original document, and in the file of complaint a duly certified copy should remain.

7. An election commission shall assess the propriety and reliability of each evidence, and adequacy and inter-relation of evidences in their totality as stipulated by law. No evidences shall have inherent legal force except for the circumstances or facts established by the court decision, which has entered into legal force.

#### **Article 110. Decision of the Subject of Consideration of Complaint after Consideration of the Complaint**

1. Decision of the subject of consideration of the complaint must be justified, legal and founded.

2. When considering a complaint on decision of the subject of the complaint, the subject of consideration of the complaint shall establish:

1) whether the subject of the complaint passed the disputed decision;

2) whether the subject of the complaint passed the disputed decision on legal grounds;

3) whether the disputed decision was passed within the competence and pursuant to the procedure stipulated by the law;

4) which legal norms must be applied with regard to such legal relations and whether according to the law such complaint shall be considered by this subject of consideration of the complaint;

5) whether each claim of the applicant of complaint is to be satisfied or rejected;

6) whether the infringed rights or legitimate interests of the applicant of complaint are to be renewed by other means;

7) which decisions must be adopted or which measures must be taken after the decision has been cancelled.

3. When considering a complaint concerning action (or negligence) of the subject of complaint, the subject of consideration of complaint shall establish:

1) whether the disputed action (inaction) of the subject of the complaint was committed;

2) whether the disputed action (inaction) was committed by the subject of the complaint on legal grounds;

3) which legal norms must be applied with regard to such legal relations and whether according to the law such complaint shall be considered by this subject of consideration;

4) whether each claim of the applicant of complaint is to be satisfied or rejected;

5) whether the infringed rights or legitimate interests of the applicant of complaint are to be renewed by other means;

6) which decisions must be adopted or which measures must be taken after disputed action (inaction) has been acknowledged illegal.

4. When considering the complaint the subject of consideration of complaint may satisfy it in full or in part or reject it.

5. In the event that the subject of consideration of complaint adopts a decision on satisfying the complaint, such decision may:

1) acknowledge the decision of the subject of complaint or certain provisions thereof, its acts, or inaction as such that do not correspond to the provisions of the legislation on the elections of people's deputies, violating the citizens' electoral rights, the rights and legislative interests of the subject of the election process;

2) cancel the decision;

3) oblige the subject of the complaint to take measures stipulated by the legislation on organization and conduct of parliamentary elections;

- 4) oblige the subject of the complaint to refrain from committing certain actions;
  - 5) by other means renew the infringed electoral rights of the citizens, the rights and legitimate interests of the subject of the election process;
  - 6) oblige the subject of the complaint and/or other body, party (bloc), mass media outlet, an official or a public servant to commit certain action stipulated by the legislation on organization and conduct of elections of the deputies entailed by the fact of canceling the decision or recognizing the disputed action/inaction illegal.
6. In the event that the subject of consideration of the complaint establishes that the decision, inaction do not correspond to the legislation on elections of the deputies, the subject of consideration of complaint shall satisfy the complaint. When satisfying the complaint, the subject of consideration of complaint may satisfy all or a part of claims of the applicant of complaint.
7. In the event that the court acknowledges a decision of a respective election commission illegal including the decision on recognizing the results of elections at a polling station invalid, tabulation of voting results and results of elections of the deputies, the election commission, the decision of which was acknowledged invalid, or an election commission of higher level shall pass a decision on the basis of the court decision. In the event that a decision was acknowledged reliable on the formal grounds, an election commission shall not pass a decision, which in essence duplicates the decision acknowledged invalid by the court.
8. An election commission of higher level, based on a complaint, court decision or on its own initiative, may cancel a decision of election commission of lower level and pass a decision thereon or oblige the election commission of lower level to re-consider this issue.
9. The subject of consideration of the complaint shall reject the complaint if it establishes that the decision, acts, or inaction of the subject of complaint was passed or committed according to the law and within the competence stipulated by the law and does not infringe the electoral rights of voters, the rights and legitimate interests of other subjects of the election process.
10. A copy of the decision of the subject of consideration of the complaint shall be given out or forwarded to the applicant of complaint, subject of the complaint, other interested persons, respective election commission and another subject mentioned in the decision no later than the next day after passage of such decision, and in the event that a decision is passed before Election Day, on Election Day or the next day – immediately.
11. A decision, passed by a first instance court, shall enter into legal force after the period for appeal has exhausted, and within the timeframes stipulated by the Article 111 of this Law.

#### **Article 111. Specifics of Revising Court Decisions**

1. Participants of the court consideration process shall have the right to appeal against the court decision in full or in part passed by the first instance court, which has not



entered into legal force if the first instance court has not completely established the circumstances of the case, failed to properly assess the evidences, incorrect applied norms of the material law or significantly violated the norms of legal proceedings.

2. An appeal may also be filed by a third party – subject of the election process that did not participate in the court consideration of the case in the event that the decision of the first instance court infringes its rights, freedoms, and legitimate interests.

3. The decisions of appeal courts passed in the first instance shall be appealed against in the Supreme Court of Ukraine.

4. Appeals against the decisions of the first instance courts shall be filed within two days as of the day following the day of receiving the copy of the court decision.

5. An appeal against the decision of a first instance court, passed before Election Day, may be filed within the timeframes stipulated by the paragraph 4 of this article, but no later than at 24.00 of the last Saturday before Election Day.

6. Appeals filed after expiration of the period stipulated by paragraphs 4 and 5 of this article shall not be considered.

7. An appellate court shall consider the case within two days as of the day of receiving an appeal, and with regard to decisions passed by the first instance courts before Election Day – no later than the time of beginning of the voting.

**Article 112. Specifics of Lodging a Complaint against Decisions, Action, or Inaction of Executive Authorities, Local Self-Government Bodies, Enterprises, Entities, Institutions and Organizations, their Officials and Personnel**

1. A subject of the election process may lodge a complaint against a decision, acts, or inaction of an executive body, a body of local self-government, enterprise, entity, institution or organization, or officials thereof with regard to the non-performance of the duties assigned to them by the law, illegal interference with the activities of election commissions or their members, as well as non-observance of the provisions of the law concerning election campaigning.

2. A complaint stipulated by paragraph 1 of this article shall be lodged to a district election commission or the Central Election Commission, or to a local court at the location of the respective executive body, a body of local self-government, enterprise, entity, institution, or organization.

3. A complaint lodged against acts, or inaction of an executive body, a body of local self-government, enterprise, entity, institution or organization, or officials thereof shall be considered by the court composed of three professional judges.

4. Consideration of a complaint lodged against acts, or inaction of an executive body, a body of local self-government, enterprise, entity, institution or organization, or officials thereof shall not exclude bringing individual officials or public servants to disciplinary, administrative, criminal, or other responsibility in the cases and pursuant to the procedure stipulated by the law.

**Article 113. Specifics of Lodging a Complaint against Decisions or Actions of Parties (Blocs) and Other Associations of Citizens**

1. An election commission, a candidate for deputy, a party (bloc) – subject of the election process, as well as a voter whose electoral rights have been infringed may lodge a complaint against the decision or action of a party (bloc), association of citizens, official or an authorized representative thereof related to the election process, except for the decisions or actions, which according to the law, statute (provision) of the association of citizens, belong to its internal organizational activity or its exclusive competence.

2. A complaint mentioned under paragraph 1 of this article shall be lodged to the respective district election commission or the Central Election Commission, or to the appeal court at the location of the respective body of party (bloc), association of citizens.

**Article 114. Specifics of Lodging a Complaint against Acts, or Inaction of Mass Media, their Owners, Officials, and Creative Staff Members**

1. A candidate for deputy, a party (bloc) – subject of the election process may lodge a complaint against acts, or inaction of mass media outlet, its owner, official or creative staff member, which violate the procedure of mass media activities during the election process stipulated by the law, including the realization of the right to reply according to paragraph 12 of article 71 of this Law, as well as other requirements of the law concerning election campaigning.

2. The Central Election Commission or a district election commission shall have the right to lodge a complaint against acts, or inaction mentioned under paragraph 1 of this article upon its own initiative.

3. The complaint mentioned under paragraphs 1 and 2 of this article shall be lodged to the local court at the location of the mass media outlet.

4. A complaint mentioned under paragraph 1 of this article shall be lodged to:

1) the Central Election Commission – concerning acts, or inaction of a nationwide mass media outlet, its owner, official or a creative staff member;

2) respective district election commission – concerning acts, or inaction of a regional or local mass media outlet, its owner, official or a creative staff member.

**Article 115. Particularities of Disputing Acts, or Negligence of Candidates for People's Deputies**

1. A candidate for a People's Deputy or a party (bloc) as a subject of the election process may appeal against acts or inaction of a candidate for a People's Deputy if such actions or inaction are aimed at violating the procedure for nomination of a candidate for a People's Deputy or rules of running election campaign as stipulated by the law as well as at infringing their rights and legally protected interests or citizens suffrage rights.

2. A voter may appeal against acts, or inaction of a candidate for a People's Deputy if this acts or inaction has infringed his/her suffrage rights or legally protected interests related to participation in the election process.

3. An appeal concerning acts or inaction of a candidate for a People's Deputy should be submitted to the Central Election Commission or the Kyiv Appeal Court.

#### **Article 116. Peculiarities of disputing decisions, acts or inaction of Election Commissions and their Members**

1. A subject of the election process shall have the right to appeal against a decision, acts, or inaction of an election commission or the election commission s member.

2. An appeal concerning decisions, acts or inaction of a polling station commission or a member thereof shall be submitted to the respective district election commission or to a local court at the location of the polling station.

3. An appeal concerning decisions, acts, or inaction of a district election commission or a member thereof shall be submitted to the Central Election Commission or to the appellate court at the location of the district election commission.

4. An appeal concerning a decision, an act, or inaction of the Central Election Commission or its member should be submitted to the Supreme Court of Ukraine.

5. An appeal concerning a decision, an act, or inaction of election commissions or its members should be considered by courts consisting of minimum three professional judges.

#### **Article 117. Responsibility for Violation of Legislation on Elections of Deputies**

Individuals, being at fault of violations of the parliamentary election legislation shall be brought to criminal, administrative or amenability as stipulated by the law.

### **Chapter XIII. - STORAGE OF ELECTION DOCUMENTATION**

#### **Article 118. Storage of Election and Other Documentation and Material Values**

1. After an official promulgation of the results of elections of deputies, the Central Election Commission shall pass the election and other documentation liable to the transfer to the National Archive Fund including the protocol on counting of votes at polling stations and on voting results in constituencies to the respective state archive institution, and district election commissions shall pass such documentation to the respective local state archive institutions.

2. The election documentation not liable to the transfer to the National Archive Fund shall be passed by district election commissions to local archive institutions created by the local executive bodies or local self-government bodies according to the Law of Ukraine "On National Archive Fund and Archive Institutions".

3. The list of the election and other documentation liable to storage in the state and other archive institutions and the procedure for its transfer to such organizations shall be

established by the Central Election Commission after reconciliation with the central executive body on archive matters and documentary provision.

4. Local executive bodies and local self-government bodies after termination of authorities of polling station and district election commissions shall provide for storage of the ballot boxes, voting booths, seals, and stamps of these commissions, methodological literature given to a commission for the period of the election process.

5. Ballot papers, control slips of ballot papers, lists of voters, absentee voting certificates, acts, requests, appeals on violations of the requirements of this Law during voting and votes calculation, protocols and decisions of election commissions shall be kept in local archive institutions for four years after the day of official promulgation of the parliamentary election results. On the expiration of this period, the aforementioned documentation shall be destroyed in accordance with the established procedure.

6. Archive institutions shall provide access to the parliamentary election documentation according to the procedure stipulated by the Law.

#### **Chapter XIV - FINAL REGULATIONS**

1. This Law shall take legal effect on October 1, 2005 except of:

Articles 39 and 40 that shall take legal effect on the day of the publication of the Law;

Paragraphs 3 and 4 of the Article 101 will take legal effect on the day of conduct of regular elections of People's Deputies of Ukraine in 2006.

2. Amendments and additions to this Law can be made no later than 240 days before Election Day of the Elections of People's Deputies of Ukraine in 2006.

3. In order to bring Ukrainian legislation to conformity with this Law, laws and other normative legal acts shall apply in parts that do not contradict this Law.

4. Starting from the day of enactment of the Administrative Procedures Code of Ukraine, consideration of complaints by the courts shall be done in accordance to the procedure, stipulated by the Administrative Procedures Code of Ukraine taking into consideration the particularities stipulated by this Law.

5. In Articles 17<sup>3</sup> and 17<sup>4</sup> of the Law of Ukraine *On Political Parties in Ukraine* (*Vidomosti Verkhovnoi Rady Ukrainy*, 2001, Issue 23, p.118; 2004, Issues 27-28, p. 366) the word "four" shall be replaced with the word "three".

6. The Cabinet of Ministers of Ukraine shall within six months after publication of this Law:

- draft and submit to the Verkhovna Rada of Ukraine its suggestions on bringing laws of Ukraine to conformity with this Law;
- bring its normative legal acts to conformity with this Law;

- ensure adoption of normative legal acts stipulated by this Law;
- ensure revision and revocation of normative legal acts that contradict this Law by the Ministries and other central executive bodies.

The Central Election Commission shall:

- bring its acts in line with this Law within a month after publication of this Law;
- ensure adoption of acts stipulated by this Law.

8. Recognize null and void from October 1, 2005 the Law of Ukraine *On Elections of People s Deputies of Ukraine* (*Vidomosti Verkhovnoi Rady Ukrainy*, 2001, Issues 51-52, p. 265; 2002, Issue 9, p. 69; 2004, Issue 15, p. 218, Issue 23, p. 320) except for the part 7 of Article 15 and Article 81 of the mentioned Law that shall be recognized null and void on the day of conduct of regular elections of People s Deputies of Ukraine in 2006.

**President of Ukraine**  
**V. Yushchenko**

Kyiv  
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