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EUROPEAN COMMISSION FOR DEMOCRACY THROUGH LAW
(VENICE COMMISSION)

ELECTION CODE
OF BULGARIA
adopted on 5 March 2014

**PART ONE
GENERAL PROVISIONS**

**Chapter One
BASIC PROVISIONS**

**Section I
Subject, Scope and Principles**

Subject

Art. 1. This Code shall provide for:

1. conditions, organization and procedure for conducting the elections in the Republic of Bulgaria;
2. challenging the election results;
3. the terms and procedure for completing the mandates.

Scope

Art. 2. This code shall apply to elections for:

1. Members of Parliament for the National Assembly;
2. Members of Parliament for Grand National Assembly;
3. President and Vice President of the Republic;
4. Members of the European Parliament for the Republic of Bulgaria;
5. Municipal councillors;
6. Mayors of Municipalities and Mayors of regions and Mayors of City Halls.

Principles

Art. 3. (1) The elections shall be conducted on the basis of a common, equal and direct election right by secret voting and shall provide for free expression of the will of voters.

Voting shall be in person.

(2) Each voter shall be entitled to one vote.

Section II

Scheduling and Selection of the Election Day. Election Papers

Scheduling the Elections

Art. 4. (1) The elections for Members of Parliament for the National Assembly and for Municipal councillors and for Mayors shall be appointed by the President of the Republic not later than 60 days before the election day.

(2) The elections for Members of the European Parliament for the Republic of Bulgaria shall be conducted in compliance with the election period, determined by the EU Council and shall be scheduled by the President of the Republic not later than 60 days before the election day.

(3) The elections for Grand National Assembly shall be scheduled by the President of the Republic within the term of Art. 160. Para. 2 of the Constitution.

(4) The elections for President and Vice President of the Republic shall be scheduled by the National Assembly not later than 60 days before the election day.

Determining the Election Day

Art. 5. The elections shall be conducted in one non-working day for the whole country.

Election Papers

Art. 6. (1) The Central Election Commission shall confirm the forms of the election papers for each type of election and if needed shall amend them. The forms of the election papers and their amendments shall be published in the State Gazette not later than 55 days before the election day.

(2) The election books confirmed for general elections for Municipal councils and for Mayors shall be applied correspondingly also in conducting by-elections and new elections.

(3) The Central Election Commission, in coordination with the Council of Ministers shall determine the conditions and procedure for drawing up, delivery and storage of the election papers and materials, including for storage of the technical facilities for machine voting. The Central Election Commission shall exercise control over the drawing up, delivery and storage of the election papers and materials, including over the storage of the technical facilities for machine voting.

(4) In case that incompleteness or a technical mistake in the election papers are found, the Central Election Commission shall make a correction not later than 5 days from its finding. The Central Election Commission shall publish immediately the correction in the State Gazette.

Chapter Two ELECTORAL REGIONS AND POLLING STATIONS

Section I Electoral Regions

Types of Electoral Regions

Art. 7. (1) For conducting elections the territory of the country shall be divided in electoral regions.

(2) The electoral region shall be the territory, from which the Members of Parliament, the President and Vice President of the Republic, Members of the European Parliament for the Republic of Bulgaria, Municipal councillors and Mayors shall be elected.

(3) The electoral region shall be single-electoral and multi-electoral.

(4) The electoral region shall be single electoral, where in it one candidate or one candidate pair from one and the same candidate list shall be elected.

(5) The election region shall be multi-electoral, where in it 2 or more candidates shall be elected.

Section II Polling Stations in the Country

Formation of Stations in the Country

Art. 8. (1) Voting and counting of votes shall be carried out in the polling stations.

(2) The Municipality Mayor shall for by an order the polling stations on the territory of the Municipality not later than 50 days before the election day and shall confirm their numbering, scope and address. Within the term under sentence one, the Mayor shall submit a copy of the order to the territorial units of Registration and Administrative Services Directorate General at the Ministry of Regional Development in the relevant area.

(3) The Municipality Mayor shall be obliged to provide suitable premises for the polling stations, including for the stations for the movable station election commissions, which shall provide for the normal course of the election day.

(4) The Mayor's order under Para. 2 shall be announced in public. It may be disputed by the interested parties within 3 day term from its announcement before the regional

or municipal election commission, which shall pronounce within 3 day term with a decision, which shall be announced in public. The decision of the regional or municipal election commission may be disputed within 3 day term after its announcement before the Central Election Commission under Art. 73 or under Art. 88.

(5) The changes, occurred in the numbering, scope and address of the polling stations shall be expressed in the election lists for voting.

(6) The Municipality Mayors shall notify the regional or municipal election commission about the addresses of the polling stations.

(7) In case of establishing a new municipality, the polling stations shall be formed by the temporary appointed by the Regional Governor Mayor under Art. 4, Para. 2 of the Act on Local Self Government and Local Administration. The order shall be announced in public and may be disputed under Para. 4.

(8) The regional or municipal election commission shall form the single numbers of the polling stations in the region or the municipality according to the single numbers of the stations, determined by a decision of the Central Election Commission not later than 35 days before the election day.

Conditions for Forming the Stations

Art. 9. (1) In one polling station shall be included not more than 1000 voters, apart from the cases under Art. 93, Para. 4 of the Act on Civil Registration.

(2) In the populated places shall be formed as many stations as the times the number 1000 contains in the number of voters. In case of remainder, an additional station may be formed.

(3) In the territorially formed populated places, the Municipality Mayor may form stations with not less than 20 voters.

(4) In elections for Municipal councillors and for Mayors in the populated places, shall be formed as many stations, as the times the number 1000 contains in the number of voters. In case of remainder, larger or equal to 500, a separate station shall be formed. In case of a remainder below 500 voters, 2 stations shall be formed with less than 1000 voters or one station with less than 1000, but not less than 30 voters. In populated places with less than 1000 voters, a separate station shall be formed.

(5) The borders of the polling stations shall be considered with the borders of the populated places. The borders of the polling stations in the towns of regional division shall be considered with the borders of their administration regions.

(6) In cases of election for Members of Parliament, for Members of the European Parliament for the Republic of Bulgaria and for President and Vice President of the Republic, polling stations shall be formed in medical establishments, homes for elderly people and other specialized institutions for provision of social services and in sailing vessels under the Bulgarian flag outside the country in case that there are not less than 10 voters.

(7) In case of elections for Municipal councillors and for Mayors, polling stations shall be formed in medical establishments, homes for elderly people and other specialized institutions for provision of social services in case that there are not less than 10 voters, who have lived during the last 6 months before the election day in the relevant populated place on the territory of which is the relevant establishment, the home or any other specialized institution.

(8) The polling stations under Para. 6 and 7 shall be formed by the heads of the establishments, homes, other specialized institutions and by the captains of the sailing vessels not later than 48 hours before the election day, about which shall notify the Municipality Mayor, on whose territory the establishments, homes and other specialized institutions are located, as well as the relevant regional or municipal election commission.

(9) Detained persons, who have no enforced verdict yet, may vote at the detention places, where it is possible a polling station to be formed under the conditions of Para. 6 or 7.

Stations for Voters with Sight or Locomotor Impairment

Art. 10. (1) Where in a building with more than one floor there are stations on the upper floors, the regional or municipal election commission, by a decision shall determine a station on the

first floor (ground floor), which is with the smallest number of voters according to the voting list, for voting of voters with sight or locomotor impairment.

(2) Before the polling station under Para. 1, a notice and other marking signs, pointing out its additional purpose, shall be placed.

Section III Polling Stations Abroad

Determining the Conditions and Procedure for Formation of Stations

Art. 11. (1) The Central Election Commission shall determine the conditions and procedure for formation of the polling stations abroad, including the conditions, procedure and organization for voting of Bulgarian citizens abroad, not later than 57 days before the election day.

(2) The Central Election Commission shall immediately submit the decision under Para. 1 to the Ministry of Foreign Affairs.

Determining the Voting Locations

Art. 12. The Central Election Commission, not later than 21 days before the election day shall determine the places in the states, in which polling stations will be formed outside the country and the number of the polling stations in each place, on the basis of the summarized data under Art. 14. The decision of the Central Election Commission may be appealed under Art. 58.

Competent Body for Formation of the Stations

Art. 13. (1) In elections for Members of Parliament, for President and Vice President of the Republic and for Members of the European Parliament for the Republic of Bulgaria, the heads of the diplomatic and consulate representations of the Republic of Bulgaria shall form polling stations outside the country while observing the legislation of the relevant state.

(2) The heads of diplomatic and consulate representations shall determine the place of the polling stations outside the country on the basis of the territorial distribution of the Bulgarian community in the relevant place.

(3) The organisations of Bulgarian citizens in the respective nucleated settlement may make a proposal as to the location of polling stations abroad to the heads of diplomatic missions and consular representations. Such proposal shall be made not later than 25 days in advance of election day.

(4) The heads of diplomatic missions and consular representations may determine the location of polling stations abroad on the basis of the proposals as referred to in Para. (3) herein.

(5) The polling stations shall be established by order of the heads of diplomatic missions and consular representations of the Republic of Bulgaria not later than 18 days in advance of Election Day on the basis of the decision of the Central Election Commission under Art. 12. The order shall state the location of polling stations locally.

(6) The order as referred to in Para. (5) herein shall be made public and shall be appealable within a 3-day term as of its announcement before the Central Election Commission, which shall, within a 3-day term, pronounce by a decision, which shall be made public. The decision of the Central Election Commission shall be appealable according to the terms as referred to in Art. 58 herein.

Formation of Polling Stations Abroad

Art. 14. The polling stations abroad shall be established:

1. where there is a diplomatic mission or consular representation: provided there are not fewer than 20 voters who have submitted an application under Art. 16, Para. (1) herein;

2. other than p. 1: provided that there are not fewer than 40 voters who have submitted an application under Art. 16, Para. (1) herein; upon elections of Members of the European Parliament for the Republic of Bulgaria such polling stations shall be established solely in Member States of the European Union;

3. in places, where at elections conducted fewer than 5 years in advance of election day there had been at least one polling station established where not fewer than 100 voters had voted; the list of locations shall be made public by the Central Election Commission not later than 50 days in advance of Election Day;

4. in nucleated settlements other than those referred to in p. 1—3, at the discretion of the heads of diplomatic missions and consular representations and on the basis of the total number of applications submitted or of the total number of the persons who have voted at precedent elections, and including where the number of applications submitted for a certain location has been fewer than 40; the heads of diplomatic missions and consular representations of the Republic of Bulgaria shall transmit a reasoned proposal to the Central Election Commission not later than 22 days in advance of election day.

Formation of New Polling Stations

Art. 15. Where the number of the voters under Art. 14 herein exceeds 500, as many polling stations shall be formed, as the times the number 500 is contained in the number of voters. If there is a remainder an additional polling station may be formed.

Procedure for Submitting Applications for formation of Polling Stations Abroad

Art. 16. (1) (1) A Bulgarian citizens, who has the right to vote in elections for Members of Parliament for Members of the European Parliament for the Republic of Bulgaria and for President and Vice President and wishes to vote, shall declare this not later than 25 days before the election day by a written application according to a form, signed in person and delivered in person or submitted by post by a letter to the diplomatic mission or consular representation of the Republic of Bulgaria in the relevant state, or by electronic application via internet site of the Central Election Commission. One letter may contain more than one application, and each application may contain the name of one person only.

(2) In the application as referred to in Para. (1) herein, the voter shall write in Bulgarian his names according to his passport, military identity card or identity card, his Uniform Civil Number and his permanent address in the Republic of Bulgaria. The voter shall write in both in Cyrillic and Latin script the location abroad, where he expresses the desire to vote. The voter may specify an e-mail address or a contact phone number in his application, which will be used to notify him of the result of the check under Art. 17, Para. (3) herein.

(3) Upon conduct of elections of Members of the European Parliament for the Republic of Bulgaria, the voter shall present a declaration according to a form that he meets the requirements to vote.

Publication of Applications and Data Check

Art. 17. (1) The heads of the diplomatic mission or consular representation of the Republic of Bulgaria shall transmit without delay to the Central Election Commission the applications received under Art. 16, Para. (1) herein by electronic means.

(2) The applications received shall be published without delay at the Internet site of the Central Election Commission, subject to the requirements of the Personal Data Protection Act.

(3) The Central Election Commission shall check out the data under Art. 16, Para. (2) herein, not later than 22 days in advance of election day. The check of the electronic applications received shall be made in an automated manner simultaneously with the submission thereof. The data in the applications received in writing via the diplomatic missions and consular representations shall be checked upon their entering according to the procedure of Para. (1) herein. A voter, whose application has not been confirmed, but who has indicated an electronic address or contact telephone number shall be notified immediately.

(4) The Central Election Commission shall check whether the persons under Art. 16, Para. (1) herein, meet the requirements to vote not later than 22 days in advance of election day.

(5) For the purposes of the check as referred to in Para. 3 and 4, the Directorate General of Registration and Administrative Services at the Ministry of Regional Development

shall provide to the Central Election Commission access to the data in the National Population Register. On the basis of the results of the check, the Central Election Commission shall transmit without delay to the Ministry of Foreign Affairs the information under Art. 16, Para. (2) herein, solely on the persons who have the right to vote and solely on the locations where polling stations are formed.

(6) The Ministry of Foreign Affairs shall, not later than 20 days in advance of election day, summarise the data by States and transmit it without delay to the heads of the respective diplomatic missions and consular representations to form polling stations and to inscribe the persons in the lists referred to in Art. 31, Para. (1) herein.

Chapter Three

ORGANIZATION AND TECHNICAL PREPARATION OF THE ELECTIONS

Section I

Preparation of the Elections and Securing the Elections

Competent body. Estimate for the Elections

Art. 18. (1) The organization and technical preparation and security of the elections, including for equipment, consumables and machines for machine voting shall be implemented by the Council of Ministers and by the regional and municipal administrations in interaction with the election commissions.

(2) The expenditures on the preparation and conduct of the elections including for the machine voting and for the forms under Art. 193 and 195 shall be at the account of the state budget, according to an estimate adopted by the Council of Ministers, in coordination of the Central Election Commission. The estimate for the elections shall be adopted not later than 55 days in advance of election day.

(3) The costs for the administrative preparation of the Elections shall be provided to the municipal, or to the provincial administrations, respectively, not later than 30 days in advance of election day.

(4) Not later than 7 days as of the date of scheduling of the elections, the Council of Ministers may assign the coordination and implementation of the activities as referred to in Para. (1) herein to a particular minister.

Applications, Complaints, Certificates and Other Papers

Art. 19. (1) The applications, complaints and other papers on the Code shall be free of state fees.

(2) The paper on the Code, issued in a foreign language shall be produced with a certified translation in the Bulgarian language.

Section II

Preparation and Organization of the Elections Abroad

Publication of the Terms and Procedure for Conducting the Elections Abroad

Art. 20. The Minister of Foreign Affairs and the heads of the diplomatic missions and consular representations of the Republic of Bulgaria shall publish without delay on the internet site of the Ministry of Foreign Affairs and of the diplomatic missions and consular representations the conditions and procedure for formation of the polling stations abroad, including the conditions, procedure and organization for voting of the Bulgarian citizens abroad.

Consent of the Receiving State

Art. 21. (1) The heads of diplomatic missions and consular representations of the Republic of Bulgaria shall without delay, but not later than 55 days in advance of Election Day, request the consent of the receiving state – if needed - for:

1. the conduct of Elections;

2. opening polling stations in the diplomatic missions and consular representations;
- 3 opening polling stations at places other than the diplomatic missions and consular representations;
4. opening polling stations in a state, where the Republic of Bulgaria has no diplomatic mission or consular representation, but has diplomatic relations and has appointed an accredited Ambassador.

(2) The heads of diplomatic missions and consular representations shall notify without delay the Ministry of Foreign Affairs about the responses received from the receiving State. The Ministry of Foreign Affairs shall without delay notify the Central Election Commission.

(3) The Ministry of Foreign Affairs shall notify the Central Election Commission about the states in which no consent is required under Para. 1.

Refusal of Assistance

Art. 22. (1) The heads of diplomatic missions and consular representations of the Republic of Bulgaria shall render organization and technical assistance of the candidates and the representatives of the political parties, the coalitions of political parties and the initiative committees which have registered candidates upon the holding of meetings with the voters.

(2) The heads of diplomatic missions and consular representations of the Republic of Bulgaria shall call for assistance to organisations of Bulgarian citizens abroad. The organisations may assist the activity on the preparation and organisation of elections abroad, provide contacts with the local administration, an appropriate hall for conduct of elections, ballot-boxes, voting cabins scanner, mobile Internet and other equipment.

Chapter Four LISTS

Section I Electoral Lists

Competent Body

Art. 23. (1) The electoral lists shall be compiled by the municipal administrations in the nucleated settlements where a population register is kept and shall be signed by the Municipality Mayor or, respectively, by the city Hall Mayor or by the Lieutenant Mayor, and by the Municipal secretary. In the cities subdivided into regions, the electoral lists shall be signed by the Mayor and the secretary of the region.

(2) Each voter shall be entered on a single electoral list.

Procedure and Manner of Compilation of Electoral Lists

Art. 24. (1) The electoral lists shall be compiled separately for each polling station. The preliminary electoral lists shall be displayed in advance at a prominent place in the area of the polling station and shall be published on the Internet site of the relevant Municipality. The electoral lists shall be delivered by the section election commissions on the day before the election day.

(2) The electoral lists shall be compiled by permanent address.

(3) If the name of the nucleated settlement, street, residential complex or the numbering of the residential building has been altered within the last six months, preceding Election Day, the Municipality shall prepare a list of the alterations, which shall be provided to the section election commissions.

Compilation of Electoral Lists

Art. 25. (1) Upon conduct of elections for Members of Parliament and for President and Vice President of the Republic the electoral lists shall be compiled in one part, where all Bulgarian citizens, who are entitled to vote in the respective type of election, shall be entered.

(2) Upon conduct of elections for Members of the European Parliament for the Republic of Bulgaria and for Municipal councillors and for Mayors the electoral lists shall be compiled in two parts: Part I and Part II. Part I shall enter all Bulgarian citizens, who are entitled to vote in the respective type of election, Part II shall enter the citizens of another Member State of the European Union, who are entitled to vote in the respective type of election

(3) Voters shall be entered on electoral lists, including in Part I of the electoral lists, in alphabetical order, stating the names of the voter, the permanent address or the present address, where the voter has submitted a request under Article 36 herein, with the columns for entry of the Unified civil number and the type and number of the identity document remaining empty and not being completed, and formatting a separate column designated "Notes".

(4) Upon conduct of elections of Members of the European Parliament for the Republic of Bulgaria and for Municipal councillors and for Mayors, Part II of the electoral lists shall be compiled on the basis of the declarations by the citizens of another Member State of the European Union submitted under Art. 359, Para. (1) herein or under Art. 408, Para. (1) herein.

(5) Voters availing themselves of the provision of § 9a of the Transitional and Final Provisions of the Bulgarian Personal Documents Act, who have not changed their personal documents, shall be included in the electoral list according to the address shown in the green passport thereof.

Printing out Electoral Lists

Art. 26. (1) The electoral lists, including Part I of the electoral lists, shall be printed out on the basis of the National Population Register of the Directorate General of Civil Registration and Administrative Services at the Ministry of Regional Development.

(2) Upon conduct of elections of Members of the European Parliament for the Republic of Bulgaria and of Municipal councillors and Mayors, Part II of the electoral lists shall be printed out by the Directorate General of Civil Registration and Administrative Services at the Ministry of Regional Development. The data for the automated printing out of the electoral lists Part II shall be delivered by the Municipality Mayor not later than 35 days in advance of election day.

Deletion, Entries and Additional Entries

Art. 27. (1) The names of any citizens, who have become disfranchised or who are deceased and the names of the persons whereof this is explicitly provided for in the Code shall be deleted from the electoral lists.

(2) The Directorate General of Implementation of Penal Sanctions at the Ministry of Justice shall provide the Directorate General of Civil Registration and Administrative Services at the Ministry of Regional Development data about the persons serving custodial sentences for the automated deletion of the said persons from the electoral lists. The said information shall be provided 55 and 15 days in advance of election day, respectively.

(3) The names of any citizens, who have the right to vote in the relevant polling station but have been omitted and those, for whom the ground, on which it was removed has become irrelevant, shall be added to the electoral lists. Any persons, who have completed the service of a custodial sentence or are no longer interdicted, or in respect of whom the grounds on which they have been deprived of the right to elect in a Member State of the European Union have lapsed, shall be entered on the electoral lists upon presentation of a relevant document at the Municipality or region, or City Hall.

(4) The entry as referred to in Para. (3) herein shall be subject to voter's request by the authorities under Art. 23, Para. (1) herein until the delivery of the lists to the section election commissions.

(5) The additional entry as referred to in Para. (3) herein shall be made on the election day by the section election commission according to the permanent address (residence address).

(6) The entry, respectively, the additional entry, shall be made subject to presentation of an identity document and of an abode certificate, in the case of a citizen of

another Member State of the European Union who has within due term submitted a declaration under Art. 359, Para. (1) herein or under Art. 408, Para. (1) herein.

Section II

Electoral Lists at Medical-treatment, Specialized Institutions, Places of Deprivation of Liberty and Detention, Navigation Vessels

Electoral Lists at Medical-Treatment and Specialised Institutions

Art. 28. (1) The electoral rolls in medical-treatment, homes for elderly people and other specialised special service institutions shall be compiled and signed by the manager of the establishment, home or other specialised social institution.

(2) The manager of the establishment, home or other specialised social institution not later than 48 hours in advance of election day shall notify the authorities under Art. 23, Para. (1) herein of the persons entered on the list, so these might be deleted from the electoral lists according to their permanent address (residence address) prior to transmitting the electoral lists to the section election commissions.

(3) A voter as referred to in Para. (2) herein, who on the election day is outside of the medical-treatment establishment, home or other specialised social institution, shall be added on the electoral lists by the section election commission according to the permanent address (residence address) subject to presentation of an identity document and a declaration form that he has not voted and will not vote elsewhere.

Electoral Lists in Places of Deprivation of Liberty and Detention

Art. 29. (1) Upon conduct of elections of Members of Parliament, of President and Vice President of the Republic and of Members of the European Parliament for the Republic of Bulgaria, the chiefs of the places of service of custodial sentences and of the detention facilities shall compile and sign electoral lists of the detainees in respect of whom there is no enforceable sentence.

(2) Upon conduct of elections of Municipal councillors and Mayors, the chiefs of the places of service of custodial sentences and of the detention facilities shall compile and sign electoral lists of the detainees in respect of whom there is no enforceable sentence if the relevant place or facility is located in the populated settlement where the said persons have resided at least during the last 6 months, according to Art. 396, Para. (1) herein or (2) herein.

(3) The chiefs of the places of service of custodial sentences and of the detention facilities shall notify the authorities referred to in Art. 23, Para. (1) herein not later than 48 hours in advance of election day of the persons entered on the lists so that the said persons could be removed from the electoral lists according to the permanent address (residence address) thereof before delivery of the electoral lists to the section election commissions.

(4) A voter as referred to in Para. (3) herein, who on the election day is outside of the place for custodial sentence, or of the detention facility, shall be added on the electoral list by the section election commission according to the permanent address (residence address) subject to presentation of an identity document and of a declaration form that he has not voted and will not vote elsewhere.

Electoral Lists on Board Navigation Vessels

Art. 30. (1) Upon conduct of elections of Members of Parliament, of President and Vice President of the Republic and of Members of the European Parliament for the Republic of Bulgaria, the electoral lists on board navigation vessels flying the Bulgarian flag shall be compiled and signed by the Master of the navigation vessel.

(2) The Master of the navigation vessel not later than 48 hours in advance of election day shall notify the authorities referred to in Art. 23, Para. (1) herein not later than 48 hours in advance of election day of the persons entered on the lists so that the said persons could be removed from the electoral lists according to the permanent address thereof before delivery of the electoral lists to the section election commissions.

(3) A voter as referred to in Para. (2) herein, who on the election day is outside of the navigation vessel flying the Bulgarian flag, shall be added on the electoral lists by the section election commission according to the permanent address (residence address) subject to presentation of an identity document and of a declaration form that he has not voted and will not vote elsewhere.

Section III

Lists of Persons Who Have Declared They Would Vote Abroad

Compiling the Lists

Art. 31. (1) Upon conduct of elections of Members of Parliament, of President and Vice President of the Republic and of Members of the European Parliament for the Republic of Bulgaria the heads of diplomatic missions and consular representations of the Republic of Bulgaria shall prepare and sign lists where the persons as referred to in Art. 17, Para. (6) herein, shall be entered according to the relevant States and locations.

(2) The Ministry of Foreign Affairs shall transmit the summarised data from all States with the names, the Uniform Civil Number and the permanent address in the Republic of Bulgaria of the persons entered on the lists as referred to in Para. (1) herein, in a structured electronic fashion to the Directorate General of Civil Registration and Administrative Services at the Ministry of Regional Development not later than 18 days in advance of election day, the said persons would be deleted from the electoral lists in the Republic of Bulgaria.

Publishing the Lists

Art. 32. The rolls under Art. 31, Para. (1) herein shall be published by the Minister of Foreign Affairs and by the heads of diplomatic missions and consular representations of the Republic of Bulgaria not later than 18 days in advance of election day and, respectively, on the Internet site of the Ministry of Foreign Affairs and of the diplomatic mission and consular representations and shall state the names of the voter and the number and address of the polling station. The heads of diplomatic missions and consular representations of the Republic of Bulgaria shall ensure to each voter an option to search the list by Uniform Civil Number, including by means of a free of charge phone number. Any applications received additionally and any intervening changes in the lists shall be published without delay.

Disputes and Additional Entry

Art. 33. (1) Any persons who have not been entered in a list under Art. 31, Para. (1) herein, may dispute such non-entry within a 3-day term as of the date of publishing of the list before the Central Election Commission, which shall, within a 3-day term, render a decision, which shall be appealable before the Supreme Administrative Court according to the procedure of Article 58.

(2) Any voter who has not been entered in the list under Art. 31, Para. (1) herein, but has the right to vote, shall be added in the list by the section election commission subject to presentation of an identity document and of a declaration form that meets the terms for the respective type of election. Upon conduct of elections of Members of the European Parliament for the Republic of Bulgaria the voter shall furthermore present a declaration form that he has not voted and will not vote elsewhere at the same elections for Members of the European Parliament. All details of the voter stated in his identity document shall be entered on the list.

(3) Any refusal by a section election commission abroad to admit to voting and to add a vote to the roll on election day shall be disputed before the Central Election Commission by electronic means. The Central Election Commission shall pronounce without delay by decision, which shall be made public forthwith on the Internet site of the Commission.

Section IV

Non-Resident Voting Certificates

Issue of Certificates

Art. 34. (1) Upon conduct of elections of Members of Parliament, of President and Vice President of the Republic and of Members of the European Parliament for the Republic of Bulgaria Non-Resident Voting Certificates shall be issued only by:

1. the candidates for the respective type of election;
2. the members of the Central Election Commission;
3. the members of the regions and Municipal election commissions;
4. the observers .

(2) Non-Resident Voting Certificates shall be issued upon submission of an application according to a form. The persons shall declare in the application that they will vote once only.

(3) Non-Resident Voting Certificates shall be issued by the authorities referred to in Art. 23, Para. (1) herein in a single copy not later than 14 days in advance of election day.

(4) The Non-Resident Voting Certificates shall be received against a signature or through a authorized person with an authorized power of attorney

(5) The authority referred to in Art. 23, Para. (1) herein exercising jurisdiction over the permanent address shall transmit information on issued non-residential voting certificates to the Directorate General of Civil Registration and Administrative Services at the Ministry of Regional Development not later than 12 days in advance of election day for the automated removal of the person from the electoral lists according to the permanent address.

(6) Upon conduct of elections of Municipal councillors and for Mayors Non-Resident Voting Certificates shall not be issued.

(7) Where after issue of Non-Resident Voting Certificates the Municipal administration of the voter's permanent address receives the message about his entry in the election list on permanent address, it shall with no delay notify the Municipal administration of present address about the issued Non-Resident Voting Certificate. In this case the voter shall be deleted from the election lists of present address by the Municipal administration of present address, and in the "remarks" column the reason for deletion shall be entered: "Issued Non-Resident Voting Certificate".

Public Register of the Non-Resident Voting Certificates

Art. 35. (1) Non-Resident Voting Certificates shall have a uniform numbering for the entire country, including the number of the election region (borough) within the territory whereof the said certificates are issued, the number of the relevant polling station in which the person is supposed to vote according to the permanent address thereof, and the sequential number in the register for issuing Non-Resident Voting Certificates of the competent Municipal administration.

(2) The Municipal administration shall keep a public register of the Non-Resident Voting Certificates issued, entering therein the number of the certificate issued, the names and the Uniform Civil Number (Personal Number) of the person whereto the certificate has been issued, the date of issuing and the signature of the person who received the certificate, and noting whether the certificate was received in person or through an authorized representative. The personal data in the register shall be accessed in compliance with the requirements of the Personal Data Protection Act.

(3) The Municipal administrations and the Mayoralties shall present to the regional election commissions a copy of the register of Non-Resident Voting Certificates issued, not later than 10 days in advance of election day.

Section V**Entry in the Electoral List According to Present Address****Entry in the List**

Art. 36. (1) Any voter, whereof the permanent and present addresses are located in different populated settlements, may request to be entered on the electoral list according to the present

address thereof not later than 14 days in advance of election day. Any such request shall be submitted in writing to the Municipality Mayor, the region Mayor, the mayoralty Mayor or to the Lieutenant Mayor or by an electronic application via the Internet site of the relevant municipality exercising jurisdiction over the present address of the person shall state the Uniform Civil Number of the voter, the type and number of the identity document thereof and signature.

(2) Upon conduct of elections of Municipal councillors and Mayors, the request referred to in Para. (1) herein shall be submitted subject to the condition that the voter has had a present address in the relevant populated settlement during the last six months in advance of election day. The request referred to in Para. (1) herein shall furthermore state the date of the present-address registration.

(3) The authority referred to in Art. 23, Para. (1) herein exercising jurisdiction over the present address shall transmit information on the requests referred to in Para. (1) herein which have been submitted to the Directorate General of Civil Registration and Administrative Services at the Ministry of Regional Development, not later than 12 days in advance of election day for automated inclusion of the voter in the electoral lists according to the present address and the deletion from the electoral list according to the permanent address.

(4) After the voter's entry in the election list according to permanent address, Non-resident Voting Certificate shall not be issued.

Section VI

Voting List by Means of Mobile Ballot Box

Submission of an Application and Entry in Mobile Ballot-box voting List

Art. 37. (1) Voters with permanent disabilities which prevent them from exercising their voting right at the polling site, who wish to vote by means of a mobile ballot box, shall state the desire thereof not later than 20 days in advance of election day in writing by a statement completed in a standard form, signed manually and submitted by means of a letter, a facsimile message or electronic form through the internet site of the authorities referred to in Art. 23, Para. (1) herein exercising jurisdiction over the permanent address or the present address, where a request under Art. 36 herein has been submitted.

(2) Voters with permanent disability, which prevent them from exercising their voting right at the polling site and which to vote by means of a mobile ballot box, but have not submitted an application within the term under Para. 1. may vote with the mobile ballot box, if they declare this not later than 5 days before the election day and under the condition that there is an appointed movable section election commission on the territory of the populated place.

(3) Any such statement shall state the names of the voter, his Uniform Civil Number (Personal Number), the permanent address (Personal Number) thereof, the permanent address (residence address) or the present address, where a request under Art. 36, herein has been submitted, and a copy of a document issued by the Territorial Medical Expert Board (National Medical Expert Board).

(4) The names of the voter who has submitted a request under Para. (1) or (2) herein shall be deleted from the electoral list and shall be entered by the authority referred to in Art. 23, Para. (1) herein on a list for voting by means of a mobile ballot box.

Section VII

List of the Deleted Persons

Content of the List

Art. 38. (1) The list of the deleted persons shall be prepared by the Directorate General of Civil Registration and Administrative Services at the Ministry of Regional Development according to their permanent address.

(2) The list shall contain the names, the Uniform Civil Number and the reason for the deletion of the persons who:

1. are under incapacity mandates;

2. are serving custodial sentences, for which there will be no release until the election day;
3. are entered on the electoral list according to their present address;
4. have a Non-Resident Voting Certificate issued;
5. have a voting certificate issued for voting in a defined location;
6. are entered on the lists referred to in Art. 31, Para (1) herein;
7. have present address as on the date of compilation of electoral rolls in a State, which is not a Member State of the European Union, upon conduct of elections of Members of the European Parliament for the Republic of Bulgaria;
8. have present address over the last 6 months in advance of the date of conduct of elections in a jurisdiction, which is other than the Republic of Bulgaria, upon conduct of elections of Municipal councillors and for Mayors.

Exclusion from the List of the Deleted Persons in Advance of Election Day

Art. 39. (1) The list of the deleted persons shall be published on the Internet site of the relevant Municipality not later than 10 days in advance of election day and shall state the names of the person, the number and the address of the polling station. Each person may consult the list.

(2) Any person who is entered on the list but has the right to vote, may request to get to know with the reason for deletion from the election list and to request to be removed from the list by an application written in a standard form to the Municipality Mayor, the region mayor, the Mayoralty Mayor or to the Lieutenant Mayor or by an electronic application via the Internet site of the relevant Municipality, which shall be transmitted without delay by the Municipal administration of the competent Municipality Mayor, region Mayor, Mayoralty Mayor or Lieutenant Mayor.

(3) The application shall state evidence and documents certifying the right of the person to vote.

(4) The Mayor or the Lieutenant Mayor shall examine the application without delay and shall pronounce by a reasoned decision.

(5) A refusal of exclusion from the list as referred to in Para. (1) herein shall be communicated by the applicant without delay and shall be appealable before the respective Administrative Court within 24 hours as of such communication. The Court shall examine the complaint sitting in open session within 24 hours as of the day of its receipt, subject to summoning of the appellant and of the Mayor or the Lieutenant Mayor. The Court decision shall be made public without delay and shall not be subject to appeal.

(6) On the basis of the decision on exclusion from the list of the deleted persons, the respective voter shall be added on the electoral list by the authorities under Art. 23, Para. (1) herein until the delivery of the list to the section election commission.

Exclusion from the List of the Deleted Persons on the Election Day

Art. 40. (1) A voter who on the election day establishes that he has been entered on the list of the deleted persons, shall have the right to vote if he presents a certificate that the reason has become irrelevant or that there is no reason for the entry thereof in the list or if he shows up at the polling station, which has jurisdiction according to the permanent address in the cases as referred to in Art. 38, Para. (2) herein, p. 4, 5 and 6 herein.

(2) Such certificate shall be issued by the Mayor of the Municipality, region, City Hall or by the Lieutenant Mayor on the election day according to a standard form as approved by the Central Election Commission, subject to a verification check of whether there is or there is not a reason for entry of the person on the list. Any refusal to issue the certificate shall be reasoned.

(3) Upon presenting the certificate or of the identity document in the cases referred to in Art. 38, Para. (2) herein, p. 4, 5 and 6 and of a model declaration that he has not voted and will not vote elsewhere the voter shall be excluded from the list of the deleted persons and all his details shall be entered in the additional page of the electoral list by the chairperson of the section election commission, which has jurisdiction on his permanent address. This certificate

shall be attached to the electoral list, in the column "Remarks", the reason for entry shall be marked, "certificate issued".

(4) Any refusal of the section election commission to make an additional entry shall be in writing, shall be delivered to the person interested and may be appealable before the region or Municipal election commission, which shall pronounce on the complaint without delay.

Section VIII Making Public and Publishing Electoral Lists

Making Public Electoral Lists

Art. 41. (1) The preliminary electoral lists, including Part I, shall be made public by the authorities under Art. 23, Para. (1) herein not later than 40 days in advance of election day at a prominent place in the area of the respective polling station.

(2) Upon conduct of elections of Members of the European Parliament for the Republic of Bulgaria and for Municipal councillors and for Mayors Part II of the electoral lists shall be made public according to the procedure of Para. (1) herein not later than 25 days in advance of election day, and the numbers of the residence certificates and the date of registration stated therein shall be noted in the said part

(3) Not later than 45 in advance of election day, the competent Municipality Mayor shall designate the places referred to in Para. (1) herein and shall notify the regional or the Municipal election commission of this.

Publishing the Electoral Lists

Art. 42. (1) The electoral rolls, including Part I and Part II, shall be published on the Internet site of the relevant Municipality and shall state the names of the voter and the number and address of the polling station.

(2) The electoral lists shall be published not later than 40 days in advance of election day in the cases under Art. 41, Para. (1) herein and not later than 25 days in advance of election day in the cases under Art. 41, Para. (2) herein.

(3) The Municipality Mayor shall ensure to each voter who is a Bulgarian citizen an option to search the electoral list by Uniform Civil Number, including by means of a free of charge phone number. Upon conduct of elections of Members of the European Parliament for the Republic of Bulgaria and of Municipal councillors and Mayors, the Municipality Mayor shall ensure to each voter who is a national of another Member State of the European Union an option to search the electoral list by Personal Number.

Section IX Elimination of Omissions and Errors. Corrections

Omissions and Errors in the Electoral List

Art. 43. (1) Each voter may request elimination of any omissions and errors in the electoral list by an application in writing to the Municipality Mayor, the region Mayor, the Mayoralty Mayor or the Lieutenant Mayor. A national of another Member State of the European Union, who has been entered on an electoral list, may be deleted on the basis of an application in writing submitted to the Municipality Mayor or the Lieutenant Mayor.

(2) The applications shall be received by the competent administration not later than seven days in advance of election day.

(3) The Mayor or the Lieutenant Mayor shall examine any such application within two days and shall pronounce thereon by a reasoned decision, which shall be made public in a public place.

(4) The decision as referred to in Para. (3) herein shall be appealable before the respective Administrative Court within two days as of the date of its announcement. The Court shall examine the complaint and shall pronounce thereon by a judgment within two days as of the date of its receipt sitting in an open session, subject to summoning of the appellant and the Mayor. The decision shall be pronounced immediately and shall not be subject to appeal.

Corrections and Deletion

Art. 44. (1) The corrections in the electoral lists shall be made public without delay, and shall furthermore be reflected in the lists published on the Internet site of the relevant Municipality.

(2) Deletion from the electoral lists shall be effected in an automated manner prior to the printing out of the said lists and, after the printing out thereof, by crossing the name with a horizontal line which leaves the deleted name legible.

Section X**Appeal of Refusal for Entry or Additional Entry in the Electoral List****Appeal of Refusal**

Art. 45. (1) The refusal for entry in electoral list shall be communicated by the applicant without delay and may be appealable before the respective Administrative Court within two days as of the communication. The Court shall examine the complaint sitting in an open session within two days as of the day of its receipt, subject to summoning of the appellant and of the authorities as referred to in Art. 23, Para. (1) herein and shall render a decision, which shall be made public without delay and shall not be subject to appeal.

(2) The refusal of the section election commission to make an additional entry of a voter on the election day shall be in writing, shall be delivered to the person interested and may be appealable before the regional election commission, and, respectively, the Municipal election commission, which pronounce on the complaint without delay.

Chapter Five**ELECTION COMMISSIONS****Section I****Central Election Commission****Constitution. Composition**

Art. 46. (1) A Central Election Commission (CEC) shall be constituted upon conduct of all types of elections, which shall be an independent State authority.

(2) The Commission shall be a legal person, a first-grade budget spending unit, with its seat being situated in Sofia.

(3) The Commission shall consist of 15 members, including chairperson, two deputy chairpersons and secretary.

(4) The chairperson, deputy chairpersons and the CEC shall be elected by the National Assembly on the basis of proposal under Art. 47, Para. 2, p. 1. The other CEC members shall be appointed by the President of the Republic on the basis of proposal under Art. 47, Para. 2, p. 2.

(5) Nominations for election of members may be made by the MPs, parliamentary groups, as well as by the parties and coalitions, which have elected by their candidate lists Members of the European Parliament, but are not parliamentary represented.

(6) The Bulgarian NGOs may make proposals for appointment of CEC members to the MPs and parliamentary groups. Where an MP or parliamentary group make a proposal on the basis of an NGO proposal, this shall be noted in it.

(7) As chairperson, deputy chairpersons and secretary shall not be elected persons, proposed by one and the same parliamentary group, or by MPs of one and the same parliamentary group.

(8) Upon appointment of CEC members, apart from the ones under Para. 7, the correlation between the parliamentary represented parties and coalitions shall be kept, where the parties and coalitions, which have elected by their candidate lists Members of the European Parliament, but are not parliamentary represented, shall have the right to one member of theirs in the CEC. The representatives of one party or coalition shall not have majority in the CEC.

(9) Where parliamentary represented parties and coalitions and parties and coalitions, which have elected by their candidate lists Members of the European Parliament, but are not parliamentary represented, have not made proposals under Para. 5, for all the members, for whom they have the right to, including that they have made proposals for fewer members, the unoccupied places shall be completed upon proposal of other parliamentary represented parties and coalitions while observing Para, 8.

Publicity in Constitution. Proposals

Art. 47. (1) The members of the Central Election Commission shall be elected, respectively - appointed subject to a conducted public procedure.

(2) After the procedure as referred to in Para. (1):

1. parliamentary represented parties and coalitions shall make proposal to the National Assembly for election of a chairperson, deputy chairpersons and a secretary;

2. parliamentary represented parties and coalitions, as well as the parties and coalitions, which have elected by their candidate lists Members of the European Parliament, but are not parliamentary represented, shall make proposals to the President of the Republic about appointment of the other members of the commission while observing the provision of Art. 46, Para. 8.

Status

Art. 48. (1) The CEC shall be a permanent acting body, which shall be assisted by administration, and shall be represented by its chairperson.

(2) The administration activity shall be carried out by persons, working under labour legal relations.

(3) The organization of the commission activity, the administration structure and functions shall be provided by Rules, which shall be adopted by the commission and shall be published in the State Gazette.

Seal

Art. 49. The Central Election Commission shall have a seal with its name and an image of the coat of arms of the Republic of Bulgaria.

Requirements to Members

Art. 50. (1) An eligible member of the Central Election Commission shall be elected, respectively – appointed a person who is a Bulgarian citizen and:

1. is not interdicted;

2. has University degree with a minimum educational-qualification degree; Master's; it is recommended the degree to be in Law, Informatics and Computer Sciences, Mathematics, Public Communication and IT, Political science and Sociology;

3. has professional experience not less than 7 years;

4. has a good professional reputation and enjoys authority and public confidence.

(2) The chairperson of the Commission must be a qualified lawyer with period of service in law not less than 10 years and must meet the requirements as referred to in Para. (1) herein.

(3) A person may not be a member of the Commission if:

1. he has been convicted for a premeditated crime of general nature, irrespectively of his rehabilitation, as well as liberated from penal responsibility for premeditated crime;

2. he occupies an elected office in a State authority or in an authority of the Local body;

3. he is employed under an employment contract or under a civil service apart from a teaching position;

4. he is a spouse or is in cohabitation, or is a relative in lineal consanguinity without limitations or in collateral consanguinity through to fourth grade and including affinity through to second grade, including with another member of the Commission;

5. he is a sole proprietor, a partner in a trade company, a manager, a business proxy, a business representative, a sales representative, a procurator, a business, a commercial intermediary, a liquidator or a syndic, a member of a management or control body of a company;

6. candidate for the relevant type of election;

7. he is in the management of an election headquarters of a party, of coalition of political parties or of a nomination committee.

(4) The members of the Commission shall vacate the offices occupied by them or shall terminate the activities incompatible with the requirements of Para. (3) herein, p. 2, 3, 5 and 7, within one month as of the date of their election or appointment.

Mandate

Art. 51. (1) The mandate of the members of the Commission shall be 5 years. The elections or appointment of new members of the Commission shall be conducted not earlier than three months and not later than one month in advance of the lapse of the mandate of the effective members. The members of the Commission shall execute their powers furthermore upon the lapse of their mandate until the entry into office of the new members.

(2) The powers of a member of the Commission shall be terminated before time in the event of:

1. termination by resignation;
2. in the event of entry into force of a sentence whereby the imposed punishment is deprivation of liberty;
3. interdiction;
4. permanent virtual impossibility to execute his obligations for more than 6 months;
5. incompatibility;
6. lack of attendance at three consequent or a total of 5 sessions over the year;
7. an act has been enforced whereby a conflict of interests has been established under The Avoidance and Establishment of Conflict of Interests;
8. death.

(3) In the event of a premature termination of the powers of a member of the Commission, another person shall be elected to finish the mandate.

Remuneration

Art. 52. (1) The chairperson of the Commission shall receive monthly remuneration equal to the monthly remuneration of a minister.

(2) The remuneration of the deputy chairpersons and the secretary shall be 90 per cent as of the remuneration of the chairperson of the Central Election Commission.

(3) The remuneration of the other members shall be 85 per cent of the remuneration of the chairperson of the Central Election Commission.

Sessions

Art. 53. (1) The Central Election Commission shall be convened on a session by its chairperson or at the request of at least one third of its members.

(2) The sessions of the Commission shall be chaired by the chairperson, and in his absence, by a deputy chairperson as may be appointed by him.

(3) The Central Election Commission shall hold a session when more than the half of its members are present.

(4) The Central Election Commission shall pronounce by decisions, which shall be adopted by a majority of two thirds of the present members and shall be signed by the chairperson and the secretary. Where the required majority has not voted in favour of a decision, a refusal shall be presumed, which shall be appealable according to the procedure of the Code.

(5) Minutes of proceedings shall be taken for the sessions of election commission, and the said minutes shall be signed by the chairperson and the secretary.

(6) The commission decisions shall be adopted by roll-call votes, which shall be expressed in the session minutes.

(7) The members of election commissions may sign minutes and vote on decisions with a dissenting opinion, where they do not agree with the decision or with the one indicated in the minutes, expressly formulating the dissenting opinion.

(8) Where the chairperson or, respectively, the secretary is absent, the decisions, minutes and certificates shall be signed by the secretary or, respectively, by the chairperson, and by the deputy chairperson. Where both the chairperson and the secretary are absent, the decisions shall be signed by a deputy chairperson and a member designated by decision of the commission.

(9) Election agents, representatives of political parties, coalitions of political parties or nomination committees, observers, members of the Public Council and representatives of the mass media may be present at the sessions of the Commission. The views, opinions and objections expressed shall be recorded in the minutes.

(10) The members of the CEC shall not wear distinguishing signs of any party, coalition of political parties and nomination committees and may not canvass.

Transparency

Art. 54. (1) The sessions of the Central Election Commission shall be broadcasted in real time online via the Internet site of the Commission, where to a public agenda draft shall be made in advance.

(2) The Central Election Commission shall maintain an Internet site, where it shall publish without delay its decisions, the full verbatim reports of proceedings of its sessions, the methodological guidelines, the preliminary and final election results, and furthermore the results of machine voting and of ballot paper voting upon the summarisation thereof by constituencies, the scanned and the received by electronic means copies of the tally sheets of the constituency and section election commissions, the constituency and Municipal election commissions and other documents and data. The Commission shall publish on the Internet site thereof all public registers, subject to the requirements of the Personal Data Protection Act.

(3) The Central Election Commission shall publish on the Internet site thereof a video recording (archive) of the sessions of the commission without delay upon the end of the relevant session.

Public Council

Art. 55. (1) The Central Election Commission shall establish a Public Council composed by representatives of the Bulgarian NGOs, which have participated as observers in election, for provision transparency, democracy and fairness in the elections.

(2) The Council's composition, functions and operation organization shall be governed by rules adopted by the Council and approved by CEC. The rules shall be published on the Internet site of the Commission.

Training Unit

Art. 56. (1) The Central Election Commission shall establish a Training Unit by the commission members which is to organise and conduct the training of the members of election commissions.

(2) The Unit's composition, method of constitution and functions as well as the training curriculum shall be governed by rules adopted by the Commission. The rules shall be published on the Internet site of the Commission.

Powers of the Commission

Art. 57. (1) The Central Election Commission shall:

1. implement the activities and see to the application of this Code and the legal regulations thereto related;

2. implement methodological guidance and exercise control over the operation of the election commissions;

3. implement methodological guidance over the operation of the election commissions related to the implementation of this Code;
4. provide and fund the establishment of websites of the regional and Municipal election commissions;
5. appoint the regional and Municipal election commissions and the section election commissions abroad and confirm lists of reserve members; appoint also the section election commissions in the country in the cases, where the regional or Municipal election commission has not appointed them in due time;
6. dismiss members of regional and Municipal election commissions and of section election commissions abroad in the cases of violations of this Code and of the decisions of the Central Election Commission, as well as upon occurrence of any circumstance covered under Art. 51, Para. (2) herein;
7. determine, using a methodology, the remunerations of the members of election commissions, of the specialists thereto
8. endorse a standard design of a seal of the election commissions and the method of protection thereof;
9. keep a public register of the voters; ensure to each voter an option to search the register by Uniform Civil Number (Personal Number);
10. register, make public and issue certificates to:
 - a) the political parties and the coalitions of political parties for participation in all types of elections;
 - b) the nomination committees for participation in elections of President and Vice President of the Republic and of Members of the European Parliament for the Republic of Bulgaria;
11. strike the registration of a political party which does not satisfy the requirements referred to in p. 5 of Art. 133, Para. (3) herein and of coalition of political parties, which does not satisfy the requirements referred to in p. 6 of Art. 140, Para. (3) herein;
12. register and make public the candidate lists of the political parties, the coalitions of political parties and the nomination committees upon elections of President and Vice President of the Republic and of Members of the European Parliament for the Republic of Bulgaria;
13. keep public registers of:
 - a) the political parties and coalitions of political parties in all types of elections;
 - b) the nomination committees in elections of President and Vice President of the Republic and of Members of the European Parliament for the Republic of Bulgaria;
 - c) the candidate lists for President and Vice President of the Republic and of Members of the European Parliament for the Republic of Bulgaria;
14. establish the terms and procedure for participation of observers not later than 50 days in advance of election day, register and issue certificates to the observers; keep a public register of the observers;
15. register until the election day the election agents of the candidate lists abroad and issue certificates thereto; keep a public register of the election agents by candidate lists;
16. determine the structure and the content of the uniform numbering of the polling stations;
17. determine the places where polling stations abroad will be established;
18. form and endorse the uniform numbers of the polling stations abroad;
19. endorse the standard technical design and the security features of the ballot papers, not later than 30 days in advance of election day; endorse a specimen of a book of ballot papers;
20. make public a list of the numbers and addresses of the polling stations in the election regions with the number of voters in them;
21. determine by lot the numbers assigned to the ballot papers of the political parties and coalitions of political parties in elections of Members of Parliament, the numbers assigned to the ballot papers of the political parties and coalitions of political parties in elections of Members of the European Parliament for the Republic of Bulgaria and the sequence of entry

of the candidate lists in the ballot paper in elections of President and Vice President of the Republic and shall make them public not later than 31 days in advance of election day;

22. establish the terms and procedure for conduct of the pre-election campaign;

23. control the conduct of the pre-election campaign by the media service providers within a national range;

24. for the purposes of the control as referred to in p 23 and establishment of breaches by the media service providers, it shall require information from the Council for Electronic Media on the specialised monitoring performed, whose level and parameters shall be determined subject to an agreement between the Commission and the Council for Electronic Media signed into in prior to the opening of the election campaign, irrespectively of the territorial coverage of the channels; in the case where such monitoring refers to a media service provider, which has no national coverage, the Commission shall transmit the information from the said monitoring to the competent election commission;

25. determine the arrangements and procedure for conduct of sociological surveys on the election day not later than 20 days in advance of election day; keep a public register of the sociological agencies;

26. examine all complaints and signals for breaches in the election process in conformity with its powers, including against decisions and actions of constituency election commissions, Municipal election commissions and section election commissions abroad, pronounce on any such complaints and signals within 24 hours after receipt thereof; and, on election day, it shall pronounce within one hour after receipt of any such complaint or signal and by the end of the election day with decision;

27. determine the procedure for examining the complaints and signals from the election commissions;

28. keep a public register of the complaints and signals filed with the Commission and of the decisions thereon;

29. determine the arrangements and procedure for machine voting;

30. establish the procedure for a check for voting in breach of the rules of the Code including for check of the decisions under Art. 39 and certificates under Art. 40 and assign the conduct of such check to the Directorate General of Civil Registration and Administrative Services at the Ministry of Regional Development;

31. provide the results of the check referred to in p.30 to the persons concerned and, upon detection of voting in breach of the rules of the Code, apprise the prosecuting magistracy;

32. Provide information, organise and conduct, through the mass communication media, an awareness campaign regarding citizens' rights and duties in the preparation and conduct of the elections and furthermore on machine voting; such awareness campaign shall start not later than 15 days prior to the lapse of the respective deadline, wherefrom rights and obligations for the citizens in relation to the elections;

33. determine the conditions and timeframe for commissioning, by contest of the computer processing of the voting data not later than 50 days in advance of election day;

34. commission the computer processing of the voting data and the publication of the election results in a bulletin, including the results from the machine voting;

35. determine the form and the structure electronic type of the lists, as well as the procedure for check of the lists for participation of independent candidates and shall assign the fulfilment to Directorate General Civil Registration and Administrative Service at the Ministry of Regional Development;

36. establish the procedure for a check of the lists of voters supporting the registration of the political parties and the coalitions of political parties, as well as the procedure for a check of the candidate lists, and commission the execution of the said checks to the Directorate General of Civil Registration and Administrative Services at the Ministry of Regional Development;

37. determine the uniform numbering and the security features of Non-Resident Voting Certificates before each election;

38. communicate data on the number of voters who have cast their votes within the deadline as referred to in p. 39.

39. declare the polls closed after completion of the voting within the territory of Bulgaria not later than 20,00 hours;

40. publish on its internet site the voting result from processing the protocols of the section election commissions in the regional or Municipal election commissions on election sections;

41. publish the voting results disaggregated by polling station, including the machine voting results, on the Internet site thereof, and, upon request, make the said results available on technical media to political parties, coalitions of political parties and nomination committees;

42. publish the voting results disaggregated by polling station, including the machine voting results, in the bulletin referred to in p. 34, including a machine-readable data medium, not later than 40 days after the election day;

43. deposit in the National Archive Fund the copy with the tally sheets of the section, regional and Municipal election commissions;

44. endorse the specimens of the direction signs and panels, as well as the specimens of the distinguishing signs of election agents, the observers and the representatives of political parties, coalitions of political parties and nomination committees not later than 55 days in advance of election day;

45. adopt a decision on the removal or seizure of canvassing materials placed or circulated in violation of this Code in an area spanning multiple regions or where affecting multiple regions;

46. determine the circumstances to be entered and the procedure for keeping and maintaining the public registers by the election commissions;

47. make an analysis of the elections conducted and file with the National Assembly a report which may contain proposals for streamlining the electoral legislation .

(2) The decisions of the Central Election Commission shall be made public without delay by publishing them on the Internet site of the Commission and in the Bulletin of the Bulgarian Telegraph Agency.

(3) The Central Election Commission exercises further powers as laid down in the Code.

Appeal

Art. 58. (1) The decisions of the Central Election Commission, shall be appealable before the Supreme Administrative Court through the Central Election Commission within a 3-day term as of the date of their announcement. The Central Election Commission shall transmit the appeal and the file to it to the Court forthwith.

(2) The complaint shall state the decision which is appealed, the reason, the names and the address of the appellant and a telephone, fax or e-mail address for summoning.

(3) The Supreme Administrative Court shall examine the complaint and shall pronounce by decision within a 3-day term as of its receipt sitting in an open session, subject to summoning of the appellant, the Central Election Commission and the persons interested. The decision of the Court shall be made public without delay and shall not be subject to appeal.

(4) Upon appeal of the decisions of the Central Election Commission, the deadlines as referred to in the Administrative Procedure Code shall not apply. The deadlines shall be calculated in calendar days and shall expire on their last day.

Section II Regional Election Commissions

Appointment

Art. 59. (1) The Central Election Commission shall appoint regional election commissions upon conduct of elections of:

1. Members of Parliament: for each multi-member region;
2. Members of the European Parliament for the Republic of Bulgaria and for President and Vice President of the Republic: for each region according to the administrative division of the territory of Bulgaria for the last elections of MPs for the National Assembly.

(2) The Regional Election Commissions shall be appointed not later than 50 days in advance of election day.

Conducting Consultations

Art. 60. (1) Consultations shall be held at the regional Governor, which shall be public. The day, the hour and the place of the conduct thereof shall be publicly communicated and shall be published on the Internet site of the regional administration not later than three days in advance of their conduct.

(2) The consultations shall be attended by the political parties and coalitions of political parties represented in Parliament and the political parties and coalitions of political parties which have Members of the European Parliament but are not represented in Parliament. Other political parties and coalitions of political parties may also participate in consultations.

(3) At the consultations, the political parties and the coalitions of political parties as referred to in Para. (2) herein shall present:

1. a proposal in writing for a complement of the regional election commission, which shall state the names of the nominees, Uniform Civil Number, position in the commission, educational attainment, specialist qualifications and nominating party or coalition of political parties;

2. a copy of a certificate of legal status of the political party current at the date of conduct of the consultations or a decision on the formation of the coalition of political parties, which certifies the credentials of the persons representing the respective party or the coalition of political parties;

3. an authorisation from the persons representing the respective party or the coalition of political parties, in the cases where authorised persons participate in the consultations.

(4) The political parties and coalitions of political parties shall present, attached to the proposal thereof referred to in Para. (3) , p. 1 herein, a list of the alternate members who will replace the nominees thereby in the cases referred to in Art. 51, Para. (2) herein or where a member of the regional election commission fails to participate in its sessions for more than 10 days. Any such replacement shall require a decision of the Central Election Commission.

(5) A protocol on the results of the consultations conducted shall be drawn up and shall be signed by the participants in the said consultations. Upon a refusal to sign the protocol, as well as where the protocol is signed with a dissenting opinion, the reasons of the participants shall be attached. The written objections of the political parties and coalitions or political parties, if any, shall be attached as well.

(6) In the cases where no consensus is reached between the political parties and the coalitions of political parties having taken part in the consultations, the regional Governor shall, not later than 55 days in advance of election day, transmit the documents as referred to in Para. (3), (4) and (5) herein to the Central Election Commission.

(7) In the cases where consensus is reached, the regional Governor shall present to the Central Election Commission:

1. a proposal in writing for a complement of the regional election commission together with a list of the alternate members, which shall state the names of the nominees, Uniform Civil Number, position in the Commission, educational attainment, specialist qualifications and nominating party or coalition of political parties;

2. the documents as referred to in Para. (3) and (4), as presented by the political parties and coalitions of political parties;

3. the protocols on the consultations conducted with the representatives of the political parties and coalitions of political parties, including the written objections thereof;

4. a copy of the notice of conduct of the consultations and the manner of announcement of the said notice.

(8) The proposal of the regional Governor as referred to in Para. (7) herein shall be made not later than 55 days in advance of election day.

(9) Where the regional Governor has failed to make a proposal within the period as referred to in Para. (8) herein, the said Governor shall forthwith transmit the documents referred to in Para. (3), (4) and (5) to the Central Election Commission.

(10) In the cases where consensus is reached, the Central Election Commission shall appoint the regional election commission on the basis of the proposal of the regional Governor made according to the procedure established by Para. (7) herein.

(11) In the cases where no consensus is reached or the regional Governor has failed to make a proposal within the time limit referred to in Para. (8) herein, the Central Election Commission shall appoint the regional election commission on the basis of the proposals made by the political parties and coalitions of political parties.

Composition

Art. 61. (1) The regional election commission shall be composed of chairperson, deputy chairpersons, secretary and members.

(2) The regional election commission shall be represented by its chairperson, and in specific cases, by a deputy chairperson, secretary or member as may be appointed by a decision of the Commission.

(3) The representatives of one party or coalition of political parties may not have majority in the regional election commission. The chairperson, the deputy chairperson and the secretary may not be from the same party or coalition of political parties.

(4) The political parties represented in Parliament and coalitions of political parties shall propose members of the regional election commission, including a chairperson, deputy chairperson and secretary as follows:

1. for up to nine-member election regions: 13 members;

2. for ten-member and more-than-ten-member regions: 17 members.

(5) Upon appointment of the members as referred to in Para. (4) herein, including chairperson, deputy chairperson and secretary, the proportion of the political parties and coalitions of political parties represented in Parliament shall be retained.

(6) The political parties and coalitions of political parties, which have Members of the European Parliament but are not represented in Parliament, shall be entitled to have one member each in the regional election commission, besides the number of members referred to in Para. (4) herein.

(7), In case that the political parties represented in Parliament and coalitions of political parties and the political parties and the coalitions of political parties, which have Members of the European Parliament but are not represented in Parliament, have failed to make proposals for all members they are entitled to, and in the cases where they have made proposals for fewer members, the vacant positions shall be filled at the proposal of other political parties and coalitions of political parties, which have participated in the consultations under Art. 60, Para. (2) herein. Any such filling shall be made by drawing lots according to the arrangements and procedure as may be defined by the decision of the Central Election Commission.

(8) In case the total number of members of the regional election commission is an even number, the political party or coalition of political parties represented in Parliament with the greatest unused remainder shall nominate one more member of the regional election commission. If the remainders are equal, the political parties and coalition of political parties with equal remainders shall draw lots.

(9) In case the political party or coalition of political parties, which should nominate a member under the terms established by Para. (8) herein, forms a majority in the regional election commission, this right shall pass to the political party or coalition of political parties with the next greatest unused remainder. If the remainders are equal, the political parties and coalition of political parties with equal remainders shall draw lots.

(10) The total number of members of the regional election commission shall be determined according to the procedure of Para. 4-9.

Status

Art. 62. (1) The regional election commission shall implement its powers for a period starting as of the day of its appointment through to 14 days after the conduct of the relevant type of election.

(2) In the execution of the functions thereof, the members of the regional election commissions shall be treated as officials for within the meaning given by the Criminal Code.

(3) The members of election commissions may not wear distinguishing signs of any party, coalition of political parties and nomination committees and may not canvass.

Support to the Activity of the Commission

Art. 63. The regional election commission may establish work groups of specialists. The remunerations of the specialists shall be determined by the Central Election Commission applying the methodology as referred to in p. 7 of Art. 57, Para. (1) herein.

Seal

Art. 64. The regional election commission shall have a seal. The seal shall state the name and the number of the relevant regional election commission.

Requirements to the Members

Art. 65. (1) For members of the regional election commission shall be appointed persons with higher educational attainment, who are entitled to vote in the respective type of election and have a good command of Bulgarian language.

(2) It is recommended that the members of the regional election commission be qualified lawyers.

Incompatibility

Art. 66. (1) For the duration of occupation of office, a member of the regional election commission may not be:

1. candidate for the respective type of election, spouse of a candidate or to be in cohabitation with a candidate for the respective type of election;
2. in elected office in a state or local body;
3. an authority of the executive branch;
4. a Deputy Minister, a chief secretary to the President of the Republic, the National Assembly or the Council of Ministers, a chief secretary of a Ministry or provincial administration, secretary of a Municipality, a region or a mayoralty;
5. a judge in the Constitutional Court, a judge in the Supreme Administrative Court or in an Administrative Court, a prosecutor or an Investigator;
6. a deputy regional Governor or a deputy Mayor;
7. a service member of the Armed Forces, or an employee of the Ministry of Interior or in the National Intelligence service, the National Security Service, State Agency „Technical Operations” or in the State Agency “National Security”.

(2) The members of the regional election commission may not be one another's spouses, in cohabitation, lineal relatives or siblings.

Actions upon Early Terminations of Powers

Art. 67. (1) The Central Election Commission shall within two days as of the enforcement of the decision on terminations of powers of a member of the regional election commission due to the occurrence of a circumstance as referred to in Article 51, Para. (2) herein, shall appoint a member of the Commission from the list of alternate members as referred to in Art. 60, Para. (4) herein of the respective political party or coalition of political parties. The Central Election Commission shall without delay notify thereof the respective political party or coalition of political parties.

(2) Any member of the regional election commission who fails to attend the sessions of the Commission for more than 10 days, may be replaced temporarily for the period

of non-execution of the powers thereof by a member nominated by the respective political party or coalition of political parties. Within two days as of the proposal, the Central Election Commission shall appoint a member of the regional election commission.

Remuneration and Social Insurance

Art. 68. (1) The members of the regional election commission shall be remunerated for working on the commission.

(2) The remuneration of the members of the regional election commission shall be determined by the Central Election Commission. The amounts of the remunerations by positions shall be determined applying the methodology as referred to in p. 7 of Art. 57, Para. (1) herein.

(3) The remunerations of the members of the regional election commission shall be exempt from taxes under the Taxes on Natural Persons Income Act.

(4) For the time necessary for working on the respective commission, the members of election commissions shall be provided with social and health insurance as persons performing work in elective office. The social and health insurance contributions under the Social Insurance Code and the Health Insurance Act of the members of the regional election commission shall be on the account of the state budget.

Leave

Art. 69. The members of the regional election commission shall be excused from the official duties thereof for the time necessary for working on the commission. During that time the said persons shall use an unpaid service leave which shall count as relevant experience or, at their request, the paid annual leave to which they are entitled..

Sessions

Art. 70. (1) The regional election commission shall be convened of session by its chairperson or at the request of at least of one third of its members.

(2) The sessions of the commission shall be chaired by the chairperson, and in his absence - by a deputy chairperson as may be appointed by him.

(3) The regional election commission shall hold a session when more than half of its members are present.

(4) The regional election commission shall pronounce by decisions, which shall be adopted by a majority of two thirds of the present members and shall be signed by the chairperson and the secretary. Where the required majority has not voted in favour of a decision, a refusal shall be presumed, which shall be appealable according to the procedure of the Code.

(5) Minutes of proceedings shall be taken for the sessions of election commission, and the said minutes shall be signed by the chairperson and the secretary.

(6) The commission decisions shall be adopted by roll-call vote, which shall be written in the session minutes.

(7) The members of election commissions may sign minutes and vote on decisions with a dissenting opinion, expressly noting whether they vote in favour or against the particular decision and formulating the dissenting opinion.

(8) Where the chairperson or, respectively, the secretary is absent, the decisions, minutes and certificates shall be signed by the secretary or, respectively, by the chairperson, and by the deputy chairperson. Where both the chairperson and the secretary are absent, the decisions shall be signed by a deputy chairperson and a member designated by decision of the commission proposed by different political parties and coalitions of political parties.

(9) Election agents, representatives of political parties, coalitions of political parties or nomination committees, observers and representatives of the mass media may be present at the sessions of the commission. The views, opinions and objections expressed shall be recorded in the minutes.

Transparency in the Work of the Commission

Art. 71. (1) The sessions of the regional election commission shall be broadcasted in real time online via the Internet site of the commission, where to a public agenda draft shall be made in advance.

(2) The regional election commission shall maintain an Internet site, where it shall publish without delay its decisions, the full minutes of its sessions, the preliminary and final election results in the respective region (borough), and furthermore the results of machine voting, the scanned tally sheets of the section election commissions and other documents and data. Furthermore, the commission shall publish on the Internet site thereof all public registers, subject to the requirements of the Personal Data Protection Act.

(3) The regional election commission shall publish on the Internet site thereof a video recording (archive) from the sessions of the commission without delay upon the end of the relevant session.

Powers of the Commission

Art. 72. (1) The regional election commission shall:

1. implement the activities and see to the application of this Code and the legal regulations thereto related;

2. exercise control on the activity of the section election commissions within the territory of the region or of the borough according to the administrative division of Bulgaria of the last elections for MPs for the National Assembly;

3. conduct a training of the members of the section election commissions in the region (borough), jointly with the training unit under Art. 56, Para. (1) herein;

4. appoint the section election commissions in the respective region (borough) in Bulgaria and endorse the lists of alternate members;

5. dismiss members of the section election commissions in the respective region (borough) in Bulgaria in the cases of violations of this Code, of the decisions of the Central Election Commission and of the region election commission, as well as upon occurrence of any circumstance covered under Art. 51, Para. (2) herein;

6. see to the timely and correct establishment of polling stations in the region (borough) and generate and endorse their uniform numbers;

7. register and make public the nomination committees for participation in elections of MPs, issue certificates thereto and keep a public register thereof;

8. register and make public the candidate lists of the political parties, the coalitions of political parties and the nomination committees upon elections of MPs and keep a public register;

9. strike the registration where it is established that the candidate for an MP fails to meet the requirements under Art. 65, Para. (1) herein of the Constitution, as well as in the cases referred to in Art. 258, Para. (5) herein;

10. strike the registration when the independent candidate is not supported by the needed number of voters according to Art. 257, Para. (1) herein;

11. strike the registration of a nomination committee in the cases as referred to in p. 10;

12. make public the numbers in the ballot paper of the independent candidates upon elections of MPs not later than 31 days in advance of election day;

13. exercise control on the timely announcing of the electoral lists, for the delivery and storage of the ballot papers and on the issue of Non-Resident Voting Certificates;

14. see to provision of conditions for voting to persons with disabilities as referred to in Sections VIII and IX of Chapter Fourteen;

15. register until the election day the election agents of the candidate lists and issue certificates thereto;

16. keep a public register of the election agents by candidate lists upon elections of MPs, of President and Vice President of the Republic and of Members of the European Parliament for the Republic of Bulgaria, which shall publish on the Internet site thereof;

17. control the handling of the election campaign by the media service providers within a regional and local range, pronounce on complaints and signals for violations of the election campaign within 24 hours after receipt thereof;

18. jointly with the Municipal administration supply the section election commissions with ballot-boxes, voting ballot papers, electoral lists, seals, blank forms of tally sheets, lists, abstracts and drafts and control the safekeeping, distribution among polling stations and transportation thereof;

19. exercise control as to fulfilment of the obligation referred to in Art. 62, Para. (3) herein;

20. examine all complaints and signals for breaches in the election process in conformity with its powers, including against decisions and actions of section election commissions and pronounce by decision within one hour after receipt of the complaint or the signal and before the closing of the polls;

21. establish and maintain a public register of complaints and signals submitted to the commission and the decisions thereon.

22. determine and announce the voting results in the region (borough) within 48 hours after the completion of the voting and prepare a tally sheet;

23. within the deadline as referred to in p. 22 scan and transmit to the Central Election Commission its tally sheet with the voting data in the region (borough) and publish it on the Internet site thereof;

24. make public the independent candidates in elections for MPs and issue certificates thereto;

25. provide against signature of the members of the commission, the candidates, the election agents, the representatives of the political parties, the coalitions of political parties and the nomination committees and the observers a photocopy of the signed abstract of the tally sheet with the voting results in the region (borough), sealed each page with the seal of the commission and signed by the chairperson, the deputy chairperson and the secretary;

26. deliver to the Central Election Commission the copy of the tally sheet of the regional election commission, the copies of the tally sheets of the section election commissions destined for the Central Election Commission, the receipts on the computer processing of the tally sheets of the section election commissions, a copy of the computer print-out of the data on the tally sheet and the decision of the regional election commission provided by the computation centre, and two machine-readable data mediums storing the numerical data generated by the processing of the tally sheets of the section election commissions, as well as the machine voting recording devices;

27. deliver the rest of the papers and materials to the regional administration with the exception of those destined for the Central Election Commission within seven days after the declaration of the election results;

28. scan the tally sheets of the section election commissions not later than 48 hours as of the end of the election day and transmit thereof to the Central Election Commission;

29. exercise any other powers as provided for by the Code.

(2) The regional election commission shall make public the decisions thereof without delay by means of displaying the said decisions in a generally accessible place in the building where the said commission is housed and by means of publishing on the Internet site thereof. The place for making the decisions public shall be determined by decision of the commission forthwith after the appointment thereof and shall be arranged in a manner indicating the assigned use thereof. The copies of the decisions which are made public shall be marked with the date and hour of the display thereof in the generally accessible place. The copies of the decisions made public shall be removed not earlier than three days after the display thereof in the generally accessible place and shall be kept in the archives of the commission.

Appeal of the Commission Decisions

Art. 73. (1) The decisions of the regional election commission, shall be appealable within a 3-day term as of the date of their announcement before the Central Election Commission, which

shall, within a 3-day term, render a decision, which shall be appealable before the Supreme Administrative Court.

(2) Upon appeal of the decisions of the regional election commission before the Supreme Administrative Court Art. 58 herein shall apply.

Section III Municipal Election Commissions

Appointment

Art. 74. The Central Election Commission shall appoint Municipal election commissions for each Municipality upon elections of Municipal councillors and for Mayors not later than 45 days in advance of election day.

Holding Consultations

Art. 75. (1) Consultations shall be held at the Mayor of the relevant Municipality, which shall be public. The day, the hour and the place of the conduct thereof shall be publicly communicated and shall be published on the Internet site of the Municipality not later than three days in advance of their conduct.

(2) The consultations shall be attended by the political parties and coalitions of political parties and the political parties and coalitions of political parties which have Members of the European Parliament but are not represented in Parliament. Other political parties and coalitions of political parties may also participate in consultations.

(3) At the consultations, the political parties and the coalitions of political parties as referred to in paragraph (2) herein shall present:

1. a proposal in writing for a complement of the Municipal election commission, which shall state the names of the nominees, Uniform Civil Number, position in the commission, educational attainment, specialist qualifications and nominating party or coalition of political parties;

2. a copy of the certificate of current legal status of the political party as at the date of scheduling of elections or of the decision on the establishment of the coalition of political parties whereby the powers of the persons representing the political party or the coalition of political parties are certified;

3. an authorisation from the persons representing the party or the coalition of political parties, in the cases where authorised persons participate in the consultations.

(4) The political parties and coalitions of political parties shall present, attached to the proposal thereof referred to in p. 1 of Para. (3) herein, a list of the alternate members who will replace the nominees thereby in the cases referred to in Art. 51, Para. (2) herein or where a member of the Municipal election commission fails to participate in its sessions for more than 10 days. Any such replacement shall require a decision of the Central Election Commission.

(5) A protocol on the results of the consultations conducted shall be drawn up and shall be signed by the participants in the said consultations. Upon a refusal to sign the protocol, as well as where the protocol is signed with a dissenting opinion, the reasons of the participants shall be attached. The written objections of the political parties and coalitions or political parties, if any, shall be attached as well.

(6) In the cases where no consensus is reached between the political parties and the coalitions of political parties having taken part in the consultations, the Municipality Mayor shall, not later than 55 days in advance of election day, transmit the documents as referred to in Para. (3), (4) and (5) herein to the Central Election Commission.

(7) In the cases where consensus is reached, the Municipality Mayor shall present to the Central Election Commission:

1. a proposal in writing for a complement of the Municipal election commission together with a list of the alternate members, which shall state the names of the nominees, Uniform Civil Number, position in the Commission, educational attainment, specialist qualifications and nominating party or coalition of political parties;

2. the documents as referred to in Para. (3) and 4, as presented by the political parties and coalitions of political parties;

3. the protocols on the consultations conducted with the representatives of the political parties and coalitions of political parties, including the written objections thereof;

4. a copy of the notice of conduct of the consultations and the manner of announcement of the said notice.

(8) The proposal of the Mayor as referred to in Para. (7) herein shall be made not later than 55 days in advance of election day. In the case where a new Municipality is established the proposal shall be made by the appointed interim Mayor subject to the same conditions.

(9) Where the Municipality Mayor or the interim Mayor of the newly established Municipality has failed to make a proposal within the period as referred to in Para. (8) herein, the regional Governor shall make a proposal on the basis of the documents as referred to in Para. (3), (4) and (5) herein not later than 52 days in advance of election day.

(10) In the cases where consensus is reached, the Central Election Commission shall appoint the municipal election commission on the basis of the proposal of the Mayor of the Municipality made according to the procedure of Para. (7) herein, or of the regional Governor made according to the procedure of Para. (9) herein.

(11) In the cases where no consensus is reached or the regional governor has failed to make proposal within the period as referred to in Para. (9) herein, the Central Election Commission shall appoint the Municipal election commission on the basis of the proposals made by the political parties and the coalitions of political parties.

Composition

Art. 76. (1) The Municipal election commission shall be composed of a chairperson, deputy chairpersons, secretary and members.

(2) The Municipal election commission shall be represented by its chairperson, and in specific cases, by a deputy chairperson, secretary or member as may be appointed by a decision of the commission.

(3) The representatives of one party or coalition of political parties may not have majority in the Municipal election commission. The chairperson, the deputy chairperson and the secretary may not be from the same party or coalition of political parties.

(4) The political parties represented in Parliament and coalitions of political parties shall propose members of the Municipal election commission, including chairperson, deputy chairpersons and secretary, according to the number of polling stations within the territory of the Municipality as follows:

1. up to 150 polling stations: up to nine members;
2. with more than 150 polling stations: eleven members;
3. for regions in the cities subdivided into regions: 17 members;
4. for Sofia Municipality: 19 members.

(5) Upon appointment of the members as referred to in Para. (4) herein, including chairperson, deputy chairperson and secretary, the proportion of the political parties and coalitions of political parties represented in Parliament shall be retained.

(6) The political parties and the coalitions of political parties, which have Members of the European Parliament for the Republic of Bulgaria but are not represented in Parliament, shall be entitled to have one member each in the Municipal election commission, besides the number of the members as referred to in paragraph (4) herein.

(7) In case that the political parties represented in Parliament and coalitions of political parties and the political parties and the coalitions of political parties, which have Members of the European Parliament for the Republic of Bulgaria, but are not represented in Parliament, have failed to make proposals for all members they are entitled to, and in the cases where they have made proposals for fewer members, the vacant positions shall be filled at the proposal of other political parties and coalitions of political parties, which have participated in the consultations as referred to in Art. 75, Para. (2) herein. Any such filling shall be made by

drawing lots according to the arrangements and procedure as may be determined by a decision of the Central Election Commission.

(8) In case the total number of members of the Municipal election commission is an even number, the political party or coalition of political parties represented in Parliament with the greatest unused remainder shall nominate one more member of the Municipal election commission. If the remainders are equal, the political parties and coalition of political parties with equal remainders shall draw lots.

(9) In case the political party or coalition of political parties, which should nominate a member under the terms established by Para. (8) herein, forms a majority in the Municipal election commission, right shall pass to the political party or coalition of political parties with the next greatest unused remainder. If the remainders are equal, the political parties and coalition of political parties with equal remainders shall draw lots.

(10) The total number of members of the Municipal election commission shall be determined according to the procedure of Para. (4)- (9) herein-9.

Status

Art. 77. (1) The Municipal election commission shall be appointed for the duration of powers of the Municipal council.

(2) In the execution of the functions thereof, the members of the Municipal election commission shall be treated as officials within the meaning given by the Criminal Code.

(3) The members of Municipal election commission may not wear distinguishing signs of any party, coalition of political parties and nomination committees and may not canvass.

Support to the Activity of the Commission

Art. 78. The Municipal election commission may establish work groups of specialists. The remunerations of the specialists shall be determined by the Central Election Commission applying the methodology as referred to in p. 7 of Art. 57, Para. (1) herein.

Seal

Art. 79. The Municipal election commission shall have a seal. The seal shall state the name and the number of the relevant Municipal election commission.

Requirements to the Members

Art. 80. (1) For members of the Municipal election commission shall be appointed persons with higher educational attainment, who are entitled to vote in the respective type of election and have a good command of the Bulgarian language.

(2) It is recommended that the members of the Municipal election commission be qualified lawyers.

Incompatibility

Art. 81. Regarding the members of the Municipal election commission the restrictions as referred to in Art. 66 shall apply.

Actions upon Early Terminations of Powers

Art. 82. (1) The Central Election Commission within two days as of the enforcement of the decision on terminations of powers of a member of the Municipal election commission due to the occurrence of a circumstance as referred to in Art. 51, Para. (2) herein, shall appoint a member of the commission from the list of alternate members as referred to in Art. 75, Para. (4) herein of the respective political party or coalition of political parties. The Central Election Commission shall without delay notify the respective political party or coalition of political parties.

(2) Any member of the Municipal election commission who fails to attend the sessions of the commission for more than 10 days, may be replaced temporarily for the period of non-execution of the powers thereof by a member nominated by the respective political party

or coalition of political parties. Within two days as of the proposal, the Central Election Commission shall appoint a member of the Municipal election commission.

Remuneration and Social Insurance

Art. 83. (1) The members of the Municipal election commission shall receive remuneration for their work in the respective commission.

(2) The remuneration of the members of the Municipal election commission shall be determined by the Central Election Commission. The amounts of the remunerations by positions shall be determined applying the methodology as referred to in p. 7 of Art. 57, Para. (1) herein.

(3) The members of the Municipal election commission shall receive a monthly remuneration for a period commencing upon the appointment thereof and ending seven days after the declaration of the election results.

(4) For the duration of the period elapsed as of the date of the expiration of the deadline as referred to in Para. (3) herein and ending upon the next elections of Municipal councillors and Mayors, the members of the Municipal election commission shall receive remunerations for attending sessions and for duty service according to a procedure established by the Central Election Commission applying the methodology as referred to in p. 7 of Art. 57, Para. (1) herein.

(5) The remuneration of the members of the Municipal election commissions shall not be taxable under the Taxes on Natural Persons Income Act.

(6) For the time necessary for working on the respective commission, the members of election commissions shall be provided with social and health insurance as persons performing work in elective office. The social and health insurance contributions under the Social Insurance Code and the Health Insurance Act of the members of the Municipal election commission shall be at the account of the state budget.

Leave

Art. 84. The members of the Municipal election commission shall be excused from the official duties thereof for the time necessary for working on the commission. During that time the said persons shall use an unpaid service leave which shall count as relevant labour or civil experience or, at their request, the paid annual leave to which they are entitled.

Sessions

Art. 85. (1) The Municipal election commission shall be convened of session by its chairperson or at the request of at least of one third of its members.

(2) The sessions of the Commission shall be chaired by the chairperson, and in his absence - by a deputy chairperson as may be appointed by him.

(3) The Municipal election commission shall hold a session when more than half of its members are present.

(4) The Municipal election commission shall pronounce by decisions, which shall be adopted by a majority of two thirds of the present members and shall be signed by the chairperson and the secretary. Where the required majority has not voted in favour of a decision, a refusal shall be presumed, which shall be appealable according to the procedure of the Code.

(5) Minutes shall be taken for the sessions of the commission, and the said minutes shall be signed by the chairperson and the secretary.

(6) The commission decisions shall be adopted by roll-call vote, which shall be expressed in the minutes of the session.

(7) The members of election commissions may sign minutes and vote on decisions with a dissenting opinion, where they do not agree with the decision or the minutes, formulating the dissenting opinion.

(8) Where the chairperson or, respectively, the secretary is absent, the decisions, minutes and certificates shall be signed by the secretary or, respectively, by the chairperson, and by the deputy chairperson. Where both the chairperson and the secretary are absent, the

decisions shall be signed by a deputy chairperson and a member designated by decision of the commission proposed by different political parties and coalitions of political parties.

(9) Election agents, representatives of political parties, coalitions of political parties or nomination committees, observers and representatives of the mass media may be present at the sessions of the Commission. The views, opinions and objections expressed shall be recorded in the minutes.

Transparency in the Work of the Commission

Art. 86. The Municipal election commission shall maintain a Internet site, where it shall publish without delay its decisions, the full minutes of its sessions, the preliminary and final election results in the respective election region, and furthermore the results of machine voting, the scanned tally sheets of the section election commissions and other documents and data. The Commission shall publish on the Internet site thereof all public registers, subject to the requirements of the Personal Data Protection Act.

Powers of the Commission

Art. 87. (1) The Municipal election commission shall:

1. implement the activities on the application of this Code and the legal regulations thereto related;
2. exercise control on the activity of the section election commissions within the territory of the election region;
3. shall determine and make public the numbers of the election regions in the Municipality; upon numbering thereof, the Municipal election commission shall reckon the Common Classifier of the Administrative-Territorial and Territorial Units in Bulgaria;
4. conduct a training of the members of the section election commissions in the election region, jointly with the training unit under Art. 56, Para. (1) herein;
5. appoint the section election commissions in the respective election region and endorse the lists of alternate members;
6. dismiss members of the section election commissions in the respective election region in the cases of violations of the Code, of the decisions of the Central Election Commission and of the Municipal election commission, as well as upon occurrence of any circumstance covered under Art. 51, Para. (2) herein;
7. see to the timely and correct establishment of polling stations in the election region and generate and endorse their uniform numbers;
8. exercise control on the timely announcing of the electoral lists;
9. endorse the standard forms of the ballot papers for Municipal councillors and for Mayors in the relevant Municipality and exercise control on the delivery and the storage thereof;
10. determine by drawing lots the sequential numbers of political parties, coalitions of political parties and independent candidates in the ballot paper and make them public not later than 31 days in advance of election day;
11. see to provision of conditions for voting to persons with disabilities as referred to in Section VIII and IX of Chapter Fourteen;
12. register and make public political parties and coalitions of political parties for participation in elections of Municipal councillors and for Mayors in the relevant Municipality;
13. register and make public the nomination committees and the local coalitions of political parties for participation in elections of Municipal councillors and for Mayors in the relevant Municipality and issue certificates thereto; keep a public register;
14. register and make public the candidate lists of the political parties, coalitions of political parties and nomination committees for election of Municipal councillors and candidates for Mayors and keep a public register;
15. strike the registration where it is established that the candidate does not meet the requirements under Art. 397, Para. (1) herein or 2, and in the cases under Art. 417, Para. (5) herein;
16. strike the registration where the independent candidate is not supported by the needed number of voters according to Art. 416, Para. (1) herein;

17. strike the registration of nomination committee in the cases as referred to in p. 16;
 18. shall register until the election day the election agents of the candidate lists and issue certificates thereto; keep a public register of the election agents by candidate lists;
 19. control the handling of the election campaign by the media service providers within a regional and local range;
 20. jointly with the Municipal administration supply the section election commissions with ballot-boxes, voting ballots, electoral lists, seals, blank forms of tally sheets, lists, abstracts and drafts and control the safekeeping, distribution among polling stations and transportation thereof;
 21. exercise control as to fulfilment of the obligation referred to in Art. 77, Para. (3) herein;
 22. examine all complaints and signals for breaches in the election process in conformity with its powers, including against decisions and actions of section election commissions; and pronounce by decision within one hour after receipt of the complaint or the signal and before the closing of the polls;
 23. establish and maintain a public register of complaints and signals submitted to the commission and the decisions thereon.
 24. in the case of early termination of powers of a Municipal councillor, announce the next candidate in the respective list as elected;
 25. declare the end of the election day upon the end of voting in the polling stations within the territory of the Municipality not later than 20,00 hours;
 26. establish and make public the voting results in the election region within 48 hours as of its termination, draw up a tally sheet and issue certificates to the elected Municipal councillors and Mayors;
 27. within the period as referred to in p. 26, scan and transmit to the Central Election Commission its tally sheets on the election of Municipal councillors, Municipality Mayor, region Mayor or the mayoralty Mayor and publish them on the Internet site thereof;
 28. provide against signature of the members of the commission, candidates, election agents, representatives of the political parties, coalitions of political parties and nomination committees and observers a photocopy of the signed abstract of the tally sheet for the respective type of election with the voting results in the election region, sealed each page with the seal of the commission and signed by the chairperson, the deputy chairperson and the secretary;
 29. schedule a second round for Mayor where no candidate has been elected;
 30. in the cases where no candidate has been elected Mayor at the second round or where the election of Municipal councillors or Mayor has been announced as ineffective or in the case of early termination of powers of a Mayor, within 7 days shall notify the Central Election Commission thereof and propose scheduling of new election;
 31. display at a prominent place in the Municipality (the Mayoralty, the region) and via the local mass media the date of the election as scheduled by the President;
 32. deliver to the Central Election Commission the copies of the tally sheets and the decisions of the Municipal election commission for all types of elections, the copies of the tally sheets of the section election commissions, the print-outs from the computer processing of the tally sheets of the section election commissions, a copy of the computer print-out of the data on the tally sheet and the decision of the Municipal election commission for all types of elections provided by the computation centre, and two machine-readable data mediums storing the numerical data generated by the processing of the tally sheets of the section election commissions, as well as the machine voting recording devices;
 33. deliver the rest of the papers and materials to the Municipal administration with the exception of those destined for the Central Election Commission not later than 7 days as of the declaration of the election results;
 34. exercise any other powers as provided for in the Code.
- (2) The Municipal election commission shall make public the decisions thereof without delay by means of displaying the said decisions in a generally accessible place in the

building where the said commission is housed and by means of publishing on the Internet site thereof. The place for making the decisions public shall be determined by decision of the commission forthwith after the appointment thereof and shall be arranged in a manner indicating the assigned use thereof. The copies of the decisions which are made public shall be marked with the date and hour of the display thereof in the generally accessible place. The copies of the decisions made public shall be removed not earlier than three days after the display thereof in the generally accessible place and shall be kept in the archives of the commission.

Appeal of the Decisions

Art. 88. (1) The decisions of the Municipal election commission shall be appealable within a 3-day term as of the date of their announcement before the Central Election Commission, which shall, within a 3-day term, render a decision, which shall be appealable before the Supreme Administrative Court.

(2) Upon appeal of the decisions of the Municipal election commission, Art. 58 herein shall apply.

Section IV Section Election Commissions in Bulgaria

Appointment

Art. 89. (1) The regional or Municipal election commissions shall appoint section election commissions for each polling station in Bulgaria not later than 25 days in advance of election day.

(2) The regional or Municipal election commissions shall appoint the mobile section election commissions upon voting with mobile ballot-boxes not later than 10 days in advance of election day.

Requirements as to the Appointment of Mobile Election Commissions

Art. 90. (1) Within the territory of each populated settlement shall be appointed at least one mobile section election commission provided that there are not fewer than 10 voters who have submitted applications as referred to in Article 37. The regional or Municipal election commission shall determine the number of the mobile section election commissions in the election region on the basis of the number of applications submitted.

(2) The consultations under Art. 91 shall be conducted not later than 18 days in advance of election day. The proposal of the mayor shall be made not later than 15 days in advance of election day.

(3) The Municipality Mayor shall be required to provide transport means to the mobile section election commissions.

(4) The provisions of this Code concerning the section election commissions in Bulgaria shall be applied to the mobile section election commissions.

Holding Consultations

Art. 91. (1) Consultations shall be held at the Mayor of the relevant Municipality, which shall be public. The day, the hour and the place of the conduct thereof shall be publicly communicated and shall be published on the Internet site of the Municipal administration not later than three days in advance of their conduct.

(2) The consultations shall be attended by the political parties represented in Parliament and coalitions of political parties and the political parties and the coalitions of political parties, which have Members of the European Parliament for the Republic of Bulgaria but are not represented in Parliament. The consultations may be attended by other political parties and coalitions of political parties.

(3) The consultations shall be conducted not later than 35 days in advance of election day.

(4) At the consultations, the political parties and the coalitions of political parties as referred to in Para. (2) herein shall present:

1. a proposal in writing for a complement of the section election commissions, which shall state the names of the nominees, Uniform Civil Number, position in the commission, educational attainment, specialist qualifications and nominating party or coalition of political parties;

2. a copy of the certificate of current legal status of the political party as at the date of scheduling of elections or of the decision on the establishment of the coalition of political parties, whereby are certified the powers of the persons representing the political party or the coalition of political parties;

3. an authorisation from the persons representing the respective party or the coalition of political parties, in the cases where authorised persons participate in the consultations.

(5) The political parties and coalitions of political parties shall present, attached to the proposal thereof referred to in p. 1 of Para. (4) a list of the alternate members who will replace the nominees thereby in the cases referred to in Art. 51, Para. (2) herein or where a member of the section election commission fails to show up on the election day. Any such replacement shall require a decision of the regional or Municipal election commission.

(6) A protocol on the results of the consultations conducted shall be drawn up and shall be signed by the participants in the said consultations. Upon a refusal to sign the protocol, as well as where the protocol is signed with a dissenting opinion, the reasons of the participants shall be attached. The written objections of the political parties and coalitions or political parties, if any, shall be attached as well.

(7) In the cases where no consensus is reached between the political parties and the coalitions of political parties having taken part in the consultations, the Municipality Mayor shall, not later than 30 days in advance of election day transmit the documents as referred to in Para. (4), (5) and (6) herein to the regional or Municipal election commission.

(8) In the cases where consensus is reached, the Mayor shall present in the regional or in the Municipal election commission:

1. a proposal in writing for a composition of the section election commissions together with a list of alternate members containing the names of the nominees, Uniform Civil Number, position in the Commission, educational attainment, specialist qualifications and nominating party or coalition of political parties;

2. the documents as referred to in Para. (4) and (5), as presented by the political parties and the coalitions of political parties;

3. the protocols from the consultations with the representatives of the political parties and the coalitions of political parties, and including their objections in writing;

4. a copy of the notice of conduct of the consultations and the manner of announcement of the said notice.

(9) The proposal of the Mayor as referred to in Para. (8) herein shall be made not later than 30 days in advance of election day. In the case where a new Municipality is established the proposal shall be made by the appointed interim mayor subject to the same conditions.

(10) Where the Municipality Mayor or the interim Mayor of the newly established Municipality has failed to make proposal within the period as referred to in Para. (9) herein, the said Mayor or the interim Mayor shall transmit without delay the documents as referred to in Para. (4), (5) and (6) in the regional or Municipal election commission.

(11) In the cases where consensus is reached, the regional or Municipal election commission shall appoint the section election commissions on the basis of the proposal of the Mayor of the Municipality made according to the procedure of Para. (8) herein.

(12) In the cases where no consensus is reached or the Municipality Mayor has failed to make proposal within the period as referred to in Para. (9) herein, the regional or Municipal election commission shall appoint the section election commissions on the basis of the proposals made by the political parties and the coalitions of political parties.

(13) In the cases where the regional or Municipal election commission fails to appoint the section election commissions within the period as referred to in Art. 89, it shall transmit without delay the whole documentation to the Central Election Commission, which shall appoint the section election commissions.

Composition

Art. 92. (1) The section election commission shall be composed of chairperson, deputy chairperson, secretary and members.

(2) The section election commission shall be represented by its chairperson, and in specific cases, by a deputy chairperson, secretary or a member as may be appointed by a decision of the Commission.

(3) The representatives of one party or coalition of political parties may not have majority in the section election commission. The chairperson, the deputy chairperson and the secretary may not be from the same party or coalition of political parties.

(4) The number of the members of the section election commission, including chairperson, deputy chairperson and secretary, shall be:

1. for polling stations with under 500 voters inclusive: up to seven members, but not fewer than five;

2. for polling stations with more than 500 voters: up to nine members, but not fewer than five.

(5) The number of the members of the mobile section election commission, including chairperson, deputy chairperson and secretary, shall be up to seven members, but not fewer than five.

(6) Upon determining the composition and the heads of the section election commissions in the framework of the Municipality for the respective region the proportion of the political parties and coalitions of political parties represented in the region or Municipal election commission shall be kept.

(7) Upon conduct of elections of MPs, President and Vice President of the Republic and of Members of the European Parliament for the Republic of Bulgaria the political parties and the coalitions of political parties, which have Members of the European Parliament but are not represented in Parliament, shall be entitled to not more than two per cent of the members of the section election commissions within the framework of the Municipality for the respective region.

(8) Upon conduct of elections of Municipal councillors and for Mayors the political parties and the coalitions of political parties, which have Members of the European Parliament but are not represented in Parliament, shall be entitled to not more than two per cent of the members of the section election commissions, but not fewer than one member within the framework of the Municipality for the region.

(9) In case that the political parties represented in Parliament and coalitions of political parties and the political parties and the coalitions of political parties, which have Members of the European Parliament but are not represented in Parliament, have failed to make proposals on all members they are entitled to, and in the cases where they have made proposals for fewer members, the vacant positions shall be filled at the proposal of other political parties and coalitions of political parties, which have participated in the consultations under Art. 91, Para. (2) herein. Any such filling shall be made by drawing lots according to the arrangements and procedure as may be defined by the decision of the Central Election Commission.

Status

Art. 93. (1) The section election commission shall implement its powers as of the day of appointment and finalization thereof of the respective type of election, the handover of the election stationery and materials in the region or Municipal election commission and the Municipal administration and displaying a copy of the tally sheet at a prominent place before the polling station of the copy of the tally sheet under Art. 282, Para. 6 or Art. 441, Para. 6 and of the signed note with digital data of the relevant tally sheet

(2) In the execution of the functions thereof, the members of the section election commissions shall be treated as officials within the meaning given by the Criminal Code.

(3) The members of election commissions may not wear distinguishing signs of any party, coalition of political parties and nomination committees and may not canvass.

Seal

Art. 94. (1) The section election commission has a seal. The seal shall state the name and the number of the relevant section election commission.

(2) The seal of the section election commission and of the mobile section election commission shall be shaped in different manners.

Requirements to the Members

Art. 95. For members of the section election commission shall be appointed persons, who are entitled to vote in the respective type of election and have a good command of the Bulgarian language.

Incompatibility

Art. 96. To the members of the section election commission shall apply the limitations of Article 66.

Remuneration and Social Insurance

Art. 97. (1) The members of the section election commissions shall receive remuneration for their work on the election day and for the next day inclusive.

(2) The remuneration of the members shall be determined by the Central Election Commission. The amounts of the remunerations by positions shall be determined applying the methodology as referred to in p. 7 of Art. 57, Para. (1) herein.

(3) The remuneration of the members of the section election commission shall not be taxable under the Taxes on Natural Persons Income Act.

(4) For the time necessary for working on the respective commission, the members of election commissions shall be provided with social and health insurance as persons performing work in elective office. The social and health insurance contributions under the Social Insurance Code and the Health Insurance Act of the members of the section election commission shall be on the account of the executive budget.

Leave

Art. 98. The members of the section election commission shall be excused from the official duties thereof for the day prior to the elections, for the election day and for the subsequent day. During that time the said persons shall use an unpaid service leave which shall count as labour or civil experience or, at their request, the paid annual leave to which they are entitled.

Sessions

Art. 99. (1) The sessions of the section election commission shall be chaired by the chairperson, and in his absence by the deputy chairperson.

(2) The section election commission shall hold a session when more than the half of its members are present.

(3) The section election commission shall pronounce by decisions, which shall be adopted by a majority of two thirds of the present members and shall be signed by the chairperson and the secretary. Where the required majority has not voted in favour of a decision, a refusal shall be presumed, which shall be appealable according to the procedure of the Code.

(4) Minutes of proceedings shall be taken for the sessions of election commission, and the said minutes shall be signed by the chairperson and the secretary.

(5) The members of election commissions may sign minutes and vote on decisions with a dissenting opinion, expressly noting whether they vote in favour or against the particular decision and formulating the dissenting opinion.

(6) Where the chairperson or, respectively, the secretary is absent, the decisions, minutes and certificates shall be signed by the secretary or, respectively, by the chairperson, and by the deputy chairperson. Where both the chairperson and the secretary are absent, the decisions shall be signed by a deputy chairperson and a member designated by decision of the commission proposed by different political parties and coalitions of political parties.

Powers of the Commission

Art. 100. (1) The section election commission in Bulgaria shall:

1. implement the activities on the application of this Code and the legal regulations thereto related at the polling site and in the area of the polling station;

2. assist to the arrangement of the polling site according to the requirements of this Code and with a view to ensuring access to voting for persons with sight or locomotor impairment;

3. provide free and undisturbed conduct of voting in the polling station;

4. count the votes cast in favour of the candidate lists upon all types of elections; count the preferences for the candidates of political parties and coalitions of political parties upon elections of MPs, Members of the European Parliament for the Republic of Bulgaria and municipal councillors; issue an abstract of the tally sheet showing the voting results in the polling station and deliver it to the constituency or Municipal election commission within 24 hours upon the end of voting;

5. deliver the remaining papers and materials to the Municipal administration within the period as referred to in p. 4;

6. examine all complaints and signals for breaches in the election process in conformity with its powers, pronouncing thereon without delay and prior to the end of the election day; and communicating the decision to the complainant forthwith;

7. declare the voting results in a generally accessible place in front of the polling station by placing a copy of the signed tally sheet under Art. 282, Para. 6 or Art. 441, Para. 6 for the respective type of election;

8. provide against signature of the members of the commission, the candidates, the election agents, the representatives of the political parties, the coalitions of political parties and the nomination committees and the observers a photocopy of the signed abstract of the tally sheet for the respective type of election with the voting results in the polling station, sealed each page with the seal of the commission and signed by the chairperson, the deputy chairperson and the secretary.

(2) The activities shall be distributed among the members of the section election commission and shall be made by a decision in writing upon the opening of the polls.

(3) The directions of the chairperson of the section election commission shall be binding upon all citizens at the polling site. Such directions may be repealed by decision of the section election commission.

(4) Any decision of the section election commission, related to barring a voter from voting, shall be in writing and shall be delivered to the interested person. The decision may be appealable before the regional or the Municipal election commission, which shall pronounce forthwith.

Section V

Section Election Commissions Abroad

Appointment

Art. 101. Upon conduct of elections of MPs, for Members of the European Parliament for the Republic of Bulgaria and for President and Vice President of the Republic, the Central Election Commission shall appoint section election commissions for each polling station abroad not later than 12 days in advance of election day, except in the cases under Art. 104.

Holding Consultations

Art. 102. (1) Consultations shall be held at the Central Election Commission. The day, the hour and the place of the conduct thereof shall be publicly communicated and shall be published on the Internet site of the Central Election Commission not later than three days in advance of their conduct.

(2) The consultations shall be attended by the political parties represented in Parliament and coalitions of political parties and the political parties and the coalitions of political parties, which have Members of the European Parliament but are not represented in Parliament. The consultations may furthermore be attended by other political parties and coalitions of political parties which have registered candidates.

(3) At the consultations, the political parties and the coalitions of political parties as referred to in Para. (2) herein shall present not later than 16 days in advance of election day:

1. a proposal in writing for a composition of the section election commissions, which shall state the names of the nominees, Uniform Civil Number, position in the commission, educational attainment, specialist qualifications and nominating party or coalition of political parties;

2. a copy of the certificate of current legal status of the political party as at the date of scheduling of elections or of the decision on the establishment of the coalition of political parties, whereby are certified the powers of the persons representing the political party or the coalition of political parties;

3. an authorisation by the persons representing the respective party or the coalition of political parties, in the cases where authorised persons participate in the consultations.

(4) The political parties and coalitions of political parties shall present, attached to the proposal thereof referred to in Para. 3, p.1 herein, a list of the alternate members who will replace the nominees thereby in the cases referred to in Art. 51, Para. (2) herein or where a member of the section election commission fails to show up on the election day. Any such replacement shall require a decision of the Central Election Commission.

(5) A protocol on the results of the consultations conducted shall be drawn up and shall be signed by the participants in the said consultations. Upon a refusal to sign the protocol, as well as where the protocol is signed with a dissenting opinion, the reasons of the participants shall be attached. The written objections of the political parties and coalitions or political parties, if any, shall be attached as well.

(6) The Central Election Commission shall appoint the section election commissions on the basis of the proposals of the political parties represented in Parliament and coalitions of political parties and of the political parties and the coalitions of political parties, which have Members of the European Parliament but are not represented in Parliament.

(7) In case that the political parties represented in Parliament and coalitions of political parties and the political parties and the coalitions of political parties, which have Members of the European Parliament but are not represented in Parliament, have failed to make proposals for all members they are entitled to, and in the cases where they have made proposals for fewer members, the vacant positions shall be filled at the proposal of other political parties and coalitions of political parties, which have participated in the consultations as referred to in Para. (2) herein. Any such filling shall be made by drawing lots according to the arrangements and procedure as may be defined by the decision of the Central Election Commission.

Proposal by the Minister of Foreign Affairs

Art. 103. (1) The Central Election Commission shall appoint in each section election commission one member each as nominated by the Minister of Foreign Affairs or by a Deputy Minister authorised by him.

(2) The Minister of Foreign Affairs or the Deputy Minister authorised by him may make the proposal as referred to in Para. (1) herein on the basis of proposals by organisations of Bulgarian citizens in the respective country.

(3) The Minister of Foreign Affairs or the Deputy Minister authorised by him shall make the proposal as referred to in Para. (1) herein not later than 16 days in advance of election day. The proposal shall be accompanied by a list of alternate members who would

replace the nominees in the cases as referred to in Art. 51, Para. (2) herein or where a member of the section election commission fails to turn up on the election day. Any such replacement shall be subject to decision by the Central Election Commission.

Filling Vacancies

Art. 104. (1) Where party or coalition of political parties under Art. 102, Para. (6) herein or (7) has failed to make a proposal, the Central Election Commission not later than 5 days in advance of election day shall appoint for members of the section election commissions persons proposed by the heads of the respective diplomatic missions or consular representations or by the Minister of Foreign Affairs or a Deputy Minister authorised by him.

(2) The heads of the respective diplomatic missions or consular representations or the Minister of Foreign Affairs or the Deputy Minister authorised by him may make the proposals on the basis of proposals by organisations of Bulgarian citizens in the respective country.

Replacements to the Members Proposed

Art. 105. The political parties and the coalitions of political parties, and the Minister of Foreign Affairs or a Deputy Minister authorised by him may make proposals of replacements to of a member of section election commission nominated by them. The proposal shall be presented in the Central Election Commission not later than 7 days in advance of election day. The Commission shall make the replacements not later than 5 days in advance of election day.

Expenditure Bearing

Art. 106. (1) The expenditures made in relation to dispatching the members included in the section election commissions and suggested by political parties and coalitions of political parties, shall be on the account of the respective party and coalition of political parties.

(2) The members included in the section election commissions and suggested by the Minister of Foreign Affairs or by a Deputy Minister authorised by him shall be seconded by the Minister of Foreign Affairs.

Composition

Art. 107. (1) The section election commission abroad shall be composed of chairperson, deputy chairperson, secretary and members.

(2) The section election commission shall be represented by its chairperson, and in specific cases, by a deputy chairperson, secretary or a member as may be appointed by a decision of the Commission.

(3) The representatives of one party or coalition of political parties may not have majority in the section election commission. The chairperson, the deputy chairperson and the secretary may not be from the same party or coalition of political parties.

(4) The number of the members of the section election commission, including chairperson, deputy chairperson and secretary, shall be:

1. for polling stations with under 500 voters inclusive: up to seven members, but not fewer than five;

2. or polling stations with more than 500 voters: up to nine members, but not fewer than five.

(5) Upon determining the composition and the heads of the section election commissions the ratio of the political parties represented in Parliament and coalitions of political parties shall be retained. The proportion shall be determined, after from the number of the members as referred to in Para. (4) herein the members have been excluded proposed by the Minister of Foreign Affairs or by a Deputy Minister authorised by him under Art. 103.

Powers of the Commission

Art. 108. (1) The section election commission abroad shall:

1. implement the activities and see to the application of this Code and the legal regulations thereto related at the polling site and in the area of the polling station;

2. assist to the arrangement of the polling site according to the requirements of this Code and with a view to ensuring access to voting for persons with sight or locomotor impairment;

3. provide free and undisturbed conduct of voting in the polling station;

4. count the votes cast in favour of the candidate lists upon all types of elections; count the preferences for the candidates of political parties and coalitions of political parties upon elections of Members of the European Parliament for the Republic of Bulgaria and issue an abstract of the tally sheet;

5. without delay, but not later than 24 hours local time on the election day, transmit to the Central Election Commission a scanned copy of the signed tally sheet under Art. 282 and of the list for voting abroad;

6. deliver, care of the diplomatic mission or the consular representation, the election stationery and materials, as well as the tally sheet of the section election commission by the next Diplomatic Bag to the Ministry of Foreign Affairs for delivery to the Central Election Commission; within seven days after receipt of the tally sheet and the rest of the election stationery and materials, the Ministry of Foreign Affairs shall transmit them to the Central Election Commission;

7. examine all complaints and signals for breaches in the election process, pronouncing thereon without delay and prior to the end of the election day; and communicating the decision to the complainant forthwith without delay;

8. declare the voting results in a generally accessible place in front of the polling station by placing a copy of the signed tally sheet under Art. 282, Para. 6 for the respective type of election;

9. provide against signature of the members of the commission, the candidates, the election agents, the representatives of the political parties, the coalitions of political parties and the nomination committees and the observers a photocopy of the signed abstract of the tally sheet for the respective type of election with the voting results in the polling station, sealed each page with the seal of the commission and signed by the chairperson, the deputy chairperson and the secretary.

(2) The activities shall be distributed among the members of the section election commission shall be made by a decision in writing upon the opening of the polls.

(3) The directions of the chairperson of the section election commission shall be binding upon all citizens at the polling site. Such directions may be revoked by decision of the section election commission.

Appeal

Art. 109. The actions of the section election commissions abroad shall be appealable before the Central Election Commission. Any such appeal may be lodged with the Central Election Commission directly by electronic means or care of the head of the diplomatic mission or consular representation, who shall dispatch without delay the said complaint forthwith to the Central Election Commission. The Central Election Commission shall pronounce forthwith, within one hour after receipt of the appeal and before the closing of the polls. The decision shall be made public without delay and shall not be subject to appeal.

Unsettled Issues

Art. 110. Any issues unsettled by this Section shall be governed by the rules applicable to the section election commissions in Bulgaria.

Chapter Six OBSERVERS

Scope of Activity. Total Number of Observers

Art. 111. (1) The observers shall implement their activities as of their registration and through to the announcement of the election results.

(2) Upon conduct of elections of Municipal councillors and Mayors, the observers shall implement their activities as of their registration and through to the scheduling of the next general elections, with the registration of organisations and observers referred to in Art. 112 shall retain its force. The organisation may make changes to the list of registered observers.

(3) The total number of observers registered by one non-governmental organisation may not exceed the number of polling stations in Bulgaria.

(4) The total number of observers abroad registered by one non-governmental organisation upon elections of MPs, President and Vice President of the Republic and of Members of the European Parliament for the Republic of Bulgaria, may not exceed the number of polling stations abroad.

Registration of the Observers

Art. 112. (1) Until the election day, the Central Election Commission shall register the observers:

1. expressly authorised representatives of registered Bulgarian non-governmental organisations;

2. international representatives of the European Parliament, of international Parliaments, of the Organisation for Security and Co-operation in Europe, of the Parliamentary Assembly of the Council of Europe and other Parliamentary Assemblies, of foreign political parties and movements, as well as persons who are not Bulgarian citizens as appointed by political parties, coalitions of political parties and nomination committees which have registered candidates.

(2) The Central Election Commission shall register the Bulgarian non-governmental organisations, which would wish to participate with expressly authorised representatives as observers in the elections.

(3) The registration of the organisations as referred to in Para. (2) herein shall be made on the basis of an application signed by the person representing the organisation according to its current judicial registration or by a person expressly authorised by him.

(4) The following shall be attached to the application as referred to in Para. (3) herein:

1. current legal status certificate;

2. express authorisation by the person representing the organisation in the cases where the documents are submitted by the authorised person;

3. a list signed by the person representing the respective organisation or by the person expressly authorised by him, containing the names and the Uniform Civil Number, and, respectively, another identifying number for the persons who are not Bulgarian citizens, of expressly authorised representatives of the organisation to be registered as observers;

4. authorisations of expressly authorised representatives of the organisation to be registered as observers; the representatives of the non-governmental organisation may be authorised by a general authorisation.

(5) The Ministry of Foreign Affairs shall extend an invitation to the organisations as referred to in p. 2 of Para. (1) herein, and to the persons specified by the political parties, coalitions of political parties and nomination committees, which have registered candidates or by foreign political parties and movements.

(6) The Central Election Commission shall register the observers as referred to in p. 2 of Para. (1) herein, on the basis of a request by the Ministry of Foreign Affairs, whereto a list shall be attached containing the names, the sending organisation, party or movement and the State of origin of the observers suggested for registration.

(7) The Central Election Commission shall register the observers on the basis of the list as referred to in p. 3 of Para. (4) herein, subject to the requirement of Art. 111, Para. (3) and 4.

(8) The Central Election Commission shall issue certificates to the registered observers within a 3-day term as of the submission of the application or request.

Register of Observers. Publicity

Art. 113. The Central Election Commission shall publish on the Internet site thereof a Register of Observers containing the organisations and authorised representatives registered as observers in the respective type of election. The access to the personal data in the register shall be subject to the requirements of the Personal Data Protection Act

Rights of the Observers

Art. 114. (1) The observers shall be entitled to:

1. be present at the sessions of the election commissions;
 2. be present at the printing and the delivery of the paper ballots;
 3. be present at receiving of the election stationery and materials and the preparation of the polling sites;
 4. be present at the polling site at the opening and closing the election day;
 5. be present at the polling site during voting;
 6. be present at the polling site at the opening of the ballot-boxes and at the establishment of the voting results, wherefor direct visibility shall be provided to them;
 7. be present at the delivery of the ballot papers, the other papers and materials to the commissions under Art. 287, para. (7) herein and Art. 445, para. (7) herein;
 8. be present at the entry and re-entry in the election commissions and the computation centres of the data from the tally sheets with the voting results of the section election commissions; only one observer may be present at the entry of the data from the same organisation;
 9. receive against signature a photocopy of the tally sheet for the respective type of election with the voting results in the polling station, and with the voting results in the respective region (borough);
 10. lodge complaints and signals for breaches in the election process;
 11. perform audit and check of the system for machine voting;
 12. be present of all the other stages of the election process.
- (2) Not more than two observers from the same organisation may be present at one polling station, with only one of them being allowed to be present at the polling site. The observers shall not be bound to a specific polling station
- (3) The observers are entitled to vote with Non-Resident Voting Certificate issued according to the procedure of Art. 34.
- (4) The State and the local authorities and their administrations and the election commissions shall be required to co-operate with the observers and, at their request, provide them with information and documents relevant to the execution of their powers.

Identity Support and Distinguishing Signs

Art. 115. (1) Throughout all the stage of the election process the observer shall support his identity by showing his certificate as issued thereto. Any such certificate shall be issued in a single copy.

(2) On the Election Day, the observers shall be required to wear only distinguishing signs according to a standard form as approved by the Central Election Commission. The observers who wear distinguishing signs other than those allowed by the Central Election Commission, or do not wear distinguishing signs shall be removed from the polling station by a decision of the section election commission. The decision shall be appealable before the regional or Municipal election commission, which shall pronounce without delay. The decision shall not be subject to appeal.

Obligations of the Observers

Art. 116. (1) One person may not be simultaneously an observer and a pollster.

(2) The observer may not be a companion.

(3) For their activities, the observers may not receive remuneration from political parties, coalitions of political parties, nomination committees and their candidates.

Chapter Seven ELECTION AGENTS

Scope of Activity. Total Number of Election Agents

Art. 117. (1) The election agents shall render support and represent the interests of the candidates in the candidate lists of the political parties, the coalitions of political parties and the nomination committees before the State and local authorities, the public organisations and the election commissions.

(2) The election agent shall have freedom of expression and canvassing and in both oral and written form at election meetings, and care the media service providers.

(3) Election agent may be person who has attained the age of 18 years, is not interdicted and is not serving a custodial sentence.

(4) The total number of the election agents of each candidate list of a party, coalition of political parties and a nomination committee may not exceed the number of polling stations in the respective region (borough).

(5) The total number of the election agents abroad of each candidate list of a party and coalition of political parties and of nomination committee upon elections of MPs, President and Vice President of the Republic and of Members of the European Parliament for the Republic of Bulgaria may not exceed the number of polling stations abroad.

(6) One candidate list may be represented by one election agent per one polling station on the election day. Upon conduct of elections of Municipal councillors and for Mayors the candidate lists for Municipal councillors and for Mayors of the same party or coalition of political parties may only be represented by a total of one election agent per one polling station on the election day. The election agents shall not be bound to a specific polling station.

(7) One person may only be an election agent of one candidate list.

Registration of Election Agents

Art. 118. (1) The election agents shall be registered prior to the election day on the basis of an application signed the person representing the political party or by the persons representing the coalition of political parties or expressly authorised by them. The application of the nomination committee shall be signed by the person representing the nomination committee. In the cases where the application is submitted by authorised persons, the relevant authorisation shall also be presented. The application shall be accompanied by a list signed by the persons as referred to in sentence one or two, containing the names and the Uniform Number, and, respectively, another identifying number for the persons who are not Bulgarian citizens, of the persons to be registered as election agents.

(2) The registration of the election agents shall be made by the regional or Municipal election commission subject to the requirement of Art. 117, Para. (4) herein.

(3) The registration of the election agents abroad shall be made by the Central Election Commission subject to the requirement of Art. 117, Para. (5) herein.

(4) Election agent may be replaced by an additionally registered election agent in the cases where the election agent may not exercise his rights or where a proposal has been made by the respective party, coalition of political parties or nomination committee. The total number of such additional election agents per each candidate list of a party, coalition of political parties and a nomination committee may be up to one third from the number of polling stations in the respective region (borough). The region or Municipal election commission shall register the election agent according to the procedure of Para. (1) herein and shall issue a certificate thereto. The certificate of the replaced election agent shall be annulled. Any such replacement shall be added on the public register of the election agents without delay.

(5) Upon conduct of new election for President, Vice president of the Republic in the cases under Art. 93, Para. 4, of the Constitution, respectively a second round in elections for Mayor, the registration, made by the Central election Commission, the regional or Municipal election commission of the election agents of candidate lists of political parties, coalition of political parties and nomination committees for the first election or the first round shall preserve

its force. Between the two elections or rounds of elections, new election agents may also be registered.

Quality of the Election Agent

Art. 119. The election agents shall be regarded as having the quality of officials within the meaning of Letter 'b' of p. 1 of Art. 93 of the Criminal Code as of the registration of the candidate lists and through to the announcement of the election results. Where the registration of an independent candidate has been deleted, the deletion shall furthermore be in force as to his election agents.

Rights and Obligations of the Election Agent

Art. 120. (1) The election agent shall be entitled to:

1. render support to the candidates from the candidate list of a party, coalition of political parties or a nomination committee in the region (borough) and to represent their interests;
2. be present at the sessions of the election commissions;
3. be present at receiving of the election stationery and materials and the preparation of the polling sites;
4. be present at the polling site at the opening and closing the election day;
5. be present at the polling site during voting;
6. be present at the polling site at the opening of the ballot-boxes and at the establishment of the voting results, wherefor direct visibility shall be provided to them;
7. be present at the entry and re-entry in the election commissions and in the computation centres of the data from the tally sheets with the voting results of the section election commissions;
8. receive against signature a photocopy of the tally sheet for the respective type of election with the voting results in the polling station, and with the voting results in the respective region (borough).

(2) At the sessions of the commissions may only be present one election agent of candidate list from each political party, coalition of political parties or nomination committee, and upon elections of Municipal councillors and for Mayors the candidate lists for Municipal councillors and for Mayors of the same party or coalition of political parties may only be represented by a total of one election agent.

(3) The election agent may not be companion.

Distinguishing Signs

Art. 121. (1) On the Election Day, the election agents shall be required to wear only distinguishing signs according to a standard form as approved by the Central Election Commission. The election agents who wear distinguishing signs other than those allowed by the Central Election Commission, shall be removed from participation on the election day with decision of the section election commission. The decision shall be appealable before the regional or Municipal election commission, which shall pronounce without delay. The decision shall not be subject to appeal.

(2) As of their registration and through to the announcement of the election results the election agents shall support their identity by showing their certificates issued thereto. Any such certificate shall be issued in a single copy.

Register of Election Agents. Publicity

Art. 122. (1) The regional or Municipal election commission shall publish on the Internet site thereof register of the election agents by candidate lists. The access to the personal data in the register shall be implemented, subject to the requirements of the Personal Data Protection Act.

(2) The Central Election Commission shall publish on the Internet site thereof register of the election agents abroad of candidate lists.

Election Agents Abroad

Art. 123. This Chapter shall furthermore be applied to the election agents abroad.

Chapter Eight REPRESENTATIVES OF POLITICAL PARTIES, COALITIONS OF POLITICAL PARTIES AND NOMINATION COMMITTEES

Total Number of Representatives. Identity Support

Art. 124. (1) At a polling station on the election day may only be present one representative of a party, coalition of political parties or a nomination committee which have registered candidates.

(2) The total number of representatives of a party, coalition of political parties or a nomination committee may not exceed the number of polling stations in the respective region (borough).

(3) The total number of the representatives of a party, coalition of political parties or a nomination committee abroad upon elections of MPs, President and Vice President of the Republic and of Members of the European Parliament for the Republic of Bulgaria may not exceed the number of polling stations abroad.

(4) Each political party, coalition of political parties or nomination committee shall prepare a list containing the names, the Uniform Civil Number, the number and the date of the authorisation of the persons, which are authorised to represent them on the Election Day. Any such list shall be signed and delivered prior to the election day to the regional, and, respectively, to the Municipal election commissions in the relevant region (borough) by the person representing the political party or the persons representing the coalition of political parties or by persons expressly authorised by them. The regional, and, respectively, the Municipal election commissions shall publish the list on the Internet site thereof, subject to the requirements of the Personal Data Protection Act.

(5) The representative of party, coalition of political parties and a nomination committee shall support his identity by showing an authorisation issued by the person representing the respective party, coalition of political parties or nomination committee or by a person expressly authorised by him.

(6) The representatives of party, coalition of political parties and a nomination committee whose candidates participate in a new election for President, Vice President of the Republic in the cases under Art. 93, Para. 4 of the Constitution, or second round in election for Mayor may support their identity with an authorization, issued for the first election or the first round of elections. Between the two rounds of elections the parties, coalition of political parties and a nomination committee, participating in them may also authorize new representatives.

Distinguishing Signs

Art. 125. The representatives of the political parties, coalitions of political parties and nomination committees shall be required to wear on the election day only distinguishing signs according to a standard form as approved by the Central Election Commission. The representatives, which wear distinguishing signs other than those allowed by the Central Election Commission, or do not wear distinguishing signs shall be removed from the polling station by a decision of the section election commission. The decision shall be appealable before the regional or Municipal election commission, which shall pronounce without delay. The decision shall not be subject to appeal.

Rights and Obligations

Art. 126. (1) The representatives of the political parties, coalitions of political parties and nomination committees shall be entitled to:

1. be present at the polling site at the opening and closing the election day;
2. be present at the polling site during voting;
3. be present at the polling site at the opening of the ballot-boxes and at the establishment of the voting results, wherefor direct visibility shall be provided to them;

4. be present at the entry and re-entry in the election commissions and in the computation centres of the data from the tally sheets with the voting results of the section election commissions;

5. receive against signature a photocopy of the tally sheet for the respective type of election with the voting results in the polling station, and with the voting results in the respective region (borough);

6. lodge complaints and signals for breaches in the election process.

(2) At the sessions of the commissions may only be present one representative of each political party, coalition of political parties or nomination committee.

(3) The representatives of political parties, coalitions of political parties and nomination committees may not be companions.

Chapter Nine **REGISTRATION OF POLITICAL PARTIES, COALITIONS OF POLITICAL PARTIES** **AND NOMINATION COMMITTEES**

Section I **Participation in the Elections**

Method of Participation in the Elections

Art. 127. (1) Each political party may participate in each single type of election either independently or in coalition of political parties with other political parties.

(2) Each political party may participate in each single type of election only in one coalition of political parties.

(3) Each political party or coalition of political parties registered in the Central Election Commission may participate in elections of Municipal councillors, Municipality Mayors, borough Mayors and Mayoralty mayors either independently or in various local coalitions of political parties for each single type of election.

(4) Nomination committees for nomination of independent candidates may be established and participate in each single type of election.

Name or Abbreviation

Art. 128. (1) The name or the abbreviation of coalition of political parties, including of local coalition of political parties, may not repeat the name or the abbreviation of party registered under the Political Parties Act prior to the date of the promulgation in the State Gazette of the Decree of the President or of the decision of the National Assembly on the scheduling of elections, including by adding thereto words, letters, digits or other symbols.

(2) The prohibition as referred to in Para. (1) herein shall be inapplicable where the name or the abbreviation of the coalition of political parties repeats the name or the abbreviation of any of the coalition member parties.

(3) The name or the abbreviation of the coalition member parties may be added in brackets to the name or the abbreviation of the coalition of political parties.

(4) The Central Election Commission shall, upon all types of elections and the respective Municipal election commission upon elections of Municipal councillors and of Mayors, make a check of the implementation of the requirements as laid down in Para. (1) and (2) herein. In case any deficiencies or discrepancies are established, the Central Election Commission and, respectively, the Municipal election commission shall without delay give instructions as to the reconciling thereof within a 3-day term, but not later than the registration deadline.

(5) Where within the period as referred to in Para. (4) herein the deficiencies or discrepancies have not been reconciled, the respective election commission shall refuse registration.

(6) Such registration refusal by the Central Election Commission shall be appealable before the Supreme Administrative Court according to the procedure of Art. 58.

(7) Such registration refusal by the Municipal election commission shall be appealable before the Central Election Commission according to the procedure of Art. 88.

Deposit

Art. 129. (1) For participation in elections for MPs, for President and Vice President of the Republic and of Members of the European Parliament for the Republic of Bulgaria the political parties, the coalitions of political parties and the nomination committees shall pay in a non-interest-bearing deposit to an account with the Bulgarian National Bank. The deposit as referred to herein shall be:

1. for political parties and coalitions of political parties: BGN 2 500
2. for nomination committees: BGN 100.

(2) The political parties, the coalitions of political parties and the nomination committees pay no deposit for participation in elections for Municipal councillors and for Mayors.

Refunds

Art. 130. The Central Election Commission shall refund not later than 7 days as of the announcement of the final election results with decision the deposit to:

1. the political parties and the coalitions of political parties, which have gained not less than one per cent of the valid votes at a national level;
2. the nomination committees, whose candidates have gained:
 - a) valid votes equal to not less than a quarter of the regional voter quota, upon elections of MPs;
 - b) not less than one per cent of the valid votes, upon elections of President and Vice President of the Republic and of Members of the European Parliament for the Republic of Bulgaria.

Unreimbursed sums. Accounting

Art. 131. (1) The unreimbursed sums of deposits as referred to in Art. 129, Para. (1) herein shall be transferred in favour of the *Children Treatment Fund* Centre at the Minister of Health.

(2) The deposit sums under Art. 129, Para. (1) herein shall not be considered as expenditure of the political parties, coalitions of political parties or nomination committees related to the financing of the election campaign.

Section II Registration of Political Parties

Competent Body

Art. 132. (1) The political parties shall be registered for participation in the elections with the Central Election Commission.

(2) Upon conduct of elections of Municipal councillors and for Mayors the political parties registered in the Central Election Commission shall furthermore be registered for participation in the respective Municipal election commission.

Documents for Registration of Political Parties

Art. 133. (1) The political parties, shall present at the Central Election Commission An application of registration not later than 45 days in advance of election day. The application shall be signed by the person representing the political party according to its current judicial registration. The application may furthermore be signed by the person expressly authorised by the person representing the political party.

(2) The application as referred to in Para (1) herein shall state:

1. the full or abbreviated name of the political party according to the court registration thereof;

2. the full or abbreviated name of the political party as declared for printing on the ballot papers;

3. an application for registration to run in the elections;

4. address and telephone at which the political party can be contacted and a contact person.

(3) The political party shall present, attached to the application for registration:

1. a certificate of legal status current as at the date of scheduling of elections;

2. a specimen of the signature of the person representing the political party;

3. a specimen of the seal of the political party;

4. a bank document proving a deposit has been paid in as referred to in Art. 129, Para. (1) herein: solely upon elections of MPs, of President and Vice President of the Republic and of Members of the European Parliament for the Republic of Bulgaria;

5. a list containing the names, the Uniform Civil Number and manual signatures of not fewer than 2500 voters supporting the registration; upon elections of Members of the European Parliament for the Republic of Bulgaria, and in elections for Municipal councillors and for Mayors the registration of the political party may furthermore be supported by voters who are nationals of another Member State of the European Union, and the lists shall contain the names, the number of the residence certificate and the date of registration stated therein, and signature; each voter may only participate in one list; the list shall be furthermore delivered in a structured electronic form, containing the names and the Uniform Civil Numbers (Personal Numbers) of the voters who have affixed their signatures in the sequence, in which they are entered in the list;

6. a certificate issued by the Bulgarian National Audit Office under Art. 37 Para.(1) of the Political parties Act on financial statements submitted by the political party for each of the last three years and, applicable to newly registered political parties, since the date of the court registration thereof;

7. a certificate of an active bank account to be used to service the election campaign only;

8. the names and the offices of the persons to be responsible for the proceeds, expenditure, and accountability of the political party related to the election campaign;

9. an explicit authorisation from the person representing the respective party, in the cases where the documents are submitted by authorised persons.

(4) The personal data referred to in p. 5 of Para. (3) herein shall be processed and provided in compliance with the requirements of the Personal Data Protection Act.

Requirements for Registration. Refusal of Registration

Art. 134. (1) The Central Election Commission shall conduct a check of the documents covered under Art. 133 and take a decision on the registration of the political party not later than 45 days in advance of the election day.

(2) In case any deficiencies or discrepancies are established, the Central Election Commission shall, without delay, give instructions as to the reconciling thereof within a 3-day term, but not later than the registration deadline. In case the deficiencies or discrepancies have not been reconciled within the period as referred to in sentence one, the Central Election commission shall refuse registration.

(3) The refusal of registration shall be appealable before the Supreme Administrative Court according to the procedure of Art. 58. If the court revokes the decision appealed, the Central Election Commission shall forthwith register the political party for participation in the elections, regardless of whether the time limit referred to in Para. (1) herein has expired, but not later than 35 days in advance of election day.

Check of the Lists. Official Deletion of Registration

Art. 135. (1) The lists as referred to in p. 5 of Art. 133, Para. (3) herein in structured electronic mode shall be delivered to the Directorate General of Civil Registration and Administrative Services at the Ministry of Regional Development for check without delay.

(2) The Directorate General of Civil Registration and Administrative Services at the Ministry of Regional Development shall perform the check not later than 42 days in advance of election day.

(3) As to the results of the check, the Directorate General of Civil Registration and Administrative Services at the Ministry of Regional Development shall draw up an inspection sheet in two copies, one of which shall be presented to the Central Election Commission. The data from the check shall be safeguarded within 6 months as of the conduct of elections.

(4) The Central Election Commission shall establish the results of the lists as referred to p. 5, Art. 133, para. (3) herein, on the basis of the check carried out by the Directorate General of Civil Registration and Administrative Services at the Ministry of Regional Development. Upon request by the political party registered for participation, the Central Election Commission shall provide to it in writing the data on the inspection sheet as referred to in Para. (3) herein and the result established as per the political party rolls presented as referred to in p. 5, Art. 133, para. (3) herein.

(5) Where, as a result of the check carried out by the Directorate General of Civil Registration and Administrative Services at the Ministry of Regional Development and upon the expiration of the registration deadline it is established that the political party fails to meet the requirements as referred to in p. 5 of Art. 133, Para. (3) herein, its registration shall be deleted with decision, which shall be communicated forthwith to the political party and shall be appealable according to the procedure of Art. 58.

Verification on the List

Art. 136. The Central Election Commission shall enable each voter who is a Bulgarian citizen due search ability on the list as referred to in p. 5 of Art. 133, Para. (3) herein, by Uniform Civil Number, and, respectively, by Personal Number for each voter who is a national of another Member State of the European Union, upon elections of Members of the European Parliament for the Republic of Bulgaria and for Municipal councillors and Mayors, including by means of a free of charge phone number.

Deletion of Registration

Art. 137. (1) A political party may request the deletion of its registration to run in the elections not later than 32 days in advance of election day. The deletion shall be made subject to an application in writing of the political party to the Central Election Commission signed by the person representing the political party or by the person expressly authorised by him. The political party shall furthermore attach the decision on deletion to any such application.

(2) By its registration deletion decision, the Central Election Commission shall refund the deposit under Art. 129, Para. (1) herein paid in by the respective party or coalition of political parties.

(3) The deposit under Art. 129, Para. (1) herein shall be refunded not later than 7 days as of the enforcement of the decision of the Central Election Commission as referred to in Para. (2) herein.

(4) Para. 2 and 3 shall furthermore apply in the case of deletion the registration of a party under Art. 135, Para. (5) herein.

Dispatch of the Lists to the Regional or Municipal Election Commissions upon the End of Registration

Art. 138. Upon the end of registration, the Central Election Commission shall transmit to the political parties of the regional or Municipal election commissions without delay:

1. a list of registered political parties;
2. information on the deleted political parties.

Section III Registration of Coalitions of Political Parties

Competent Body for Registration of Coalitions of Political Parties

Art. 139. (1) The coalitions of political parties shall be registered for participation in the elections at the Central Election Commission.

(2) Upon conduct of elections of Municipal councillors and for Mayors the coalitions of political parties registered at the Central Election Commission shall be registered for participation and in the respective Municipal election commission.

Documents for Registration of Coalitions of Political Parties

Art. 140. (1) The political parties, which have formed coalition of political parties for participation in elections, on the basis of common decision, shall present to the Central Election Commission application of registration not later than 45 days in advance of election day. The application shall be signed by the persons representing the coalition of political parties according to the decision on the formation thereof. The application may furthermore be signed by the persons, expressly authorised by the persons representing the coalition of political parties.

(2) The application as referred to in Para. (1) herein shall state:

1. the full or abbreviated name of the coalition of political parties according to the decision on the formation thereof;

2. the full or abbreviated name of the coalition of political parties as declared for printing on the ballot papers;

3. an application for registration to run in the elections;

4. address, telephone and a contact person.

(3) The coalition of political parties shall present, attached to the application for registration:

1. for each of the political parties participating in the coalition:

a) a certificate of legal status current as at the date of scheduling of elections;

b) a specimen of the signature of the person representing the political party;

c) a specimen of the seal of the political party;

d) a certificate issued by the Bulgarian National Audit Office under Art. 37, Para. (1) of the Political Parties Act proving the required financial statements of the political party for each of the last three years have been submitted, and as regards to newly registered political parties: as of the date of their court registration;

2. decision on the establishment of the coalition of political parties signed by the persons representing the political parties and sealed with the seals of the participating political parties;

3. specimens of the signatures of the persons representing the coalition of political parties;

4. a specimen of the seal of the coalition of political parties, if any;

5. a bank document proving a deposit has been paid in as referred to in Art. 129, Para. (1) herein - solely upon elections of MPs, of President and Vice President of the Republic and of Members of the European Parliament for the Republic of Bulgaria;

6. a list, containing the names, the Uniform Civil Number and handwritten signature of not fewer than 2500 voters supporting the registration; upon elections of Members of the European Parliament for the Republic of Bulgaria the registration of the political party may furthermore be supported by voters who are nationals of another Member State of the European Union, and the lists shall contain the names, the personal number, the number of the residence certificate and the date of registration stated therein, and signature; each voter may only participate in one list; the list shall be furthermore delivered in a structured electronic form, containing the names and the Uniform Civil Numbers (Personal Numbers) of the voters who have affixed their signatures in the sequence, in which they are entered in the list;

7. a certificate of an active bank account, the account holder of which should be the political party under Art. 164, Para. (2) herein, to be used to service the election campaign only;

8. the names and the offices of the persons to be responsible for the proceeds, expenditure, and accountability of the coalition of political parties related to the election campaign;

9. an authorisation from the persons representing the coalition of political parties, in the cases where the documents are submitted by authorised persons.

(4) The personal data as referred to in p. 6 of Para. (3) herein shall be processed and provided, subject to the requirements of the Personal Data Protection Act.

Requirements for Registration. Refusal of Registration

Art. 141. (1) The Central Election Commission shall conduct a check of the documents covered under Article 140 and take a decision on the registration of the coalition of political parties not later than 45 days in advance of the election day.

(2) In case any deficiencies or discrepancies are established, the Central Election Commission shall, without delay, give instructions as to the reconciling thereof within a 3-day term, but not later than the registration deadline. In case the deficiencies or discrepancies have not been reconciled within the period as referred to in sentence one, the Central Election Commission shall refuse registration.

(3) Such registration refusal shall be appealable before the Supreme Administrative Court according to the procedure of Art. 58. Where the court reverses the judgement appealed, the Central Election Commission shall without delay register the coalition of political parties for participation in the elections, irrespectively of whether the period under Para. (1) herein has expired or not, but not later than 35 days in advance of election day.

Check of the lists. Default Deletion of Registration

Art. 142. (1) The lists as referred to in p. 6 Art. 140, Para. (3) herein, shall be delivered electronically and without delay to the Directorate General of Civil Registration and Administrative Services at the Ministry of Regional Development for check.

(2) The Directorate General of Civil Registration and Administrative Services at the Ministry of Regional Development shall perform the check not later than 42 days in advance of election day.

(3) As to the results of the check, the Directorate General of Civil Registration and Administrative Services at the Ministry of Regional Development shall draw up an inspection sheet in two copies, one of which shall be presented to the Central Election Commission. The data from the check shall be safeguarded within 6 months as of the conduct of elections.

(4) The Central Election Commission shall establish the results of the lists as referred to in p. 6 Art. 140, Para. (3) herein on the basis on the basis of the check carried out by the Directorate General of Civil Registration and Administrative Services at the Ministry of Regional Development. Upon request by coalition of political parties registered for participation, the Central Election Commission shall provide to it in writing the data on the inspection sheet as referred to in Para. (3) herein, and the result established as per the political party lists presented as referred to in p. 6 Art. 140, Para. (3) herein.

(5) Where, as a result of the check carried out by the Directorate General of Civil Registration and Administrative Services at the Ministry of Regional Developments and upon the expiration of the registration deadline it is established that the political party fails to meet the requirements as referred to in p. 6 Art. 140, Para. (3) herein, its registration shall be deleted with decision, which shall be communicated forthwith to the coalition of political parties and shall be appealable according to the procedure of Art. 58.

Verification on the List as Referred to in p. 6 Art. 140, Para. (3) herein

Art. 143. The Central Election Commission shall enable each voter who is a Bulgarian citizen an option to search the list as referred to in p. 6 Art. 140, Para. (3) herein, by Uniform Civil Number, and, respectively, by Personal Number for each voter who is a national of another Member State of the European Union, upon elections of Members of the European Parliament for the Republic of Bulgaria and for Municipal councillors and Mayors, including by means of a free of charge phone number.

Changes to the Composition of Coalition of Political Parties

Art. 144. (1) Changes to the composition of coalition of political parties having occurred upon its registration at the Central Election Commission, shall be made subject to submission of an application and presentation of a decision concerning the changes, which needs to meet the requirements for establishment of the coalition of political parties, not later than 35 days in advance of election day.

(2) In case the coalition of political parties includes new political parties, these new political parties shall, not later than 35 days in advance of election day, present the documents as referred to in p. 1 Art. 140, Para. (3) herein.

(3) In case one or more political parties leave the coalition of political parties, its registration shall be retained if at least two political parties have remained in that coalition.

(4) In case where a political party, whose name or abbreviation is included in the name of the coalition of political parties, leaves the coalition of political parties, the Central Election Commission shall, by the decision whereby institutes the change to the composition of the coalition of political parties, furthermore set a three-day term for a change of the name of the coalition of political parties. The coalition of political parties shall retain its registration for participation in the elections if, within the term set, changes its name by a decision on such change and lodges an application thereto with the Central Election Commission. The Central Election Commission shall delete the name or the abbreviation of the political party, which has left the coalition, from the name of the coalition of political parties.

(5) Any changes having occurred in the composition of coalition of political parties shall be furthermore registered in the register of the Central Election Commission subject to the submission of an application by the persons representing the political party or the coalition of political parties not later than 32 days in advance of election day.

(6) The Central Election Commission shall delete the political parties, which have left the coalition, from the name of the coalition of political parties not later than 32 days in advance of election day.

(7) A party included in the composition of coalition of political parties may not participate in the elections as an independent political party.

(8) A party included in the composition of coalition of political parties, which leaves the coalition upon the registration of the coalition of political parties, but not later than 45 days in advance of election day, may participate of elections as an independent political party, subject to registration according to the procedure of Section II of this Chapter.

Deletion of the Registration

Art. 145. (1) Coalition of political parties may request the deletion of its registration to run in the elections not later than 32 days in advance of election day. The deletion shall be made subject to an application in writing of the coalition of political parties to the Central Election Commission signed by the persons representing the coalition of political parties persons. The application the coalition of political parties shall furthermore be accompanied by an attached decision on deletion signed by the persons representing the political parties included in the coalition of political parties or by persons expressly authorised by them.

(2) With the decision for deletion of the registration, the Central Election Commission shall refund the deposit under Art. 129, Para. (1) herein paid in by the respective coalition of political parties.

(3) The deposit under Art. 129, Para. (1) herein shall be refunded not later than 7 days as of the enforcement of the decision of the Central Election Commission as referred to in Para. (2) herein.

(4) Para. (2) and (3) shall furthermore apply in the case of deletion of the registration of coalition of political parties under Art. 142, Para. (5) herein.

Dispatch of the Lists to the Regional or Municipal Election Commissions upon the End of Registration

Art. 146. Upon the end of registration, the Central Election Commission shall transmit to the coalitions of political parties of the regional or Municipal election commissions without delay:

1. a list of registered coalitions of political parties;

2. information on the changes made to the composition and name of the coalitions of political parties according to the procedure of Art. 144, Para. (4), (5), (6) and (8) herein;
3. information on the deleted coalitions of political parties.

Section IV

Registration of Political Parties, Coalitions of Political Parties and Local Coalitions of Political Parties in the Municipal Election Commissions

Registration of the Political Parties and the Coalitions of Political Parties Registered at the Central Election Commission

Art. 147. (1) The political parties and the coalitions of political parties registered with the Central Election Commission shall be registered for participation in elections of Municipal councillors and for Mayors on the basis of application of registration presented in the respective Municipal election commission not later than 40 days in advance of election day. The application shall state what type of election the registration is requested for. A separate application shall be lodged for each single type of election.

(2) The political parties from one coalition of political parties registered at the Central Election Commission may not be registered as independent parties with a Municipal election commission, nor may they enter individually, outside the coalition of political parties where they are registered with the Central Election Commission, nor may they enter other coalitions of political parties within the territory of the Municipality.

(3) The application shall be presented by a decision of the political party. The application shall be signed by the persons representing the political party or the coalition of political parties or by persons expressly authorised by them.

(4) The application shall state:

1. the full or abbreviated name of the political party or the coalition of political parties to be printed in the ballot paper;
2. an application for registration to run in the elections, which should state the type of election the registration is to be made for;
3. address, telephone and contact person.

(5) The following shall be attached to the application:

1. a copy of the party registration certificate of the political party or of the coalition of political parties at the Central Election Commission;
2. decision on the establishment of the coalition of political parties signed by the persons representing the political parties, and sealed with the seals of the participating political parties.

3. an authorisation of the persons authorised to represent the political party or the coalition of political parties before the Municipal election commission, in the cases where the documents are submitted by authorised persons.

(6) The Municipal election commission shall perform a check of the documents presented and take a decision on the registration of the political party or coalition of political parties not later than 40 days in advance of the election day.

(7) In case any deficiencies or discrepancies are established, the Municipal election commission shall, without delay, give instructions as to the reconciling thereof within a 3-day term, but not later than the registration deadline. In case the deficiencies or discrepancies have not been reconciled within the period as referred to in sentence one, the Municipal election commission shall refuse registration.

(8) A refusal of the Municipal election commission shall be appealable before the Central Election Commission according to the procedure of Art. 88.

Registration of Local Coalitions of Political Parties

Art. 148. (1) The local coalitions of political parties shall be established for participation in elections of Municipal councillors and for Mayors only by political parties and coalitions of political parties registered at the Central Election Commission.

(2) The local coalitions of political parties shall be registered on the basis of application of registration presented in the respective Municipal election commission not later than 40 days in advance of election day. The application shall state what type of election the registration is requested for. A separate application shall be lodged for each single type of election.

(3) The application shall be presented by a decision of the local coalition of political parties. The application shall be signed by the persons representing the local coalition of political parties or by persons expressly authorised by them.

(4) The application shall state:

1. the full or abbreviated name of the local coalition of political parties to be printed in the ballot paper;

2. an application for registration to run in the elections, which should state the type of election the registration is to be made for;

3. address, telephone and contact person.

(5) The following shall be attached to the application of local coalition of political parties:

1. a decision on the establishment of the local coalition of political parties, which shall state who is the person authorised to represent it and for what type of election the coalition is established for; the decision must be signed by the authorised representatives of the member political parties and coalitions of political parties; where the decision is on participation in more than one type of election in the Municipal election commission, only one original shall be presented for the relevant Municipality;

2. specimens of the signatures of the persons representing the local coalition of political parties;

3. a specimen of the seal of the local coalition of political parties, if any;

4. authorisations of the persons who have signed the decision on the establishment of the local coalition of political parties;

5. a copy of the party registration certificate at the Central Election Commission for each political party and coalition of political parties participating in the local coalition of political parties;

6. a certificate of an active bank account, the account holder of which should be the political party under Art. 164, para. (2) herein, to be used to service the election campaign only;

7. the names and the offices of the persons to be responsible for the proceeds, expenditure, and accountability of the local coalition of political parties related to the election campaign.

(6) The Municipal election commission shall perform a verification check of the documents presented and take a decision on the registration of the local coalition of political parties not later than 40 days in advance of the election day.

(7) In case any deficiencies or discrepancies are established, the Municipal election commission shall, without delay, give instructions as to the reconciling thereof within a 3-day term, but not later than the registration deadline. In case the deficiencies or discrepancies have not been reconciled within the period as referred to in sentence one, the Municipal election commission shall refuse registration.

(8) The refusal of the Municipal election commission shall be appealable before the Central Election Commission according to the procedure of Art. 88.

Changes to the Composition of Local Coalition of Political Parties

Art. 149. (1) Changes to the composition of local coalition of political parties having occurred upon its registration with the Municipal election commission, shall be made subject to submission of an application and presentation of a decision concerning the changes, which needs to meet the requirements for establishment of the local coalition of political parties not later than 35 days in advance of election day.

(2) In case the local coalition of political parties includes new political parties, these new political parties shall, not later than 35 days in advance of election day, present the documents as referred to in p. 5 of Art. 148, Para. (5) herein.

(3) In case one or more political parties or coalitions of political parties leave the local coalition of political parties, its registration shall be retained if at least two political parties or coalitions of political parties have remained in that coalition.

(4) In case where a political party or coalition of political parties, whose name or abbreviation is included in the name of the local coalition of political parties, leaves the local coalition of political parties, the Municipal election commission shall, by the decision whereby institutes the change to the composition of the local coalition of political parties, furthermore set a three-day term for a change of the name of the local coalition of political parties. The local coalition of political parties shall retain its registration for participation in the elections if, within the term set, changes its name by a decision on such change and lodges an application thereto at the Municipal Election Commission. The Municipal Election Commission shall delete the name or the abbreviation of the political party, which has left the local coalition, from the name of the local coalition of political parties.

(5) Any changes having occurred in the composition of a local coalition of political parties shall be registered in the register of the Municipal election commission subject to the submission of an application by the persons representing the coalition of political parties, not later than 32 days in advance of election day.

(6) The Municipal election commission shall delete the political parties and the coalitions of political parties, which have left the local coalition from the name of the local coalition of political parties not later than 32 days in advance of election day.

(7) A party or coalition of political parties included in the composition of local coalition of political parties, which leaves the local coalition upon the registration of the local coalition of political parties, but not later than 40 days in advance of election day, may participate of Elections independently, may participate of elections as an independent political party, subject to registration according to the procedure of Art. 147.

Deletion of the Registration of the Political Parties, Coalitions of Political Parties and Local Coalitions of Political Parties Registered in the Municipal Election Commission

Art. 150. The political parties, coalitions of political parties and local coalitions of political parties registered in the Municipal election commission, may request the deletion of their registration for participation in the elections not later than 32 days in advance of election day. The deletion shall be made subject to an application in writing of the respective party, coalition of political parties or local coalition of political parties signed by the persons who represent them or by persons expressly authorised by them thereto. The application the coalition of political parties, and, respectively, the local coalition of political parties shall furthermore be accompanied by an attached decision on deletion signed by the persons representing the political parties, and, respectively, the member coalitions of political parties or by persons expressly authorised by them thereto.

Section V Registration of Nomination Committee

Establishment of Nomination Committee

Art. 151. (1) A nomination committee shall be established for nomination of an independent candidate.

(2) A nomination committee shall be established by three to seven voters with permanent address or residence address (for nationals of another Member State of the European Union), on:

1. the territory of the election region: upon elections of MPs, of Municipal councillors and of Mayors;

2. the territory of Bulgaria: upon elections of Members of the European Parliament for the Republic of Bulgaria.

(3) For nomination of candidates for President and Vice President of the Republic shall be established nomination committee with no fewer than 21 voters with permanent address within the territory of Bulgaria.

(4) Each voter may participate only in one nomination committee.

(5) The members of the nomination committee shall determine by a decision the person who will represent them.

Competent Body for Registration

Art. 152. The nomination committees shall be registered at:

1. The Central Election Commission upon elections of:

- a) President and Vice President of the Republic;
- b) Members of the European Parliament for the Republic of Bulgaria;

2. the Regional Election Commissions: upon elections of MPs;

3. the Municipal election commissions: upon elections of Municipal councillors and for Mayors.

Requirement for Registration

Art. 153. (1) The nomination committee shall present an application of registration signed by all members of the committee, not later than 40 days in advance of election day.

(2) The application shall be submitted by the person representing the nomination committee.

(3) The application shall state:

1. the names, the Uniform Civil Number (Personal Number) and permanent address (residence address) of the voters under Art. 151, Para. (2) herein or (3).

2. the names, the Uniform Civil Number (Personal Number) and address of the candidate, whom the nomination committee is established for;

3. an application for registration of the nomination committee for participation in the elections;

4. address, telephone and a contact person.

(4) Here are the items to be attached to the application:

1. decision on the establishment of the nomination committee and a decision on the appointment of the person who will represent thereof;

2. specimens of the signatures of the persons participating in the nomination committee, authenticated by a notary;

3. a model declaration signed by each member of the nomination committee that shall be entitled to vote in the respective type of election;

4. a model declaration signed by each member of the nomination committee that he will not process or provide the personal data of the persons included in the independent candidate support list for purposes other than the purposes under this Code;

5. a bank document proving a deposit has been paid in as referred to in Art. 129, Para. (1) herein: solely upon elections of MPs, of President and Vice President of the Republic and of Members of the European Parliament for the Republic of Bulgaria;

6. a certificate of an active bank account in the name of the account holder whereof is the person representing the nomination committee, to be used to service the election campaign only;

7. the names and the offices of the persons to be responsible for the proceeds, expenditure, and accountability of the nomination committee related to the election campaign.

Check and Registration

Art. 154. (1) The respective election commission shall conduct a check of the documents covered under Art. 153 and take a decision on the registration of the nomination committee. In case any deficiencies or discrepancies are established, the Commission shall, without delay, give instructions as to the reconciling thereof within a 3-day term, but not later than the registration deadline.

(2) In case the deficiencies or discrepancies have not been reconciled within the period as referred to in Para. (1) herein, the respective election commission shall refuse registration.

(3) The refusal of the Central Election Commission shall be appealable before the Supreme Administrative Court according to the procedure of Art. 58.

(4) The refusal of the regional or Municipal election commission shall be appealable before the Central Election Commission according to the procedure of Art. 73, and, respectively, according to the procedure of Art. 88.

Deletion Registration of Nomination Committee

Art. 155. (1) Nomination committee may request its registration for participation in the elections to be deleted not later than 32 days in advance of election day. The deletion shall be made subject to an application in writing of the nomination committee to the respective election commission signed by the person representing the nomination committee.

(2) By its registration deletion decision, the election commission shall refund the deposit paid in by the respective nomination committee under Art. 129, Para. (1) herein.

(3) The deposit under Art. 129, Para. (1) herein shall be refunded not later than 7 days as of the enforcement of the decision of the election commission as referred to in Para. (2) herein.

Chapter Ten CANDIDATES

Section I Requirements

Nomination of Candidates

Art. 156. (1) Candidates may be nominated by political parties, coalitions and nomination committees registered for the respective type of elections.

(2) Candidates, nominated by parties, coalitions and nomination committees shall be ranked on candidate lists.

Formation of Candidate Lists

Art. 157. (1) Each independent candidate, as well as each candidate for a Mayor shall form a separate candidate list.

(2) Coalitions shall run in the elections with a common candidate list. Political parties participating in coalitions cannot run in the elections with independent candidate lists of their own.

(3) Political parties and coalitions participating in local coalitions shall not register their own lists or candidates other than those of the local coalitions.

(4) An independent candidate shall not be included in a candidate list of a political party or a coalition.

Banning Parties and Coalitions from Nominating Candidates

Art. 158. Servicemen in the armed forces, officers in the Diplomatic Service, officers with the Ministry of Interior, civil servants with the National Intelligence Service, National Security Service and State Agency Technical Operations, civil servants from State Agency for National Security, judges, prosecutors and investigators, as well as other persons, whose membership in political parties is prohibited by law, shall not be nominated or registered as candidates on behalf of political parties or coalitions. Such citizens can participate in elections as independent candidates.

Section II Rights and Obligations of Candidates

Status

Art. 159. (1) Candidates shall have the capacity of officials within the meaning of the Criminal Code in the period between the registration of the candidate lists and the announcement of the results of the elections.

(2) Where the registration of a candidate is deleted, the rights and obligations referred to in Para. 1 shall be terminated as from the day of the deletion.

Inviolability of Candidates

Art. 160. (1) In the period between registration day and the announcement of the results of the elections the registered candidates shall not be detained or constituted as accused parties except in case of a committed indictable offense and following an authorization by the Central Election Commission based on a reasoned request on the part of the Prosecutor General.

(2) Authorization for detention shall not be required in case of flagrante delicto and in such a case the Central Election Commission shall immediately be notified thereof.

(3) Where a candidate's registration has been deleted, the rights referred to in Para. 1 shall be terminated as from the day of the deletion.

(4) The provision of Para. 1 shall not apply where the registered candidates were detained or constituted as accused parties before the date of registration.

(5) The Central Election Commission shall determine the procedure for issuing the authorization referred to in Para. 1.

Leave of Absence of the Candidates

Art. 161. (1) A candidate who holds a government office, except for a candidate for a Municipal councillor, shall use either unpaid service leave of absence or paid annual leave in the period from the registration to the announcement of the election results.

(2) A candidate for a Municipal councillor, who holds government office, shall use a leave of absence for the days on which he or she participates in election campaign events.

(3) The leave of absence shall be recognized as length of employment or civil service and as a contribution period for retirement purposes.

(4) If a registration is deleted, the leave of absence shall be terminated as from the day of the deletion. Where a deletion is revoked, the leave of absence shall be regarded as uninterrupted.

(5) The provisions under Para. 1 shall not apply to the Prime Minister, the Deputy Prime-Ministers, the members of Parliament, the President and the Vice President of the Republic. Their powers shall be sustained even after their registration as candidates.

(6) The provisions under Para. 1, 3, 4 and 5 shall also apply to candidates for members of the European Parliament from the Republic of Bulgaria, who hold one of the positions referred to in Article 389.

Chapter Eleven

FINANCIAL, RELATED TO THE ELECTION CAMPAIGN

Sources of Financing

Art. 162. (1) A political party that has registered candidates may finance its election campaign from:

1. own financial resources of the party;
2. financial resources of the candidates;
3. donations by natural persons.

(2) A coalition that has registered candidates may finance its election campaign from:

1. own financial resources of the parties, which participate in it;
2. financial resources of the candidates;
3. donations made by natural persons to one of the parties in the coalition identified

in compliance with Art. 164,(2).

(3) A nomination committee that has registered a candidate may finance its election campaign from:

1. financial resources of the members of the nomination committee;
2. financial resources of the candidates;
3. donations made by natural persons to the person identified in compliance with

Art. 164(1).

Submission of Bank Account Details

Art. 163. (1) Within five days after the registration of the parties and coalitions for participation in all types of elections and of the nomination committees for participation in elections for a President and Vice President of the Republic and for members of the European Parliament from the Republic of Bulgaria, the Central Election Commission shall submit to the Bulgarian National Audit Office the details of their bank account, intended to service their election campaign and the names and positions of the persons referred to in Art. 164. In case of replacement of the persons, the political party, coalition or nomination committee shall submit to the Bulgarian National Audit Office the names and positions of the new persons within three days after the replacement.

(2) Within five days after the registration of nomination committees for participation in parliamentary elections the regional election commissions shall submit to the Bulgarian National Audit Office the details of their bank accounts intended to service their election campaigns and the names and positions of the persons referred to in Art. 164. In case of replacement of the persons, the nomination committee shall submit to the Bulgarian National Audit Office the names and positions of the new persons within three days after the replacement.

(3) Within five days after the registration of local coalitions and nomination committees for participation in elections for Municipal councillors and Mayors, Municipal election commissions shall submit to the Bulgarian National Audit Office the details of their bank accounts intended to service their election campaigns and the names and positions of the persons referred to in Art. 164. In case of replacement of the persons, the coalition or nomination committee shall submit to the Bulgarian National Audit Office the names and positions of the new persons within three days after the replacement.

Persons responsible for revenues, expenditures and accounting reports

Art. 164. (1) Each party and nomination committee shall designate a person or persons that shall be responsible for their revenues, expenditures and their accounting reports related to the election campaign.

(2) Each coalition shall designate one of the parties participating in it in charge of the revenues and expenditures and of the accounting reports of the coalition related to its election campaign, as well as a person or persons as per Para. 1.

Total Amount of the Financing

Art. 165. (1) The total amount of the financing of each election campaign of the parties, coalitions and nomination committees shall not exceed:

1. in case of elections for MPs for the National Assembly:
 - a) BGN 3 000 000 per party and per coalition;
 - b) BGN 200 000 per nomination committee.
2. in case of elections for MPs of a Grand National Assembly:
 - a) BGN 4 000 000 per party, or coalition;
 - b) BGN 200 000 per nomination committee.
3. in case of elections for a President and Vice-President of the Republic of Bulgaria and for members of the European Parliament from the Republic of Bulgaria:

a) BGN 2 000 000 per political party, coalition or nomination committee in case of elections for a President and a Vice-President of the Republic of Bulgaria, as well as per party and coalition in the case of elections for members of the European Parliament from the Republic of Bulgaria;

a) BGN 2 000 000 per political party, coalition or nomination committee in case of elections for a President and a Vice-President of the Republic of Bulgaria, as well as per party and coalition in the case of elections for members of the European Parliament from the Republic of Bulgaria;

b) BGN 100 000 per nomination committee in case of elections for members of the European Parliament from the Republic of Bulgaria;

4. in case of elections for Municipal councillors and Mayors:

a) BGN 8 000 000 per party and coalition;

b) the maximum amount of the funds under Para. 2, 3, 4 and 5 per nomination committee.

(2) A maximum amount of BGN 5000 may be spent per one candidate for a Municipal councillor as part of the total amount of the funding referred to in Para. 1, p. 4.

(3) The following amounts can be spent on a candidate for a Mayor of a Municipality as part of the total amount of the funding referred to in Para. 1, p. 4:

1. Up to BGN 25 000 for a Municipality with population of up to 30 000 inhabitants;

2. Up to BGN 50 000 for a Municipality with population of up to 60 000 inhabitants;

3. Up to BGN 100 000 for a Municipality with population of up to 100 000 inhabitants;

4. Up to BGN 250 000 for a Municipality with population of up to 200 000 inhabitants;

5. Up to BGN 500 000 for a Municipality with population of up to 500 000 inhabitants;

6. Up to BGN 1 000 000 for a Municipality with population of up to 500 000 inhabitants.

(4) The following amounts can be spent on a candidate for a Mayor of a region as part of the total amount of the funding referred to under Para. 1, p. 4:

1. Up to BGN 20 000 for a region with population of up to 25 000 inhabitants;

2. Up to BGN 40 000 for a region with population of up to 50 000 inhabitants;

3. Up to BGN 60 000 for a region with population of up to 100 000 inhabitants;

4. Up to BGN 60 000 for a region with population of up to 100 000 inhabitants.

(5) The following amounts can be spent on a candidate for a Mayor of a Mayoralty as part of the total amount of the funding referred to in Para. 1, p. 4:

1. Up to BGN 2000 for a Mayoralty with population of up to 1000 inhabitants;

2. Up to BGN 6000 for a Mayoralty with population of up to 3000 inhabitants;

3. Up to BGN 10 000 for a mayoralty with population of up to 3000 inhabitants.

(6) The total amount of the funds that parties, coalitions and nomination committees shall be entitled to spend for each election campaign shall include all the sources of funding referred to in Art. 162.

Financing of Elections within One Calendar Year

Art. 166. In case of performance of different types of elections in one calendar year, the requirements set out in Art. 165 shall apply to each type of elections separately.

Financing and Supporting of an Election Campaign

Art. 167. (1) The donation made by one natural person to one party or coalition shall not exceed BGN 10 000 per one calendar year.

(2) The donation made by one natural person to one nomination committee and the candidate or candidates registered by it shall not exceed BGN 10 000.

(3) Natural persons may provide to a party, a coalition or a nomination committee only their own real estate and chattels for gratuitous use in relation to election campaigns.

(4) Natural persons may provide to a party, a coalition or a nomination committee only such gratuitous services in relation to election campaigns that are performed by rendering personal labour.

Bans Related to the Financing and Support of an Election Campaign

Art. 168. (1) A party, a coalition or a nomination committee shall not receive the following in relation to an election campaign:

1. anonymous donations in any form;

2. funds from legal persons and sole traders;

3. funds from foreign natural persons, except for persons, who are nationals of another Member State of the European Union and who have electoral rights under the Code;

4. funds from religious institutions;

5. funds from foreign governments or foreign state-owned enterprises, foreign trade companies or foreign non-profit organizations.

(2) The persons referred to in Para. 1, p. 2 – 5 shall not provide real estate and chattels for gratuitous use or gratuitous services in any form in relation to an election campaign.

(3) Public administrative resources shall not be used free-of-charge in relation to an election campaign.

Declaration Obligations

Art. 169. (1) Where the total amount of a donation made by a single natural person exceeds one minimum monthly salary, the donor shall submit a standard declaration on the origin of the donated funds.

(2) Where the total amount of the funds provided by a candidate or a member of a nomination committee exceeds one minimum monthly salary, they shall submit a standard declaration on the origin of the funds.

(3) Where, in relation to an election campaign, a natural person provides real estate or chattels of theirs for gratuitous use in the election campaign, they shall submit a standard declaration regarding the ownership of that real estate or those chattels.

Bank Transfer and Checking

Art. 170. (1) The financing of revenues and expenditures related to an election campaign and exceeding BGN 1000 shall be performed via bank transfer.

(2) Where the amount of the funds donated or provided for use tops BGN 1000, the Bulgarian National Audit Office shall check the correspondence between the amount of the funds donated or provided for the respective election campaign and the amount of the person's income. The check shall cover the period from the performance of the previous elections of the same type to the day of submission of the respective declaration referred to in Art. 169, Para. 1 or 2.

(3) In order to conduct the check, the President of the Bulgarian National Audit Office shall require information from the National Revenue Agency about the revenues and other competent bodies and institutions.

(4) The bodies and institutions referred to in Para. 3 shall provide the required information to the Bulgarian National Audit Office within one month after receiving the request.

(5) The officials carrying out the check shall be entitled to direct access to the electronic database of the bodies and institutions referred to in Para. 3. The granting of access shall not relieve the bodies and institutions referred to in paragraph 3 from the obligation to submit the information requested by the Bulgarian National Audit Office in writing.

(6) The Bulgarian National Audit Office shall announce the results of the check via the register referred to in Art. 171, Para. (1).

Single Public Register

Art. 171. (1) A single public register of the parties, coalitions and nomination committees registered for participation in the respective type of elections shall be created at the Bulgarian National Audit Office and it shall be maintained from the launching of an election campaign until the next elections of the same type.

(2) The following shall be published in the register referred to in Para. 1:

1. the circumstances referred to in Art. 17 of the Political Parties Act;

2. the name of the coalition and the name of the nomination committee and the names of the persons, who represent them;

3. the name of the party that has been designated by the coalition as responsible for the revenues, expenditures and its accountability;

4. the names of the person or persons, who is/are responsible for the revenues, expenditures and its accountability;

5. the names of the donors, the type, purpose, amount or value of the donations made;

6. the names of the candidates and the members of the nomination committees that have provided funds and the amount of the funds;

7. the names of the natural persons, who have provided property or services for gratuitous use in the election campaign, the period of their use, the type and description of the property provided for use and the type of the services;

8. the declarations on the origin of the donated funds, the declarations on the origin of the funds of the candidates and of the members of the nomination committees and the declaration by the natural persons on the ownership of the property provided for gratuitous use;

9. the names of the sociological agencies and of the advertising agencies, as well as of the public relations agencies with which the political parties, coalitions and nomination committees work.

(3) Within five days after the launching of the election campaign the parties, coalitions and nomination committees shall submit to the Bulgarian National Audit Office the information referred to in Para. 2, in hard copy and electronically, for entering it in the register.

(4) In the course of the election campaign the parties, coalitions and nomination committees shall submit to the Bulgarian National Audit Office, within a period of 7 days, the newly received information referred to in Para. 2, in hard copy or electronically, for entering it in the register.

(5) After the completion of the elections, the reports referred to in Art. 172 Para. (1) shall be published in the register.

(6) The Bulgarian National Audit Office shall determine the conditions and the procedure for entering the information referred to in Para. 2 into the register, as well as for remedying inaccuracies and omissions and shall announce them on its web site.

Report

Art. 172. (1) Within 30 days after election day the person representing the party or the nomination committee and the persons representing the coalition shall submit to the Bulgarian National Audit Office, in hard copy and electronically, a report on revenues, expenditures and payment commitments assumed in relation to the election campaign, along with a statement of their bank account. The declarations referred to in Article 169, Para. (1) and (3) shall be enclosed with the report.

(2) Within 30 days after election day the providers of media services, the sociological and advertising agencies, as well as the public relations agencies shall submit to the Bulgarian National Audit Office, in hard copy and electronically, information about the services provided to the parties, coalitions and nomination committees. The information shall be provided in a standard form approved by the Bulgarian National Audit Office and shall be published on its web site.

(3) The funds of the candidate or of a member of the nomination committee provided for the election campaign shall be accounted for in the report of the party, coalition or nomination committee referred to in Para. 1. The declaration referred to in Article 169, Para. (2) shall be enclosed with the report.

(4) The report referred to in Para. 1 shall be prepared and submitted in a standard form for each type of elections, approved by the Bulgarian National Audit Office. A report that fails to meet the requirements in terms of format, content and manner of presentation shall be considered not submitted. The Bulgarian National Audit Office shall set out the conditions and order of correcting inaccuracies and omissions.

(5) The Bulgarian National Audit Office shall publish on its web site the reports of the parties, coalitions and nomination committees referred to in Para. 1 within 15 days following the deadline for their submission.

(6) When the declared revenues and the expenditures incurred in relation to the election campaign exceed BGN 1000, the Bulgarian National Audit Office shall perform a compliance audit.

Samples of Declarations

Art. 173. The samples of the declarations referred to in this section shall be approved by the Bulgarian National Audit Office not later than 50 days prior to election day and shall be disclosed on its web site.

Unsettled Issues

Art. 174. The Political Parties Act shall apply to any unsettled issues of this Section.

Chapter Twelve RULES FOR CONDUCTING AN ELECTION CAMPAIGN

Section I General Rules

Launching of the Election Campaign

Art. 175. The election campaign shall be launched 30 days prior election day.

Access to Sources of Information

Art. 176. The candidates and the parties, coalitions and nomination committees that have registered candidates shall be entitled to equal access to the sources of the information they need for the purposes of the election campaign.

Ban on Anonymous Materials

Art. 177. Anonymous materials related to the election campaign shall not be published or broadcast.

Media Packages

Art. 178. (1) The state shall provide funds for media packages in the amount of BGN 40 000 to the parties and coalitions that have registered candidates in elections for President and Vice President of the Republic and for Members of the European Parliament for the Republic of Bulgaria and in all election regions in elections for MPs and which have no right to state subsidy under the Political Parties Act.

(2) The state shall provide funds for media packages in the amount of BGN 40000 to the nomination committees that have registered candidates in elections for President and Vice President of the Republic and in the amount of BGN 5000 to initiative committees, which have registered candidates in elections for Members of the European Parliament for the Republic of Bulgaria and in elections for MPs

(3) The media packages referred to in Para. 1 and 2 shall be in the account of the state budget and shall be used to pay for the different paid forms of coverage of the election campaign by the providers of media services.

(4) The Central Election Commission shall pay the various paid forms of reflection of the election campaign by exhaustion of the funds of the party, coalition or initiative committee under Para. 1 or 2.

(5) The procedure for provision and expenditure of the media packages shall be determined by the Central Election Commission in coordination with the Minister of Finance.

(6) The parties, coalitions and nomination committees shall announce in the register under Art. 171 and report in the report under Art. 172, Para. 1 the funds for the media packages which are paid for reflection of the events of their candidates.

Notification about Paid Content

Art. 179. When broadcasting, publishing and distributing paid forms of coverage of an election campaign, the providers of media services shall separate them through visual, sound or spatial means and shall indicate in an appropriate manner that the material is paid.

Information about the Contracts Concluded

Art. 180. (1) The providers of media services shall announce on their web sites information about the contracts concluded with the parties, coalitions and nomination committees that have registered candidates and/or with another contracting authority in connection with the election campaign, if the contract has been concluded with an intermediary.

(2) The information referred to in Para. 1 and announced by the electronic media shall contain details about:

1. the party, coalition or nomination committee;
2. the subject of the contract;
3. the term of the contract;
4. the channel where the contracted forms will be broadcast;
5. the total value in BGN net of VAT.

(3) The information referred to in Para. 1 and announced by the print media (newspapers, magazines and other periodicals) and online news services (electronic editions of newspapers, magazines, information agencies and other electronic editions) shall contain details about:

1. the party, coalition or nomination committee;
2. the subject of the contract;
3. the term of the contract;
4. the print media and the online news services where the contracted forms will be disseminated;
5. the total value in BGN net of VAT.

(4) The information referred to in Para. 2 and 3 shall be uploaded on the web sites of the providers of media services within three days after the signing of the respective contract and shall not be removed not earlier than the announcement of the election results.

Section II Election Canvassing

Canvassing Procedure

Art. 181. (1) Citizens, parties, coalitions, nomination committees, candidates and election agents shall enjoy freedom of verbal and written expression and of canvassing at election meetings, as well as via the media service providers.

(2) The election campaign shall be conducted in Bulgarian language.

(3) Election meetings shall be public. The organizers of such meetings and the units of the Ministry of the Interior shall be responsible for the maintenance of order when they are held. The meetings shall be organized in compliance with the Act on Gatherings, Meetings and Manifestations.

Prohibitions of Canvassing

Art. 182. (1) Election canvassing shall not be allowed at state and Municipal agencies and institutions, state and Municipal undertakings and in trade companies with more than 50% state or Municipal participation in the capital.

(2) Persons holding elected positions in trade union and employer organizations shall not practice election canvassing at their place of work.

(3) State-owned and Municipality-owned transportation vehicles shall not be used for election canvassing.

(4) Election canvassing shall not be allowed for 24 hours prior to election day and on election day.

Canvassing Materials

Art. 183. (1) In the course of an election campaign candidates, parties, coalitions and nomination committees may create and distribute posters, addresses and other canvassing

materials. Each canvassing material shall contain an indication on whose behalf it has been issued.

(2) Each canvassing material shall contain a statement that vote buying and selling is a criminal offence and that statement shall take up not less than 10 per cent of the front-side area of the canvassing material and it shall be laid out in a separate field. In audio and audio-visual materials this information shall take the form of an unambiguous and easy to understand message.

(3) Canvassing materials shall be displayed at spots designated by the Mayor, while their display on buildings and fences and in shop windows shall require the permission of the owner or manager of the property.

(4) It shall be prohibited to use canvassing materials that jeopardize human life and health, private, Municipal and state-owned property and traffic safety, or materials that harm public decency, the honour and reputation of the candidates.

(5) It shall be prohibited to destroy and deface any canvassing materials, displayed according to the procedure established by this Code, before the closing of the polls.

Prohibition to Display Canvassing Materials on Polling Sites and Elsewhere

Art. 184. (1) It shall be prohibited to display canvassing materials of parties, coalitions and nomination committees on polling sites, as well as within less than 50 meters from the entrance of the building housing the polling site on election day and until the end of the voting.

(2) Should a section election commission establish the presence of materials referred to in Para. 1, it shall immediately remove them, where necessary, with the assistance of the Mayor or the Mayor's vicegerent and the units of the Ministry of the Interior.

Prohibition to Use Canvassing Materials Outside of the Election Campaign Period

Art. 185. (1) It shall be prohibited to display election canvassing materials outside of the election campaign period.

(2) Alerts on displayed election canvassing materials, referred to under Para. 1, shall be addressed to the regional Governor, respectively to the Mayor of the Municipality, region or Mayoralty.

(3) An order for removing the election canvassing materials shall be issued immediately by the Mayor of the Municipality, of the region or of the Mayoralty, or by the regional Governor.

(4) The order shall be served to the person, in whose favour the material is.

(5) In case the person in whose favour the election canvassing materials is fails to remove it within three days after the issuing of the order, the material shall be removed by the regional Governor, the Mayor of the respective Municipality, region or Mayoralty, and where necessary, assistance may be requested from the units of the Ministry of the Interior.

Removal and Seizure of Canvassing Materials

Art. 186. (1) The Mayor of the Municipality, region or Mayoralty, or the Mayor's vicegerent, following a decision of the constituency or Municipal election commission and, where necessary, with the assistance of the units of the Ministry of the Interior, shall remove or seize the canvassing materials displayed or distributed in violation of this Code. The removal and seizure of such materials on election day shall alternatively be performed on the basis of a decision of the section election commissions.

(2) Canvassing materials displayed or distributed in violation of this Code on the territory of more than one region (borough) or such that refer to more than one region (borough), shall be removed or seized by the regional Governor following a decision of the Central Election Commission.

(3) The parties, coalitions and nomination committees shall remove the canvassing materials displayed by them within 7 days after election day.

Conditions, Procedure and Prices

Art. 187. Print media and online news services shall offer the same conditions and prices to all parties, coalitions and nomination committees that have registered candidates, and these conditions and prices shall be announced on their web sites not later than 40 days prior to election day and shall be promptly submitted to the Bulgarian National Audit Office and to the Central Election Committee. Payment shall be made upfront.

Publishing a Response

Art. 188. (1) Print media and online news services, which have published a material that encroaches on the rights and harms the reputation of a candidate or a person representing the party, coalition or nomination committee, shall be obliged to publish a response immediately after they receive it. The response shall be laid out in the same position, dimensions, type and font size and shall be published without any comment.

(2) A response which does not exceed in size the item whereto it is reacting shall be published at no charge.

Section IV**Coverage of an Election Campaign by Public Electronic Media****Types of Coverage**

Art. 189. (1) Election campaigns shall be covered by the services of the Bulgarian National Television and the Bulgarian National Radio in the format of clips, debates and other forms agreed under the terms referred to in Para. 4, in time, designated for that purpose.

(2) The services of the Bulgarian National Television and the Bulgarian National Radio shall not be used for the purposes of the election campaign in time slots other than those designated for the forms referred to in Para. 1.

(3) The Bulgarian National Television and the Bulgarian National Radio shall abide by the principles of equality and objectivity when covering the appearances of the candidates registered by the parties, coalitions and nomination committees on the basis of the rules, adopted by the Central Election Commissions.

(4) The crews, forms and topics of the debates shall be agreed upon by the Director General of the Bulgarian National Television, respectively of the Bulgarian National Radio on the basis of the rules under Para. 3 and authorized representatives of the parties, coalitions or nomination committees that have registered candidates. The agreements shall be approved by the Central Election Commission not later than 31 days prior to election day and shall be immediately submitted to the Bulgarian National Audit Office.

Right to Response

Art. 190. Where a programme has been broadcast and it has encroached on the rights and harmed the reputation of a candidate or of a person representing the party, coalition or nomination committee, they shall be entitled to a response under the terms established by Art. 18 of the Radio and Television Act. The relevant radio or TV operator may be approached with a claim within 24 hours after the broadcasting of the programme. The response shall be broadcast without comments.

Prohibition to Use Commercials

Art. 191. Commercials shall not be used to impart political suggestions to the advantage or disadvantage of one or another political party, coalition or nomination committees, or candidate.

Presentation of Candidates

Art. 192. (1) The order of presenting the candidates registered by the parties, coalitions and nomination committees in the different forms of the election campaign shall be agreed upon by the Central Election Commission by drawing a lot. The lot shall be conducted at the presence of

authorized representatives of the parties, coalitions and nomination committees and representatives of the Bulgarian National Television and the Bulgarian National Radio.

(2) The Central Election Commission shall announce the procedure not later than 31 days prior of the election day.

Free-of-Charge Spots and Addresses

Art. 193. (1) The election campaign on the channels of the Bulgarian National Television and the Bulgarian National Radio shall be launched and closed with spots of the parties, coalitions and the nomination committees with a duration of up to 40 seconds, which shall be broadcast free of charge.

(2) In case of elections for a President and a Vice President of the Republic, the election campaign on the channels of the Bulgarian National Television and the Bulgarian National Radio shall be launched and closed with addresses of the candidate pairs with a duration of up to three minutes per pair, which shall be broadcast free of charge.

(3) In the event of a runoff in new elections for President and a Vice President of the Republic in the cases of Art. 93, Para. 4 of the Constitution, the candidates shall have the right to make public addresses on the channels of the Bulgarian National Television and the Bulgarian National Radio on the last day of the election campaign between the two rounds with a duration of 10 minutes, where the order of appearance of the candidates shall be determined by drawing lots according to a procedure established by the Central Election Commission. The addresses shall be free of charge.

(4) The time slots for broadcasting the spots shall be agreed upon by the Director General of the Bulgarian National Television, respectively of the Bulgarian National Radio, and authorized representatives of the parties, coalitions and nomination committees.

Paid Spots

Art. 194. (1) In the course of the election campaign spots, may also be used paid forms in due to popularisation of parties, coalitions and nomination committees, which have registered candidates and persuading the public for voting for their candidates.

(2) The duration of the paid spots, the time slots and the number of their broadcasts shall be agreed upon by the Director General of the Bulgarian National Television, respectively of the Bulgarian National Radio, and authorized representatives of the parties, coalitions and nomination committees.

(3) The audio and audio-visual materials, included in the paid forms shall be provided by authorized representatives of the parties, coalitions or nomination committees that have registered candidates, or shall be created by crews of the Bulgarian National Television and the Bulgarian National Radio under the same conditions and prices, established by their leading bodies. The conditions and prices shall be promptly sent to the Bulgarian National Audit Office and to the Central Election Commission.

Debates

Art. 195. (1) The Bulgarian National Television and the Bulgarian National Radio shall allot to the parties, coalitions and nomination committees that have registered candidates TV and radio time for free-of-charge debates on topics agreed upon in advance, with total duration of not less than 240 minutes.

(2) The conditions and order of participation in the debates shall be agreed under Art. 189, Para. 4. The time shall be evenly allocated among the participants.

(3) In the event of conducting a second round in the elections for a President and a Vice President of the Republic in the cases of Art. 93, Para. 4 of the Constitution, in the period between the two rounds the candidates may hold, on the basis of a mutual agreement, a free-of-charge debate for up to 60 minutes in preset broadcasting time slots on the Bulgarian National Television and the Bulgarian National Radio. The debate shall be carried out according to the procedure provided for in this Section.

Regional Radio and Television Centres

Art. 196. (1) The programmes of the regional television centres and the services of the regional radio centres shall be used by the parties, coalitions and nomination committees that have registered candidates in the period of the election broadcasts following the procedure set for the Bulgarian National Television and the Bulgarian National Radio.

(2) The Bulgarian National Radio and the Bulgarian National Television shall allocate a total of at least 60 minutes of radio and television time on their channels, respectively in the shows of the regional radio and television centres for free-of-charge debates between the representatives of the parties, coalitions and nomination committees that have registered candidates.

(3). The order of participation in the debates shall be determined by the regional election commissions and the Municipal election commissions by drawing lots not later than 31 days before election day. The forms, topics of the election campaign, formats and crews shall be determined by the heads of the regional radio and television centres and authorized representatives of the parties, coalitions and nomination committees that have registered candidates, or they shall be set in the agreement referred to in Article 189, Para. 4.

Payment for Election Programmes

Art. 197. Election programmes on the Bulgarian National Television and the Bulgarian National Radio and their regional centres shall be paid for by the parties, coalitions and nomination committees according to a tariff approved by the Council of Ministers at least 40 days prior to election day, which shall be immediately submitted to the Bulgarian National Audit Office and the Central Election Commission. The payment shall be made before the broadcast of the programme.

Section V

Coverage of the Election Campaign by Commercial Electronic Media

Commercial Electronic Media

Art. 198. (1) In respect of the election campaign, the electronic media other than the Bulgarian National Television and the Bulgarian National Radio and their regional centres, may use paid and free-of-charge forms of coverage of the election campaign of the parties, coalitions and nomination committees that have registered candidates.

(2) Commercials shall not convey political suggestions benefiting or harming one or another party, coalition or nomination committee, or a candidate.

(3) The commercial electronic media referred to in Para. 1 may allot time for paid coverage of the election campaign of the parties, coalitions and nomination committees that have registered candidates on the same terms and at the same rates.

(4) The terms and procedure of allotting time for coverage of the election campaign, as well as the rates shall be disclosed on the web site of the respective medium referred to in Para. 1 at least 40 days before election day. The payment shall be made upfront.

(5) The terms, procedure and rates referred to in Para. 4 shall be forwarded to the Bulgarian National Audit Office and submitted to the Central Election Commission – in the case of an electronic medium with national coverage, and to the regional elections commissions, respectively to the Municipal election commissions – in the case of an electronic medium with regional and local coverage, not later than at the time of launching the election campaign.

(6) The time allotted by the media referred to in Para. 1 for paid forms of coverage of the election campaign shall not be subject to the limitation referred to in Article 89, Para. (1) of the Radio and Television Act.

Right to Response

Art. 199. Where a programme has been broadcast and it has encroached on the rights and harmed the reputation of a candidate or of a person representing the party, coalition or nomination committee, they shall be entitled to a response under the terms established by Art. 18 of the Radio and Television Act. The relevant radio or TV broadcaster may be

approached with a claim within 24 hours after the broadcasting of the programme. The response shall be broadcast without comments.

Section VI

Complaints in Case of Breach of the Procedure for Holding an Election Campaign

Competent Authority

Art. 200. (1) In case of breach of the procedure for holding an election campaign by media service providers, the parties, coalitions and nomination committees, acting via the persons who represent them or via persons, authorized by them, may submit a complaint within 24 hours after the broadcasting of the respective programme.

(2) The complaint shall be submitted to:

1. The Central Election Commission in case of a provider with a license or registration for national coverage, as well as in cases where the breach has taken place in more than one region;

2. The regional election commission or the Municipal election commission at the domicile of the provider, where the supplier has a license or registration for national or local coverage.

(3) Where the complaint is lodged with a commission, which is not competent, the said commission shall immediately forward it to the competent commission and shall notify the petitioner thereof.

(4) The competent election commission shall consider the complaint within 24 hours after its receipt, or immediately on election day, and shall render a decision.

(5) In case of breach of the procedure for holding an election campaign by media service providers the competent election commission may take action against the offenders on its own initiative.

Appealing a Decision of the Regional or Municipal Election Commission

Art. 201. A decision of the regional or Municipal election commission may be appealed before the Central Election Commission within 24 hours after its announcement. The Central Election Commission shall examine the appeal and within 24 hours after receiving it the commission shall render a decision, which shall be subject to appeal before the Supreme Administrative Court pursuant to the procedure under Article 58.

Chapter Thirteen

SOCIOLOGICAL SURVEYS

Registration of Sociological Agencies

Art. 202. (1) The Central Election Commission shall register the sociological agencies that shall conduct sociological surveys on election day.

(2) The agencies shall be registered at least 7 days before election day and shall be entered in a public register.

(3) The registration shall be carried out on the basis of an application signed by the representative of the respective agency or by an explicitly authorized person.

(4) The following shall be enclosed with the application referred to in Para. 3:

1. a certificate of current legal standing;
2. an explicit power of attorney by the person representing the agency, where the documents are submitted by an authorized person;
3. a list containing the names, the Uniform Civil Numbers of the interviewers and the numbers of the polling stations, outside of which interviews shall take place;
4. methodology for conducting the sociological surveys on election day.

Interviewers

Art. 203. (1) The Central Election Commission shall issue certificates to the registered interviewers. A certificate shall be issued in a single copy.

(2). On election day interviewers shall wear only the insignia following the model, approved by the Central Election Commission. The interviewers who wear insignia apart from the ones, confirmed by the Central Election Commission or do not wear insignia in the cases under Art. 272 shall be dismissed from the voting premise with a decision of the section election commission. The decision may be appealed before the regional or Municipal election commission, which shall pronounce immediately. The decision shall not be subject to appeal.

(3) Interviewers shall prove their legitimacy by presenting the certificate issued in their name.

Sociological Surveys on Election Day

Art. 204. (1) Sociological surveys on election day shall be carried out outside of the polling stations by interviewing people, who have already voted, provided that this does not hinder the election process.

(2) Interviewers shall not conduct sociological surveys right in front of the polling stations.

(3) The results of the sociological surveys shall be announced after 19:00 hours on election day.

Announcement of the Results of Public Opinion Polls or Sociological Surveys

Art. 205. (1) From the day of the promulgation, in the State Gazette, of the decree of the President, respectively of the decision of the National Assembly, for scheduling the respective type of elections until and including election day any announcement of results yielded by public opinion polls or sociological surveys in relation to the elections, conducted by means of a media service or in another way, shall contain information about the sponsor of the public opinion poll or survey, about the organization that has conducted the public opinion poll or the survey and about the sources of its funding.

(2) The information referred to in Para. 1 shall be presented in full and clearly: in the case of a printed or other types of text material it shall be laid out in a conspicuous separate field and shall take up at least 5% of the total area of the material, and in the case of audio and audio-visual materials, broadcast by electronic media or presented to an audience, the information shall be conveyed once at the beginning and once at the end of the material or presentation.

(3) The provisions of Para. 1 and 2 shall also apply to the cases, where canvassing materials of parties, coalitions, nomination committees and candidates contain or refer to results of public opinion polls or sociological surveys.

(4) The persons performing the public opinion polls or sociological surveys in relation to the elections and/or announcing results yielded by them shall not refer to official, trade or other secrets protected by law, so as to preclude presentation of the information referred to in Para. 1.

(5) No results from public opinion polls related to the elections shall be announced in any form in the period starting 24 hours before election day and ending with the announcement of the closure of the polls on the territory of the country.

Chapter Fourteen VOTING

Section I Method of Voting at the Polling Station

Types of Ballot Papers

Art. 206. (1) At the polling station the voter can choose to vote by a ballot paper or by a ballot for machine voting.

(2) Voting by a ballot for machine voting shall be equivalent to voting by a ballot paper.

(3) A voter, who has chosen to vote by a ballot for machine voting, shall not vote by a ballot paper.

(4) The relevant rules applicable to the voting by a ballot paper shall apply to the voting by a ballot for machine voting.

Indicating the Type of Elections on the Ballot Paper

Art. 207. In case of simultaneous conducting of different types of elections, the ballot papers shall be marked for the type of elections they refer to.

Section II Voting by Ballot Papers

Ballot Papers

Art. 208. (1) Voting shall be performed by uniform ballot papers consistent with a model approved by the Central Election Commission.

(2) The ballot papers referred to in paragraph 1 shall be white, made of thick opaque paper, which shall not allow the secret of voting to be disclosed with serial numbers and security printing protection.

Printing of Ballot Papers

Art. 209. (1) Ballot papers shall be printed in the printing house of the Bulgarian National Bank, which if needed may use other specialized printing houses. The printing of ballots shall be carried out in compliance with the requirements of the Ordinance on the Conditions and Procedure for Printing and Control of Securities (promulgated in the *State Gazette*, No 101 of 1994; amended SG, No 38 of 1995, No 73 of 1998, No 8 of 2001, No 54 of 2008 and No 22 of 2011). Printing of ballot papers shall be carried out under the supervision of the Ministry of Finance and the Central Election Commission.

(2) Ballot papers shall be arranged in books containing 100 ballot papers each. When a ballot paper is torn off, the same number shall remain on the ballot paper and in the book, and they shall be compared by the election commission after the ballot paper has been completed and before it is deposited in the ballot box.

(3) The number of printed ballot papers referred to in Para. 1 for all types of elections shall be equal to the number of voters for the respective type of elections increased by 10%.

Ballot Boxes

Art. 210. The ballot boxes, where ballot papers are to be deposited, shall be transparent and shall be sealed with strips of paper tape, stamped with the seal of the precinct election commission and signed by the present commission members.

Filling up of the Ballot Box. Opening

Art. 211. (1) When the ballot box is filled to capacity with ballot papers, its slot shall be sealed with strips of paper tape bearing the signatures of the members of the commission, so that it cannot be used any more, which is then stamped with the seal of the precinct election commission. The full box shall remain on the voting table.

(2) The chairperson of the commission shall check the serviceability of the second box and whether it is empty. The box shall be closed and sealed with strips of paper tape signed by the attending members of the commission. The strips of paper tape shall be stamped with the seal of the precinct election commission and then the voting shall continue. This circumstance shall be recorded in the tally sheet of the precinct election commission.

(3) The two boxes shall be opened simultaneously when the voting comes to an end and the ballot papers found in them shall be counted together.

Section III Machine Voting

Mode of Voting

Art. 212. (1) A voter may cast a vote at a polling station by using special voting devices.

(2) A single ballot for the respective type of elections shall be created on a visual or tactile terminal, where the voters shall mark their vote in an unequivocal manner.

(3) The ballot shall be designed in the same way as the ballot paper and shall allow the voter to cast a vote for no political party, coalition or nomination committee. The Central Election Commission shall approve the ballot template.

(4) Upon completing the voting procedure the voter shall receive from the system a control receipt, which shall be deposited in a special machine voting box. A voter shall not be able to change their vote by casting a second ballot.

System. Requirements

Art. 213. (1) Machine voting shall take place by using electronic communication means and data processing.

(2) The system referred shall be designed, implemented and maintained in a way that shall:

1. ensure easy and intelligible access to the mechanisms and methods of machine voting, including simplified access for voters with visual or motor impairments;

2. offer to voters "online" instructions about the required actions in case of machine voting;

3. ensure information of equal volume and quality for each political party, coalition, nomination committee or candidate;

4. guarantee the secrecy of the vote and free expression of the will of the voters;

5. not allow manipulation of the votes or any other undue influence on the election process;

6. ensure a possibility for easy management of the user software and in particular of the ballot;

7. conform to the highest standard for quality and stability of the hardware and software used;

8. not require from the voter any special skills other than those necessary to use computer terminals;

9. guarantee that each voter will cast only one vote for each type of elections and that each vote shall be stored and counted only once;

10. ensure maximum reliability against external disturbance and unauthorized access, also against hacker attacks;

11. in case of suspension of the election process due to the occurrence of compelling external circumstances, preserve the data regarding the voting and allow its continuation after the elimination of these circumstances;

12. allow aggregation of the results and their electronic transfer to the constituency or municipal election commissions and to the Central Election Commission after the completion of the voting;

13. ensure the integrity and secrecy of the information transferred by means of data encryption and protection of communication links;

14. keep an electronic diary of the election process indicating all peculiarities and deviations from the statutory provisions;

15. guarantee easy maintenance of the hardware and quick elimination of any technical malfunctions;

16. allow observation of the election process by independent authorized bodies;

17. allow audit and inspection on the part of authorized bodies.

(3) The Central Election Commission shall set the technical requirements to the hardware and software parts of the system and shall give obligatory instructions to the maintainers of the technical and programme provision.

Information. Organization. Results

Art. 214. (1) The Central Election Commission shall, not later than 7 days after the scheduling of the respective type of elections, open a page on its web site for providing information in cases of machine voting.

(2) The Central Election Commission shall organize, direct and control the machine voting and the processing of the data yielded by it.

(3) No results of machine voting by political party, coalition or candidate shall be announced before the end of election day.

Section IV Pre-election Day

Taking Delivery of Electoral Papers and Materials

Art. 215. (1) On pre-election day a section election commission shall receive from the Municipal administration and from the regional or Municipal election commission:

1. ballot boxes, including special boxes for machine voting and separate boxes for the leaflet with the number of the ballot paper;

2. books of voting paper ballots sealed in a manner set by the Central Election Commission; the first and last serial numbers on the ballots in a book shall be entered in the protocol for handover of the electoral papers and materials referred to in Para. 4;

3. an electoral list;

4. a blank form of a list for additional entry of attendants;

5. a blank form of a list of persons who have received a photocopy of the signed tally sheet for the relevant type of elections;

6. a list of persons deleted from the electoral poll;

7. two blank forms of the tally sheet (tally sheets) of the section election commission; the serial numbers of the tally sheets shall be entered in the protocol for handover of the electoral papers and materials referred to in Para. 4; in case of discrepancy in the serial numbers of the separate pieces of the tally sheets, this circumstance shall be described; the blank forms of tally sheets shall be delivered sealed in an envelope in a manner leaving visible only the serial number thereof; the envelope shall be stamped and signed by the members of the regional or Municipal election commission; following the closure of the polls, the tally of the votes cast and the completion of the draft one of the blank forms shall be unsealed, while the second blank form shall be unsealed only if a mistake has been made;

8. blank forms of drafts for recording the results of the counting of the preferences for the candidates of the political parties and coalitions in elections for MPs, members of the European Parliament for the Republic of Bulgaria and Municipal councillors;

9. blank forms of drafts of the tally sheets of the section election commission;

10. a seal of the section election commission;

11. a protocol for marking the seal of the section election commission;

12. samples of the declarations to be submitted for the respective type of elections pursuant to this Code;

13. the insignia of the members of the section election commissions referred to under Art. 231;

14. equipment and consumables and other auxiliary technical materials.

(2) On pre-election day the section election commission shall take delivery of the technical devices and all other electoral papers and materials required for machine voting following a procedure set by the Central Election Commission.

(3) On pre-election day the mobile section election commission shall take delivery from the Municipal administration and from the regional or Municipal election commission of the electoral papers and materials referred to in Para. 1, p. 1, 2, 4, 5, 7, 8, 9, 12, 13 and 14, as well as:

1. a list for voting by means of a mobile voting box;

2. a seal of the mobile section election commission;
3. a protocol for marking the seal of the mobile section election commission.

(4) The chairperson of the section election commission, respectively of the mobile section election commission, a member of the said commission designated by the regional or Municipal election commission and the Municipality Mayor, the borough Mayor or the Mayoralty Mayor or an official of the Municipal administration designated by them with an order shall sign a protocol for handover of the electoral roll or of the a list for voting by means of a mobile voting box, as the case may be, and a protocol for handover of the electoral papers and materials referred to under Para. 1, p. 1, 2, 4 – 14, respectively under Para. 1, p. 1, 2, 4, 5, 7, 8, 9, 12, 13 and 14 and Para. 3, p. 2 and 3. In case of non-appearance of the chairperson of the section election commission, respectively of the mobile section election commission, the deputy chairperson of the commission shall take delivery of the electoral papers and the materials and shall sign the protocols. The protocols shall be drawn up and signed in three identical copies: one for each of the precinct election commission, the constituency or Municipal election commission, and the Municipality (or region, applicable to cities subdivided into regions).

(5) The seal of the section election commission referred to under Para. 1, p. 10, respectively the seal of the mobile section election commission referred to under Para. 3, p. 2, shall be delivered in a sealed envelope, that shall be signed by the persons referred to in Para. 4 at the time of its receipt and shall be opened upon the opening of the polls at the polling stations. Upon the completion of the voting the seal shall be placed and closed in an envelope, which shall be signed by the chairperson and secretary of the commission.

(6) After the signing of the protocols the responsibility for safe-keeping the electoral papers and materials shall rest with the chairperson of the section election commission or of the mobile section election commission.

Taking Delivery of Electoral Papers and Materials by Skippers of Vessels

Art. 216. Skippers of vessels sailing under the Bulgarian flag, which leave Bulgaria before the opening of the polls, shall take delivery of the election papers and materials referred to under Art. 215, para. (1) from the regional election commission at the location of the ship until 19:00 hours on pre-election day.

Taking Delivery of Electoral Papers and Materials

Art. 217. The chairperson and the secretary of the section election commission abroad shall take delivery of the electoral papers and materials referred to under Art. 215, Para. (1) from the Head of the Bulgarian diplomatic mission or consular representation or from an officer authorized thereby.

Polling Site and Polling Booths

Art. 218. (1) Samples of ballot papers shall be displayed in front of the polling site.

(2) Polling booths shall be placed in the polling sites in such a way as to ensure the secrecy of the ballot. The booths should ensure the ballot casting of voters with visual or motor impairments.

(3) A panel shall be placed in front of the polling site and in the polling booths stating in capital letters that the voter may express their vote only by marking the ballot paper with a "X" or "V" sign inscribed by using a ballpoint pen writing in blue ink. The dimensions and the type of the panel shall be determined by the Central Election Commission.

(4) Upon elections for MPs, Members of the European Parliament for the Republic of Bulgaria and for Municipal councillors, before the polling site and in the voting booths a panel shall be placed, on which with the same size, type and style shall be written the names and numbers of the candidates according to the candidate lists of parties and coalitions. The names of the citizens of another EU Member State, who are not Bulgarian national, but have been registered as candidates for members of the European Parliament for the Republic of Bulgaria or for Municipal councillors shall be written in the Cyrillic alphabet in a way, in which they are written in the application for participation in the election according to the identity card or passport. Before the name of each candidate of the candidate list of a party or coalition a

square shall be placed with the succession number of the candidate in the list, with which he/she has been registered by the relevant election commission.

(5) Upon completion of the preparation for the ballot the site shall be locked and sealed with a paper tape bearing the signatures of the attending members of the section election commission.

(6) The polling sites shall be guarded on the outside by officers of the Ministry of Interior.

Section V

Polling Site. Opening and Closing of the Polls

Voting at Polling Stations

Art. 219. Voting shall take place at polling stations, on specially dedicated polling sites equipped with polling booths.

Beginning and End of Vote Casting

Art. 220. (1) Voters shall cast their votes from 6:00 hours to 19:00 hours. Election day abroad shall start at 6:00 hours local time and shall end at 19:00 hours local time. In cases where at 19:00 hours there are voters in front of the polling site, who have not cast their vote, the chairperson and the secretary of the precinct election commission shall establish their number and identity.

(2) Voters, who have not cast their vote shall submit their identity documents to the commission, and voters who are nationals of another European Union Member State shall also submit their certificate of residence. These are the only voters that shall be allowed to vote after 19:00 hours, but not later than 20:00 hours.

Persons Barred from Polling Sites

Art. 221. (1) Persons, whose behaviour is outraging to public decency as well as well as persons carrying objects endangering human life or health shall not be admitted into the polling site.

(2) Armed persons shall not be admitted into the polling site, except in the cases referred to in Article 222, Para. 4.

Irregularities in the Election Process

Art. 222. (1) A section election commission may suspend the ballot in the event of serious irregularities in the election process. After their elimination voting shall be resumed.

(2) The decision to suspend voting shall be immediately communicated to the Central Election Commission via the regional or Municipal election commission.

(3) The circumstances referred to in Para. 1 and 2 shall be recorded in the tally sheet of the section election commission.

(4) In case there is a need to restore order and provided that the section election commission passes an order, the chairperson may seek assistance from the Mayor or Mayor's vicegerent and from the authorities of the Ministry of Interior. These circumstances shall be recorded in the tally sheet of the section election commission.

Section VI

Prohibitions Related to Voting

Prohibition to Distribute Electoral Papers and Materials

Art. 223. Preliminary distribution of electoral papers and materials shall be prohibited.

Prohibition to Take Out Electoral Papers or Materials

Art. 224. (1) Ballot boxes, electoral rolls and ballot papers shall not be taken out of the polling site after their acceptance by the precinct election commission on pre-election day, during the voting and the counting of the votes cast and of the preferences.

(2) Mobile precinct election commissions may take out of the site referred to in Article 8, para. (3) the papers and materials for voting by means of mobile voting boxes.

(3) Voters shall not take ballot papers out of the polling site.

Prohibition to Vote Out of the Polling Site

Art. 225. No voting shall take place out of the polling site except in the cases referred to in Art. 237.

Prohibition to Attend

Art. 226. The presence of persons, other than voters currently casting their votes, at a distance of less than three meters from the polling booth, when there is a voter in it, shall be prohibited.

Prohibition to Use Reproducing Equipment

Art. 227. (1) Mobile telephones, cameras or other reproducing equipment shall not be used to photograph the way of voting.

(2) In case of violation of the prohibition referred to in Para. 1, the commission shall immediately declare the ballot paper invalid and shall record this circumstance on the ballot paper and in the "Notes" section of the electoral roll. The voter shall not be allowed to cast a second vote.

(3) The ballot paper referred to in Para. 2 shall be tallied as invalid, eliminated with the inscription "Invalid as per Art. 227" and registered on a separate row in the tally sheet of the precinct election commission.

Prohibition to Display the Way of voting

Art. 228. (1) The voter shall not unfold the ballot paper, after completing it and before depositing it in the ballot box, in a manner allowing others to see the marking.

(2) In case of violation of the prohibition referred to in Para. 1, the commission shall immediately declare the ballot paper invalid and shall record this circumstance on the ballot paper and in the "Notes" section of the electoral roll. The voter shall not be allowed to cast a second vote.

(3) The ballot paper referred to in Paragraph 2 shall be tallied as invalid, eliminated with the inscription "Invalid as per Art. 228" and registered on a separate row in the tally sheet of the section election commission.

Section VII Election Day. Voting

Opening of the Polls

Art. 229. (1) The polling site shall be unsealed and the polls shall be declared open by the chairperson of the section election commission at 6:00 hours provided that over half of the members of the commission are present. In the absence of quorum the regional or Municipal election commission shall be notified. Should more than a half of the commission members turn up at 6:00 hours but the chairperson has not appeared, the polling site shall be unsealed and the polls shall be declared open by the deputy chairperson, and this circumstance shall be recorded in the tally sheet of section election commission.

(2) Should a sufficient number of members of the section election commission fail to turn up, the regional or Municipal election commission shall appoint the required number of members from among the alternate members to replace the absent members.

(3) Should the chairperson of the section election commission be absent, the deputy chairperson shall be appointed chairperson and a member of the section election commission shall be appointed deputy chairperson by the regional or Municipal election

commission. Should the deputy chairperson or the secretary of the section election commission be absent, a member of the section election commission shall be appointed deputy chairperson or secretary by the regional or Municipal election commission.

(4) Should the chairperson, the deputy chairperson and the secretary of the section election commission be absent, a chairperson, a deputy chairperson and a secretary shall be appointed by the regional or municipal election commission from among the members and the alternate members.

(5) In the cases referred to in Para. 3 and 4 the constituency or municipal election commission shall comply with the requirement of Art. 61, Para. (3), respectively of Art. 76, Para.(3).

(6) The Central Election Commission, acting on a proposal by the constituency or municipal election commission, may allow commencement of the voting in certain polling stations at 5:00 hours.

Steps at Opening

Art. 230. (1) Immediately before the opening of the polls ballot papers shall be unsealed.

(2) Candidates, election agents and representatives of political parties, coalitions and nomination committees pursuant to Art. 117, Para.(6) and Art. 124, Para. (1), observers complying with the requirements of Art. 114, Para.(2), journalists and voters may attend the opening of the polls on the polling sites.

(3) The chairperson of the precinct election commission shall verify the existence of the electoral papers and materials referred to in Art. 215(1), the serviceability of the ballot box, also in cases of machine voting, and whether it is empty. After the inspection the box shall be closed and sealed with paper tapes signed by the attending members of the commission and shall be stamped with the seal of the commission.

(4) The chairperson of the section election commission and a member of the commission designated with its decision upon the opening of the polls shall mark in a unique way the seal of the section election commission used to stamp the electoral papers. A protocol on the marking signed by the members of the commission shall be drawn up and it shall contain at least three impressions of the marked seal.

(5) After the performance of the steps referred to in Para. 1, 3 and 4 the chairperson of the section election commission shall declare the polls open.

Insignia of the Members of the Section Election Commissions

Art. 231. On election day the members of the section election commissions shall wear insignia conforming to a model approved by the Central Election Commission. The insignia shall be printed by the Central Election Commission.

Persons that Have the Right to be Present on the Polling Site

Art. 232. (1) The voting on the polling site may be attended only by election agents and representatives of political parties, coalitions and nomination committees pursuant to Art. 117, Para. (6) and Art. 124, Para.(1), observers complying with the requirements of Art. 114,Para. (2) and representatives of the mass media.

(2) The persons referred to in Paragraph 1 shall not impede the voting.

Voting by the Persons Engaged in the Conducting of the Elections

Art. 233. The persons engaged in the conducting of the elections as members of a section election commission or as security guards of the relevant polling station may exercise their right to vote after their registration on the supplementary page of the electoral list, if they have the right to vote in the respective type of elections and upon submitting a standard declaration that they have not voted and will not vote elsewhere. The declaration shall be enclosed with the electoral list and shall constitute an integral part of it.

Section VIII

Voting by Voters with Visual and Motor Impairments

Announcement of Measures

Art. 234. (1) Not later than 7 days prior to election day the regional or Municipal election commission shall announce, in an appropriate manner via the mass media, the measures enabling voters with visual or motor impairments to cast their votes on election day.

(2) The announcement referred to in Para. 1 shall state a telephone number and an address where assistance can be requested on election day.

Voting

Art. 235. (1) Voters with visual or motor impairments shall vote at a polling station specified pursuant to Art. 10, Para. (1).

(2) A voter as per Para. 1 shall identify themselves to the section election commission by producing an identity document.

(3) A voter as per Para. 1 may alternatively vote in a suitable polling station of their choice.

(4) A voter as per Para. 1 shall be registered on the supplementary page of the electoral list at the polling station after presenting a standard declaration that they have not voted and will not vote elsewhere. The declaration shall be enclosed with the electoral list and shall constitute an integral part thereof. All details of the voter shall be entered on the supplementary page of the electoral list.

Voting with the Assistance of an Attendant

Art. 236. (1) Where a voter has visual or motor impairment, which prevents him or her from performing, on their own, the required steps in voting, the chairperson of the commission may allow performance of the voting with the assistance of an attendant named by the voter. If the decision of the chairperson is challenged by a member of the commission, the dispute shall be ultimately settled by the section election commission.

(2) The full name and the Uniform Civil Number of the attendant shall be entered in the "Notes" section of the electoral list opposite the name of the voter by a member of the commission. The details of the attendant shall also be entered on the list for additional entry of attendants and then the attendant shall affix his or her signature. The said list shall also be signed by the chairperson and the secretary.

(3) Where the impairment prevents the voter from signing, a member of the commission shall enter the note "voted" in the signature field and shall affix his or her signature. This circumstance shall be recorded in the "Notes" section and in the tally sheet of the section election commission.

(4) Illiteracy shall not be a reason for voting with the assistance of an attendant.

(5) A single person shall not act as an attendant to more than two voters.

(6) A member of the commission, representative of a party, coalition or nomination committee, agent or observer shall not act as an attendant.

Section IX
Voting by Means of Mobile Ballot Box**Taking Delivery of the Papers. Marking of the Seal**

Art. 237. (1) A voter with permanent disability that prevents them from exercising their voting right on the polling site, who has filed a request as per Art. 37, Para. (1), shall be visited by a mobile section election commission on election day.

(2) The members of the mobile section election commission, who operate the mobile ballot box, and who are not fewer than four, shall take delivery from the chairperson of the commission of the roll referred to in Art. 37, Para. (3), of an empty sealed ballot box stating in capital letters that the voter may express their vote by marking the ballot paper with an "X" or „V" sign inscribed by using a ballpoint pen writing in blue ink, of a book of ballot papers and a seal. The number of the ballot papers shall be equal to the number of the voters entered on the roll for voting by means of a mobile ballot box increased by 10 per cent.

(3) The seal for voting by means of a mobile ballot box shall be marked and a protocol shall be drawn up thereof containing at least three impressions of the marked seal and it shall be signed by all members of the mobile section election commission.

Voting

Art. 238. (1) During the visit to the voter's home the members of the mobile section election commission shall place the mobile ballot box at an accessible and visible place in their home. The details of the voter's identity document shall be checked against those on the roll and entries shall be made on the roll of the Uniform Civil Number (Personal Number), the type and number of the identity document, respectively the number of the certificate of residence and the date of registration stated therein. The identity document, respectively the certificate of residence of a national of another European Union Member State, shall remain with the members of the commission until the voter signs the list.

(2) In the case of voting by means of a mobile ballot box, other persons, including the members of the section election commission, who operate the mobile ballot box, shall not be present in the premise with the voter, unless the voter is unable to perform the required steps on his or her own and has to vote with the assistance of an attendant. The full name and the Uniform Civil Number (Personal Number) of the attendant, as well as the reason for voting with the assistance of an attendant shall be entered in the "Notes" section of the electoral list opposite the name of the voter by a member of the commission. The details of the attendant shall also be entered on the roll for additional entry of attendants and then the attendant shall affix his or her signature. The list shall be signed by the members of the mobile precinct election commission that operate the mobile ballot box. The requirements under Art. 116, Para. (2), Art. 120, Para.(3), Art. 126, Para.(3) and Art. 236, Para. 3-6 shall also apply in cases of voting by means of a mobile ballot box.

(3) After the entry of the details in the roll, the members of the commission shall give the voter a ballpoint pen writing in blue ink and a ballot paper from the book of ballot papers, which shall be torn off the book at the time of handing it out. The ballot paper shall be stamped with the seal of the commission upon its submission by the voter. In cases of elections for municipal councillors and mayors, the voter shall receive a ballot paper for each type of elections.

(4) The voter shall vote by marking with an "X" or "V" sign the box with the number of the list of candidates of his choice, which expresses unequivocally his vote. In cases of elections of members of parliament, members of the European Parliament from the Republic of Bulgaria and of municipal councillors, the voter may, if they wish so, mark one of the small boxes before the name of a candidate of a political party, coalition or nomination committee of their choice with an "X" or "V-sign, which shall show unequivocally their preference for the respective candidate.

(5) The voter shall fold the ballot paper in a manner making the marking of a political party, coalition or nomination committee invisible. The folded ballot paper shall be handed to the members of the commission, who shall check if the number on the ballot paper corresponds to a stub number. If there is a match, the ballot paper shall be re-stamped with the seal of the commission. The voter shall deposit the folded ballot paper in the ballot box, sign the electoral list and be given their documents back. The members of the commission shall enter the time of voting in the "Notes" section.

Operation of the Mobile Ballot Box

Art. 239. (1) The members of the mobile section election commission, who operate the mobile ballot box, shall pay home visits to the voters on the list until the roll is exhausted, but not later than 19:00 hours, and shall be provided with transportation and security guards. If a voter is not found at the specified address, this circumstance shall be described in the "Notes" section of the list opposite the name of the voter and the members of the mobile section election commission, who operate the ballot box, shall affix their signatures.

(2) After the completion of the voting by means of the mobile ballot box, a paper tape shall be stuck across its slot, where the time of the last voting shall be specified and that

shall not be later than 20:00 hours. The paper tape shall be signed by the members of the mobile section election commission that operate the ballot box and shall be stamped with the seal of the commission. The mobile ballot box shall be returned to the site referred to in Art. 8, Para (3).

(3) The rules for voting in a section election commission shall apply to any unregulated matters.

Section X

Voting on the Basis of a Non-Resident Voting Certificate

Voting

Art. 240. (1) Voters holding a non-resident voting certificate shall be entered on the supplementary page of the electoral list by the section election commission at their place of stay on election day. The non-resident voting certificate shall be submitted to the commission, which shall check the details in it. The certificate shall be enclosed with the electoral list and shall constitute an integral part of it.

(2) A voter holding a non-resident voting certificate may alternatively vote at the polling station relevant to their permanent address (residence address). The commission shall enter any such voter on the supplementary page of the electoral list and the non-resident voting certificate shall be enclosed with it.

(3) All details of the voter shall be entered on the supplementary page of electoral list referred to in Para. 1 and 2.

Section XI

Voting by School Children and University Students

Voting

Art. 241. (1) In cases of elections for MPs, for a President and Vice President of the Republic of Bulgaria and for members of the European Parliament from the Republic of Bulgaria, a voter, who is a full-time pupil or university student, shall have the option to vote at the polling station of the populated place, where they study, when it is other than the populated place at their permanent address, after the presentation of:

1. an identity document;
2. a pupil's book duly certified for the relevant school year by the educational establishment with a head office in the relevant community or a student's book duly certified for the respective term;
3. a standard declaration that they have not voted and will not vote elsewhere.

(2) A voter, who is a pupil or a University student, shall be entered on the supplementary page of the electoral list. All details of the voter shall also be entered on the supplementary page of the electoral list.

(3) The declaration referred to in Para. 1, p. 3, shall be enclosed with the electoral list and shall constitute an integral part thereof.

(4) While voting is in progress, the pupil's or student's book shall be left with the section election commission along with the identity document of the voter, who is a pupil or a university student.

(5) After the voter signs the electoral list, the date of the elections shall be entered in the pupil's or student's book with a note that the pupil or student has voted. The book shall be signed by the chairperson or the secretary and by one member of the section election commission, who have been nominated by different parties and coalitions, and then it shall be returned to the voter along with their identity document.

Exemption from Classes

Art. 242. Where elections for Municipal councillors and for Mayors are held in the populated place, where they are entitled to vote, voters who are pupils or University students shall be

exempted from classes on pre-election day, on election day, and on the day following election day.

Part Two TYPES OF ELECTIONS

Chapter Fifteen ELECTION OF MEMBERS OF THE NATIONAL ASSEMBLY AND OF THE GRAND NATIONAL ASSEMBLY

Section I Suffrage. Principles

Right to Elect

Art. 243. The right to elect MPs shall vest in the Bulgarian citizens who meet the conditions of Art. 42, Para. 1 of the Constitution.

Right to be Elected

Art. 244. The right to be elected MPs shall vest in the Bulgarian citizens who meet the conditions of Art. 65, Para. 1 of the Constitution.

Applicable Provisions

Art. 245. The provisions of the present Chapter and the respective provisions of Part One shall be applied to the elections of MPs.

Section II Electoral System. Powers of the Central Election Commission. Allocation of Seats

Proportional Electoral System

Art. 246. (1) The elections for MPs shall be held based on the proportional electoral system with registered candidate lists in multi-member constituencies of:

1. political parties and coalitions;
2. nomination committees.

(2) In voting for a candidate list of a political party or coalition, the voter may mark a preference for a candidate in the candidate list thus expressing his/her preference on the order of arrangement of the candidates on the candidate list he/she is voting for.

Powers of the Central Election Commission under this Chapter

Art. 247. The Central Election Commission shall:

1. Determine the number of seats in the multi-member constituencies based on a single standard representation for the entire country depending on the size of population provided by the National Statistical Institute, based on the results of the last population census;
2. Ascertain and declare invalid the registration of candidates who do not satisfy the requirements covered under Art. 254, Para. 1 or 4 therein;
3. Delete the registration, where it is established that the candidate do not satisfy the conditions of Art. 65, Para. 1 of the Constitution as well as where the collection of signatures in support of an independent candidate does not conform to the requirements of Art. 257, Para. 1;
4. Declare the election results and issue certificates to the elected MPs;
5. Promulgate in the State Gazette the results of the elections immediately after their announcement;
6. upon pre-term termination of the credentials of an MP, shall pronounce the candidate ranked next on the respective list;

Allocation of Seats

Art. 248. Determination of election results upon election of MPs of the National Assembly and of the Grand National Assembly and the allocation of seats on candidate lists shall be done using the methodology referred to in Annex No. 1 herein.

**Section III
Regional Number of Seats****Delimitation of Regions**

Art. 249. (1) For the purposes of conducting the elections, the territory of the country shall be divided into 31 multi-member regions, of which three in the Sofia City, two in Plovdiv. The rest of the regions shall correspond to the administrative regions.

(2) The names, boundaries and numbering of the election regions shall be determined by the President of the Republic not later than 56 days in advance of election day.

Determination of Number of Seats

Art. 250. (1) The Central Election Commission shall determine the number of seats for each multi-member election region in conformity with Art. 247, Para. 1 not later than 55 days before election day based on the greatest-remainder method.

(2) The number of seats in a multi-member election region may not be less than 4.

**Section IV
Entries in the Election Lists****Inclusion in the List**

Art. 251. All Bulgarian citizens who satisfy the conditions of Art. 42, Para. 1 of the Constitution shall be included in the lists.

Electoral Lost Entry Request

Art. 252. (1) A Bulgarian citizen residing outside the Republic of Bulgaria, who is present in Bulgaria on election day, may vote according to the permanent address thereof.

(2) Where the person under Para. 1 has been deleted from the electoral list, the latter shall be entered on the lists according to the procedure of Art. 39 before delivery of the lists to the section election commissions, and upon presentation of a completed model declaration to the effect that the person shall not vote elsewhere.

(3) When the request is made on election day, the person shall be entered in the list by the section election commission under Art. 40.

**Section V
Registration of Candidate Lists****Candidate Lists**

Art. 253. (1) Political parties, coalitions of parties and nomination committees rank candidates in candidate lists per multi-member election regions. The candidates of the parties and coalitions shall be entered in the register of the candidates lists and shall be registered with numbers under which they have been arranged in the candidate lists

(2) Coalitions run in the elections by a common list of candidates in each separate multi-member election region.

(3) The number of candidates in each list of candidates may not exceed the double number of seats in the multi-member constituency.

Registration Rules

Art. 254. (1) A candidate for MP may be proposed for registration by only one political party or coalition of parties in not more than two multi-member constituencies.

(2) Where a candidate for MP is registered by more than one political party, coalition of parties or nomination committee, the earliest registration shall be valid.

(3) Where a candidate for MP is registered in more than two multi-member election regions, the earliest two registrations shall be valid.

(4) Except as provided for in Para. 1, an independent candidate for MP may be proposed for registration by only one nomination committee and in only one multi-member election region.

(5) Except as provided for in Para. 1, where an independent candidate for MP is registered in more than one multi-member constituency, the earliest registration shall be valid.

(6) The regional election commissions shall notify the Central Election Commission of the registered candidates not later than 24 hours after the closing date for registration.

Documents and Registration Term

Art. 255. (1) The registration of the candidate lists shall be effected by the regional election commissions upon presentation of:

1. a proposal by the political party or coalition, with the names, the Uniform Civil Number and the permanent address of the candidates; any such proposal shall be signed by the persons representing the political party or the coalition of parties, or by persons expressly authorized thereby;

2. a proposal by the nomination committee, stating the names, the Uniform Civil Number and the permanent address of the candidate; any such proposal shall be signed by the person representing the nomination committee;

3. applications by the candidates of their consent to be registered by the proposing political parties, coalitions of parties or nomination committee;

4. a completed model declaration by each candidate, to the effect that the candidate satisfies the conditions referred to in Art. 65, Para. 1 of the Constitution.

5. a completed model declaration by each candidate, to the effect that the candidate satisfies the conditions referred to in Art. 254, Para. 1 or 4;

6. authorization of the persons authorized to represent the political party or the coalition of parties in the cases where the documents are submitted by authorized persons.

(2) The registration of the candidate lists at the regional election commissions shall be effected not later than 32 days in advance of election day.

(3) The documents covered under Para. 1 shall be recorded in a separate register with a sequential number assigned thereto. The order of arrival of the documents shall determine the order of entry in the register of the regional election commission.

Validity of the Registration

Art. 256. (1) The Central Election Commission shall ascertain and declare invalid registrations in violation of Art. 254, Para. 1 or 4. The decisions shall be immediately declared and the regional election commission and the respective candidates, political parties, coalition of parties and nomination committees shall be notified.

(2) The decisions under Para. 1 may be appealed before the Supreme Administrative Court under Art. 58.

List of Voters Supporting the Registration of an Independent Candidate

Art. 257. (1) An independent candidate shall be registered when the candidature is supported by at least one percent, but not more than 1000 of the voters with permanent address on the territory of the region.

(2) Any voter, who supports the participation in the elections of an independent candidate, shall certify this by signature affixed before a member of the nomination committee. Any such voter shall state full name, Uniform Civil Number and permanent address thereof. Each voter may participate in only one collection of signatures. The list shall be delivered as a structured e-list as well containing full name, Uniform Civil Number and permanent address of

the voters who have affixed their signatures in the order in which they have been entered into the list.

(3) The member of the nomination committee referred to in Para. 2 shall process and provide the personal data in compliance with the requirements of the Personal Data Protection Act and shall bear responsibility as data controller within the meaning of Art. 3, Para. 2 of the Personal Data Protection Act.

(4) The signature list shall be delivered to the regional election commission, together with the documents under Art. 255, para. 1, p. 2, 3, 4 and 5 not later than 32 days before election day.

Conditions for Registration. Refusal of Registration

Art. 258. (1) The regional election commission shall check whether the requirements of the present Section are met and shall decide on the registration of the candidate lists.

(2) Upon ascertainment of any omissions or discrepancies, the regional election commission shall give immediate directions and a deadline for their elimination. In the event that the omissions or discrepancies are not eliminated by the deadline set, the constituency election commission shall refuse registration.

(3) The refusal under Para. 2 may be appealed before the Central Election Commission under Art. 73.

(4) Upon refusal of registration or upon declaration of invalidity of the registration of a candidate on a list of a political party or coalition of parties, the political party or coalition of parties may propose another candidate for registration not later than 30 days before election day.

(5) Should any of the candidates on a registered candidate list of a political party or coalition of parties die or lapse into a sustained inability to participate in the election, the political party or coalition of parties may propose a new candidate within the term of 7 days before the election day. Where some of the candidates in a registered candidate list of a party or coalition withdraw his candidature, the party or coalition may propose another candidate not later than 30 days before the election day. The new candidate upon proposal of the party or coalition shall take the free or last place of the candidate list where in the second case the other candidates shall be rearranged one place forward.

Verification of the Lists. Official Cancellation of Registration

Art. 259. (1) The lists in electronic format under Art. 257, para. 2 shall be submitted immediately by the regional election commission to the respective territorial unit of the Directorate General Civil Registration and Administrative Services at the Ministry of Regional Development for verification.

(2) The territorial unit of the Directorate General Civil Registration and Administrative Services at the Ministry of Regional Development shall conduct the verification not later than 27 days before the election day.

(3) The territorial unit of the Directorate General Civil Registration and Administrative Services at the Ministry of Regional Development shall draw up a memorandum of the verification results in two copies where one of the copies shall be submitted to the regional election commission. The verification data shall be preserved for six months following the elections.

(4) The regional election commission shall ascertain the result of the verification of the lists under Art. 257, para. 2 based on the verification conducted by the territorial unit of the Directorate General Civil Registration and Administrative Services at the Ministry of Regional Development. Upon request of the nomination committee, the constituency election commission shall present in writing the data from the memorandum under Para. 3 and the results ascertained for the lists under Art. 257, para. 2 submitted by the nomination committee.

(5) In cases where the constituency election commission or the Central Election Commission finds out that the independent candidate is not supported by the required number of voters, the registration of the independent candidate shall be deleted by decision that shall be sent forthwith to the nomination committee. When the decision is made by the Central

Election Commission, it shall be sent forthwith to the regional election commission and the latter shall send it forthwith to the nomination committee.

(6) The decision of the regional election commission under Para. 5 may be appealed before the Central Election Commission pursuant to Art. 73.

(7) The decision of the Central Election Commission under Para. 5 may be appealed before the Supreme Administrative Court pursuant to Art. 58.

Inquiries about the List under Article 257 Paragraph 2

Art. 260. The regional election commission shall provide for each voter - Bulgarian citizen to make inquiries with reference to the list under Art. 257, Para. 2 stating Uniform Civil Number including using a toll-free number.

Section VI Ballot Paper

Content

Art. 261. (1) The ballot paper shall be combined and shall contain on its face:

1. the name and number of the election region;

2. the full and/or abbreviated name of the political party or the coalition of parties as stated in the application for registration thereof, or the name of the nomination committee, with the abbreviation for a political party being written as "ПП" [abbreviation for "political party" in Bulgarian], for a coalition of parties as "КП" [abbreviation for "coalition of parties" in Bulgarian];

3. a square to be marked with an "X" or "V" showing the preference of the voter where the sequential number of the political party, coalition of parties or nomination committee is written;

4. squares with inscribed the successive numbers, the number of which corresponds to the double number of the seats in the relevant election region, for placing the sign X or V, representing the preference of the voter for candidate of the candidate list of a party or coalition; the number, inscribed in each square shall mean the successive number with which the candidate has been registered in the candidate list of a party or coalition.

(2) Lines of different parties, coalitions and initiative committees shall be separated from each other by an empty line and solid black horizontal line.

(3) The name and number of the election region shall be written on the top line of the ballot paper. Details under para. 1, p. 2 and 3 shall be written sequentially from left to right on a single horizontal line for each political party, coalition or nomination committee. The word "independent" shall be written following the names of the independent candidates. In the ballot papers for voting abroad, the name and number of the election region shall be replaced by the text "Ballot Paper for Voting Abroad".

(4) The requisite under Para. 1, p. 4 shall be written in the right part of the ballot paper.

(5) At the back of the ballot paper shall be marked 2 places for the stamp of the relevant section election commission.

(6) Ballot papers, which do not contain the essential elements referred to in Para. 1, p. 4 shall be used for voting abroad.

Drawing Lots for Ballot Paper. Number Determination

Art. 262. (1) The sequential number in the ballot paper of the parties and coalitions shall be determined by the Central Election Commission by a lot drawn in the presence of representatives of the political parties and the coalitions of parties not later than 31 days before election day. The lot shall be drawn publicly and the registered candidates and representatives of the mass media may also be present. The assigned sequential number shall be the same for the whole country and for the vote abroad. The result of the drawing of the lots shall be publicly announced by decision of the Central Election Commission pursuant to Art. 57, para. 2.

(2) The numbers of the nomination committees follow the numbers in the ballot papers of the political parties and coalitions of parties according to the order of registration of independent candidates by the regional election commission.

(3) The ballot paper shall not provide for a number and an empty line for a political party or a coalition of parties that has not registered a candidate list in the respective election region.

(4) Political parties, coalitions of parties, that have not registered candidate lists shall not participate in the drawing of the lots and shall not be allocated a number and an empty line shall not be left in the ballot paper. The nomination committees, which have not registered candidate lists, no number shall be determined and no empty line shall be left in the ballot paper.

Section VII Voting

Identification of Voters

Art. 263. (1) Voters shall identify themselves to the chairperson or a member of the commission, designated by a decision, before the opening of the polls by producing an identity card or an internal (green) passport, applicable only to voters availing themselves of the provision of § 9a of the Transitional and Final Provisions of the Bulgarian Personal Documents Act. Where the internal (green) passport or identity card has expired, has been damaged, destroyed, lost or stolen or is in the process of issuing, the voter shall be allowed to vote if presenting a certificate for the issuance of personal identity documents.

(2) A voter who votes abroad shall establish his/her identity by producing a passport, identity card or military identity card according to Art. 13, para. 1, p. 1 and 2 of the Bulgarian Personal Documents Act. In case the validity of the ID document of the voter has expired, the voter shall be admitted to voting if he or she presents a certificate issued by the diplomatic mission or consular representation of the Republic of Bulgaria to the effect that the said person has submitted an application for the issuance of a new ID document.

(3) Voters voting on board of ships flying the Bulgarian flag shall establish their identity as follows:

1. the passengers: by producing a passport or identity card;
2. the members of the crew: by producing a seafarer's passport.

(4) Pupils and students, in addition to the identity document in the cases referred to in Art. 241 herein, shall present to the section election commission a pupil's or student's card.

Entry of Voter`s Data of the Voter in the Electoral List

Art. 264. (1) The chairperson or a member designated by decision of the commission shall verify data on the identity document of the voter, respectively on the certificate under Art. 263, para.1, second sentence or para. 2, against the electoral list (the list) and shall enter the Uniform Civil Number and the type and number of the identity document, respectively the certificate number under Art. 263, para.1, second sentence or para. 2, and shall admit the voter to voting.

(2) Should any discrepancy be detected in any of the names of a voter between the list and the identity document, respectively the certificate number under Art. 263, para.1, second sentence or para. 2, and if the permanent address is identical, the name of the voter according to the identity card, respectively the certificate number under Art. 263, para.1, second sentence or Para. 2, shall be recorded in the column designated "Notes" of the electoral list.

(3) The identity document or the certificate number under Art. 263, para.1, second sentence or para. 2, shall be left with the chairperson or, respectively, the member of the precinct election commission until the voter signs the electoral list (the list).

(4) If the voter is not entered on the electoral list (the list) but is entitled to vote, all his/her data thereof shall be entered on the supplementary page of the electoral list, whereupon the voter shall be admitted to voting.

(5) In the cases of a certificate under Art. 263, Para.1, second sentence or para. 2, the chairperson, respectively, the member of the section election commission notes on the certificate that the person has voted, enters the date and the number of the polling station.

Voting by a Paper Ballot

Art. 265. (1) After being admitted to vote, the voter shall receive a paper ballot from a member of the section election commission who tears it out of the ballot book just before its handing over and stamps it with the seal of the commission. The voter shall proceed with the received ballot paper to the booth to vote.

(2) Only one voter may be present in the booth.

(3) The voter shall vote as follows:

1. the voter shall mark the square bearing the number of the selected candidate list with an "X" or "V", which expresses unequivocally the vote thereof

2. if the voter wishes so, he or she may place the mark "X" or "V" in one of the small squares before the name of the candidate of the selected candidate list of a political party or coalition of parties thus showing unequivocally his or her preference as to the respective candidate;

3. the voter shall fold the ballot paper in a manner making invisible the marked choice of a party, a coalition of parties or a nomination committee;

4. the voter shall exit the booth and shall hand the folded ballot paper to a member of the commission.

(4) The member of the commission shall check whether the number of the ballot paper corresponds to the number on the book of ballot papers and if so, shall re-stamp the ballot paper with the seal of the commission and shall tear the piece with the ballot number depositing it in a separate box.

(5) In case of discrepancy, the ballot papers shall be declared invalid and this circumstance shall be noted on the ballot paper and in the column designated "Notes" of the electoral roll. The voter shall not be allowed a second voting.

(6) Following the re-stamping of the ballot paper, the voter shall deposit it in the ballot box, shall sign the electoral list, shall be given the identity documents back, including the certificate under Art. 263, para.1, second sentence or Para. 2, and shall leave the site.

Prohibitions of Entry of Special Symbols into the Ballot

Art. 266. (1) Writing any special symbols such as letters, numbers or other signs in the ballot paper shall render the vote invalid.

(2).Writing any special symbols such as letters, numbers or other signs in the book of ballot papers is prohibited.

Actions in case of Mismarked Ballot Paper

Art. 267. (1) Should the voter misplaces the sign expressing the vote thereof, the voter may return the folded ballot paper to the section election commission and may receive a new ballot paper for voting of the same type. This right shall be granted to the voter on a single occasion.

(2) The ballot paper referred to in Para.1, without being unfolded, shall be destroyed by an inscription "mismarked" and shall be stamped with the seal of the section election commission and shall be signed by the chairperson and the secretary and a member of the section election commission, proposed by different parties and coalitions. The mismarked ballot papers shall be described in the tally sheet of the section election commission.

Voting by Voting Machine Ballot

Art. 268. (1) With voting machines, after being admitted to voting, the voter shall be given access to the voting device.

(2) The voter shall vote with a magnet card then the device shall display a ballot identical to the paper ballot. The voter may not vote for any political party, coalition of parties or nomination committee.

(3) The voter shall mark unequivocally his or her vote for a candidate list and if the voter wishes so shall express his or her preference for a candidate from the selected candidate list of a political party or coalition. The voter may change his or her choice once before confirmation.

(4) Following the confirmation, the vote, without any data for the voter, shall be recorded and kept in an electronic ballot box which shall prevent disclosure of the identity of the voter and the voting itself. The voter shall receive a notification for the end of the voting and a control receipt that shall be dropped by the voter in a special machine voting box.

(5) After putting the receipt in the box, the voter shall place his or her signature on the electoral list, shall be given the documents back and shall leave the polling site. In the column of the electoral roll designated "Notes" shall be written that the voter has cast his or her vote by the machine.

(6) After ending the voting, the information for the choice made shall be inaccessible for the next voter, and the information about the identity of the voter, the voting and the user name shall be deleted.

Overwhelming External Circumstances with Machine Voting

Art. 269. Where, due to the occurrence of overwhelming external circumstances, the machine voting appeared to be compromised, the section election commission shall notify immediately the regional election commission and the Central Election Commission. The voting shall continue by paper ballots.

Section VIII Vote Counting

Actions Before Opening the Ballot Box

Art. 270. (1) Upon the lapse of election day, the chairperson of the section election commission shall declare the end of voting.

(2) The unused and mismarked ballot papers shall be counted before opening the ballot box, shall be packed separately, shall be sealed up and shall be removed from the counting table. The intercepts with the numbers of the ballot papers and the control receipts from the machine voting shall be packed separately and shall be sealed with a paper band. The paper band shall be sealed with the stamp of the commission and shall be signed by the commission members.

Reporting Results of Machine Voting

Art. 271. (1) After completion of the voting, the section election commission shall report the results of the machine voting in the polling station meeting the provisions of the current Section and under the procedure established by the Central Election Commission under Art. 57, para. 1, p. 29.

(2) In establishing the machine voting results, the number of the voters that have cast their vote by the machine shall be equal to the number of the control receipts found in the machine voting box.

Persons Having Right to be Present at the Polling Site

Art. 272. Candidates, election agents and representatives of political parties, coalition of parties and nomination committees, according to Art. 117, para. 6 and Art. 124, para. 1, observers - subject to the provisions of Art. 114, para. 2 and mass media representatives may be present at the polling site and shall be ensured direct visibility upon the counting of the votes.

Tally Sheet of the Section Election Commission

Art. 273. (1) The section election commission shall determine the voting results both from the paper ballots and the machine voting and shall record the said results in a tally sheet.

(2) The tally sheet of the section election commission shall be prepared in three identical copies on three-sheet carbonless copy paper. The tally sheet shall be protected by print security features determined by decision of the Central Election Commission. The tally sheet shall contain the names of the political parties, coalitions of parties and the nomination committees as registered for the elections. Names shall be printed in the tally sheet by the sequential number on the ballot of the political party, coalition of parties and nomination committee.

(3) Each copy of the tally sheet shall consist of two sheets with separate pages. The general data about the voting in the polling station and the votes for the political parties, coalitions of parties and nomination committees shall be entered on the first sheet. The preferences for the candidates of the political parties and coalitions of parties shall be entered on the second sheet.

(4) Before completing the tally sheet, a draft on two sheets shall be prepared, whereof the form and content shall be identical with the tally sheet.

Miscompleted Tally Sheet

Art. 274. (1) In case one of the blank forms of the tally sheet is miscompleted, the section election commission shall cancel the miscompleted tally sheet by writing "Miscompleted" on it and the tally sheet shall be signed by all the members of the section election commission. The section election commission shall return the miscompleted form of a tally sheet to the regional election commission when delivering the tally sheet showing the voting results, and the serial number of the miscompleted tally sheet shall be checked against the number of the tally sheet as entered in the memorandum on delivery and acceptance of the election stationery referred to in Art. 215, Para. 4 herein. In case both forms of the tally sheet are miscompleted, the cancelled tally sheets shall be returned to the regional election commission after checking the serial numbers of the said tally sheets against the numbers of the tally sheets as entered in the memorandum on delivery and acceptance of the election stationery referred to in Art. 215, Para. 4 herein.

(2) In the cases referred to in Para. 1, the section election commission shall receive a new tally sheet. This circumstance shall be described in a memorandum of delivery and acceptance, wherein the serial number of the new tally sheet shall be entered. The memorandum of delivery and acceptance shall be signed by all the election commission members.

Entries in Tally Sheet before Opening of Ballot Box

Art. 275. (1) Before the opening of the ballot box, the following shall be entered in the tally sheet in this order:

1. the particulars of the polling station, including the names of the members of the commission and of the other persons present;
2. the time of opening of the polls and of the completion of voting;
3. the number of voters according to the electoral list;
4. the number of voters according to the additional page of the electoral list;
5. the number of registered candidate lists;
6. the number of voters who have voted according to the signatures affixed to the electoral list;
7. the number of voters who have voted by the machine voting device according to the notice in the column "Notes" of the electoral list;
8. the number of invalid ballot papers under Art. 227;
9. the number of invalid ballot papers under Art. 228;
10. the number of invalid ballot papers under Art. 266, Para. 5;
11. the number of mismarked ballot papers;
12. the number of unused ballot papers;
13. the number of ballot papers received as provided by Art. 215;
14. the number of the cancelled by the section election commission ballot papers.

15. the number of non-resident voting certificate and of declarations referred to in Art. 241, Para. 1, p. 3;

16. the number of certificates under Art. 40;

(2) The data referred to in Para. 1, p. 3 to 16 shall be entered in the tally sheet in words and figures.

Removal of Objects Before Opening the Ballot Box

Art. 276. (1) Before opening of the ballot box, all objects with the exception of the drafts shall be removed from the table;

(2) Solely one member, by decision of the commission, shall have access to the ballot papers under the observation and control of the rest of the members.

Opening of the Ballot Box

Art. 277. (1) The ballot box shall be opened, the ballot papers shall be extracted one by one, shall be placed face down, and shall be counted.

(2) Where a spare ballot box has been used for the voting, the said ballot box shall be opened together with the first ballot box.

(3) The ballot papers from the mobile ballot box are placed on the table on the site under Art. 8, Para. 3 and the counting of the votes, including the drawing up of the tally sheet shall be effected as provided for in the present Section.

Valid and Invalid Vote

Art. 278. (1) Upon determination of the voting results, each ballot paper shall correspond to one vote, which may be either valid or invalid.

(2) A vote shall be valid where:

1. the ballot paper conforms to the established standard design for the respective election region;

2. any special symbols such as letters, numbers or other signs are not written in the ballot paper;

3. the ballot paper contains two seals of the competent section election commission, and

4. only one of the voting squares for voting for party, coalition or independent candidate is marked with an "X" or "V" placed by a ballpoint pen, writing in blue ink, for one candidate list, without preference for a candidate of the list of a party or coalition for which is the vote of the voter;

5. only one of the voting squares for voting for a party or coalition is marked with an "X" or "V" placed by a ballpoint pen, writing in blue ink, for one candidate list, with more than one preference, marked with an "X" or "V" by a ballpoint pen, writing in blue ink, for candidates from the same candidate list - it shall be assumed that the ballot paper does not contain preferences and the vote shall be considered cast for the selected candidate list;

6. only one of the voting squares is marked with an "X" or "V" placed by a ballpoint pen, writing in blue ink, for one candidate list, with one preference, marked with an "X" or "V" placed by a ballpoint pen, writing in blue ink, for a candidate from the selected candidate list;

7. The sign "X" or "V" placed by the voter by a ballpoint pen, writing in blue ink, goes beyond the square of the respective candidate list, but does not run into the square of another candidate list;

8. there are deviations in the ballot paper due to defects and manufacturing errors, or where the ballot paper is mechanically damaged or stained;

(3) A vote shall be invalid where:

1. the ballot paper does not conform to the established standard design for the respective election region;

2. any special symbols such as letters, numbers or other signs, are written on the ballot paper;

3. the ballot paper does not contain two stamps placed by the seal of the respective section election commission;

4. none of the voting squares is marked with an "X" or "V" by means of a ballpoint pen writing in blue ink the voter's vote;

5. the ballot paper does not reflect the vote of the voter;

6. The sign "X" or "V" or another sign is placed by a ballpoint pen writing in blue or a another colour ink, for two or more candidate lists or by placed "X" or "V" that runs into more than one voting squares and the unequivocal choice of the voter could not be determined;

7. the preferences are marked in the ballot paper with a sign different from "X" or "V" and by a ballpoint pen not writing in blue ink;

(4) The voter shall be entitled to one preference of a candidate from the chosen candidate list of a political party or coalition of parties. The preference shall be respected only if marked by sign "X" or "V" by a ballpoint pen writing in blue ink as well as when the sign "X" or "V" is running out of the outlines of the small square to the name of the candidate without touching the other small squares.

(5) Where the voter has not noted preference for a candidate in the chosen by him candidate list, a preference shall be counted for the candidate, indicated at the first place in the list, part from the cases under Art. 261, Para. 6.

(6) The number of voters who have voted with paper ballots shall be equal to the number of ballot papers found in the ballot boxes.

Segregation of the Ballot Papers

Art. 279. (1) After opening of the ballot box and extraction of the ballot papers, the latter shall be segregated in piles as follows:

1. a pile of ballot papers which do not conform to the established standard design;

2. a pile of ballot papers with special symbols, such as letters, numbers or other signs, written therein;

3. a pile of ballot papers conforming to the established standard design wherein the vote of the voter is not marked;

4. a pile of ballot papers conforming to the established standard design:

a) wherein the sign "X" or "V" or another sign is placed by means of a ballpoint pen writing in blue or in another colour, for two or more candidate lists or by placed "X" or "V" that runs into more than one voting square and the unequivocal choice of the voter could not be determined;

b) wherein the preferences are marked in the ballot paper with a sign different from X or "V" and by means of a ballpoint pen not writing in blue ink;

c) wherein the vote is not marked by an "X" or "V" by a ballpoint pen writing in blue ink

d) which do not contain two stamps of the seal of the respective precinct election commission; any such ballot papers shall be cancelled by means of an inscription "Cancelled" on each ballot paper;

5. a pile of ballot papers conforming to the established standard design:

a) wherein the vote is marked with an "X" or "V" sign by a ballpoint pen, writing in blue ink, for one candidate list with no preference or with one or more than one preference;

b) wherein the ballot paper contains two stamps placed with the seal of the respective section election commission,

(2) The ballot papers shall be reviewed one by one to count the preferences, including under Art.278, Para. 5 for the candidates of the political parties and coalition of parties.

(3) Where the validity, or invalidity of any vote is contested, after a decision of the commission, the case shall be described in a memorandum. The said memorandum shall be attached to the tally sheet of the section election commission, and the number of the decision shall be noted on the reverse side of the ballot paper and shall be signed by the chairperson and the secretary.

Total Number of Valid and Invalid Votes

Art. 280. (1) The section election commission shall count the votes and preferences cast with paper ballots in the voting section.

(2) The number of invalid votes shall be equal to the number of ballot papers under Art. 279, Para. 1, p. 1 to 4.

(3) The number of valid votes shall be equal to the number of ballot papers under Art. 279, Para. 1, p. 5.

(4) The number of the preferences for a candidate of a political party or coalition of parties shall be equal to the total number of the signs "X" or "V" placed by a ballpoint pen, writing in blue ink in the small squares to the name of the candidate in the candidate list, including under Art. 278, Para. 5.

Tally Sheet Data Entry

Art. 281. (1) After the opening of the ballot box and the counting of the votes, on the first sheet of the tally sheet of the section election commission the following shall be entered in this order:

1. the number of ballot papers found in the ballot boxes;
2. the number of invalid votes for the candidate lists;
3. the number of valid votes;
4. the number of votes cast for each candidate list;
5. the number of applications, objections and complaints lodged and the decisions adopted thereon.

(2) The total number of the preferences for a candidate of a political party or coalition of parties shall be entered on the second sheet of the tally sheet.

(3) The numbers from the machine voting shall be added separately to the data of the tally sheet of the section election commission under Para. 1 and 2.

(4) The data from the voting with paper ballots and from the machine voting shall be summed up and the total number of the votes cast by paper ballots and those cast by machine voting shall be equal to the total number of the ballot papers found in the ballot boxes and of the control receipts found in the special machine voting box.

(5) The data under Para. 1 shall be entered into the tally sheet in words and figures.

Signing of Tally Sheet Correction

Art. 282. (1) The tally sheet of the section election commission shall be signed by all members of the commission. After signing the tally sheet, the chairperson shall announce the voting results per political parties, coalition of parties and independent candidates as well as the number of preferences for each candidate of a political party or coalition of parties.

(2) After signing the tally sheet, corrections may be made before announcing the voting results. Any such correction shall be signed by all members of the commission, with a marginal note reading "Correction". Apparent errors of fact may be corrected after announcement of the voting results as well.

(3) No member of the commission may refuse to sign the tally sheet. A member who disagrees with what the tally sheet records shall sign the said tally sheet with a dissenting opinion, formulating the dissenting opinion. The reasons shall be set forth in writing on a separate sheet and shall be attached as an integral part of the tally sheet.

(4) Should a member of the commission be objectively prevented from signing the tally sheet, this shall be noted, specifying the reasons.

(5) Non-signing of the tally sheet by a member of the commission shall not render the said tally sheet invalid.

(6) A photocopy of the signed tally sheet shall be displayed in a conspicuous place in front of the building where the respective section election commission is housed, stamped on each page with the seal of the commission and signed by the chairperson, deputy chairperson and the secretary.

Receiving Photocopy of Tally Sheet

Art. 283. Upon request, the members of the section election commission, the candidates, the election agents, the representatives of the political parties, coalitions of parties and nomination committee and the observers, shall receive a photocopy of the signed tally sheet, stamped on each page with the seal of the commission and signed by the chairperson, deputy chairperson and the secretary before delivery to the regional election commission. Photocopies of the signed tally sheet shall be made in the polling station. The names and the Uniform Civil Number of the person who has received the photocopy shall be entered by the section election commission into a list of persons who have received a photocopy of the signed tally sheet and after that the person shall put his signature on the list. The list shall be signed by the chairperson and the secretary.

Packing of Election Papers and Materials

Art. 284. After counting the votes the election papers and materials shall be packed and sealed with a paper tape. The paper tape shall be stamped with the seal of the commission and signed by the members of the commission.

Delivery of the Tally Sheet of the Section Election Commission to the Regional Election Commissions and the Recording Technical Device to the Regional Election Commissions

Art. 285. (1) The chairperson or the deputy chairperson, the secretary and a member of the section election commission, nominated by different political parties and coalitions of parties, shall deliver the copies of the tally sheet to the regional election commission destined for the regional election commission and for the Central Election Commission and the recording technical device from the machine voting. The second blank form of the tally sheet of the section election commission, received according to the procedure established by Art. 215, para. 1, p. 7, shall be delivered as well, with the serial number thereof being checked against the number of the tally sheet as entered in the memorandum of delivery and acceptance of the election stationery and materials.

(2) The tally sheet of the section election commission shall be delivered at the regional election commission with unseparated sheets.

Results of Voting Abroad

Art. 286. (1) The chairperson of the section election commission abroad, or where the said chairperson is absent, the secretary, or where both the chairperson and the secretary are absent, a person designated by decision of the commission, shall forthwith dispatch the voting results to the Central Election Commission by means of a tally sheet cable and a scanned copy of the tally sheet of the precinct election commission and of the list for voting abroad.

(2) The election stationery and materials used for the voting abroad shall be dispatched by the section election commissions abroad to the accredited head of the Bulgarian diplomatic mission or consular representation or to a duly authorized representative. The election stationery and materials shall be sent by the first Diplomatic Bag, but not later than 14 days after the election day, to the Ministry of Foreign Affairs for the delivery of the said stationery and materials to the Central Election Commission, where they shall be safe-kept until the next elections.

(3) The results of the voting on board navigation vessels flying the Bulgarian flag shall be communicated forthwith by radio to the shipping companies (tally sheet cables) and, care of the said companies, to the respective regional election commission. The said results must contain all numerical data as described in the tally sheet of the section election commission. Election stationery and materials shall be dispatched to the regional administration exercising jurisdiction over the location of the ship, and shall be safe-kept until the next elections.

Section IX

Determination of the Election Results by the Regional Election Commission

Acceptance and Verification of the Tally Sheets of the Section Election Commission and the Rest of the Election Stationery and Materials

Art. 287. (1) The regional election commission shall accept and check the tally sheets of the section election commissions.

(2) Upon acceptance of the tally sheet of the section election commission, the regional election commission shall check the serial number of the said tally sheet against the number of the tally sheet as entered in the memorandum of delivery and acceptance of the election stationery and materials referred to in Art. 215, Para.4 herein or in the memorandum referred to in Art. 274, para. 2.

(3) Where the regional election commission detects any discrepancy between the serial numbers of the tally sheet received and delivered by the section election commission, the section election commission together with the regional election commission shall count the votes again after acceptance of the tally sheets of all section election commissions.

(4) The members of the section election commission referred to in Art. 285, para. 1 shall trace the accuracy of the entry of the data from the tally sheet at the computation centre of the regional election commission.

(5) Where the regional election commission detects any apparent errors of fact in the tally sheet, the said errors shall be noted therein and shall be signed by the members of the section election commission referred to in Art. 285, para. 1.

(6) Upon receipt of the tally sheet, the regional election commission shall issue a signed receipt which shall contain the numerical data from the tally sheet. Upon return to the area of the polling section, the members of the section election commission referred to in Art. 285, para. 1 herein shall display the said receipt next to the photocopy of the tally sheet referred to in Art. 282, para. 6.

(7) After acceptance of the tally sheet by the regional election commission, the ballot papers, the stub with the serial numbers, the copy of the tally sheet destined for the Municipal administration and the rest of the papers and materials shall be delivered by the members of the section election commission, referred to in Art. 285, para. 1, at the Municipal administration to a commission which composition shall be determined by an order of the Mayor of Municipality. Officials of the Municipal administration shall be included in the composition of the said commission.

(8) The ballot papers, the copy of the tally sheet destined for the Municipal administration and the rest of the papers and materials shall be safe-kept until the next elections. The premises where the said papers and materials are safe-kept shall be designated by the Regional Governor and shall be sealed with paper tapes, stamped by a seal with a unique sign placed thereon and signed by the members of the commission. The standard design of the said seal, the safe-keeping of the ballot papers, the copy of the tally sheet destined for the Municipal administration and the rest of the papers and materials and the access to the premises shall be determined by decision of the Central Election Commission.

Data Transfer from the Recording Technical Device

Art. 288. (1) The members of the section election commission referred to in Art. 285, Para. 1 shall trace the accuracy of the data transfer from the technical recording device from the machine voting at the computation centre of the regional election commission.

(2) The data from the recording technical device shall be checked against the data from the machine voting entered in the tally sheet of the section election commission.

Reporting Voting Results in the Election Region

Art. 289. (1) On the basis of the data from the tally sheets of the section election commissions, the regional election commission shall report the results of the voting in the election region and shall prepare a tally sheet.

(2) By decision of the regional election commission, the votes from the navigation vessels on board of which a polling station has been established shall be added to the votes for the candidate lists of the election region.

Determining Elected Independent Candidates

Art. 290. (1) The regional election commission shall determine the elected independent candidates in the region using a regional electoral quota on the basis of the valid votes cast there.

(2) An independent candidate shall be considered elected if he or she has gained the regional electoral quota from the votes in the region. The votes of the independent candidates shall be excluded from the subsequent allocation of seats.

Regional Election Commission Tally Sheet

Art. 291. (1) The voting results shall be entered in the tally sheet of the regional election commissions per political parties, coalitions of parties and nomination committees.

(2) The tally sheet of the regional election commission shall be prepared in two identical copies on two-sheet carbonless copy paper. The tally sheet shall be protected by print security features determined by decision of the Central Election Commission. Before completing the tally sheet, a draft shall be prepared, whereof the form and content shall be identical with the tally sheet.

(3) Each copy of the tally sheet shall consist of two sheets with separate pages.

(4) The regional election commissions tally sheet shall contain the names of the political parties, coalitions of parties and the nomination committees as registered for the elections. The names shall be printed in the tally sheet according to the sequential number in the ballot paper.

Tally Sheet Data Entry

Art. 292. (1) The following data shall be entered in the tally sheet of the regional election commission in this order: number of the section election commissions in the region, number of section election commissions which have presented tally sheets on the voting, as well as the data covered under Art. 275, Para. 1 and under Art. 281.

(2) The data under Para. 1 shall be entered into the tally sheet in words and figures.

Signing of Tally Sheet

Art. 293. (1) The tally sheet of the regional election commission shall be signed by all members of the commission. After signing the tally sheet, the chairperson shall announce the voting results per candidate lists, as well as the number of preferences for each candidate of a political party or coalition of parties.

(2) No member of the commission may refuse to sign the tally sheet. A member who disagrees with what the tally sheet records shall sign the said tally sheet with a dissenting opinion, formulating the dissenting opinion. The reasons shall be set forth in writing on a separate sheet and shall be attached as an integral part of the tally sheet.

(3) Should a member of the commission be objectively prevented from signing the tally sheet, this shall be noted, specifying the reasons.

(4) Non-signing of the tally sheet by a member of the commission shall not render the said tally sheet invalid.

(5) Upon detection of an apparent error of fact, corrections may be made in the tally sheet. Any such correction shall be signed by all members of the commission, with a marginal note reading "Correction".

(6) After signing the tally sheet, the regional election commissions shall immediately send the tally sheet to the Central Election Commission in an electronic format, signed by an electronic signature.

(7) A photocopy of the signed tally sheet shall be displayed in a conspicuous place in front of the building where the respective regional election commission is housed, stamped on each page with the seal of the commission and signed by the chairperson, deputy chairperson and the secretary.

Receiving a Tally Sheet Photocopy

Art. 294. Upon request, the members of the regional election commission, the candidates, the election agents, the representatives of the political parties, coalitions of parties and nomination committee and the observers, shall receive a photocopy of the signed tally sheet referred to in Art. 291, stamped on each page with the seal of the commission and signed by the chairperson, deputy chairperson and the secretary before delivery to the Central Election Commission. Photocopies of the signed tally sheet shall be made in the premises of the regional election commission. The names and the Uniform Civil Number of the person who has received the photocopy shall be entered by the constituency election commissions into a list of persons who have received a photocopy of the signed tally sheet, the model of which has been approved by the Central Election Commission, and the person shall affix his signature on the list. The list shall be signed by the chairperson and the secretary.

Database

Art. 295. The regional election commission shall create a database by means of computer processing of the tally sheets of the section election commissions in the election region and of the tally sheet cables from the navigation vessels flying the Bulgarian flag.

Delivery of the Tally Sheet, Recording Technical Device and the Rest of the Papers to the Central Election Commission

Art. 296. (1) The chairperson or the deputy chairperson, the secretary and a member of the regional election commission, nominated by different parties and coalitions of parties, shall deliver to the Central Election Commission the copy of the tally sheet of the regional election commission, the copies of the tally sheets of the section election commissions destined for the Central Election Commission, and copies of the receipts referred to in Art. 287, Para. 6 and the recording technical devices from the machine voting, not later than 48 hours after receipt of the last tally sheet of a section election commission in the region. The tally sheets of the regional election commissions shall be delivered to the Central Election Commission with unseparated sheets.

(2) The regional election commission shall also deliver to the Central Election Commission:

1. a copy of the computer print-out of the data on the tally sheet and the decision of the region election commission, list of the tally sheets of the section election commissions received with the codes of the receipts thereof and the computer proposal for a tally sheet and a decision of the regional election commission, and the machine voting data, provided by the computation centre;

2. two machine-readable data mediums storing the numerical data generated by the processing of the tally sheets of the section election commissions.

(3) After a check of the papers covered under Para. 1 and 2, the Central Election Commission shall issue a receipt to the regional election commission and a memorandum of delivery and acceptance shall be signed in two identical copies by the representatives of the Central Election Commission and the regional election commission.

(4) The election stationery and materials of the regional election commission, with the exception of those destined for the Central Election Commission, and the copies of the tally sheets of the section election commissions, destined for the regional election commission, shall be delivered to the regional administration within whose territory the said commission is located.

(5) The election stationery and materials shall be safe-kept by the regional administrations until the next elections

Section X

Determination of the Election Results by the Central Election Commission

Allocation of Number of Seats

Art. 297. (1) The total number of seats for each party and coalition of parties shall be allocated by the Central Election Commission on the basis of the valid votes cast for the said party or

coalition of parties within Bulgaria and abroad using the Hare-Niemeyer Method according to the methodology referred to in Annex No. 1.

(2) The right to share in the allocation of seats at the national level shall be limited to the parties and the coalitions of parties which have gained not less than four per cent of the valid votes within Bulgaria and abroad.

(3) The number of seats which are allocated to the parties and coalitions of parties referred to in Para. 2 shall equal the number of MPs in the National Assembly less the number of the elected independent candidates.

(4) The number of seats of the parties and coalitions of parties in the multi-member regions shall be determined using the Hare-Niemeyer Method according to the methodology referred to in Annex No. 1.

Determining the Elected Candidates according to the Received Valid Preferences and the Ranking on the List

Art. 298. (1) The candidates who are elected on each candidate list of a political party or coalition of parties, shall be determined according to the number of valid preferences under Art. 278, para. 4 and 5 received and the ranking of the candidates on the list shall be done according to the methodology referred to in Annex No. 1.

(2) The preferences for the individual candidates shall be valid if the number of votes received for the candidate is not less than 7 per cent of the votes cast for the candidate list.

(3) The candidates referred to in Para. 2 shall be ranked according to the number of preferences received, starting from the candidate who has received the highest number of valid preferences. These candidates shall be excluded from the candidate list of the respective party or coalition of parties and shall comprise List A. The rest of the candidates on the candidate list shall retain the initial ranking thereof on the list and shall comprise List B.

(4) Where there are two or more candidates with an equal number of preferences on List A, the rank thereof on the list shall be determined by the Central Election Commission on the basis of a lot drawn in the presence of the candidates concerned and representatives of the political party or the coalition of parties.

(5) Where there are no candidates with valid preferences, the elected candidates shall be determined according to the rank assigned on the candidate list.

(6) Where the number of candidates with valid preferences is lower than the number of the seats allocated to the political party or coalition of parties, all candidates on List A shall be elected. The rest of the seats allocated to the political party or coalition of parties shall be filled by candidates on List B in the order of ranking thereof.

(7) Where the number of candidates with valid preferences is higher than the number of the seats allocated to the political party or coalition of parties, the first candidates on List A shall be elected in the order of ranking thereof until all seats are filled.

(8) Where the number of candidates with valid preferences equals the number of the seats allocated to the party or coalition of parties, all candidates on List A shall be elected.

Consequences upon Election of a Candidate in Two Multimember Regions

Art. 299. (1) Where a candidate is elected in two multimember region, the said candidate shall be obliged to declare to the Central Election Commission in writing, within one day after learning, the list on which the said candidate wishes to remain elected.

(2) In case the candidate fails to submit a representation in writing within the time limit referred to in Para. 1, the Central Election Commission shall pronounce the said candidate elected as MP for the region wherein the said candidate was first registered as an MP.

(3) In the cases referred to in Para. 1, the Central Election Commission shall pronounce elected the non-elected candidate who ranks first on the list which the candidate for MP has relinquished.

Declaring Voting Results

Art. 300. (1) The Central Election Commission shall declare the votes received and the allocation of seats to the political parties and coalitions of parties not later than four days after election day;

(2) The Central Election Commission shall declare the names of the elected MPs not later than seven days after election day.

Database

Art. 301. (1) The Central Election Commission shall create a database by means of computer processing of the tally sheets of the section election commissions within Bulgaria, the machine voting data, the tally sheet cables and the scanned copies of the tally sheets of the section election commissions abroad.

(2) The data from the tally sheets of the precinct election commissions referred to in Para. 1 shall be re-entered at the Central Election Commission. A computer comparison shall be performed between the data from the tally sheets of the section election commissions and the machine voting data as entered at the regional election commissions and at the Central Election Commission, and the differences shall be printed out.

(3) The scanned copies of the tally sheets and the tally sheet cables with the results of the voting abroad as received shall be entered and re-entered at the Central Election Commission. The votes received for the separate candidate lists shall be added to the votes received for the respective list within Bulgaria.

(4) If there are differences, as well as upon detection of apparent errors of fact, the Central Election Commission shall pronounce by decision on the final numerical data on each of the cases and shall update the database.

(5) The election results shall be determined according to the updated database.

(6) Where the differences or the errors referred to in Para. 4 are of a nature to alter the election result, the Central Election Commission shall communicate the said differences or errors to the political parties, coalitions of parties and nomination committees concerned.

(7) The Central Election Commission bulletin is published according to the updated database.

(8) The updated database of the Central Election Commission on a machine-readable data medium shall be provided to the President of the Republic, to the Chairperson of the National Assembly, to the Council of Ministers, to the political parties, coalitions of parties and nomination committees with registered candidates, to sociological agencies, to libraries, to universities, to the Bulgarian Academy of Sciences and to other organizations.

(9) The database referred to in Para. 8 may not be modified and circulated without permission of the Central Election Commission.

Section XI

Pre-Term Termination of Credentials

Declaring Elected Candidate upon Pre-Term Termination of Credentials. Vacancy

Art. 302. (1) Upon pre-term termination of the credentials of an MP, the Central Election Commission shall pronounce MP the candidate ranked next on the respective list.

(2) In the cases where an MP, elected on a candidate list of a political party or coalition of parties, is elected Minister, the said MP shall be replaced by the candidate ranked next on the list for the duration of execution of the functions of a Minister.

(3) Where there are no more candidates on the list, the seat shall remain vacant until the expiry of the credentials of the National Assembly.

(4) Where there is a candidate who has received valid preferences under the terms established by Art. 298, Para. 2, but the said candidate has not been pronounced elected, in the cases referred to in Para. 1 and 2, the said candidate shall replace the MP whose credentials are terminated.

(5) Upon pre-term termination of the credentials of an MP elected as an independent candidate, except as provided in Para. 2, the seat thereof shall remain vacant until the expiry of the credentials of the National Assembly.

Pre-term Termination of Credentials of an MP on the Grand National Assembly

Art. 303. (1) The credentials of an MP in the Grand National Assembly shall be pre-terminated as follows:

1. resignation addressed to the Grand National Assembly;
2. enforcement of imposed custodian sentence for intentionally committed crime, or the execution of the sentence of imprisonment is not suspended;
3. establishment of ineligibility or incompatibility;
4. death.

(2) In the case of p. 1 and 2, of Para. 1 the decision shall be taken by the Grand National Assembly, and in the case of p. 3, Para. 1 - by the Constitutional Court.

Section XII Disputing Election Results

Competent Authority

Art. 304. Any disputes regarding the legitimacy of the elections of MPs, and the election of an MP shall be resolved by the Constitutional Court.

Right to Dispute

Art. 305. (1) The candidates for MPs, the parties, the coalitions of parties and the representatives of the nomination committees who have registered candidates in the elections, may dispute the legitimacy of the elections of MPs or the election of an MP before the authorities referred to in Article 150 Para. 1 of the Constitution within seven days after the public announcement of the election results by the Central Election Commission.

(2) Within 15 days after the public announcement of the election results by the Central Election Commission, the authorities referred to in Art. 150 Para. 1 of the Constitution, acting on the received claim under Para. 1 or on its own initiative, may approach the Constitutional Court with a reasoned petition to pronounce on the legitimacy of the elections of MPs or the election of an MP.

Examination of the Petition

Art. 306. (1) Any such petition shall be examined under the provisions and according to the procedure established by the Constitutional Court Act and the Rules on the Organization of the Activities of the Constitutional Court.

(2) The Constitutional Court shall consider the petition and shall rule within a month of its receipt. The petition shall not suspend the decision of the Central Election Commission.

(3) The judgment of the Constitutional Court establishing illegitimacy of the elections of MPs or of the election of an MP shall be delivered to the National Assembly, the Central Election Commission and to the persons concerned.

(4) If the elections of MPs are declared illegitimate, a new election of a National Assembly shall be conducted not later than two months after judgment delivery referred to in Para. 3.

(5) If the election of an MP is pronounced illegitimate, the Central Election Commission shall determine by decision the election results according to the methodology referred to in Annex 1 herein, declaring the allocation of seats and the names of the elected MP. Any such decision of the Central Election Commission shall not be subject to appeal.

Chapter Sixteen ELECTIONS OF PRESIDENT AND VICE PRESIDENT OF THE REPUBLIC

Section I Suffrage. Principles

Right to Elect

Art. 307. The right to elect President and Vice President shall vest in the Bulgarian citizens who meet the conditions of Art. 42, Para. 1 of the Constitution.

Right to be elected

Art. 308. The right to be elect President and Vice President shall vest in the Bulgarian citizens who meet the conditions of Art. 93, Para. 2 of the Constitution.

Applicable Provisions

Art. 309. The provisions of the present Chapter and the respective provisions of Part One and Sections VII, VIII and IX of Chapter Fifteen shall apply in the elections of a President and Vice President of the Republic of Bulgaria.

Section II Electoral System. Powers of the Central Election Commission. Methodology

Electoral System

Art. 310. (1) A President and Vice President of the Republic shall be elected simultaneously according to a majoritarian electoral system from registered national candidate lists of:

1. Political parties and coalitions;
2. Nomination committees.

(2) The President and the Vice President shall be elected from the same candidate list.

Powers of the Central Election Commission under this Chapter

Art. 311. Central Election Commission shall:

1. ascertain and declare invalid the registration of candidates who do not satisfy the requirements covered under Art. 317, para. 1;
2. strike the registration, where it is established that the candidate do not satisfy the conditions of Art. 93, para. 2 of the Constitution as well as where the collection of signatures in support of an independent candidate does not conform to the requirements of Art. 320, para. 1;
3. declare the election results and the date for conduct of new elections if no candidate is elected according to Art. 93 para. 3 of the Constitution;
4. declare the names of the candidates between whom the new election will be conducted, not later than 48 hours after the announcing of the closing of the polls;
5. declare the election results and the names of the elected President and Vice President of the Republic, promulgate the said results and names in the State Gazette forthwith after the announcement of the said results, and issue certificates to the elected President and Vice President of the Republic;

Methodology

Art. 312. The results of the elections for President and Vice President of the Republic are determined based on the methodology referred to in Annex No. 2 herein.

Section III Election Regions

Delimitation of Election Regions

Art. 313. (1) For the purposes of conducting elections of President and Vice President of the Republic, the territory of Bulgaria, including the polling stations abroad, shall constitute one single-member election region.

(2) For the purposes of the administrative and logistical preparation for the elections, the territory of Bulgaria shall be divided into regions, which shall correspond to the election regions referred to in Art. 249, para. 1 upon the last parliamentary elections.

Section IV Electoral Lists

Inclusion in the Lists

Art. 314. All Bulgarian citizens who satisfy the conditions of Art. 42, Para. 1 of the Constitution shall be included in the electoral lists.

Electoral List Entry Request

Art. 315. (1) A Bulgarian citizen residing outside the Republic of Bulgaria, who is present in Bulgaria on election day, may vote according to the permanent address thereof.

(2) Where the person under Para. 1 has been removed from the electoral list, the latter shall be entered on the lists by the authorities referred to in Art. 39 upon request, before delivery of the lists to the section election commissions, and upon presentation of an identity document and of a completed model declaration, to the effect that the person shall not vote elsewhere.

(3) When the request is made on election day, it is entered on the roll by the section election commissions upon the procedure of Art. 40.

Section V Registration of Candidate Lists

Candidate Lists

Art. 316. The political parties, the coalitions of parties and the nomination committees register the candidates in a joint national candidate list.

Registration Rules

Art. 317. (1) The candidates for President and Vice President of the Republic may be nominated for registration only by one political party, coalition of parties or nomination committee.

(2) Where a candidate is registered by more than one political party, coalition of parties or nomination committee, the earliest registration shall be valid.

Documents and Registration Term

Art. 318. (1) The registration of the candidate lists shall be effected by the Central Election Commission upon presentation of:

1. a proposal by the political party, coalition of parties, stating the names, the Uniform Civil Number and the permanent address (residential address) of the candidates; any such proposal shall be signed by the persons representing the political party or the coalition of parties, or by persons expressly authorized thereby;

2. a proposal by the nomination committee, stating the names, the Uniform Civil Number and the permanent address of the candidates; any such proposal shall be signed by the person representing the nomination committee;

3. a completed model declaration by each one of the candidates, to the effect that the candidate has resided in Bulgaria during the last five years and satisfies the conditions covered under Art. 93 Para. 3 and Art. 95, Para. 1 of the Constitution;

4. a completed model declaration by each candidate, to the effect that the candidate satisfies the conditions referred to in Art. 317, Para. 1;

5. application by the candidates of their consent to be registered by the proposing political party, coalition of parties or nomination committee;

6. an authorization of the persons authorized to represent the political party or the coalition of parties in dealings with the Central Election Commission, in the cases where the documents are submitted by authorized persons.

(2) The candidates for President and Vice President of the Republic shall be registered by the Central Election Commission not later than 32 days in advance of election day.

(3) The documents covered under Para. 1 shall be recorded in a separate register with a sequential number assigned thereto. The order of arrival of the documents shall determine the order of entry in the register of the Central Election Commission.

Validity of the Registration

Art. 319. (1) The Central Election Commission shall ascertain and declare invalid registrations in violation of Art. 317, Para.1. The decisions shall be immediately declared and the respective candidates, political parties, coalition of parties and nomination committees shall be notified.

(2) The decisions under Para. 1 of the Central Election Commission to declare invalidity of the registered candidates under Para. 1 may be appealed before the Supreme Administrative Court under Art. 58.

List of Voters Supporting the Registration of an Independent Candidate

Art. 320. (1) Independent candidates for President and Vice President of the Republic shall be registered when supported by at least 2500 voters.

(2) Any voter, who supports the participation in the elections of an independent candidate, shall certify this by signature affixed before a member of the nomination committee. The voter shall state his/her name and the Uniform Civil Number. Each voter may participate in only one collection of signatures. The list shall be delivered as a structured e-list as well containing the names and Uniform Civil Numbers of the voters who have affixed their signatures in the order in which they have been entered into the list.

(3) The member of the nomination committee referred to in Para. 2 shall process and provide the personal data in compliance with the requirements of the Personal Data Protection Act and shall bear responsibility as data controller within the meaning of Art. 3, Para.2 of the Personal Data Protection Act.

(4) The signature list shall be delivered to the Central Election Commission, together with the documents under Art. 318, Para. 1, 2, 3, 4 and 5 not later than 32 days in advance of election day.

Conditions for Registration. Refusal of Registration

Art. 321. (1) The Central Election Commission shall check whether the requirements of the present Section are met and shall decide on the registration of the candidate lists.

(2) Upon ascertainment of any omissions or discrepancies, the Central Election Commission shall give immediate directions and a deadline for their elimination. In the event that the omissions or discrepancies are not eliminated by the deadline set, the Central Election Commission shall refuse registration.

(3) The refusal under Para. 2 may be appealed before the Supreme Administrative Court as proved for in Art. 58.

(4) Upon refusal of registration or upon declaration of invalidity of the registration of a candidate on a list of a political party or coalition of parties, the political party or coalition of parties may propose another candidate for registration not later than 30 days in advance of election day.

(5) Should any of the candidates on a registered candidate list of a political party or coalition of parties die or lapse into a sustained inability to participate in the elections, the political party or coalition of parties may propose a new candidate within the term of 7 days before the election day. Where some of the candidates in a registered candidate list of a party or coalition refuses participation, the party or coalition of parties may propose another candidate not later than 30 days before the election day.

(6) Where the political party or coalition of parties in the cases under Para. 4 or 5 fails to nominate another candidate, the Central Election Commission shall refuse registration, respectively shall strike the registration of the candidate list.

Verification of the Lists. Official Cancellation of Registration

Art. 322. (1) The lists under Art. 320, Para. 2 shall be submitted electronically immediately by the Central Election Commission, to the Directorate General Civil Registration and Administrative Services at the Ministry of Regional Development for verification.

(2) The Directorate General Civil Registration and Administrative Services at the Ministry of Regional Development shall conduct the verification not later than 27 days in advance of election day.

(3) The Directorate General Civil Registration and Administrative Services at the Ministry of Regional Development shall draw up a Protocol of the verification results in two copies where one of the copies shall be submitted to the Central Election Commission. The verification data shall be kept for six months following the elections.

(4) The Central Election Commission shall ascertain the result of the verification of the lists under Art. 320, Para. 2 based on the verification conducted by the Directorate General Civil Registration and Administrative Services at the Ministry of Regional Development. Upon request of the nomination committee, the Central Election Commission shall present in writing the data from the Protocol under Para. 3 and the results ascertained for the lists under Art. 320, Para. 2 submitted by the nomination committee.

(5) In cases where the Central Election Commission finds out that the independent candidate is not supported by the required number of voters, the registration of the independent candidate shall be deleted by decision that shall be sent forthwith to the nomination committee.

(6) The decision of the Central Election Commission under Para. 5 may be appealed before the Supreme Administrative Court pursuant to Art. 58.

Inquiries in the List under Article 320, Paragraph 2

Art. 323. The Central Election Commission shall provide for each voter to make inquiries with reference to the list under Art. 320, Para. 2 stating Uniform Civil Number including by using a toll-free number.

Promulgation of the Lists

Art. 324. The Central Election Commission shall promulgate in the State Gazette, not later than 30 days in advance of election day, the candidate lists, stating the names, date of birth, the political parties, coalitions of parties or nomination committees that have nominated the candidates.

Section VI Ballot Paper

Content

Art. 325. (1) The ballot paper shall be joint and shall contain on its face:

1. name and number of the region as per the provisions of Art, 313, Para. 2;
2. the full and/or abbreviated name of the political party or the coalition of parties as stated in the application for registration thereof, or the name of the nomination committee, with the abbreviation for a political party being written as "ПП" [abbreviation for "political party" in Bulgarian], for a coalition of parties as "КП" [abbreviation for "coalition of parties" in Bulgarian], and for a nomination committee as "ИК" [abbreviation for "nomination committee" in Bulgarian];
3. a square to be marked with an "X" or "V" sign showing the preference of the voter, where the sequential number of the political party, coalition of parties or nomination committee is written;
4. the name of the candidate for President and the name of the candidate for Vice President, written on separate lines in the respective candidate list;

(2) Lines of different political parties, coalitions of parties and nomination committees shall be separated from each other by an empty line and solid black horizontal line.

(3) The name and number of the constituency under Art. 313, Para. 2, shall be written on the top line of the ballot paper. Details under Para. 1, p. 2, 3 and 4 shall be written sequentially from left to right on a single horizontal line for each political party, coalition of parties or nomination committee. The word "independent" shall be written following the names of the independent candidates. In the ballot papers for voting abroad, the name and number of the constituency shall be replaced by the text "Ballot Paper for Voting Abroad".

(4) Two places shall be marked on the back of the ballot paper for the seal of the respective section election commission.

(5) Ballot papers for political parties, coalitions of parties and nomination committees, which contain the essential elements referred to in Para. 1, p. 2, 3 and 4 shall be used for voting abroad.

Drawing Lots for Determining the Number in the Ballot Paper

Art. 326. (1) The sequential number of political parties, coalitions of parties and nomination committees in the ballot paper shall be determined by the Central Election Commission by a lot drawn in the presence of representatives of the political parties, the coalitions of parties and the nomination committees not later than 31 days before election day. The lot shall be drawn publicly and the registered candidates, observers and representatives of the mass media may also be present. The assigned sequential number shall be the same for the whole country and for the vote abroad. The result of the drawing of lots shall be publicly announced by decision of the Central Election Commission pursuant to Art. 57, Para. 1.

(2) Political parties, coalitions of parties and nomination committees that have not registered candidate lists shall not participate in the drawing of the lot and shall not be allocated a number and an empty line shall not be left in the ballot paper.

Section VII Voting

Section VII of Chapter Fifteen shall Apply

Art. 327. The provisions of Section VII of Chapter Fifteen and the provisions of this Section shall apply in the voting process on election day.

Voting by Paper Ballots

Art. 328. (1) After being admitted to vote, the voter shall receive a paper ballot from a member of the section election commission who takes it away from the ballot book just before its handing over and stamps it with the seal of the commission. The voter shall proceed with the received paper ballot to the booth to vote.

(2) Only one voter may be present in the booth.

(3) The voter shall vote by performing the following steps:

1. the voter shall mark the square bearing the number of the chosen candidate list with an "X" or "V", which expresses unequivocally the vote thereof

2. the voter shall fold the ballot paper in a manner making invisible the marked choice of a party, a coalition of parties or a nomination committee;

3. the voter shall exit the booth and shall hand the folded ballot to a member of the commission.

(4) The member of the commission checks whether the number of the ballot corresponds to the number on the book of ballot papers and if so, re-stamps the ballot papers with the seal of the commission and tears out the piece with the ballot number depositing it in a separate box.

(5) In case of discrepancy, the ballot papers shall be declared invalid and this circumstance shall be noted on the ballot paper and in the column designated "Notes" of the electoral list. The voter shall not be allowed a second voting.

(6) Following the re-stamping of the ballot papers, the voter shall deposit it in the ballot box, shall sign the electoral roll, shall be given the documents back, including the certificate under Art. 263, Para.1, second sentence or Para. 2, and shall leave the site.

(7) Writing any special symbols such as letters, numbers or other signs in the ballot paper shall render the vote invalid.

(8) Writing any special symbols such as letters, numbers or other signs on the ballot book is prohibited.

Machine Voting

Art. 329. With machine voting, the voter shall vote marking unequivocally his or her vote for a candidate list.

Section VIII Vote Counting

Section VIII of Chapter Fifteen shall Apply

Art. 330. The provisions of Section VIII of Chapter Fifteen and the provisions of this Section shall apply in the vote counting.

Tally Sheet of the Section Election Commission

Art. 331. Each copy of the tally sheet shall consist of one sheet with separate pages.

Valid and Invalid Vote

Art. 332. (1) Upon determination of the voting results, each ballot paper shall correspond to one vote, which may be either valid or invalid.

(2) A vote shall be valid where:

1. the ballot paper conforms to the established standard design for the respective region in accordance with Art. 313, para. 2;

2. any special symbols such as letters, numbers or other signs are not written in the ballot paper;

3. the ballot paper contains two seals of the respective section election commission;

4. only one of the voting squares is marked with an "X" or "V" placed by means of a ballpoint pen, writing in blue ink, which expresses unequivocally the vote of the voter;

5. The sign "X" or "V" placed by the voter by a ballpoint pen, writing in blue ink, goes beyond the square of the respective candidate list, but does not run into the square of another candidate list;

6. there are deviations in the ballot paper due to defects and manufacturing errors, or where the ballot paper is mechanically damaged or stained;

(3) A vote shall be invalid where:

1. the ballot paper does not conform to the established standard design for the respective regional in accordance with Art. 313, para. 2;

2. any special symbols such as letters, numbers or other signs, are written on the ballot paper;

3. the ballot paper does not contain two seals of the respective section election commission;

4. none of the squares in the ballot is marked with an "X" or "V" and by means of a ballpoint pen writing in blue ink;

5. the ballot paper does not reflect the vote of the voter;

6. The sign "X" or "V" or another sign is placed by a ballpoint pen writing in blue or in another colour, for two or more candidate lists or by placed "X" or "V" that runs into more than one voting squares and the unequivocal choice of the voter could not be determined;

Segregation of the Ballot Papers

Art. 333. (1) After opening of the ballot box and extraction of the ballot papers, the latter shall be segregated in piles as follows:

1. a pile of ballot papers which do not conform to the established standard design for the respective region in accordance with Art. 313, para. 2;

2. a pile of ballot papers with special symbols, such as letters, numbers or other signs, written therein;

3. a pile of ballot papers conforming to the established standard design wherein the vote of the voter is not marked by an "X" or "V": and by a ballpoint pen writing in blue ink;

4. a pile of ballot papers conforming to the established standard design wherein the vote of the voter is not marked;

5. a pile of ballot papers conforming to the established standard design:

a) wherein the sign "X" or "V" or another sign is placed by means of a ballpoint pen writing in blue or in another colour, for two or more candidate lists or by placed "X" or "V" that runs into more than one voting square and the unequivocal choice of the voter could not be determined;

b) which do not contain two seals of the respective section election commission; any such ballot papers shall be cancelled by means of an inscription "Cancelled" on each ballot paper;

6. a pile of ballot papers conforming to the established standard design:

a) which contain an "X" or "V" placed by means of a ballpoint pen, writing in blue ink for one candidate list;

b) wherein the ballot paper contains two seals of the respective section election commission,

(2) Where the validity or non-validity of some vote is disputed, after a decision of the commission the case shall be written in a protocol. The protocol shall be attached to the tally sheet of the section election commission where at the back of the protocol shall be stated the number of the decision, the reason for invalidity and shall be signed by the chairperson and the secretary.

Total Number of Valid and Invalid Votes

Art. 334. (1) The section election commission shall count the votes cast with paper ballots in the voting section.

(2) The number of invalid votes shall be equal to the number of ballot papers under Art. 333, Para. 1, p. 1 to 5.

(3) The number of valid votes shall be equal to the number of ballot papers under Art. 333, Para. 1, p. 6.

Tally Sheet Data Entry

Art. 335. (1) After the opening of the ballot box and the counting of the votes, the following shall be entered in the tally sheet of the section election commission:

1. the number of ballot papers found in the ballot boxes;

2. the number of invalid votes;

3. the number of valid votes;

4. the number of votes cast for each candidate list;

5. the number of applications, objections and complaints lodged and the decisions adopted thereon.

(2) The numbers from the machine voting shall be added separately to the data in the tally sheet of the section election commission under Para. 1.

(3) The data from the voting with paper ballots and from the machine voting shall be summed up and the total number of the votes cast by paper ballots and those cast by machine voting shall be equal to the total number of the ballot papers found in the ballot boxes and of the control receipts found in the special machine voting box.

(4) The data under Para. 1 shall be entered into the tally sheet in words and figures.

Signing of Tally Sheet

Art. 336. The tally sheet of the section election commission, following its preparation, shall be signed by all members of the commission. After signing the tally sheet, the chairperson shall announce the voting results per political parties, coalition of parties and independent candidates.

Delivery of Results of Voting Abroad

Art. 337. The election stationery and materials from the voting on board navigation vessels flying the Bulgarian flag shall be sent immediately to the Central Election Commission and shall be safe-kept until the next elections.

Section IX Determination of Election Results by Regional Election Commission

Section IX of Chapter Fifteen shall Apply

Art. 338. The provisions of Section IX of Chapter Fifteen and the provisions of this Section shall apply in determination of election results by the regional election commission.

Reporting Voting Results

Art. 339. (1) On the basis of the data from the tally sheets of the section election commissions, the regional election commission shall report the results of the voting in the region under Art. 313, Para. 2 and shall prepare a tally sheet.

(2) By decision of the regional election commission, the votes from the navigation vessels on board of which a polling station has been established shall be added to the votes for the candidate lists of the region under Art. 313, Para.2.

Tally Sheet Data Entry

Art. 340. (1) The tally sheet of the regional election commission the following data shall be included in this order: number of section election commissions in the region as per Art. 313, Para.2, number of section election commissions which have presented tally sheets on the voting, as well as the data covered under Art. 275, Para. 1 and under Art. 281.

(2) The data under Para. 1 shall be entered into the tally sheet in words and figures.

Database

Art. 341. The regional election commission shall create a database by means of computer processing of the tally sheets of the section election commissions in the region under Art. 313, Para. 2, and of the tally sheet cables from the navigation vessels flying the Bulgarian flag.

Section X Determination of the Election Results by the Central Election Commission

Announcement of the Elections Results

Art. 342. (1) The Central Election Commission shall announce the results of the elections of President and Vice President of the Republic forthwith after the determination of the said results but not later than 48 hours after the polls are declared closed.

(2) Where none of the candidates has been elected, the Central Election Commission shall determine the first two candidates on lists who have gained the most valid votes and shall conduct a new election within the time limit referred to in Art. 93 Para. 4 of the Constitution.

(3) The election campaign under Para. 2 shall commence as from the determination of the candidates and shall proceed until 24 hours before election day

Withdrawal from New Election

Art. 343. (1) Where one of the candidates for President and Vice President of the Republic, who have gained the most valid votes, declines to run in the new elections within 24 hours after the announcement of the election results, the candidates on the list with the next highest number of valid votes who shall be determined by the Central Election Commission, shall run in the elections.

(2) In the event of death or severe illness of any of the candidates on the lists who have gained the most valid votes, the Central Election Commission shall postpone the elections and shall schedule new elections not later than 14 days after the date of the second elections. Within three days after the date of the decision of the Central Election Commission, the central leadership of the party competent pursuant to the statute, or the leadership of the coalition of parties competent pursuant to the decision on the formation of the coalition may register a new candidate as provided for in Section V of the present Chapter.

Announcement of Final Results

Art. 344. (1) The final results of the elections of President and Vice President of the Republic shall be declared by the Central Election Commission within three days after election day and shall be promulgated in the State Gazette not later than seven days after election day.

(2) The results shall be announced by list for all candidates. Where new elections have been conducted, the results of the first elections shall be announced as well.

Taking Oath of Office

Art. 345. The newly elected President and Vice President shall take the oath of office referred to in Art. 76, Para. 2 of the Constitution three days prior to the expiry of the credentials of the incumbent President and Vice President. The newly elected President and Vice President shall assume office as from the day of expiry of the credentials of the incumbent President and Vice President.

Database

Art. 346. (1) The Central Election Commission shall create a database by means of computer processing of the tally sheets of the precinct election commissions within Bulgaria, the machine voting data, the tally sheet cables and the scanned copies of the tally sheets of the precinct election commissions abroad.

(2) The data from the tally sheets of the precinct election commissions referred to in Para. 1 shall be re-entered at the Central Election Commission. A computer comparison shall be performed between the data from the tally sheets of the precinct election commissions and the machine voting data as entered at the constituency election commissions and at the Central Election Commission, and the differences shall be printed out.

(3) The scanned copies of the tally sheets and the tally sheet cables with the results of the voting abroad as received shall be entered and re-entered at the Central Election Commission. The votes received for the separate candidate lists shall be added to the votes received for the respective list within Bulgaria.

(4) If there are differences, as well as upon detection of apparent errors of fact, the Central Election Commission shall pronounce by decision on the final numerical data on each of the cases and shall update the database.

(5) The election results shall be determined according to the updated database.

(6) Where the differences or the errors referred to in Para. 4 are of a nature to alter the election result, the Central Election Commission shall communicate the said differences or errors to the political parties, coalitions of parties and nomination committees concerned.

(7) The Central Election Commission bulletin is published according to the updated database.

(8) The updated database of the Central Election Commission on a machine-readable data medium shall be provided to the President of the Republic, to the Speaker of the National Assembly, to the Council of Ministers, to the political parties, coalitions of parties and nomination committees with registered candidates, to sociological agencies, to libraries, to universities, to the Bulgarian Academy of Sciences and to other organizations.

(9) The database referred to in Para. 8 may not be modified and circulated without permission of the Central Election Commission.

Section XI Disputing Election Results

Competent Authority

Art. 347. Any disputes regarding the legitimacy of the elections of President and Vice President of the Republic shall be resolved by the Constitutional Court.

Right to Dispute

Art. 348. (1) The candidates for President and Vice President of the Republic, the parties, coalitions of parties, and the nomination committee who have registered candidates in the elections, may dispute the legitimacy of the elections of President and Vice President of the Republic before the authorities referred to in Article 150 Para. 1 of the Constitution, within seven days after the decision for announcement of the election results is made public by the Central Election Commission.

(2) Within 15 days after the public announcement of the election results by the Central Election Commission, the authorities referred to in Art. 150 Para. 1 of the Constitution, acting on the received claim under Para. 1 or on its own initiative, may approach the Constitutional Court with a reasoned petition to pronounce on the legitimacy of the elections of a President and Vice President of the Republic.

Examination of the Petition

Art. 349. (1) Any such petition shall be examined under the provisions and according to the procedure established by the Constitutional Court Act and the Rules on the Organization of the Activities of the Constitutional Court.

(2) The petition shall not suspend the decision of the Central Election Commission.

(3) The judgment establishing illegitimacy of the election of a President and Vice President of the Republic shall be transmitted to the National Assembly, the Central Election Commission and the persons concerned.

(4) If the election of a President and Vice President of the Republic is pronounced illegitimate, a new election after rendition of the judgment referred to in Para. 3.

Chapter Seventeen ELECTIONS OF MEMBERS OF THE EUROPEAN PARLIAMENT FOR THE REPUBLIC OF BULGARIA

Section I Suffrage. Principles

Right to Elect

Art. 350. (1) The right to elect Members of the European Parliament for the Republic of Bulgaria shall vest in the Bulgarian citizens who have attained the age of 18 years by election day inclusive, have resided in the Republic of Bulgaria or in another Member State of the European Union at least during the last three months, are not interdicted and do not serve a custodial sentence.

(2) All citizens of a Member State of the European Union, who are not Bulgarian citizen, shall have the right to elect Members of the European Parliament for the Republic of Bulgaria if they attained the age of 18 years by election day inclusive, are not interdicted, do not serve a custodial sentence, enjoy a durable or permanent residence status for the Republic of Bulgaria, have resided in the Republic of Bulgaria or in another Member State of the European Union at least during the last three months, are not deprived of the right to elect in the Member State of which they are citizens.

Right to be Elected

Art. 351. (1) The right to be elected Members of the European Parliament for the Republic of Bulgaria shall vest in any Bulgarian citizen who has attained the age of 21 years by election day inclusive, is not interdicted, does not serve a custodial sentence, has a permanent address in the Republic of Bulgaria, and has resided in the Republic of Bulgaria or in another Member State of the European Union at least during the last six months.

(2) The right to be elected Member of the European Parliament for the Republic of Bulgaria shall furthermore vest in any citizen of a Member State of the European Union, who has attained the age of 21 years by election day inclusive, is not interdicted, does not serve a custodial sentence, is not deprived of the right to be elected in the Member State of which the person is a citizen, enjoys a durable or permanent residence status for the Republic of Bulgaria, has resided in the Republic of Bulgaria or in another Member State of the European Union at least during the last six months.

Applicable Provisions

Art. 352. The provisions of the present Chapter and the respective provisions of Part One and Sections VII, VIII and IX of Chapter Fifteen shall apply in the elections of Members of the European Parliament for the Republic of Bulgaria.

Section II**Electoral System. Powers of the Central Election Commission. Allocation of Seats****Proportional Electoral System**

Art. 353. (1) Members of the European Parliament for the Republic of Bulgaria shall be elected according to a proportional election system from national candidate lists of:

1. Political parties and coalitions;
2. Nomination committees.

(2) In voting for a candidate list of a political party or coalition, the voter may mark a preference for a candidate in the candidate list thus expressing his/her preference on the order of arrangement of the candidates on the candidate list he/she is voting for.

Powers of the Central Election Commission beyond Article 57

Art. 354. Central Election Commission shall:

1. transmit forthwith to the competent authorities of the Member States of the European Union a list of the citizens of those Member States who are entered on Part II of the electoral roll, as well as an abstract of the register referred to in Art. 365 Para. 3 herein for the citizens who have registered as candidates;

2. check the circumstances, stated in the declarations of the Bulgarian citizens, submitted in the respective Member State and shall send information within 5 days following receipt of the request for information of the competent authorities of the Member State, of the European Union;

3. ascertain and declare invalid the registration of candidates who do not satisfy the requirements covered under Art. 364, Para. 1 or 3 therein;

4. strike the registration where:

a) it is established that the candidate does not satisfy the conditions referred to in Art. 351, Para. 1 or 2 herein;

b) the collection of signatures in support of an independent candidate does not conform to the requirements of Art. 367, Para. 1 or 2 herein;

c) in the cases provided for by Art. 368, Para. 5;

5. organize and conduct, through the mass communication media or in another appropriate manner, an awareness raising campaign regarding the conditions under which the citizens of another Member State of the European Union may elect and be elected Members of the European Parliament for the Republic of Bulgaria; the awareness raising campaign may

commence not later than 15 days before expiry of the respective term from which the rights and obligations of the citizens of another Member State of the European Union arise in connection to the elections;

6. declare the election results and issue certificates to the elected Members of the European Parliament for the Republic of Bulgaria;

7. promulgate in the State Gazette the results of the elections immediately after their announcement;

8. provide information on the election results to the President of the Republic, to the Chairperson of the National Assembly and to the Prime Minister;

Allocation of Seats

Art. 355. The results of the elections and the allocation of seats are determined based on the methodology referred to in Annex No. 3 herein.

Section III Election Regions

Determining the Election Regions

Art. 356. (1) For the purposes of conducting elections of Members of the European Parliament for the Republic of Bulgaria, the territory of Bulgaria, including the voting sections abroad, shall constitute one single-member election region.

(2) For the purposes of the administrative and logistical preparation for the elections, the territory of Bulgaria shall be divided into regions, which shall correspond to the election regions referred to in Art. 249, para. 1 upon the last parliamentary elections.

Section IV Electoral Lists

Compilation of Lists

Art. 357. (1) Part I of the electoral lists shall be compiled according to the permanent address of the citizens of the Republic of Bulgaria.

(2) Part II of the electoral rolls shall be compiled on the basis of the residing addresses in the Republic of Bulgaria declared by the citizens of another Member State of the European Union.

Manner of Compilation of Part I and Part II of the Electoral Lists

Art. 358. (1) All Bulgarian citizens who satisfy the conditions of Art. 350, Para. 1 shall be included in Part I of the electoral lists.

(2) Part II of the electoral lists shall be compiled on the basis of the submitted declarations under Art. 359 herein by citizens of another Member State of the European Union. Part II of the electoral rolls shall include alphabetically the names of the voters, citizenship and the residence address in the Republic of Bulgaria. The columns for the entry of the personal number, the number of the identity card or passport and the number of the residence certificate and the date of registration therein shall remain empty and not being completed, and formatting a separate column designated "Notes"

Declaration from a Citizen of another Member State

Art. 359. (1) Any citizen of another Member State of the European Union, who satisfies the conditions referred to in Art. 350, Para. 2 herein and wishes to be entered on an electoral roll, shall present a completed model declaration to the municipal administration exercising jurisdiction over the residence address in the Republic of Bulgaria not later than 40 days in advance of election day, declaring thereby

1. citizenship and residence address in the Republic of Bulgaria;

2. the settlement or the constituency in a Member State of the European Union on the electoral list of which the name thereof was last entered;

3. that the right of vote shall be exercised only in the Republic of Bulgaria

4. that he/she is not deprived of the right to elect in the Member State of citizenship;

5. identity card or passport data and personal number;

6. the date since which he or she resides in the Republic of Bulgaria or in another Member State of the European Union.

(2) Citizen of another Member State of the European Union who has once filed a declaration under Para. 1 and has been included in the electoral roll Part II, in subsequent elections for Members of the European Parliament for the Republic of Bulgaria shall be entered automatically in Part II of the electoral roll without filing a new declaration. New declaration under Para. 1 shall be filed only in case of changes in any the declared circumstances.

(3) The declarations under para. 1 shall be safe-kept till next elections of Members of the European Parliament for the Republic of Bulgaria with the respective Municipal administration.

Removal from Electoral Lists. Re-entry into the Electoral Lists

Art. 360. (1) The names of citizens with present address, at the time of preparation of the electoral lists, in a country which is not a member of the European Union shall be removed from the electoral lists.

(2) The persons under Para. 1 shall be re-entered into the electoral rolls upon their request by the authorities pursuant to Art. 23, Para. 1 until delivery of the electoral rolls to the section election commission, or on election day - by the precinct election commission upon presentation of an identification document, decision under Art. 39 or a certificate under Art. 40 and a completed model declaration to the effect that:

1. they have resided for at least the last three months in the Republic of Bulgaria or in another Member State of the European Union ;

2. they have not voted in the same elections for Members of the European Parliament - in cases where the request is made after the election period determined by the Council of the European Union has commenced;

3. they shall not vote elsewhere for the same elections for Members of the European Parliament.

Entry into the Election Lists of Bulgarian Citizens Residing in another Member-State of the European Union

Art. 361. (1) A Bulgarian citizen residing in another Member-State of the European Union, who is present in Bulgaria on election day, may vote according to his or her permanent address.

(2) Where the person under para. 1 has been removed from the electoral roll, the latter shall be entered on the rolls by the authorities referred to in Art. 23 Para. 1 upon request, before delivery of the rolls to the section election commissions, and upon presentation of an identity document, decision under Art. 39 or certificate under Art. 40 and of a completed model declaration to the effect that:

1. the person has resided for at least the last three months in another Member State of the European Union ;

2. the person has not voted in the same elections for Members of the European Parliament - in cases where the request is made after the election period determined by the Council of the European Union has commenced;

3. the person shall not vote elsewhere for the same elections for Members of the European Parliament.

Transmission of a Copy of Part II Verification

Art. 362. (1) The authorities referred to in Art. 23, Para. 1 herein, shall transmit a copy of Part II of the electoral lists to the Central Election Commission, which shall notify the competent authorities of the relevant Member States of their citizens who have been included in the

electoral lists. A list of the names of the voters in the respective language, as they appear in the identity card or the passport, shall be attached as well.

(2) A check of the circumstances referred to in Art. 350 herein shall be conducted by the Ministry of Interior and the Ministry of Justice at the request of the authorities referred to in Art. 23, Para. 1 herein. In respect of the citizens of another Member State of the European Union, any such request shall be accompanied by a copy of the declarations under Art. 359 herein.

Section V

Registration of Candidate Lists

Candidate Lists

Art. 363. The political parties, the coalitions of parties and the nomination committees shall rank the candidates on a single national candidate list. The candidates of parties and coalitions shall be entered in the register of candidate lists and shall be registered with numbers, in which they have been arranged in the candidate list.

Registration Rules

Art. 364. (1) Each candidate shall have the right to stand in only one Member State of the European Union.

(2) The number of candidates on one candidate list may not exceed the number of Members of the European Parliament for the Republic of Bulgaria.

(3) A candidate for Member of the European Parliament for the Republic of Bulgaria may be proposed for registration by only one party, coalition of parties or nomination committee.

(4) Where a candidate is registered by more than one political party, coalition of parties or nomination committee, the earliest registration shall be valid.

Documents and Registration Term

Art. 365. (1) The registration of the candidate lists shall be effected by the Central Election Commission upon presentation of:

1. a proposal by the political party concerned, the coalition of parties concerned, stating the names, the Uniform Civil Number and the permanent address (residence address) of the candidates; any such proposal shall be signed by the persons representing the political party or the coalition of parties, or by persons expressly authorized thereby;

2. a proposal by the nomination committee, stating the names, the Uniform Civil Number and the permanent address (residence address) of the candidate; any such proposal shall be signed by the person representing the nomination committee;

3. applications by the candidates of their consent to be registered by the nominating political party, coalitions of parties or nomination committee;

4. a completed model declaration by the candidates, to the effect that the candidates satisfy the conditions referred to in Art. 351, Para. 1 or 2 herein, stating permanent address and Uniform Civil Number;

5. declaration by each candidate completed in a standard form, to the effect that the candidate satisfies the conditions referred to in Art. 364, Para. 1 or 3;

6. any candidate, who is a citizen of a Member State of the European Union and is not a Bulgarian citizen, shall present a completed model declaration, declaring thereby:

a) citizenship, date and place of birth;

b) residence address in the Republic of Bulgaria;

c) that the person is not interdicted;

d) that the person is not standing as a candidate in the same election to the European Parliament in any other Member State of the European Union;

e) the settlement or the constituency in the Member State of which the person is a citizen, on the electoral roll of which the name thereof was last entered;
f) the address in the Member State of citizenship, where last registered;
g) identity card or passport data and personal number;
h) that the person has not been deprived of the right to be elected in the Member State of citizenship by an act that have been subject to judicial review;

7. an authorization of the persons authorized to represent the political party or the coalition of parties in dealings with the Central Election Commission, in the cases where the documents are submitted by authorized persons.

(2) The registration of the candidate lists shall be effected not later than 32 days in advance of election day.

(3) The documents covered under Para. 1 shall be recorded in a separate register with a sequential number assigned thereto. The order of arrival of the documents shall determine the order of entry in the register of the Central Election Commission.

(4) The Central Election Commission shall transmit an abstract of the register referred to in Para. 3 of candidates for Members of the European Parliament for the Republic of Bulgaria who are citizens of a Member State of the European Union but are not Bulgarian citizens to the competent authorities of the Member States of the European Union. In case the competent authority of the respective Member State of the European Union does not send a reply within 5 business days following the receipt of the abstract of the register referred to in Para. 3, the Central Election Commission shall register the candidate if in conformity with the provisions of Art. 351, Para. 2 and if the respective documents referred to in Para. 1 have been presented.

(5) At the request of the Central Election Commission, a check of the circumstances referred to in Art. 351 herein, shall be conducted by the Ministry of Interior and the Ministry of Justice.

Validity of the Registration

Art. 366. (1) The Central Election Commission shall ascertain and declare invalid registrations in violation of Art. 364, Para.1 or 3. The decision shall be immediately declared and the respective candidates, political parties, coalition of parties and nomination committees shall be notified.

(2) The decisions under Para. 1 of the Central Election Commission to declare invalidity of the registered candidates may be appealed before the Supreme Administrative Court as provided for by Art. 58.

List of Voters Supporting the Registration of an Independent Candidate

Art. 367. (1) An independent candidate for Member of the European Parliament for the Republic of Bulgaria shall be registered where the candidature thereof is supported by not fewer than 2500 voters.

(2) Any voter, who supports the participation in the elections of an independent candidate, shall certify this by signature affixed before a member of the nomination committee. The voter who is a Bulgarian citizens shall state his/her name and the Uniform Civil Number thereof, and the citizens of another Member State of the European Union enjoying a durable or permanent residence status for Bulgaria shall state the names, the Personal Number, the number of the identity card or passport, the number of the residence certificate and the date of registration stated therein. Each voter may participate in only one collection of signatures. The list shall be delivered as a structured e-list as well, containing full name and Uniform Civil Number (personal number) of the voters who have affixed their signatures in the order in which they have been entered into the list.

(3) The member of the nomination committee referred to in Para. 2 shall process and provide the personal data in compliance with the requirements of the Personal Data Protection Act and shall bear responsibility as data controller within the meaning of Art. 3, Para. 2 of the Personal Data Protection Act.

(4) The signature list shall be delivered to the Central Election Commission, together with the documents under Art. 365, Para. 1, p. 2, 3, 4, 5 and 6 not later than 32 days in advance of election day.

Conditions for Refusal of Registration

Art. 368. (1) The Central Election Commission shall check whether the requirements of the present Section are met and shall decide on the registration of the candidate lists.

(2) Upon ascertainment of any omissions or discrepancies, the Central Election Commission shall give immediate directions and a deadline for their elimination. In the event that the omissions or discrepancies are not eliminated by the deadline set, the Central Election Commission shall refuse registration.

(3) The refusal under Para. 2 may be appealed before the Supreme Administrative Court as provided for in Art. 58.

(4) Upon refusal of registration or upon declaration of invalidity of the registration of a candidate on a list of a political party or coalition of parties, the political party or coalition of parties may propose another candidate for registration not later than 30 days in advance of election day.

(5) Should any of the candidates on a registered candidate list of a political party or coalition of parties die or lapse into a sustained inability to participate in the elections or refuses participation, the political party or coalition of parties may propose a new candidate within the term of 7 days before the election day. Where some of the candidates in a registered candidate list of a party, or coalition withdraws, the party or coalition may propose another candidate not later than 30 days before the election day. The new candidate shall be listed in the vacant of last in the candidate list, while in the second case the remaining candidates shall be rearranged one place forward.

Verification of the Lists. Official Cancellation of Registration

Art. 369. (1) The lists under Art. 367, Para. 2 shall be immediately submitted in an electronic format by the Central Election Commission to the Directorate General Civil Registration and Administrative Services at the Ministry of Regional Development for verification.

(2) The Directorate General Civil Registration and Administrative Services at the Ministry of Regional Development shall conduct the verification not later than 27 days in advance of election day.

(3) The Directorate General Civil Registration and Administrative Services at the Ministry of Regional Development shall draw up a Protocol of the verification results in two copies where one of the copies shall be submitted to the Central Election Commission. The verification data shall be kept for six months following the elections.

(4) The Central Election Commission shall ascertain the result of the verification of the lists under Art. 367, Para. 2 based on the verification conducted by the Directorate General Civil Registration and Administrative Services at the Ministry of Regional Development. Upon request of the nomination committee, the Central Election Commission shall present in writing the data from the Protocol under para. 3 and the results ascertained for the lists under Art. 367, Para. 2 submitted by the nomination committee.

(5) Where the Central Election Commission ascertains that the independent candidate is not supported by the required number of voters, the registration of the independent candidate shall be deleted by decision that shall be sent forthwith to the nomination committee.

(6) The decision of the Central Election Commission under Para. 5 may be appealed before the Supreme Administrative Court pursuant to Art. 58.

Inquiries under Article 367, Para. 2

Art. 370. The Central Election Commission shall provide for each voter - Bulgarian citizen or citizen of another Member State of the European Union, enjoying a durable or permanent residence status for Bulgaria. to make inquiries with reference to the list under Art. 367, Para. 2 stating Uniform Civil Number or Personal Number, including using a toll-free number.

Section VI Ballot Paper

Content

Art. 371. (1) The ballot paper shall be joint and shall contain on its face:

1. name and number of the region as per the provisions of Art, 356, Para. 2;
2. the full and/or abbreviated name of the political party or the coalition of parties as stated in the application for registration thereof, or the name of the nomination committee, with the abbreviation for a political party being written as "ПП" [abbreviation for "political party" in Bulgarian], for a coalition of parties as "КП" [abbreviation for "coalition of parties" in Bulgarian], and for a nomination committee as "ИК" [abbreviation for "nomination committee" in Bulgarian];

3. a square to be marked with an "X" or "V" sign showing the preference of the voter, where the sequential number of the political party, coalition of parties or nomination committee is written;

4. squares with written in them sequential numbers, the number to which corresponds the number of members of the European Parliament for the Republic of Bulgaria, for placing an "X" or "V" sign, reflecting the preference of the voter for the candidate list of a party or coalition; the number, written in each square, reflecting the sequential number, with which the candidate has been registered in the candidate list of a party or coalition;

(2) Lines of different political parties, coalitions of parties and nomination committees shall be separated from each other by an empty line and solid black horizontal line.

(3) The name and number of the region as provided for by Art. 356, Para. 2, shall be written on the top line of the ballot paper. Details under Para. 1, p. 2, and 3 shall be written sequentially from left to right on a single horizontal line for each political party, coalition or nomination committee. The word "independent" shall be written following the names of the independent candidates. In the ballot papers for voting abroad, the name and number of the constituency shall be replaced by the text "Ballot Paper for Voting Abroad".

(4) The details under Para. 1, p. 4 shall be written in the right part of the ballot paper.

(5) Two places shall be marked on the back of the ballot paper for the seal of the respective section election commission.

(6) Ballot papers for political parties, coalitions of parties and nomination committees, which contain the essential elements referred to in Para. 1, p. 2, 3 and 4 shall be used for voting abroad.

Drawing Lots for Number Determination in the Ballot Paper

Art. 372. (1) The sequential number of political parties, coalitions of parties and nomination committees in the ballot paper shall be determined by the Central Election Commission by a lot drawn in the presence of representatives of the political parties, the coalitions of parties and the nomination committees not later than 31 days before election day. The lot shall be drawn publicly and the registered candidates, observers and representatives of the mass media may also be present. The assigned sequential number shall be the same for the whole country and for the vote abroad. The result of the drawing of lots shall be publicly announced by decision of the Central Election Commission pursuant to Art. 57, Para. 2.

(2) Political parties, coalitions of parties and nomination committees that have not registered candidate lists shall not participate in the drawing of the lot and shall not be allocated a number and an empty line shall not be left in the ballot paper.

Section VII Voting

Section VII of Chapter Fifteen shall Apply

Art. 373. The provisions of Section VII of Chapter Fifteen and the provisions of this Section shall apply in the voting process on election day

Establishing the Identity of a Voter - Citizen of another Member State of the European Union

Art. 374. Voters who are citizens of another Member State of the European Union shall establish their identity by producing an identity card or passport and a residence certificate.

Declaration by a Bulgarian Citizens Residing in another Member-State of the European Union

Art. 375. A Bulgarian citizen, who resides in another Member-State of the European Union, who votes at a diplomatic mission or a consular office of the Republic of Bulgaria or in a settlement referred to in Art. 13, Para. 1, p. 2 to 4, shall present a completed model declaration to the effect that the said person has not voted and will not vote elsewhere in the same elections for Members of the European Parliament.

Entry of the Personal Data of a Voter - Citizen of another Member-State of the European Union in the Election List

Art. 376. (1) Any voter who is a citizen of another Member State of the European Union shall be admitted to voting after entry on the electoral list of the Personal Number and of the number of the identity card or passport thereof and the number of the residence certificate and the date registration therein. Any such voter shall present a completed model declaration, to the effect that the person has not voted in the same elections for members of the European Parliament.

(2) Should any discrepancy be detected in any of the names of a voter, who is a citizen of another Member State of the European Union, and according to the identity card or passport, respectively residence certificate, if the permanent address is identical, the names of the voter according to the identity card or passport, respectively residence certificate shall be recorded in the column designated "Notes" of the electoral list.

(3) The residence certificate of a citizen of another Member State of the European Union, shall be left with the chairperson or, respectively, the member of the precinct election commission until the voter signs the electoral roll (the list).

(4) After signing the electoral list, the voter shall receive back the residence certificate.

Voting by a Citizen of Another EU Member State

Art. 377. A voter, citizen of another EU Member State shall vote by remarking his vote for a candidate list and if he wishes, may express his preference for a candidate of a selected by him candidate list of a party or coalition.

Section VIII Vote Counting

Section VIII of Chapter Fifteen shall Apply

Art. 378. The provisions of Section VIII of Chapter Fifteen and the provisions of this Section shall apply in the vote counting with the exception of Art. 278, Para. 5 and the provisions of this Section.

Entries in Tally Sheet pursuant to Part I and Part II of the Electoral List before Opening of Ballot Box

Art. 379. Before opening the ballot box, the number of voters according to Part I and Part II of the electoral roll shall be entered into the tally sheet. The data shall be entered in the tally sheet in words and figures.

Delivery of Results of Voting Abroad

Art. 380. The election stationery and materials from the voting on board navigation vessels flying the Bulgarian flag shall be sent immediately to the Central Election Commission and shall be safe-kept until the next elections.

Section IX Determination of Election Results by the Regional Election Commission

Section IX of Chapter Fifteen Shall Apply

Art. 381. The provisions of Section IX of Chapter Fifteen and the provisions of this Section shall apply in determination of election results by the regional election commission.

Reporting Voting Results

Art. 382. (1) On the basis of the data from the tally sheets of the section election commissions, the regional election commission shall report the results of the voting in the region under Art. 356, Para. 2 and shall prepare a tally sheet.

(2) By decision of the regional election commission, the votes from the navigation vessels on board of which a polling station has been established shall be added to the votes for the candidate lists of the region under Art. 356, Para.2.

Tally Sheet Data Entry

Art. 383. (1) In the tally sheet of the regional election commission shall be included consecutively the number of section election commissions in the region as per Art. 356, Para. 2, number of section election commissions which have presented tally sheets on the voting, as well as the data covered under Art. 275, Para. 1, Art. 281 and Art. 379.

(2) The data under Para. 1 shall be entered into the tally sheet in words and figures.

Database

Art. 384. The regional election commission shall create a database by means of computer processing of the tally sheets of the section election commissions in the region under Art. 356, Para. 2, and of the tally sheet cables from the navigation vessels flying the Bulgarian flag.

Section X Determination of Election Results by the Central Election Commission

Allocation of Number of Seats

Art. 385. (1) The number of Members of the European Parliament for the Republic of Bulgaria shall be determined as per the procedure provided for in Art. 14, Para. 2 of the Treaty on European Union.

(2) The total number of seats for each party and coalition of parties shall be allocated by the Central Election Commission on the basis of the valid votes cast for the said party or coalition of parties within Bulgaria and abroad using the Hare-Niemeyer Method according to the methodology referred to in Annex No. 3.

(3) The right to share in the allocation of seats shall be limited to the political parties and the coalitions of parties which have received valid votes of not less than the national electoral quota.

(4) The number of seats which are allocated to the parties and coalitions of parties referred to in Para. 3 shall equal the number of Members of the European Parliament for the Republic of Bulgaria less the number of the elected independent candidates.

Determination of the Elected Candidates According to Valid Preferences Received and Ranking on the List

Art. 386. (1) The candidates who are elected on each candidate list of a political party or coalition of parties shall be determined according to the number of valid preferences received and the order of the candidates in the list under the method under Annex N 3.

(2) The preferences for the individual candidates shall be valid if the number of votes received for the candidate is not less than 5 per cent of the votes cast for the candidate list.

(3) The candidates referred to in Para. 2 shall be ranked according to the number of preferences received, starting from the candidate who has received the highest number of valid preferences. These candidates shall be excluded from the candidate list of the respective party or coalition of parties and shall comprise List A. The rest of the candidates on the candidate list shall retain the initial ranking thereof on the list and shall comprise List B.

(4) Where there are two or more candidates with an equal number of preferences on List A, the rank thereof on the list shall be determined by the Central Election Commission on the basis of a lot drawn in the presence of the candidates concerned and representatives of the political party or the coalition of parties.

(5) Where there are no candidates with valid preferences, the elected candidates shall be determined according to the rank assigned on the candidate list.

(6) Where the number of candidates with valid preferences is lower than the number of the seats allocated to the political party or coalition of parties, all candidates on List A shall be elected. The rest of the seats allocated to the political party or coalition of parties shall be filled by candidates on List B in the order of ranking thereof.

(7) Where the number of candidates with valid preferences is higher than the number of the seats allocated to the political party or coalition of parties, the first candidates on List A shall be elected in the order of ranking thereof until all seats are filled.

(8) Where the number of candidates with valid preferences equals the number of the seats allocated to the party or coalition of parties, all candidates on List A shall be elected.

Announcing Voting Results

Art. 387. (1) The Central Election Commission shall announce the votes received and the allocation of seats to the political parties and coalitions of parties on the elections of Members of the European Parliament for the Republic of Bulgaria, not later than three days after election day;

(2) The Central Election Commission shall declare the names of the elected Members of the European Parliament for the Republic of Bulgaria not later than 5 \five\ days after election day.

(3) The results of the voting shall be declared after announcing the closing of the polls in all the Member State of the European Union within election period determined by the Council of the European Union;

Notifying the President of the European Parliament

Art. 388. After the reporting and the formal declaration of the election results, the Chairperson of the National Assembly shall notify the President of the European Parliament of the elected Members of the European Parliament for the Republic of Bulgaria.

Incompatibility

Art. 389. Member of the European Parliament may not be a person who is:

1. a member of a National Parliament;
2. a member of the Government of a Member State of the European Union;
3. a member of the European Commission;
4. a Judge, Advocate-General or Registrar of the Court of Justice of the European Union;
5. a member of the Executive Board of the European Central Bank;
6. a member of the Court of Auditors of the European Union;
7. an European Ombudsman;

8. a member of the Economic and Social Committee of the European Union and of the European Atomic Energy Community;

9. a member of the Committee of the Regions;

10. a member of committees or other bodies set up pursuant to the Treaties establishing the European Union and the European Atomic Energy Community for the purpose of managing the funds of the European Union or carrying out a permanent direct administrative task;

11. a member of the Board of Directors, Management Committee or staff of the European Investment Bank;

12. an official or servant of the institutions of the European Union or of the specialised bodies attached to them or of the European Central Bank;

13. performing of any other service or carrying out of any activity which is incompatible with the status of National Representative;

Database

Art. 390. (1) The Central Election Commission shall create a database by means of computer processing of the tally sheets of the section election commissions within Bulgaria, the machine voting data, the tally sheet cables and the scanned copies of the tally sheets of the section election commissions abroad.

(2) The data from the tally sheets of the section election commissions referred to in Para. 1 shall be re-entered at the Central Election Commission. A computer comparison shall be performed between the data from the tally sheets of the section election commissions and the machine voting data as entered at the regional election commissions and at the Central Election Commission, and the differences shall be printed out.

(3) The scanned copies of the tally sheets and the tally sheet cables with the results of the voting abroad as received shall be entered and re-entered at the Central Election Commission. The votes received for the separate candidate lists and the preferences for the candidates on each list shall be added to the votes received by the respective list and the preferences for individual candidates within Bulgaria.

(4) If there are differences, as well as upon detection of apparent errors of fact, the Central Election Commission shall pronounce by decision on the final numerical data on each of the cases and shall update the database.

(5) The election results shall be determined according to the updated database.

(6) Where the differences or the errors referred to in para. 4 are of a nature to alter the election result, the Central Election Commission shall communicate the said differences or errors to the political parties, coalitions of parties and nomination committees concerned.

(7) The Central Election Commission bulletin is published according to the updated database.

(8) The updated database of the Central Election Commission on a machine-readable data medium shall be provided to the President of the Republic, to the Chairperson of the National Assembly, to the Council of Ministers, to the political parties, coalitions of parties and nomination committees with registered candidates, to sociological agencies, to libraries, to universities, to the Bulgarian Academy of Sciences and to other organizations.

(9) The database referred to in Para. 8 may not be modified and circulated without permission of the Central Election Commission.

Section XI Termination of Credentials

Pre-term Termination of Credentials of a Member of the European Parliament

Art. 391. The credentials of a Member of the European Parliament for the Republic of Bulgaria shall be terminated prior to the expiry of the term of office thereof upon tendering resignation to the European Parliament, upon death, or upon incompatibility under Art. 389 herein.

Steps of the Central Election Commission

Art. 392. (1) Upon pre-term termination of the credentials of a Member of the European Parliament for the Republic of Bulgaria elected on the list of a party or a coalition of parties, the Central Election Commission shall pronounce the candidate ranked next on the respective list.

(2) Where there are no more candidates on the list, the seat shall remain vacant until the end of the term of office of the European Parliament.

(3) Where there is a candidate who has received valid preferences under the terms established by art. 386, para. 2, but the said candidate has not been pronounced elected, in the cases referred to in para. 1, the said candidate shall replace the Member of the European Parliament for the Republic of Bulgaria whose credentials are terminated.

(4) Upon pre-term termination of the credentials of a Member of the European Parliament for the Republic of Bulgaria elected as an independent candidate, the said Member shall be replaced by a candidate of the party or coalition of parties represented in the European Parliament with the greatest unused remainder. If the remainders are equal, the candidate shall be determined by lot.

Section XII Disputing Election Results

Competent Authority

Art. 393. Any disputes regarding the legitimacy of the elections of a Member of the European Parliament for the Republic of Bulgaria shall be resolved by the Constitutional Court.

Right to Appeal

Art. 394. (1) The candidates for Members of the European Parliament for the Republic of Bulgaria, the parties, coalitions of parties, and the person representing the nomination committee who have registered candidates in the elections, may dispute the legitimacy of the election of a Member of the European Parliament for the Republic of Bulgaria before the authorities referred to in Art. 150 Para. 1 of the Constitution, within 7 day term after the decision declaring the election results is made public by the Central Election Commission.

(2) Within 15 days after the decision declaring the election results is made public by the Central Election Commission, the authorities referred to in Art. 150 Para. 1 of the Constitution, acting on the received claim under para. 1 or on its own initiative, may approach the Constitutional Court with a reasoned petition to pronounce on the legitimacy of the elections of a Member of the European Parliament for the Republic of Bulgaria.

Examination of the Claim

Art. 395. (1) Any such Claim shall be examined under the provisions and according to the procedure established by Art. 394, Para. 2 of the Constitutional Court Act and the Rules on the Organization of the Activities of the Constitutional Court.

(2) The Constitutional Court shall consider the claim and shall rule within a month of its receipt. The claim shall not suspend the decision of the Central Election Commission.

(3) The judgment ruling illegitimacy of the election of a member of the European Parliament for the Republic of Bulgaria shall be send to the National Assembly, the Central Election Commission and the persons concerned.

(4) In case the election of a Member of the European Parliament for the Republic of Bulgaria is declared illegitimate. the Central Election Commission shall determine, by decision, the election results according to the methodology referred to in Annex 3 herein, declaring the allocation of seats and the names of the elected Members of the European Parliament for the Republic of Bulgaria. The decision of the Central Election Commission shall not be subject to appeal.

Chapter Eighteen ELECTIONS OF MUNICIPAL COUNCILLORS AND MAYORS

Section I Suffrage

Right to Elect

Art. 396. (1) The right to elect Municipal councillors and Mayors shall vest in the Bulgarian citizens who have attained the age of 18 years by election day inclusive, are not interdicted and do not serve a custodial sentence and have resided in the respective nucleated settlement for at least the last 6 months.

(2) Each citizen of a Member State of the European Union, who is not a Bulgarian citizen, shall have the right to elect municipal councillors and mayors, if the said person has attained the age of 18 years by election day, is not interdicted, does not serve a custodial sentence, enjoys a durable or permanent residence status for the Republic of Bulgaria, has resided in the respective nucleated settlement for at least the last 6 months, is not deprived of the right to elect in the Member State of citizenship.

Right to be elected

Art. 397. (1) The right to be elected municipal councillors and mayors shall vest in the Bulgarian citizens who have attained the age of 18 years by election day inclusive, are not interdicted and do not serve a custodial sentence and have resided in the respective nucleated settlement for at least the last 6 months.

(2) The right to be elected municipal councillor shall furthermore vest in any citizen of a Member State of the European Union, who is not a Bulgarian citizen, does not hold the citizenship of any State which is not a Member State of the European Union, has attained the age of 18 years by election day, is not interdicted, does not serve a custodial sentence, enjoys a durable or permanent residence status for the Republic of Bulgaria, has resided in the respective nucleated settlement for at least the last six months, is not deprived of the right to be elected in the Member State of citizenship.

Applicable Provisions

Art. 398. The provisions of the present Chapter and the respective provisions of Part One and Section VII of Chapter Fifteen shall apply for the elections of Municipal councillors and Mayors.

Section II

Election Systems. Powers of the Central Election Commission. Methodology

Proportional Representation Election System for Municipal Councillors

Art. 399. (1) The elections for Municipal councillors shall be held based on the proportional representation election system with registered candidate lists in multi-member regions of:

1. parties and coalitions;
2. nomination committees.

(2) In voting for a candidate list of a political party or coalition, the voter may mark a preference for a candidate in the candidate list thus expressing his/her preference on the order of arrangement of the candidates on the candidate list he/she is voting for.

(3) The right to share in the allocation of seats shall be limited to the political parties, the coalitions of parties and independent candidates that have received valid votes of not less than the Municipal electoral quota.

Election System for Mayors

Art. 400. Mayors shall be elected according to a majoritarian electoral system from candidate lists registered in single- member regions by:

1. parties and coalitions;
2. nomination committees.

Right of Vote

Art. 401. (1) Each voter is entitled to one vote for a Mayor of a Municipality and to one vote for a candidate list for Municipal councillors.

(2) In cities subdivided into boroughs, each voter is entitled to one vote for a borough mayor as well.

(3) Each voter is entitled to one vote for a mayoralty Mayor in a mayoralty if such elections are conducted.

Powers of the Central Election Commission under this Chapter

Art. 402. Central Election Commission shall:

1. conduct control on the registration of political parties, coalition of parties, nomination committees and on the candidates in the Municipal election commission;

2. ascertain and declare invalid the registration of candidates who do not satisfy the requirements covered under Art. 413, Para. 1 to 4 therein;

3. organize and conduct, through the mass communication media or in another appropriate manner, an awareness raising campaign regarding the conditions under which the citizens of another Member State of the European Union may elect and be elected municipal councillors and mayors; the awareness raising campaign may commence not later than 15 days before expiry of the respective term from which the rights and obligations of the citizens of another Member State of the European Union arise in connection to the elections;

4. check the circumstances, stated in the declarations of the Bulgarian citizens, submitted in the respective Member State and send information within 5 working days following receipt of the request for information of the competent authorities of the Member State, of the European Union;

5. propose to the President of the Republic to schedule elections of Municipal councillors or Mayors within 14 days after receipt of the proposal:

a) in the cases referred to in items 1, 2, 4, 5 and 6 of Art. 265 herein;

b) upon pre-term termination of the credentials of a Mayor.

Methodology

Art. 403. The results of the elections and the allocation of seats on candidate lists are determined based on the methodology referred to in Annex No. 4 and N 5 herein.

Section III Election Regions. Number of Seats

Delimitation of the Election Regions

Art. 404. (1) For the purposes of conducting elections of Municipal councillors, the territory of the Municipality shall constitute one multi-member regions.

(2) For the purposes of conducting elections of a Municipality, borough or mayoralty Mayor, the territory of the Municipality or the mayoralty shall constitute one single-member region.

Determination of Number of Seats

Art. 405. Number of seats allocated on the proportional representation election system between parties and coalitions of parties that have received votes not less than the Municipal electoral quota shall be equal to the number of the members of the Municipal council less the number of the elected independent candidates.

Section IV Electoral Lists

Compilation of Lists

Art. 406. (1) Part I of the electoral rolls shall be compiled according to the permanent address of the citizens of the Republic of Bulgaria.

(2) Part II of the electoral rolls shall be compiled on the basis of the residence addresses in the Republic of Bulgaria declared by the citizens of another Member State of the European Union.

Manner of Compilation of Part I and Part II of the Electoral Lists

Art. 407. (1) All Bulgarian citizens who satisfy the conditions of Art. 396, Para. 1 shall be included in Part I of the electoral lists.

(2) Part II of the electoral rolls shall be compiled on the basis of the submitted declarations under Art. 408 herein by citizens of another Member State of the European Union. Part II of the electoral rolls shall include alphabetically the names of the voters, the details on their citizenship of another Member-State of the European Union and the residence address on the territory of the respective nucleated settlement. The columns for the entry of the personal number, the number of the identity card or passport and the number of the residence certificate and the date of registration therein shall remain empty and not being completed, and a separate column designated "Notes" shall be formatted.

Declaration from a Citizen of another Member State

Art. 408. (1) Any citizen of another Member State of the European Union, who satisfies the conditions referred to in Art. 396, Para. 2 herein and wishes to be entered on an electoral list, shall present a completed model declaration to the municipal administration exercising jurisdiction over the residence address in the Republic of Bulgaria not later than 40 days in advance of election day, declaring thereby:

1. citizenship;
2. residence address in the last 6 months before election day on the territory of the respective Municipality or mayoralty;
3. identity card or passport data and personal number;

(2) Citizen of another Member State of the European Union who has once filed a declaration under Para. 1 and has been included in the electoral roll Part II, in subsequent elections for municipal councillors and mayors shall be entered automatically in Part II of the electoral roll without filing a new declaration. New declaration under Para.1 shall be filed only in case of changes in any of the declared circumstances.

(3) The declarations under Para. 1 shall be safe-kept till next elections for municipal councillors and mayors with the respective municipal administration.

Removal from Electoral Lists

Art. 409. Citizens with present address in the last six months before the election day outside the Republic of Bulgaria shall be removed from the electoral rolls.

Transmission of a Copy of Part II Verification

Art. 410. (1) The authorities under Art. 23, Para. 1 not later than 30 days before election day shall send a copy of Part II of the election rolls to the Central Election Commission.

(2) A check of the circumstances referred to in Art. 396 herein shall be conducted by the Ministry of Interior and the Ministry of Justice at the request of the authorities referred to in Art. 23, Para. 1 herein. In respect of the citizens of another Member State of the European Union, any such request shall be accompanied by a copy of the declarations under Art. 408 herein.

Entry in the Electoral List in case of Second Round

Art. 411. In case of conducting a second round of the elections for Mayors, the names of the citizens who have gained right to vote in the period between the two rounds shall be entered into the electoral lists.

Section V Registration of Candidate Lists

Candidate Lists

Art. 412. (1) Political parties, coalitions of parties and nomination committees rank candidates in candidate lists per single- member and multi-member regions. The candidates for Municipal councillors of parties and coalitions shall be entered in the register of the candidate lists and shall be registered with a number, under which they have been arranged in the candidate list.

(2) Coalitions run in the elections by a common list of candidates in each separate single-member and multi-member constituency.

(3) The number of candidates in one candidate list for municipal councillors of parties or coalitions may not exceed the number of the members of the municipal council.

Validity of the Registration

Art. 413. (1) A candidate for a Municipal councillor may be proposed for registration by only one political party, coalition of parties or nomination committee in only one region.

(2) A candidate for a mayor may be proposed for registration by only one political party, coalition of parties or nomination committee in only one region. A candidate for a municipality Mayor may not be a candidate for a mayoralty or borough Mayor.

(3) A candidate for Mayor of a nomination committee may not be a candidate for municipal councillor of a party or coalition of parties, while a candidate for municipal councillor of a nomination committee may not be a candidate for Mayor of a party or coalition of parties

(4) A candidate for mayor of a party or coalition of parties may be a candidate for a municipal councillor only of the same party or coalition of parties. In case any such candidate is elected mayor, the said candidate shall be excluded from the candidate list for municipal councillors.

(5) Where a candidate for a Municipal councillor or Mayor is registered by more than one party, coalition of parties or nomination committee or in more than one constituency, or in breach of the requirements of para. 3 or 4, the earliest registration shall be valid.

(6) A breach of the requirements referred to in Para. 1 to 4 and 6 shall result in invalidity of the registration, and where any such breach is detected after the conduct of the election it shall result in invalidity of the election, if the candidate has been elected.

(7) The Central Election Commission shall ascertain and declare invalid registrations in violation of Para. 1, 2, 3 and 4. The decisions shall be immediately declared and the municipal election commission and the respective candidates, political parties, coalition of parties and nomination committees shall be notified.

(8) The decisions under para. 8 of the Central Election Commission to declare invalidity of the registered candidates may be appealed before the Supreme Administrative Court as provided for by Art. 58.

Documents and Registration Term

Art. 414. (1) The registration of the candidate lists shall be effected by the Municipal election commission upon presentation of:

1. a proposal by the political party concerned, the coalition of parties concerned, stating the names, the Uniform Civil Number and the permanent address (present address or residence address) of the candidates; any such proposal shall be signed by the persons representing the political party or the coalition of parties, or by persons expressly authorized thereby;

2. a proposal by the nomination committee, stating the names, the Uniform Civil Number and the permanent address (present address and residence address) of the candidate; any such proposal shall be signed by the person representing the nomination committee;

3. representations by the candidates of their consent to be registered by the proposing political party, coalition of parties or nomination committee;

4. declaration by each candidate for Mayor or municipal councillor completed in a standard form, to the effect that the candidate satisfies the conditions referred to in Art. 397, Para. 1 and 2;

5. a completed model declaration by each candidate, to the effect that the candidate satisfies the conditions referred to in Art. 413, Para. 1, 2, 3 and 4;

6. any candidate for Municipal councillor , who is a citizen of a Member State of the European Union and is not a Bulgarian citizen, shall present a completed model declaration, declaring thereby:

- a) citizenship and residence address in the respective nucleated settlement
- b) that the person is not interdicted;
- c) identity card or passport data and personal number;

7. the candidate referred to in p. 6 shall produce an attestation from the competent authorities of the Member State of which the person is a citizen, certifying that the said person has not been deprived of the right to be elected and that no such disqualification is known to those authorities; in case the candidate is unable to produce such attestation, the said candidate shall declare in the declaration referred to in p. 6 that the said candidate has not been deprived of the right to be elected in the Member State of which the person is a citizen;

8. authorization of the persons authorized to represent the political party or the coalition of parties in dealings with the municipal election commission, in the cases where the documents are submitted by authorized persons.

(2) The Municipal election commission shall check ex officio and shall note the particulars according to the identity card or the internal passport of the candidate, the Uniform Civil Number (Personal Number), the permanent and the present address (residence address) and the date of the address registration.

(3) The registration of the candidate lists at the municipal election commissions shall be effected not later than 32 days in advance of election day.

(4) The documents covered under Para. 1 shall be recorded in a separate register with a sequential number assigned thereto. The order of arrival of the documents shall determine the order of entry in the register of the municipal election commission.

(5) The municipal election commission shall conduct a check of the residence address declared by any candidate who is a citizen of another Member State of the European Union through the Ministry of Interior.

(6) A check of the circumstances referred to in Art. 397, herein shall be conducted by the Ministry of Interior and the Ministry of Justice at the request of Central Election Commission.

(7) The Municipal election commission shall transmit forthwith to the Central Election Commission an abstract of the register referred to in Paragraph (4) of candidates for municipal councillors who are citizens of a Member State of the European Union but are not Bulgarian citizens.

Limitations in the Registration of Lists and Candidates

Art. 415. Political parties and coalitions of parties that are part of local coalitions for a particular type of elections may not register their own separate candidate lists or candidates for the same type of elections.

List of Voters Supporting the Registration of an Independent Candidate

Art. 416. (1) The right to nominate and register an independent candidate for Municipal councillor or Mayor shall vest in:

1. for Municipal councillor in Municipalities with a population:

- a) not exceeding 10,000 residents: not fewer than 100 voters of the municipality;
- b) not exceeding 20,000 residents: not fewer than 200 voters of the municipality;
- c) not exceeding 50,000 residents: not fewer than 250 voters of the municipality;
- d) not exceeding 100,000 residents: not fewer than 500 voters of the

municipality;

e) not exceeding 100,000 residents: not fewer than 1000 voters of the municipality;

2. for Municipality Mayor in Municipalities with a population:

- a) not exceeding 10,000 residents: not fewer than 200 voters of the municipality;
- b) not exceeding 20,000 residents: not fewer than 400 voters of the municipality;
- c) not exceeding 50,000 residents: not fewer than 500 voters of the municipality;

d) not exceeding 100,000 residents: not fewer than 1000 voters of the municipality;

e) not exceeding 100,000 residents: not fewer than 2000 voters of the municipality;

3) for mayoralty Mayor: one-fifth of the voters of the mayoralty but not more than 500;

4. for borough Mayor: one-fifth of the voters of the constituency but not more than 500.

(2) Any voter, who supports the participation in the elections of an independent candidate for a municipal councillor or mayor, shall certify this by signature affixed before a member of the nomination committee. The voters who are Bulgarian citizens shall state the names, the permanent address thereof in the municipality, mayoralty or district (constituency), as the case may be, the Uniform Civil Number thereof, and the citizens of another Member State of the European Union enjoying a durable or permanent residence status for Bulgaria shall state the names, the Personal Number, the number of the identity card or passport, the number of the residence certificate and the date of registration stated therein, and the residence address in the respective municipality, mayoralty or district (constituency). Each voter may participate in only one collection of signatures. The list shall be delivered as a structured e-list as well containing full name, Uniform Civil Number (Personal Number) and permanent address (residence address) of the voters who have affixed their signatures in the order in which they have been entered into the list.

(3) The member of the nomination committee referred to in Para. 2 shall process and provide the personal data in compliance with the requirements of the Personal Data Protection Act and shall bear responsibility as data controller within the meaning of Art. 3, Para.2 of the Personal Data Protection Act.

(4) The signature list shall be delivered to the municipal election commission, together with the documents under Art. 414, Para. 1, p. 2, 3, 4, 5, 6 and 7 not later than 32 days in advance of election day.

Conditions for Registration Refusal of Registration

Art. 417. (1) The Municipal election commission shall check whether the requirements of the present Section are met and shall decide on the registration of the candidate lists.

(2) Upon ascertainment of any omissions or discrepancies, the municipal election commission shall give immediate directions and a deadline for their elimination. In the event that the omissions or discrepancies are not eliminated by the deadline set, the municipal election commission shall refuse registration.

(3) The refusal under Para. 2 may be appealed before the Central Election Commission under Art. 88.

(4) Upon refusal of registration or upon declaration of invalidity of the registration of a candidate on a list of a political party or coalition of parties, the political party or coalition of parties may propose another candidate for registration not later than 30 days in advance of election day.

(5) Should any of the candidates on a registered candidate list of a political party or coalition of parties die or lapse into a sustained inability to participate in the elections or refuses participation, the political party or coalition of parties may propose a new candidate within the term not later than 7 days herein. The new candidate for a municipal councillor shall be listed last in the candidate list, while the remaining candidates shall be rearranged one place forward.

Verification of the Lists Official Cancellation of Registration

Art. 418. (1) The lists in electronic format under Art. 416, Para. 2 shall be submitted immediately by the municipal election commission to the respective territorial unit of the Directorate General Civil Registration and Administrative Services at the Ministry of Regional Development for verification.

(2) The territorial unit of the Directorate General Civil Registration and Administrative Services at the Ministry of Regional Development shall conduct the verification not later than 27 days before election day.

(3) The territorial unit of the Directorate General Civil Registration and Administrative Services at the Ministry of Regional Development shall draw up a memorandum of the verification results in two copies where one of the copies shall be submitted to the municipal election commission. The verification data shall be preserved for six months following the elections.

(4) The Municipal election commission shall ascertain the result of the verification of the lists under Art. 416, Para. 2 based on the verification conducted by the territorial unit of the Directorate General Civil Registration and Administrative Services at the Ministry of Regional Development. Upon request of the nomination committee, the Municipal election commission shall present in writing the data from the memorandum under Para. 3 and the results ascertained for the lists under Art. 416, Para. 2 submitted by the nomination committee.

(5) Where the municipal election commission ascertains that the independent candidate is not supported by the required number of voters, the registration of the independent candidate shall be deleted by decision that shall be sent forthwith to the nomination committee.

(6) The decision of the Municipal election commission under Para. 5 may be appealed before the Central Election Commission pursuant to Art. 88.

Inquiries under Article 416, paragraph 2

Art. 419. The Municipal election commission shall provide for each voter - Bulgarian citizen or citizen of another Member State of the European Union, enjoying a durable or permanent residence status for Bulgaria. to make inquiries with reference to the list under Art. 416, Para. 2 stating Uniform Civil Number or Personal Number, including using a toll-free number.

Section VI Ballot Paper

Types of Ballot Papers

Art. 420. (1) The voting shall be conducted by combined ballot papers for:

1. municipal councillors;
2. municipality mayor;
3. borough mayor;
4. mayoralty mayor, if any such election is conducted.

(2) The separate types of ballot papers shall differ in size.

Ballot Paper for Municipal Councillors

Art. 421. (1) The ballot paper shall be combined and shall contain on its face:

1. the name and number of the constituency;
2. the title "Ballot Paper for Municipal Councillors";
3. the full and/or abbreviated name of the political party or the coalition of parties as stated in the application for registration thereof, or the name of the nomination committee, with the abbreviation for a political party being written as "ПП" [abbreviation for "political party" in Bulgarian], for a coalition of parties as "КП" [abbreviation for "coalition of parties" in Bulgarian], and for a nomination committee as "ИК" [abbreviation for "nomination committee" in Bulgarian];

4. a square to be marked with an "X" or "V" sign showing the preference of the voter, where the sequential number of the political party, coalition of parties or nomination committee is written;

5. the names of the candidates on the relevant candidate list of a political party, coalition of parties or nomination committee; the names of the citizens of a Member State of the European Union, who are not Bulgarian citizens but are registered as candidates for municipal councillors and mayors, shall be transliterated in Cyrillic as they appear on the application for participation in the elections according to the identity card or passport;

(2) Lines of different parties, coalitions and initiative committees shall be separated from each other by an empty line and solid black horizontal line.

(3) The name of the municipality and the number of the constituency shall be written on top of the ballot paper, above the title "Ballot Paper for Municipality Councillors",

Details under para. 1, p. 3, 4, 5 and 6 shall be written sequentially from left to right on a single horizontal line for each political party, coalition or nomination committee. The word "independent" shall be written following the names of the independent candidates.

(4) Two places shall be marked on the back of the ballot paper for the seal of the respective precinct election commission.

Ballot Paper for Mayor

Art. 422. (1). The face of the ballot paper for mayor shall contain:

1. the name and the number of the municipality, district or mayoralty and the number of the respective constituency;

2. the title "Ballot Paper for Municipality Mayor", "Ballot Paper for Mayoralty Mayor" or "Ballot Paper for Borough Mayor";

3. the full and/or abbreviated name of the political party or the coalition of parties as stated in the application for registration thereof, or the name of the nomination committee, with the abbreviation for a political party being written as "ПП" [abbreviation for "political party" in Bulgarian], for a coalition of parties as "КП" [abbreviation for "coalition of parties" in Bulgarian], and for a nomination committee as "ИК" [abbreviation for "nomination committee" in Bulgarian];

4. a square to be marked with an "X" or "V" sign showing the preference of the voter, where the sequential number of the political party, coalition of parties or nomination committee is written;

5. the names of the candidate for Mayor;

6. an empty line between the names of the candidates.

(2) Lines of different parties, coalitions and nomination committees shall be separated from each other by an empty line and solid black horizontal line.

(3) The name of the municipality and the number of the constituency shall be written on top of the ballot paper, above the title "Ballot Paper for Municipality Mayor", "Ballot Paper for Mayoralty Mayor" or "Ballot Paper for Borough Mayor". Details under para. 1, items 3, 4 and 5 shall be written sequentially from left to right on a single horizontal line for each political party, coalition or nomination committee. The word "independent" shall be written following the names of the independent candidates.

(4) Two places shall be marked on the back of the ballot paper for the seal of the respective precinct election commission.

Drawing Lots for Determining the Number in the Ballot Paper

Art. 423. (1) The sequential number of political parties, coalitions of parties and nomination committees in the ballot paper shall be determined by the municipal election commission by a lot drawn in the presence of representatives of the political parties, the coalitions of parties and the nomination committees not later than 31 days before election day. The lot shall be drawn publicly and the registered candidates, observers and representatives of the mass media may also be present. In case of identity of the parties and coalitions of parties which have registered candidates for municipal councillor or mayors at the municipal election commission, the said parties and coalitions shall be entitled to an identical number of the ballot papers for each type of elections for which they have registered candidates within the territory of the Municipality.

(2) The result of the drawing of lots under para. 1 shall be made public by decision by the municipal election commission according to the procedure established by Art, 87, Para. 2 herein.

(3) The ballot paper shall not provide for a number and an empty line for a political party or a coalition of parties that has not registered a candidate list in the respective constituency.

(4) Political parties, coalitions of parties and nomination committees that have not registered candidate lists for all types of elections on the territory of the municipality shall not participate in the drawing of the lot and shall not be allocated a number and an empty line shall not be left in the ballot paper.

Section VII Voting

Section VII of Chapter Fifteen shall Apply

Art. 424. The provisions of Section VII of Chapter Fifteen and the provisions of this Section shall apply in the voting process on election day

Establishing the Identity of a Voter Citizen of another Member State of the European Union

Art. 425. Voters who are citizens of another Member State of the European Union shall establish their identity by producing an identity card or passport and a residence certificate.

Entry of the Personal Data of the Voter - Citizen of another Member-State of the European Union in the Election List

Art. 426. (1) Any voter who is a citizen of another Member State of the European Union shall be admitted to voting after entry on the electoral roll of the Personal Number and of the number of the identity card or passport thereof and the number of the residence certificate and the date registration therein.

(2) Should any discrepancy be detected in any of the names of a voter, who is a citizen of another Member State of the European Union, and according to the identity card or passport, respectively residence certificate, if the resident address is identical, the data from the identity card or passport, respectively residence certificate shall be recorded in the column designated "Notes" of the electoral list.

(3) The residence certificate of a citizen of another Member State of the European Union, shall be left with the chairperson or, respectively, the member of the precinct election commission until the voter signs the electoral list (the list).

Voting by a Paper Ballot

Art. 427. (1) After being admitted to vote, the voter shall receive a paper ballot for each type of elections from a member of the section election commission who takes it away from the ballot book just before its handing over and stamps it with the seal of the commission. The voter shall proceed with the received ballot paper to the booth to vote.

(2) Only one voter may be present in the booth.

(3) The voter shall vote for Municipal councillors by performing the following steps:

1. the voter shall mark the square bearing the number of the selected candidate list with an "X" or "V", which expresses unequivocally the vote thereof;

2. if the voter wishes so, he or she may place the mark "X" or "V" in one of the small squares before the name of the candidate of the selected candidate list of a political party or coalition of parties thus showing unequivocally his or her preference as to the respective candidate;

3. the voter shall fold the ballot paper in a manner making invisible the marked choice of a party, a coalition of parties or a nomination committee;

4. the voter shall exit the booth and shall hand the folded ballot paper to a member of the commission.

(4) The voter shall vote for a mayor by performing the following steps:

1. the voter shall mark the square bearing the number of the selected candidate list with an "X" or "V", which expresses unequivocally the vote thereof;

2. the voter shall fold the ballot paper in a manner making invisible the marked choice of a party, a coalition of parties or a nomination committee;

3. the voter shall exit the booth and shall hand the folded ballot paper to a member of the commission.

(5) The member of the commission shall check whether the number of the ballot paper corresponds to the number on the book of ballot papers and if so, shall re-stamp the ballot paper with the seal of the commission and shall tear the piece with the ballot number depositing it in a separate box.

(6) In case of discrepancy, the ballot papers shall be declared invalid and this circumstance shall be noted on the ballot paper and in the column designated "Notes" of the electoral list. The voter shall not be allowed a second voting.

(7) Following the re-stamping of the ballot paper, the voter shall deposit it in the ballot box, shall sign the electoral roll, shall be given the identity documents back, including the certificate under Art. 263, Para.1, second sentence or para. 3 and the residence certificate of a citizen of another Member State of the European Union and shall leave the site.

8) Writing any special symbols such as letters, numbers or other signs in the ballot paper shall render the vote invalid.

(9) Writing any special symbols such as letters, numbers or other signs in the book of ballot papers is prohibited.

Machine Voting

Art 428. In machine voting the voter shall vote for Municipal councillors and for Mayor by marking his vote.

Section VIII Vote Counting

Before Opening the Ballot Box

Art. 429. (1) Upon the lapse of election day, the chairperson of the precinct election commission shall declare the end of the voting.

(2) The unused and mismarked ballot papers shall be counted before opening the ballot box, shall be packed separately, shall be sealed up and shall be removed from the counting table. Intercepts with the numbers of ballot papers and control receipts from machine voting shall be packed separately and sealed with paper tape. Paper tape shall be stamped with the seal of the Commission and signed by committee members.

Reporting Results of Machine Voting

Art. 430. (1) After completion of the voting, the precinct election commission shall report the results of the machine voting in the polling station meeting the provisions of the current Section and under the procedure established by the Central Election Commission under Art. 57, Para. 1, p. 28.

(2) In establishing the machine voting results, the number of the voters that have cast their vote by the machine shall be equal to the number of the control receipts found in the special machine voting box.

Persons Having Right to be Present at the Polling Site

Art. 431. Candidates, election agents and representatives of political parties, coalition of parties and nomination committees, according to Art. 117, Para. 6 and Art. 124, para. 1, observers - subject to the provisions of Art. 114, para. 2 and mass media representatives may be present at the polling site and shall be ensured direct visibility upon the counting of the votes.

Tally Sheet of the Section Election Commission

Art. 432. (1) The precinct election commission shall determine the voting results both from the paper ballots and the machine voting and shall record the said results in a tally sheet.

(2) The precinct election commission for recording the voting results shall prepare the following tally sheets:

1. election of municipal councillors;
2. election of a municipal mayor;
3. election of a borough mayor;
4. mayoralty Mayor, if any such election is conducted.

(3) Each tally sheet of the precinct election commission shall be prepared in three identical copies on three-sheet carbonless copy paper. The tally sheet shall be protected by

print security features determined by decision of the Central Election Commission. The tally sheet shall contain the names of the political parties, coalitions of parties and the nomination committees as registered for the elections. Names shall be printed in the tally sheet by the sequential number of the political party, coalition of parties and nomination committee on the ballot paper.

(4) Each copy of the tally sheets under para. 2 items 2, 3 and 4 shall be on one sheet with separate pages.

(5) Each copy of the tally sheets under para. 2 item 1 shall be on one sheet with separate pages. The general data about the voting in the polling station and the votes for the political parties, coalitions of parties and nomination committees shall be entered on the first sheet. The preferences for the candidates of the political parties and coalitions of parties shall be entered on the second sheet.

(6) Before completing the tally sheets under para. 2, a draft shall be prepared, whereof the form and content shall be identical with the tally sheet.

Miscompleted Tally Sheet

Art. 433. (1) In case one of the blank forms of the tally sheet is miscompleted, the precinct election commission shall cancel the miscompleted tally sheet by writing "Miscompleted" on it and the tally sheet shall be signed by the chairperson and secretary and a member of the precinct election commission, who have been nominated by different parties and coalitions of parties. The precinct election commission shall return the miscompleted form of a tally sheet to the municipal election commission when delivering the tally sheet showing the voting results, and the serial number of the miscompleted tally sheet shall be checked against the number of the tally sheet as entered in the memorandum on delivery and acceptance of the election stationery referred to in Art. 215, Para. 4 herein. In case both forms of the tally sheet are miscompleted, the cancelled tally sheets shall be returned to the municipal election commission after checking the serial numbers of the said tally sheets against the numbers of the tally sheets as entered in the memorandum on delivery and acceptance of the election stationery referred to in Art. 215, Para. 4 herein.

(2) In the cases referred to in Para. 1, the section election commission shall receive a new tally sheet. This circumstance shall be described in a memorandum of delivery and acceptance, wherein the serial number of the new tally sheet shall be entered. The memorandum of delivery and acceptance shall be signed by the chairperson of the precinct election commission and by a member of the Municipal election commission, designated thereby, who have been nominated by different parties and coalitions of parties.

Entries in Tally Sheet before Opening of Ballot Box

Art. 434. (1) Before the opening of the ballot box, the following shall be entered in the tally sheet in this order:

1. the particulars of the polling station, including the names of the members of the commission and of the other persons present;
2. the time of opening of the polls and of the completion of voting;
3. the number of voters according to the electoral roll;
4. the number of voters according to the additional page of the electoral list;
5. the number of registered candidate lists;
6. the number of voters who have voted according to the signatures affixed to the electoral roll;
7. the number of voters who have voted by the machine voting device according to the notice in the column "Notes" of the electoral list;
8. the number of invalid ballot papers under Art. 227;
9. the number of invalid ballot papers under Art. 228;
10. the number of invalid ballot papers under Art. 427, Para. 6;
11. the number of mismarked ballot papers;
12. the number of unused ballot papers;
13. the number of ballot papers received as provided by Art. 215;

14. the number of the cancelled by the precinct election commission ballot papers on other occasions.

15. the number of certificates under Art. 40;

(2) The data referred to in para. 1, items 3 to 15 shall be entered in the tally sheet in words and figures.

Removal of Objects Before Opening the Ballot Box

Art. 435. (1) Before opening of the ballot box, all objects with the exception of the drafts shall be removed from the table;

(2) Solely one member, by decision of the commission, shall have access to the ballot papers under the observation and control of the rest of the members.

Opening of the Ballot Box

Art. 436. (1) The ballot box shall be opened, the ballot papers shall be extracted one by one, shall be placed face down, and shall be counted.

(2) Where a spare ballot box has been used for the voting, the said ballot box shall be opened together with the first ballot box.

(3) The ballot papers from the mobile ballot box are placed on the table on the site under Art. 8, Para. 3 and the counting of the votes, including the drawing up of the tally sheet shall be effected as provided for in the present Section.

Valid and Invalid Vote

Art. 437. (1) Upon determination of the voting results, each ballot paper shall correspond to one vote, which may be either valid or invalid.

(2) A vote shall be valid where:

1. the ballot paper conforms to the established standard design for the respective constituency;

2. any special symbols such as letters, numbers or other signs are not written in the ballot paper;

3. the ballot paper contains two seals of the respective precinct election commission, and

4. in the ballot paper for municipal councillors only one of the voting squares is marked with an "X" or "V" placed by a ballpoint pen, writing in blue ink, for one candidate list, without preference, which expresses unequivocally the vote of the voter; the vote shall be valid for the candidate list notwithstanding of the fact that a preference has been marked for a candidate from the list of the party or coalition, for which is voted.

5. in the ballot paper for municipal councillors only one of the voting squares is marked with an "X" or "V" placed by a ballpoint pen, writing in blue ink, for one candidate list, with more than one preference, marked with an "X" or "V" by a ballpoint pen, writing in blue ink, for candidates from the same candidate list - it shall be assumed that the ballot paper does not contain preferences and the vote shall be considered cast for the selected candidate list;

6. in the ballot paper for municipal councillors only one of the voting squares is marked with an "X" or "V" placed by a ballpoint pen, writing in blue ink, for one candidate list, with one preference, marked with an "X" or "V" placed by a ballpoint pen, writing in blue ink, for a candidate from the selected candidate list;

7. The sign "X" or "V" placed by the voter by a ballpoint pen, writing in blue ink, goes beyond the square of the respective candidate list, but does not run into the square of another candidate list;

8. there are deviations in the ballot paper due to defects and manufacturing errors, or where the ballot paper is mechanically damaged or stained;

(3) A vote shall be invalid where:

1. the ballot paper does not conform to the established standard design for the respective constituency;

2. any special symbols such as letters, numbers or other signs, are written on the ballot paper;

3. the ballot paper does not contain two stamps placed by the seal of the respective precinct election commission;

4. none of the voting squares is marked with an "X" or "V" by means of a ballpoint pen writing in blue ink;

5. the ballot paper does not reflect the vote of the voter;

6. The sign "X" or "V" or another sign is placed by a ballpoint pen writing in blue or a another colour ink, for two or more candidate lists or by placed "X" or "V" that runs into more than one voting squares and the unequivocal choice of the voter could not be determined;

7. in the ballot paper for municipal councillors, the preferences are marked in the ballot paper with a sign different from "X" or "V" and by a ballpoint pen not writing in blue ink or preferences of candidates from different candidate lists are marked;

4) The voter shall be entitled to one preference of a candidate for municipal councillor from the chosen candidate list of a political party or coalition of parties. The preference shall be respected only if marked by sign "X" or "V" by a ballpoint pen writing in blue ink as well as when the sign "X" or "V" is running out of the outlines of the small square to the name of the candidate without touching the other small squares.

(5) Where the voter has not marked preference for a candidate in the candidate list, a preference shall be considered for preference for the candidate, indicated in the first place in the list.

(6) The number of voters who have voted with paper ballots shall be equal to the number of ballot papers found in the ballot boxes.

Segregation of the Ballot Papers

Art. 438. (1) After opening of the ballot box and extraction of the ballot papers for each type of elections the latter shall be segregated in piles as follows:

1. a pile of ballot papers which do not conform to the established standard design;

2, a pile of ballot papers with special symbols, such as letters, numbers or other signs, written therein for the election of municipal councillors and with preferences marked with a sign different from "X" or "V" and by a ballpoint pen not writing in blue ink;

3. a pile of ballot papers conforming to the established standard design wherein the vote of the voter is not marked by an "X" or "V": and by a ballpoint pen writing in blue ink;

4. a pile of ballot papers conforming to the established standard design wherein the vote of the voter is not marked;

5. a pile of ballot papers conforming to the established standard design:

a) wherein the sign "X" or "V" or another sign is placed by means of a ballpoint pen writing in blue or in another colour, for two or more candidate lists or by placed "X" or "V" that runs into more than one voting squares and the unequivocal choice of the voter could not be determined;

b) wherein the preferences for a candidate for a municipal councillor are marked in the ballot paper with a sign different from "X" or "V" and by means of a ballpoint pen not writing in blue ink or preferences of candidates from different candidate lists are marked;

c) wherein the vote is marked by an "X" or "V" or other sign by a ballpoint pen writing in blue ink or in another colour, for one candidate list and a preference for a candidate for a municipal councillor from another candidate list, or

d) which do not contain two stamps of the seal of the respective precinct election commission; any such ballot papers shall be cancelled by means of an inscription "Cancelled" on each ballot paper;

6. a pile of ballot papers conforming to the established standard design:

a) wherein the vote is marked with an "X" or "V" sign by a ballpoint pen, writing in blue ink, for one candidate list of municipal councillors with no preference or with one or more than one preferences for a candidate for a municipal councillor from the same candidate list;

a) which contain an "X" or "V" placed by means of a ballpoint pen, writing in blue ink for one candidate list for a mayor;

b) wherein the ballot paper contains two seals of the respective precinct election commission,

(2) The ballot papers shall be reviewed one by one to count the preferences for the candidates for municipal councillors of the political parties and coalition of parties.

(3) Where the validity of any vote is contested, after a decision of the commission, the case shall be described in a memorandum. The said memorandum shall be attached to the tally sheet of the precinct election commission, and the number of the decision shall be noted on the reverse side of the ballot paper.

Total Number of Valid and Invalid Votes

Art. 439. (1) The precinct election commission shall count the votes cast with paper ballots for each type of election and the preferences for candidates for municipal councillors of the political parties and coalition of parties.

(2) The number of invalid votes for municipal councillors shall be equal to the number of ballot papers under Art. 438, para. 1, p. 1 to 5.

(3) The number of invalid votes for a mayor shall be equal to the number of ballot papers under Art. 438, Para. 1, p. 1 to 4 and p. 5 "a" and "b" and "d".

(4) The number of valid votes for municipal councillors shall be equal to the number of ballot papers under Art. 438, Para. 1, p. 6 "a" and "c".

(5) The number of valid votes for a mayor shall be equal to the number of ballot papers under Art. 438, Para. 1, p. 6 "a" and "c".

(6) The number of the preferences for a candidate for a municipal councillor of a political party or coalition of parties shall be equal to the total number of the signs "X" or "V" placed by a ballpoint pen, writing in blue ink in the small squares to the name of the candidate in the candidate list, including the ones under Art. 437, Para. 5.

Tally Sheet Data Entry

Art. 440. (1) After the opening of the ballot box and the counting of the votes on the first sheet of the tally sheet for each election of the precinct election commission, the following shall be entered in this order:

1. the number of ballot papers found in the ballot boxes;

2. the number of invalid votes;

3. the number of valid votes;

4. the number of votes cast for each candidate list;

5. the number of applications, objections and complaints lodged and the decisions adopted thereon.

(2) The total number of the preferences for a candidate for municipal council of a political party or coalition of parties shall be entered on the second sheet of the tally sheet for election of municipal councillors.

(3) The numbers from the machine voting shall be added separately to the data of the tally sheet of the precinct election commission under Para. 1 and 2.

(4) The data from the voting with paper ballots and from the machine voting shall be summed up and the total number of the votes cast by paper ballots and those cast by machine voting shall be equal to the total number of the ballot papers found in the ballot boxes and of the control receipts found in the special machine voting box.

(5) The data under Para. 1 shall be entered into the tally sheet in words and figures.

Signing of Tally Sheet. Correction

Art. 441. (1) The tally sheet of the precinct election commission for each type of election, following its preparation, shall be signed by all members of the commission. After signing the tally sheet, the chairperson shall announce the voting results per political parties, coalition of parties and independent candidates as well as the number of preferences for each candidate for a municipal councillor of a political party or coalition of parties.

(2) After signing the tally sheet, corrections may be made before announcing the voting results. Any such correction shall be signed by all members of the commission, with a marginal note reading "Correction". Apparent errors of fact may be corrected after announcement of the voting results as well.

(3) No member of the commission may refuse to sign the tally sheet. A member who disagrees with what the tally sheet records shall sign the said tally sheet with a dissenting opinion, formulating the dissenting opinion. The reasons shall be set forth in writing on a separate sheet and shall be attached as an integral part of the tally sheet.

(4) Should a member of the commission be objectively prevented from signing the tally sheet, this shall be noted, specifying the reasons.

(5) Non-signing of the tally sheet by a member of the commission shall not render the said tally sheet invalid.

(6) A photocopy of the signed tally sheet for each type of election shall be displayed in a conspicuous place in front of the building where the respective precinct election commission is housed, stamped on each page with the seal of the commission and signed by the chairperson, deputy chairperson and the secretary.

Receiving a Photocopy from the Tally Sheet

Art. 442. Upon request, the members of the precinct election commission, the candidates, the election agents, the representatives of the political parties, coalitions of parties and nomination committee and the observers, shall receive a photocopy of the signed tally sheet for each type of election, stamped on each page with the seal of the commission and signed by the chairperson, deputy chairperson and the secretary before delivery to the municipal election commission. Photocopies of the signed tally sheets shall be made in the polling station. The names and the Uniform Civil Number of the person who has received the photocopies shall be entered by the precinct election commission into a list of persons who have received photocopies of the signed tally sheets and after that the person shall put his signature on the list. The list shall be signed by the chairperson and the secretary.

Packing of Election Papers and Materials

Art. 443. After counting the votes the election papers and materials shall be packed and sealed with a paper tape. The paper tape shall be stamped with the seal of the commission and signed by the members of the commission.

Delivery of the Tally Sheet of the Section Election Commissions and the Recording Technical Device to the Municipal Election Commission

Art. 444. (1) The chairperson or the deputy chairperson, the secretary and a member of the precinct election commission, nominated by different political parties and coalitions of parties, shall deliver the copies of the tally sheets for all types of elections to the municipal election commission destined for the municipal election commission and for the Central Election Commission and the recording technical device from the machine voting. The second blank form of the tally sheet of the precinct election commission, received according to the procedure established by Art. 215, Para. 1, p. 7, shall be delivered as well, with the serial number thereof being checked against the number of the tally sheet as entered in the memorandum of delivery and acceptance of the election stationery and materials.

(2) The tally sheets for each type of election of the precinct election commission shall be delivered at the municipal election commission with unseparated sheets.

Section IX

Determination of the Election Results by the Municipal Election Commission

Acceptance and Verification of the Tally Sheets of the Section Election Commission and the Rest of the Election Stationery and Materials

Art. 445. (1) The Municipal election commission shall accept and check the tally sheets for each type of elections of the section election commissions.

(2) Upon acceptance of the tally sheet of the precinct election commission, the municipal election commission shall check the serial number of the said tally sheet against the number of the tally sheet as entered in the memorandum of delivery and acceptance of the election stationery and materials referred to in Art. 215, para.4 herein or in the memorandum referred to in Art. 433, Para. 2.

(3) Where the municipal election commission detects any discrepancy between the serial numbers of the tally sheet received and delivered by the precinct election commission for the respective type of election, the precinct election commission together with the municipal election commission shall count the votes after acceptance of the tally sheets of all precinct election commissions.

(4) The members of the precinct election commission referred to in Art. 444, Para. 1 shall trace the accuracy of the entry of the data from the tally sheet at the computation centre of the municipal election commission.

(5) Where the municipal election commission detects any apparent errors of fact in the tally sheet, the said errors shall be noted therein and shall be signed by the members of the precinct election commission referred to in Art. 444, Para. 1.

(6) Upon receipt of the tally sheets, the municipal election commission shall issue a signed receipt which shall contain the numerical data from the tally sheets. Upon return to the area of the polling section, the members of the precinct election commission referred to in Art. 444, Para. 1 herein shall display the said receipt next to the photocopies of the tally sheets referred to in Art. 441, Para. 6.

(7) After acceptance of the tally sheets by the municipal election commission, the ballot papers, the stub with the serial numbers, the copy of the tally sheet destined for the municipal administration and the rest of the papers and materials shall be delivered by the members of the precinct election commission, referred to in Art. 444, para. 1, at the municipal administration to a commission which composition shall be determined as provided for by Art. 92 herein. A representative of the municipal administration shall be included in the composition of the said commission.

(8) The ballot papers, the copies of the tally sheets destined for the municipal administration and the rest of the papers and materials shall be safe-kept until the next elections. The premises where the said papers and materials are safe-kept shall be designated by the mayor of the municipality and shall be sealed with paper tapes, stamped by a seal with a unique sign placed thereon and signed by the members of the commission. The standard design of the said seal, the safe-keeping of the ballot papers, the copies of the tally sheets destined for the municipal administration and the rest of the papers and materials and the access to the premises shall be determined by decision of the Central Election Commission.

Data Transfer from the Recording Technical Device

Art 446. (1) The members of the precinct election commission referred to in Art. 444, Para. 1 shall trace the accuracy of the data transfer from the technical recording device at the computation centre of the municipal election commission.

(2) The data from the recording technical device shall be checked against the data from the machine voting entered in the tally sheets of the precinct election commission.

Reporting Voting Results in the Election Region

Art. 447. On the basis of the data from the tally sheets of the precinct election commissions, the municipal election commission shall report the results of the voting in the constituency and shall prepare a tally sheet for each type of election.

Determination of the Elected Independent Candidates

Art. 448. (1) The municipal election commission shall determine the elected independent candidates in the constituency using a municipal electoral quota on the basis of the valid votes cast there.

(2) An independent candidate shall be considered elected if he or she has gained the municipal electoral quota from the votes in the constituency. The votes of the independent candidates shall be excluded from the subsequent allocation of seats.

Tally Sheets of the Municipal Election Commission

Art. 449. (1) The voting results shall be recorded in the tally sheets of the Municipal elections commission:

1. on election of municipal councillors;
2. on election of a municipal mayor;
3. on election of a district mayor;
4. on election of a mayoralty mayor; if there are more than one mayoralty, a separate tally sheet shall be prepared on the election in each mayoralty

(2) The tally sheet of the municipal election commission shall be prepared in two identical copies on two-sheet carbonless copy paper. The tally sheets shall be protected by print security features determined by decision of the Central Election Commission. Before completing the tally sheets, a draft shall be prepared, whereof the form and content shall be identical with the tally sheets.

(3) Each copy of the tally sheets under Para. 2, p. 2, 3 and 4 shall be on one sheet, while the copy of the tally sheet under para. 1, item 1 shall be on two sheets with separate pages. The first copy is handed over to the Central Election Commission. The second copy together with the election papers are delivered to the municipality and are safe-kept till the next elections.

(4) The municipal election commissions tally sheet shall contain the names of the political parties, coalitions of parties and the nomination committees as registered for the elections. The names shall be printed in the tally sheets according to the sequential number in the ballot paper.

Tally Sheet Data Entry

Art. 450. (1) The following data shall be entered in the tally sheets of the municipal election commission for each type of election in this order:

1. the number of precinct election commissions in the municipality;
2. the number of precinct election commissions which have presented tally sheets on voting.
3. the number of voters according to Part I and Part II of the electoral roll;
4. the number of voters according to the additional page of the electoral roll;
5. the number of voters on the supplementary electoral roll;
6. the number of voters who have voted according to the signatures affixed to Parts I and II of the electoral roll;
7. the number of ballot papers found in the ballot boxes;
8. the total number of valid ballot papers cast in the election of a mayor;
9. the valid ballot papers cast for each candidate for mayor;
10. the valid ballot papers cast for the respective candidate list for municipal councillors;
11. invalid ballot papers;
12. the number of invalid ballot papers under Art. 227;
13. the number of invalid ballot papers under Art. 228;
14. the number of invalid ballot papers under Art. 427, para. 6;
15. the number of mismarked ballot papers;
16. the number of certificates under Art. 40;
17. the number of applications, objections and complaints lodged and the decisions adopted thereon.
18. the date from the machine voting entered in the tally sheets of the precinct election commissions.

(2) The total number of the preferences for a candidate for municipal council of a political party or coalition of parties shall be entered on the second sheet of the tally sheet for election of municipal councillors.

(3) The data from the voting with paper ballots and from the machine voting shall be summed up and the total number of the votes cast by paper ballots and those cast by machine voting shall be equal to the total number of the ballot papers found in the ballot boxes and of the control receipts found in the special machine voting box.

(4) The data shall be entered in the tally sheet in words and figures.

Signing of Tally Sheets

Art. 451. (1) The tally sheets of the municipal election commission shall be signed by all members of the commission.

(2) No member of the commission may refuse to sign the tally sheets of the municipal election commission. A member who disagrees with what the tally sheet records shall sign the said tally sheet with a dissenting opinion, formulating the dissenting opinion. The reasons shall be set forth in writing on a separate sheet and shall be attached as an integral part of the tally sheet.

(3) Should a member of the commission be objectively prevented from signing the tally sheet, this shall be noted, specifying the reasons.

(4) Non-signing of a tally sheet by a member of the commission shall not render the said tally sheet invalid.

(5) Upon detection of an apparent error of fact, corrections may be made in the tally sheet. Any such correction shall be signed by all members of the commission, with a marginal note reading "Correction".

Determination of the Results of Voting for Mayor

Art. 452. (1) The results of the voting for mayors shall be determined according to the methodology referred to in Annex No. 4.

(2) The municipal election commission shall declare the results of the voting for mayors disaggregated by party, coalition of parties and independent candidate and shall issue certificates to the elected mayors.

(3) The candidate who has gained more than one-half of the valid votes shall be elected mayor.

(4) Should none of the candidates for mayor be elected in the first round, a second round shall be conducted on a non-working day not later than seven days after the date of conduct of the first round.

(5) If more than two candidates have been registered in the constituency and none is elected, the second round of the election shall be limited to the first two candidates who have gained the most valid votes. If three or more candidates have gained the highest but equal number of votes, they shall all be admitted to participate in the second round. If one candidate has gained the most votes and two or more candidates have gained the next highest equal number of votes, they shall all be admitted to participate in the second round.

(6) In the second round of the elections, a candidate who has gained the most valid votes shall be considered elected. If the number of votes gained is equal, there shall be no elected mayor and the President of the Republic, acting on a proposal by the Central Election Commission, shall schedule a new election of a mayor.

(7) Where two candidates have been admitted to participate in a second round and one of the said candidates dies between the two rounds, a new election shall be conducted.

(8) Where two candidates have been admitted to run in a second round and one of the said candidates withdraws within 24 hours after the declaration of the results of the first round, the candidate who has gained the next highest number of valid votes shall run in the second round.

Determination of the Results of Voting for Municipal Councillor

Art. 453. (1) The results of the voting for municipal councillors shall be determined according to the methodology referred to in Annex No. 5.

(2) The results of the voting for municipal councillors in the elections according to the proportional representation system shall be determined using the Hare-Niemeyer Method.

(3) The right to share in the allocation of seats shall be limited to the political parties and the coalitions of parties which have received valid votes of not less than the municipal electoral quota.

(4) The number of seats which are allocated to the parties and coalitions of parties referred to in para. 3 shall equal the number of members of the municipal council less the number of the elected independent candidates.

(5) The municipal election commission shall declare the results of the voting for municipal councillors disaggregated by party, coalition of parties and independent candidate and shall issue certificates to the elected municipal councillors candidates as well as the number of preferences for each candidate for a municipal councillor of a political party or coalition of parties.

Determining the Elected Candidates for Municipal Councillors According to Valid Preferences Received and the Ranking on the List

Art. 454. (1) The candidates municipal councillors who are elected on each candidate list of a political party or coalition of parties, shall be determined according to the number of valid preferences received and the ranking of the candidates on the list shall be done according to the methodology referred to in Annex No. 5.

(2) The preferences for the individual candidates shall be valid if the number of votes received for the candidate is not less than per cent of the municipal electoral quota.

(3) The candidates referred to in para. 2 shall be ranked according to the number of preferences received, starting from the candidate who has received the highest number of valid preferences. These candidates shall be excluded from the candidate list of the respective party or coalition of parties and shall comprise List A. The rest of the candidates on the candidate list shall retain the initial ranking thereof on the list and shall comprise List B.

(4) Where there are two or more candidates with an equal number of preferences on List A, the rank thereof on the list shall be determined by the municipal election commission on the basis of a lot drawn in the presence of the candidates concerned and representatives of the political party or the coalition of parties.

(5) Where there are no candidates with valid preferences, the elected candidates shall be determined according to the rank assigned on the candidate list.

(6) Where the number of candidates with valid preferences is lower than the number of the seats allocated to the political party or coalition of parties, all candidates on List A shall be elected. The rest of the seats allocated to the political party or coalition of parties shall be filled by candidates on List B in the order of ranking thereof.

(7) Where the number of candidates with valid preferences is higher than the number of the seats allocated to the political party or coalition of parties, the first candidates on List A shall be elected in the order of ranking thereof until all seats are filled.

(8) Where the number of candidates with valid preferences equals the number of the seats allocated to the party or coalition of parties, all candidates on List A shall be elected.

Receiving a Photocopy from the Tally Sheet

Art. 455. (1) A photocopy of the signed tally sheets under Art. 499, para. 1, shall be displayed in a conspicuous place in front of the building where the municipal election commission is housed, stamped on each page with the seal of the commission and signed by the chairperson, deputy chairperson and the secretary.

(2) Upon request, the members of the constituency election commission, the candidates, the election agents, the representatives of the political parties, coalitions of parties and nomination committee and the observers, shall receive a photocopy of the signed tally sheets referred to in Art. 499, para. 1, stamped on each page with the seal of the commission

and signed by the chairperson, deputy chairperson and the secretary before delivery to the Central Election Commission. The photocopies of the signed tally sheets shall be made in the premises of the municipal election commission. The names and the Uniform Civil Number of the person who has received the photocopy shall be entered by the municipal election commissions into a list of persons who have received a photocopy of the signed tally sheet for the respective type of elections, the model of which has been approved by the Central Election Commission, and the person shall affix his signature on the list. The list shall be signed by the chairperson and the secretary.

Database

Art. 456. The Municipal election commission shall create a database by means of computer processing of the tally sheets of the precinct election commissions in the constituency.

Delivery of Tally Sheet, the Recording Technical Devices and the Rest of the Papers to the Central Election Commission

Art. 457. (1) The chairperson or the deputy chairperson, the secretary and a member of the municipal election commission, nominated by different parties and coalitions of parties, shall deliver to the Central Election Commission the copies of the tally sheets of the municipal election commission, the copies of the tally sheets of the precinct election commissions destined for the Central Election Commission, and copies of the receipts referred to in Art. 445, Para. 6 and the recording technical devices from the machine voting. not later than 48 hours after receipt of the last tally sheet of a precinct election commission in the constituency. The tally sheets of the municipal election commissions shall be delivered to the Central Election Commission with unseparated sheets.

(2) The municipal election commission shall also deliver to the Central Election Commission:

1. a copy of the computer print-out of the data on the tally sheets and the decision of the constituency election commission, (list of the tally sheets of the precinct election commissions received with the codes of the receipts thereof and the computer proposal for a tally sheet and a decision of the constituency election commission for each type of election, and the machine voting data, provided by the computation centre;

2. two machine-readable data mediums storing the numerical data generated by the processing of the tally sheets of the precinct election commissions.

(3) After a check of the papers covered under Para. 1 and 2, the Central Election Commission shall issue a receipt to the municipal election commission and a memorandum of delivery and acceptance shall be signed in two identical copies by the representatives of the Central Election Commission and the municipal election commission.

(4) The election stationery and materials of the municipal election commission, with the exception of those destined for the Central Election Commission, and the copies of the tally sheets of the precinct election commissions, destined for the municipal election commission, shall be delivered to the municipal administration within whose territory the said commission is located.

(5) The election stationery and materials shall be safe-kept by the municipal administrations until the next elections

Section X

Pre-Term Termination of Credentials

Announcing of an Elected Candidate in Pre-Term Termination of Credentials Vacancy

Art. 458. (1) Where the credentials of a municipal councillor have been terminated prior to the expiry of the term of office thereof, the municipal election commission shall pronounce municipal councillor the candidate ranked next on the respective list [elected as municipal] councillor.

(2) Where the number of candidates is exhausted, the seat shall remain vacant until the end of the term of office.

(3) The provisions of Para.1 and 2 shall furthermore apply in the cases where the credentials of the municipal councillor have been terminated prior to the expiry of the term of office thereof when less than one year remains until the end of the term of office.

(4) Upon pre-term termination of the credentials of a Municipal councillor elected as an independent candidate, the seat thereof shall remain vacant until the expiry of the credentials of the Municipal Council.

(5) Where there is a candidate who has received valid preferences under the terms established by art. 454, Para. 2, but the said candidate has not been pronounced elected, in the cases referred to in Para. 1 and 2, the said candidate shall replace the Municipal councillor whose credentials are terminated.

Section XI

Disputing Election Results

Disputing before Administrative Court

Art. 459. (1) Each candidate for a municipal councillor or mayor, the central leaderships of the parties competent under the statute, and the leaderships of the coalitions of parties competent under the decision on the formation of the coalition, and the person representing the nomination committee who and which have registered candidates for the respective type of elections, may dispute the decision of the municipal election commission determining the election results before the competent administrative court within seven days after the said decision is made public.

(2) Any such appeal shall be lodged in duplicate by the municipal election commission. Any such appeal must be written in Bulgaria and must state the names and the address, telephone number, telefax number or electronic mail address.

(3) The municipal election commission shall transmit the appeal and the correspondence thereon to the competent administrative court within three days after the receipt of the said appeal together with the decision which is disputed.

(4) The appeal shall not stop the enforcement of the decision, unless the court rules otherwise.

(5) The court shall schedule an open hearing of the case within seven days after the receipt of the appeal.

(6) The time limits for summoning under the Administrative Procedure Code shall not apply.

(7) The court shall pronounce on the legal conformity of the decision of the Municipal election commission within 14 days after the receipt of the appeal at the court.

(8) The judgment of the court referred to in para. 7 may be contested by a cassation appeal within seven days after the said judgment is made public.

(9) The Supreme Administrative Court shall pronounce on the appeal within 14 days after the receipt of the said appeal at the court.

(10) The court may confirm the decision of the municipal election commission or may declare the election invalid. If the court establishes a result diverging from the result recorded in the tally sheet of the municipal election commission by reason of a technical error or a computation error, the court shall revoke the decision and shall return the papers to the respective municipal election commission for declaration of the correct results.

(11) The proceeding before the competent administrative court and the Supreme Administrative Court shall be concluded within two months after the lodgement of the appeal.

Effect of Enforceable Judgments

Art. 460. The enforceable judgments of the competent administrative court and of the Supreme Administrative Court shall be irreversible.

Competent Authority where Enforcement of Decision is Stopped or Result is Declared Invalid

Art. 461. Where the court has stopped the enforcement of the decision or has declared the election result invalid, the mayor whose term of credentials has expired, provided the said mayor was not registered as a candidate, and in the rest of the cases, the acting mayor shall continue to execute the functions thereof until the newly elected mayor takes the oath of office.

Consequences upon Invalidity

Art. 462. (1) Where the court has declared the election result invalid in respect of a mayor, a new election shall be conducted.

(2) Where the court has declared the election result invalid in respect of a candidate for municipal councillor nominated by a party or a coalition of parties, the said candidate shall be replaced by the candidate ranked next on the list. Where there are no more candidates on the list, the seat shall remain vacant until the end of the term of office.

(3) Where the court has declared the election result invalid in respect of an independent candidate for municipal councillor, the seat shall remain vacant until the end of the term of office.

Section XII By-elections and New Elections

Grounds for Scheduling By-elections

Art. 463. (1) Upon pre-term termination of the credentials of a mayor, by- elections shall be scheduled. By-elections for a mayoralty mayor shall be scheduled only in nucleated settlements which as of the date of the termination of the credentials of the mayor conform with the requirements under Art. 16, para. 1 of the Administrative and Territorial Division of the Republic of Bulgaria Act.

(2) Within seven days after the pre-term termination of the credentials of a mayor, the municipal election commission shall adopt a decision whereby the said commission shall notify the Central Election Commission of this circumstance.

(3) The decision of the municipal election commission shall be transmitted to the Central Election Commission within three days after the adoption of the said decision together with the document establishing the grounds for termination of the credentials of a mayor.

(4) Within seven days after receipt of the decision of the municipal election commission, the Central Election Commission shall propose to the President of the Republic to schedule by-elections of a mayor.

(5) Within 14 days after the proposal of the Central Election Commission, the President of the Republic shall schedule by-elections of a mayor not later than 40 days in advance of election day.

(6) In the cases referred to in para. 1, when less than one year remains until the end of the term of office, by-elections shall not be conducted.

Rules for Conduct of By-elections

Art. 464. Upon conduct of by-elections of a mayor, the provisions of this Code shall apply with the following exceptions:

1. the registration of parties and coalitions of parties to run in the general elections of municipal councillors and mayors, effected at the Central Election Commission, shall subsist; to be able to run in the by-elections, the parties and coalitions of parties shall submit an application to the Central Election Commission not later than 35 days in advance of election day; a certificate issued by the Bulgarian National Audit Office, referred to in Art. 133, Para. 3 p. 1 and Art. 140, Para. 3, p. 1 "d" herein, and a certificate of current legal status of the parties issued by the Sofia City Court under Art. 133, para.3 item 1 and Art. 140, Para. 3 p. 1 "a" herein shall be attached to the application; where one or more parties leave the coalition of parties, the

said coalition shall retain the registration thereof if at least two parties remain therein; the parties which have left the coalition of parties may run in the elections independently;

2. the parties and coalitions of parties which have changed the persons empowered to represent them or which have registered any other amendments to the statute thereof or the decision on the formation of the coalition of parties relevant to the elections, shall notify the Central Election Commission of these changes and shall present the documents provided for in Art. 133, Para. 3, p. 1, 2, 3, 4, 6 -10 or Art. 140, Para. 3, p. 1, 2, 3, 4, 5, 7 -9 within the time limit referred to under p. 1;

3. the parties and coalitions which are not registered to run in the general elections of municipal councillors and mayors shall register at the Central Election Commission not later than 35 days in advance of election day; the documents covered under Art. 133 Para. 3 or Art. 140 Para. 3 herein shall be attached to the application;

4. the registration of political parties and coalitions of parties under item 3 or Art. 496, para. 4 for participation in by-elections or new elections conducted after the general elections for municipal councillors and mayors shall retain its effect for each next by-election or new election; the provisions of items 1, 2 and items 5 to 13 shall apply for the admission to participation in each next by-election.

5. the parties and the coalitions of parties which will run in the by-elections shall register at the municipal election commission not later than 30 days in advance of election day;

6. the candidates shall register at the municipal election commission not later than 25 days before election day and shall be made public not later than 20 days in before election day;

7. the polling stations shall be established not later than 35 days in advance of election day;.

8. the electoral rolls shall be made public not later than 20 days in advance of election day;

9. the municipal election commission shall appoint the precinct election commissions not later than 25 days before election day on a proposal by the municipality mayor as provided for in Art. 89 - 92, not later than 24 days before election day;

10. the election campaign shall be opened 30 days in advance of election day;

11. the expenditures on the administrative and logistical preparation of the by-elections, including the provisions of technical devices and consumables shall be for the account of the municipal budget;

12. the remunerations of the members of the municipal election commission and of the members of the precinct election commissions shall be determined by the methodology referred to under Art. 57, Para. 1 p. 7.

13. the time limits set in p. 1 to 12. shall apply in the preparation and the conduct of the elections;

Grounds for Scheduling New Elections

Art. 465. New elections shall be conducted:

1. where, upon conduct of elections of a mayor, a mayor is not elected in the second round;

2. in the cases provided for by Art. 452, Para. 7;

3. upon creation of a new municipality;

4. upon creation of a new mayoralty;

5. where the election of municipal councillors or mayors is declared invalid;

6. where the effecting of territorial and administrative changes of a relevant type lead to a change in the municipalities or the mayoralties, under the terms established by the Territorial Administration of the Republic of Bulgaria Act.

Scheduling of New Elections

Art. 466. (1) Within 14 days after learning of the circumstances referred to in p. 1, 2, 4, 5 and 6 of Art. 465 herein, the Central Election Commission shall propose to the President of the Republic to schedule new elections.

(2) Within 14 days after the proposal referred to in para. 1, the President of the Republic shall schedule new elections of Municipal councillors or Mayors.

Elections in Respect of New Municipalities and Mayoralties

Art. 467. (1) Upon creation of a new municipality, the President of the Republic shall schedule new elections of municipal councillors and a municipality mayor within 14 days after the promulgation in the State Gazette of the decree on the creation of the new municipality.

(2) The municipalities or mayoralties from the territories whereof new territorial administrative units of the respective type are created shall continue to exist. No new elections of municipal councillors or mayors shall be held in the said municipalities or mayoralties until the end of the current term of office.

(3) The right to elect upon the creation of a new municipality or mayoralty shall vest in the Bulgarian citizens and the citizens of another Member State of the European Union who satisfy the conditions referred to in Art. 396, 1 or 2 and have a permanent-address or present-address (residence-address) registration within the territory included in the newly created municipality or mayoralty at a date which is 6 months in advance of election day.

(4) The right to be elected upon the creation of a new municipality or mayoralty shall vest in the Bulgarian citizens and the citizens of another Member State of the European Union who satisfy the conditions referred to in Art. 397, 1 or 2 and have a permanent-address or present-address (residence-address) registration within the territory included in the newly created municipality or mayoralty at a date which is 6 months in advance of election day.

Conduct of new elections

Art. 468. The new elections shall be conducted according to the standard procedure, observing the provisions of this Code.

Registration upon New Elections

Art. 469. (1) The registration of parties and coalitions of parties to participate in the general elections of municipal councillors and mayors, effected at the Central Election Commission shall remain in effect.

(2) To be able to participate in the new elections, the parties and coalitions of parties shall submit an application to the Central Election Commission. A certificate issued by the Bulgarian National Audit Office, referred to in Art. 133, Para. 3 p. 6 herein, or a certificate of current legal status of the parties issued by the Sofia City Court, referred to in Art. 133, Para. 3 p. 1 herein shall be attached to the application.

(3) The parties and coalitions of parties which have changed the persons empowered to represent them or which have registered any other amendments to the statute thereof or the decision on the formation of the coalition of parties relevant to the elections, shall notify the Central Election Commission of these changes and shall present the documents provided for in Art. 133, Para. 3 or Art. 140, Para. 3 herein.

(4) The parties and coalitions of parties which are not registered to run in the general elections of municipal councillors and mayors shall register at the Central Election Commission within the time limits, under the terms and according to the procedure applicable to registration for participation in the general elections.

(5) The registration of political parties and coalitions of parties under Art. 464, item 3 or para. 4 for participation in by-elections or new elections conducted after the general elections for municipal councillors and mayors shall retain its effect for each next by-election or new election. The provisions of items 1 to 5 and item 6 shall apply for the admission to participation in each next by-election.

(6) The parties and coalitions of parties which will run in the new elections shall register at the competent municipal election commission.

PART THREE ADMINISTRATIVE PENALTY PROVISIONS

Non-fulfilment of Obligation to Publish Terms and Procedures for Conduct of Elections outside Bulgaria

Art. 470. Any official, who fails to fulfil an obligation referred to in Art. 20 herein, shall be liable to a fine within the range of BGN 1,000 to BGN 5,000.

Non-publication of the Electoral Rolls of the Persons who have Declared Voting Abroad and Non-publication of Electoral Rolls

Art. 471. Any official, who fails to fulfil an obligation referred to in Art. 32 herein, shall be liable to a fine within the range of BGN 1,000 to BGN 5,000.

Any official, who fails to fulfil an obligation referred to in Art. 42 herein, shall be liable to a fine of BGN 1,000 to BGN 5,000.

Breach of Requirement to Remove Campaign Materials

Art. 472. (1) In non-fulfilment of the obligations under Art. 186, para. 3, the person who represents the political party or the nomination committee, or the persons who represent the coalition of parties shall be liable to a fine within the range of BGN 1000 to BGN 5000.

(2) The written statements ascertaining the violation referred to in para. 1 shall be drawn up by officials empowered by the municipality mayor.

(3) The penalty decrees shall be issued by the municipality mayor.

Violation of the Prohibition to Place Campaign Materials outside the Election Campaign

Art. 473. (1) A person who violates the prohibition under Art. 185 shall be liable to a fine or a penalty payment within the range of BGN 1000 to BGN 3000.

(2) Where the violation under para. 1 is repeated, the fine or the penalty payment shall be within the range of BGN 3 000 to BGN 10 000.

(3) The written statements ascertaining the violation referred to in para. 1 shall be drawn up by officials empowered by the Regional Governor or the municipality mayor.

(4) The penalty decrees shall be issued by the Regional Governor or by the municipal mayor.

Violation of the Prohibition of the Free Use of Public Administrative Resources

Art. 474. (1) A person who violates the prohibition under Art. 168, para. 3 shall be liable to a fine within the range of BGN 300 to BGN 1000.

(2) Where the violation under para. 1 is repeated, the fine or the penalty payment shall be within the range of BGN 1 000 to BGN 3 000.

Violations related to Opinion Polls and Sociological Surveys

Art. 475. (1) A person who violates the provisions of Art. 204, para. 3 or Art. 205, shall be liable to a fine or a penalty payment within the range of BGN 2000 to BGN 5000.

(2) Where the violation under para. 1 is repeated, the fine or the penalty payment shall be within the range of BGN 3 000 to BGN 10 000.

Breach of the Aggregate Amount of Financing, of the Bans Related to Financing and of the Requirement the Financing to be Effected by a Bank Transfer

Art. 476. Upon breach of the aggregate amount of financing under Art.165 upon violation of the prohibitions under Art.168 and upon breach of the requirement under Art.170, para. 1 herein, the person or persons referred to Art. 164 shall be liable to a fine within the range of BGN 3000 to BGN 10 000.

Breach of the Requirements for Financing and Supporting the Election Campaign

Art. 477. Upon receipt of a donation by a natural person over the permissible amount under Art.167, para. 1 or 2 or upon receipt of goods or services in violation of Art.167, para. 3 or 4, the person or persons referred to Art. 164 shall be liable to a fine within the range of BGN 2000 to BGN 5000.

Breach of the Requirements for Submission of Information to the Single Public Register

Art. 478. (1) Upon non-submission of the information under Art.171, para. 2 and 4 for the purpose of entering into the single public register of the person who represents the political party or the nomination committee, or the persons who represent the coalition of parties shall be liable to a fine within the range of BGN 1000 to BGN 3000.

Violation of the Requirement to Present a Report on the Financial Resources Raised and Spent and the Payment Obligations Assumed in Connection with the Election Campaign

Art. 479. (1) Upon non-fulfilment of the obligations under Art.172, para. 1 and 3, the person who represents the political party or the nomination committee, or the persons who represent the coalition of parties shall be liable to a fine within the range of BGN 2000 to BGN 5000.

Violation of the Prohibition on Campaigning

Art. 480. (1) Any person who violates the prohibitions under Art.182, para. 1-3 shall be liable to a fine within the range of BGN 300 to BGN 1000.

(2) Any person who carries out campaigning on election day in violation of Art.182, para. 4 shall be liable to a fine within the range of BGN 500 to BGN 2000.

(3) Where the violation under para. 1 is repeated, the fine shall be within the range of BGN 1000 to BGN 3000.

(4) Where the violation under para. 2 is repeated, the fine shall be within the range of BGN 2000 to BGN 4000.

Violation of Prohibition to Remove Stationery and Materials

Art. 481. (1) Any person, who removes ballot boxes, electoral rolls, ballot papers from the polling site after the precinct election commission has taken delivery of the said materials and stationery and until the counting of the votes and the preferences, shall be liable to a fine within the range of BGN 500 to BGN 2000.

(2) Where the violation under para. 1 is repeated, the fine shall be within the range of BGN 1000 to BGN 5000.

Violation of Attendant Limit

Art. 482. (1) Any person who violates the provisions of Art. 116, para. 2, Art. 120, para. 3, Art. 126, para. 3 or of Art. 236, para. 6 shall be liable to fine of BGN 1000.

(2) Any official who allows one person to act as an attendant to more than two voters shall be liable to a fine of BGN 1000.

Election Agent Activities on Invalidated Certificate

Art. 483. Any person who identifies on an invalidated certificate as an election agent shall be liable to a fine of BGN 1000.

Violation of the Requirement for Announcing the Concluded Contracts with Media Service Providers

Art. 484. (1) Any media service provider who does not fulfil its obligation under Art. 180 shall be liable to a penalty payment within the range of BGN 2000 to BGN 5000.

(2) Where the violation under para. 1 is repeated, the penalty payment shall be within the range of BGN 5000 to BGN 10 000.

Breach of Publication of Reply

Art. 485. (1) Any person who does not fulfil its obligation under Art. 188 shall be liable to a penalty payment within the range of BGN 2000 to BGN 5000.

(2) Where the violation under para. 1 is repeated, the penalty payment shall be within the range of BGN 5000 to BGN 10 000.

Abuse of the Right of Attendant

Art. 486. Any person who has act as an attendant to more than two voters shall be liable to a fine of BGN 2000.

Violation of Prohibition to Display Voting Choice and to Use Image Reproducing Devices

Art. 487. Any person who violates the provisions of Art. 227 or Art. 228 shall be liable to a fine of BGN 1000.

Violation of the Requirement to Wear Distinguishing Signs by the Members of the Precinct Election Commissions

Art. 488. Any member of the precinct election commission who violates the requirement under Art. 231 shall be liable to a fine of BGN 100.

Non-conformity of Serial Numbers in Tally Sheets

Art. 489. Any official, who delivers at the constituency or the municipal election commission any tally sheet whereof the serial number does not conform to the number entered in the memorandum on delivery and acceptance of the election stationery and materials referred to in Art. 215, para. 4 herein or in the memorandum referred to in Art. 274, para. 2 or Art. 432, para 2 herein, shall be liable to a fine of BGN 2000.

Non-Signing of Tally Sheet

Art. 490. (1) Any member of a precinct election commission, who refuses to sign the tally sheet of the commission under Art. 282, para. 3 or Art. 441, para. 3 herein, shall be liable to a fine of BGN 1000.

(2) Any member of a precinct or municipal election commission, who refuses to sign the tally sheet of the commission under Art. 293, para. 3 or Art. 451, para. 2 herein, shall be liable to a fine of BGN 2000.

Refusal to Submit Tally Sheet Photocopy

Art. 491. (1) Chairperson, deputy chairperson, or secretary of a precinct election commission who refuses to submit a photocopy of the signed tally sheet referred to in Art. 283 or Art. 442 or refuses to sign the photocopy shall be liable to a fine within the range of BGN 500 to BGN 2000.

(2) Chairperson, deputy chairperson, or secretary of a constituency, respectively municipal election commission who refuses to submit a photocopy of the signed tally sheet referred to in Art. 294 or Art. 455, para. 2 or refuses to sign the photocopy shall be liable to a fine within the range of BGN 800 to BGN 3000.

Breach of Publication of Tally Sheets

Art. 492. Chairperson of a constituency or municipal election commission who fails to publish on the Internet site of the commission the scanned tally sheets of the precinct election commissions as well as the scanned tally sheets of the constituency or municipal election commissions shall be liable to a fine within the range of BGN 800 to BGN 3000.

Non-dispatch of Scanned Copy of Tally Sheet

Art. 493. Any official referred to in Article 286, para.1 herein, who fails to dispatch a scanned copy of the tally sheet of the precinct election commission and of the roll for voting abroad, shall be liable to a fine of BGN 1000.

Breach of the Requirement to Tear out the Ballot Sheet from the Book of Ballot Sheets Immediately before Handing it over

Art. 494. Any member of a precinct election commission, who breaches the requirement under Art. 266, para. 1, Art. 328, para. 1 or Art. 427, para. 1 herein shall be liable to a fine of BGN 200.

Other Violations

Art. 495. Any person who violates any provision of this Code in cases other than those covered under Articles 470 to 494 herein, shall be liable to a fine or to a penalty payment, as the case may be, within the range of BGN 200 to BGN 2,000.

Ascertainment of Violations and Imposition of Sanctions by Regional Governor

Art. 496. (1) The written statements ascertaining the violations covered under Articles 470, 471, 474, 475, Articles 280 to 495 herein shall be drawn up by decision of the respective election commission in accordance with the powers vested therein within three days after receipt of the alert or complaint about the violation. The respective election commission in accordance with the powers vested may draw up written statements ascertaining violations under the first sentence herein and on its own initiative.

(2) The written statements ascertaining the violation referred to in para. 1 shall be drawn up by the chairpersons of.

1. Central Election Commission for violations under Art. 495 and Art. 480 - in the cases where the said commission exercises control according to this Code, under Articles. 470, 484, 485, Art. 490, para. 2, Art.. 491, para. 2, Art. 492 and Art. 493;

2. the constituency or the municipal election commissions in respect of any violations referred to in Art. 495 and Art. 480 - in the cases where the said commission exercises control according to this Code, Articles 481 to 483, Articles 486 to 489, Art. 490, para. 1, Art. 491, para. 1 and Art. 494.

(3) The penalty decrees shall be issued by the regional governors exercising jurisdiction over the place of commission of the violation within three days after receipt of the case file. If the written statement is against the regional governor, the penalty decree shall be issued by a minister designated by the Council of Ministers.

Ascertainment of Violations and Imposition of Sanctions by the President of Bulgarian National Audit Office

Art. 497. (1) The written statements ascertaining the violation referred to in Articles 476 to 479 shall be drawn up by officials empowered by the President of the Bulgarian National Audit Office.

(2) The penalty decrees shall be issued by the President of the Bulgarian National Audit Office.

Application of Administrative Violations and Sanctions Act Article 498. The ascertainment of violations, the drawing up of the written statements, the issuing and appeal of the penalty decrees shall follow the procedure established by the Administrative Violations and Sanctions Act.

ADDITIONAL PROVISIONS

§ 1. Within the meaning given by this Code:

1. A Bulgarian citizen who "has resided in Bulgaria in the last five years" shall be any such citizen who had actual residence and permanent abode within the territory of Bulgaria during more than half of the time of each of the five years preceding the date of the elections. The stay outside the Republic of Bulgaria shall also qualify as residing in Bulgaria for the time during which a Bulgarian citizen was sent there by the Bulgarian State.

2. A person who "has resided in the Republic of Bulgaria or in another Member State of the European Union for at least in the last three months" shall be:

a) any Bulgarian citizen who had a permanent-address or a present-address registration within the territory of the Republic of Bulgaria or in another Member State of the European Union;

b) any citizen of a Member State of the European Union who has a residence address within the territory of the Republic of Bulgaria or of another Member State of the European Union, for at least 60 days in the last three months as of the date of conduct of the elections.

The stay outside the Republic of Bulgaria shall also qualify as residing in Bulgaria for the time during which a Bulgarian citizen was sent there by the Bulgarian State.

3. A person who “has resided in the Republic of Bulgaria or in another Member State of the European Union at least during the last six months” shall be:

a) any Bulgarian citizen who had a permanent-address or a present-address registration within the territory of the Republic of Bulgaria or in another Member State of the European Union;

b) any citizen of a Member State of the European Union who has a residence address within the territory of the Republic of Bulgaria or of another Member State of the European Union, for at least 6 months as of the date of conduct of the elections. The stay outside the Republic of Bulgaria shall also qualify as residing in Bulgaria for the time during which a Bulgarian citizen was sent there by the Bulgarian State.

4. A person who “has resided in the respective nucleated settlement for at least in the last six months”, within the meaning given by Article 396 herein, shall be:

a) any Bulgarian citizen who had a permanent-address or a present-address registration within the territory of the respective municipality or mayoralty;

b) any Bulgarian citizen who had a permanent-address or a present-address registration in different municipalities and mayoralties within the territory of the Republic of Bulgaria;

c) any national of a Member State of the European Union who has a residence address within the territory of respective municipality or mayoralty, at a date preceding the date of conduct of the elections by 6 months, and the persons who have changed the address registration thereof shall have the right to vote according to the previous address registration thereof, where the said persons are included in the electoral rolls.

5. A person who “has resided in the respective nucleated settlement for at least in the last six months”, within the meaning given by Article 397 herein, shall be:

a) any Bulgarian citizen who had a permanent-address or a present-address registration within the territory of the respective municipality or mayoralty;

b) any Bulgarian citizen who had a permanent-address or a present-address registration in different municipalities and mayoralties within the territory of the Republic of Bulgaria;

c) any national of a Member State of the European Union who has a residence address within the territory of respective municipality or mayoralty, at a date preceding the date of conduct of the elections by 6 months.

6. “Residence address” shall be the address whereat a person is registered upon the stay thereof in the Republic of Bulgaria or in another Member State of the European Union.

7. “Durable and permanent residence status” shall be a status acquired under the terms and according to the procedure established by the Act on Entry into, Residence in, and Exit from, the Republic of Bulgaria by European Union Citizens and Family Members Thereof.

8. “Identity document” shall be:

a) personal identity card;

b) internal (green) passport: applicable only to citizens availing themselves of the provision of § 9a of the Transitional and Final Provisions of the Bulgarian Personal Documents Act;;

c) passport (foreign travel) of a citizen present outside the Republic of Bulgaria on the day of the elections;

d) seafarer’s passport of a citizen present on board a navigation vessel flying the Bulgarian flag on the day of the elections;

e) military card of a professional service person present outside the Republic of Bulgaria on the day of the elections;

9. “Coalition of parties” shall be a pre-election alliance of political parties, which are registered at the Central Election Commission, formed for the purpose of participation in a particular type of elections;

10. Parties and coalitions of parties “represented in Parliament” shall be the parties and coalitions of parties which participated in the last elections of National Representatives and had a parliamentary group at the National Assembly at the date of scheduling of the respective type of elections.

11. "Conspicuous place" shall be a place within the territory of the polling station, outside the premises of the municipal administration, which is accessible to the general public and is protected against atmospheric impact and trespasses for the purpose of the physical preservation thereof.

12. "National electoral quota" shall be the quotient resulting from the division of the total number of valid votes at the national level by the number of the Members of the European Parliament for the Republic of Bulgaria; where the quotient is not an integer, the national electoral quota shall be the nearest integer greater than the said quotient.

13. "Constituency electoral quota" shall be the quotient resulting from the division of the total number of valid votes cast in the multi-member constituency by the number of seats allocated for the said constituency; where the quota is not an integer, the constituency electoral quota shall be the nearest integer greater than the said quotient.

14. "Municipal electoral quota" shall be the quotient resulting from the division of the total number of valid votes cast for municipal councillors in the municipality by the number of members of the Municipal Council; where the quota is not an integer, the municipal electoral quota shall be the nearest integer greater than the said quotient.

15. "Media service" shall be the creation and dissemination of information and content which are intended for reception by, and which could have a clear impact on, a significant proportion of the general public, irrespective of the means and technology used for transmission of the said information and content. The following shall be media services:

a) the print media (newspapers, magazines and other periodical publications);

b) media disseminated over electronic communications networks, such as:

aa) public and commercial broadcasters (registered or licensed public or commercial providers of audiovisual media services or radio services);

bb) online news-services (online editions of newspapers, magazines, news agencies and other electronic publications). The social networks (Facebook, Twitter and other such) and the personal blogs shall not be media services.

16. "Media service provider" shall be a sole-trader natural person or a legal person who or which has editorial responsibility for the choice of the content of the media service and determines the manner in which the said service is organized. "Editorial responsibility" shall be the exercise of effective control over the content, the programme schedules and the catalogue of the services provided.

17. "Campaigning" shall be the call for support or non-support of a candidate, political party, coalition of parties or nomination committee upon participation in elections. Names and symbols of a political party or coalition of parties, placed on objects which does not contain calls for support shall not be considered campaigning within the meaning of this Code. Participation of candidates in entertainment shows, movies, series, as well as their broadcasting during the election campaign, including self-promotion of such shows, movies, series, shall not be considered campaigning unless containing calls for support or for non-support.

18. "Public administrative resources" shall be budget funds, premises, automobiles, aircrafts and other means of transportation, equipment and other movable and immovable property - owned by the state or the municipality, provided to the administration, state and local authorities and the state and municipal enterprises.

19. "Repeated violation" shall be the violation, conducted within three months following the enforcement of a penalty decree by which a penalty has been imposed for the same violation.

§ 2. The provisions of this Code applicable to coalitions of parties shall furthermore apply to local coalitions of parties upon conduct of elections of municipal councillors and mayors.

§ 3. The provisions of the Public Procurement Act regarding the time limits of the procedures shall not apply upon the award of a contest for the voting machines, the computer processing of the voting data and the publication of the election results in a bulletin, as well as in respect of the manufacture and printing of the election stationery and materials.

§ 4. Upon conduct of all types of elections, the provision of Art. 76, para. 3 of the Ministry of Interior Act shall not apply.

§ 5. Upon simultaneous conduct of two or more types of elections, in cases other than when only elections of municipal councillors and mayors are conducted, the provisions of this Code shall apply with the following exceptions:

1. upon conduct of elections of municipal councillors and mayors simultaneously with elections of National Representatives, of President and Vice President of the Republic or of Members of the European Parliament for the Republic of Bulgaria, a voter, who is included in the electoral rolls for the separate types of elections in different nucleated settlements and cannot vote in all types of elections in one and the same nucleated settlement on a request for voting according to the present address, shall submit an application, completed in a standard form, to the authority referred to in Art. 23 para. 1 herein exercising jurisdiction over the permanent address (residence address) thereof, to the effect that the said voter wishes to vote in the nucleated settlement where the said voter is included in the electoral rolls for the elections of municipal councillors and mayors; any such application shall be submitted not later than 14 days in advance of election day; the authority referred to in Art. 23 para. 1 herein shall issue a voting certificate for a specified nucleated settlement in a single copy; the said certificate shall specify the nucleated settlement for which the said certificate is issued; the authority referred to in Art. 23 para. 1 herein shall deliver information on the certificates issued to the Directorate General Civil Registration and Administrative Services at the Ministry of Regional Development not later than 12 days in advance of election day for the automated removal of the voter from the electoral roll according to the permanent address (residence address); Articles 34, 35 and 240 herein shall apply to any unregulated matters;

2. upon simultaneous conduct of elections of National Representatives or of President and Vice President of the Republic or of Members of the European Parliament for the Republic of Bulgaria, a joint constituency election commission shall be appointed for each constituency (district);

3. upon conduct of elections of municipal councillors and mayors simultaneously with elections of President and Vice President of the Republic or of Members of the European Parliament for the Republic of Bulgaria, the authorities referred to in Art. 74 herein shall exercise the powers of authorities referred to in Art. 59 herein and, to this end:

a) 15 members shall be appointed if there are up to 150 polling stations within the territory of the municipality, 23 members shall be appointed if there are more than 150 polling stations, 31 members shall be appointed, for the cities subdivided into boroughs, and 39 members shall be appointed for Sofia Municipality;

b) the Central Election Commission shall fix the remunerations of the members of the precinct election commissions within Bulgaria in doubling the amount of the remuneration under Art. 97, para. 2;

4. the voter shall receive the voting ballot paper and shall be admitted to voting only after the particulars according to the identity document thereof are checked against the particulars on the electoral rolls for each type of election which is conducted and after the Uniform Civil Number (Personal Number) and the type and number of the identity document (the number of the identity card or passport) of the voter are entered on each one of the electoral rolls;

5. upon simultaneous conduct of elections of President and Vice President of the Republic or of National Representatives or of Members of the European Parliament for the Republic of Bulgaria:

a) where elections of President and Vice President of the Republic are conducted [simultaneously] with elections of National Representatives or of Members of the European Parliament for the Republic of Bulgaria, lots shall be drawn first at the Central Election Commission to determine the numbers of the parties, coalitions of parties and nomination committees on the ballot paper for the elections of President and Vice President of the Republic; the parties and coalitions of parties, which are registered under an identical name

and with identical complement for the elections of President and Vice President of the Republic and of National Representatives or of Members of the European Parliament for the Republic of Bulgaria, shall be assigned the same ballot paper number for the elections of National Representatives or of Members of the European Parliament for the Republic of Bulgaria as the one determined by lot for the elections of President and Vice President of the Republic;

b) where elections of Members of the European Parliament for the Republic of Bulgaria are conducted with elections of National Representatives, lots shall be drawn first at the Central Election Commission to determine the ballot paper numbers for the elections of Members of the European Parliament for the Republic of Bulgaria; the parties and coalitions of parties, under an identical name and with identical complement for the elections of Members of the European Parliament for the Republic of Bulgaria and for the elections of National Representatives, shall be assigned the same ballot paper number for the elections of National Representatives as the one determined by lot for the elections of Members of the European Parliament for the Republic of Bulgaria;

c) in the cases other than those referred to in "a" and "b", lots shall be drawn to determine the ballot paper numbers for the elections of Members of the European Parliament for the Republic of Bulgaria or of National Representatives among the parties and coalitions of parties which have not participated in the drawing of lots referred to in "a" or "b"; the ballot paper numbers of the parties, coalitions of parties and nomination committees shall follow the numbers on the ballot paper or, respectively, of the ballot papers of the parties, coalitions of parties and nomination committees as determined by the drawing of lots under "a" or "b";

6. in the cases where elections of municipal councillors and mayors are conducted simultaneously with elections of President and Vice President of the Republic:

a) the parties and coalitions of parties, which are registered under an identical name and with identical complement at the Central Election Commission and at the municipal election commissions, shall be assigned the same ballot paper number for the elections of municipal councillors and mayors as the one determined by the lots drawn at the Central Election Commission for the elections of President and Vice President of the Republic, and the said parties and coalitions of parties shall not participate in the drawing of lots at the municipal election commissions under "b";

b) the number on the ballot paper of the parties and coalitions of parties, which are registered under different names and in different complements at the Central Election Commission and at the municipal election commissions, for the elections of municipal councillors and mayors shall be determined by lot drawn at the municipal election commissions; the numbers on the ballot paper of the parties, coalitions of parties and nomination committees shall follow the numbers on the ballot paper of the parties, coalitions of parties and nomination committees as determined by the lot drawn at the Central Election Commission under "a";

7. where elections of municipal councillors and mayors are conducted simultaneously with elections of National Representatives or of Members of the European Parliament for the Republic of Bulgaria, the numbers on the ballot papers for the elections conducted shall be determined according to the procedure established by item 6;

8. the reverse side of the ballot papers for the separate types of elections shall have print security features of a different colour determined by the Central Election Commission;

9. the ballot papers for the respective types of elections shall be deposited in separate ballot boxes;

10. the candidate lists for municipal councillors and mayors of one and the same party or coalition of parties, may be represented jointly by one election agent in one polling station on election day for all types of elections conducted;

11. after preparing the draft for the one type of election, it shall be proceeded with the opening of the ballot boxes for the other type of election; the tally sheet for which the draft has been prepared shall be completed after the ballot boxes for the other type of election are checked as to whether any ballot papers for the first type of election have not been dropped there as well; upon simultaneous conduct of elections of municipal councillors and mayors with elections of President and Vice President of the Republic or of Members of the European Parliament for the Republic of Bulgaria, the first step shall be to open the ballot boxes and to

determine the result of the voting for President and Vice President of the Republic or, respectively, for Members of the European Parliament for the Republic of Bulgaria;

12. the constituency or the municipal election commission shall establish a schedule for the acceptance of the election stationery and materials from the precinct election commissions;

13. the packed election stationery and materials shall be placed in bags which will differ in colour for each type of election; the type and size of the said bags shall be determined by decision of the Central Election Commission; the election stationery and materials for the separate types of elections shall be safe-kept on different premises;

§ 6. (1) The elected candidates for National Representative, President of the Republic, Vice President of the Republic, Member of the European Parliament for the Republic of Bulgaria or mayor, who work at state or municipal institutions or enterprises, commercial corporations wherein the State or a municipality holds an interest in the capital exceeding 50 per cent, or public-financed organizations, shall have the right, upon termination of the credentials thereof, to reoccupy the previous position thereof or, in the cases where the said position has been eliminated, to occupy another equivalent position in the same or, with their consent, in another state or municipal institution or enterprise, commercial corporation wherein the State or a municipality holds an interest in the capital exceeding 50 per cent, or public-financed organization.

(2) Where the previous position of the elected candidate is occupied by another person, the legal relationship with the said person shall be terminated without notice.

(3) The provisions of para. 1 and 2 shall not apply where the elected candidates have held another elective or fixed-term office.

(4) The term of office of the elected candidates for Member of the European Parliament for the Republic of Bulgaria, who hold another elective office, shall be terminated seven days in advance of the date of opening of the first session of the European Parliament.

§ 7. (1) In the execution of the powers thereof, the Members of the European Parliament for the Republic of Bulgaria shall have a right of access to the state and municipal bodies and organizations.

(2) The state and municipal bodies and the administrations thereof shall be obligated to render assistance to the Members of the European Parliament for the Republic of Bulgaria and to provide them, upon request, with information and documents in connection with the execution of the powers thereof

§ 8. This Code transposes the requirements of:

1. Council Directive 93/109/EC of 6 December 1993 laying down detailed arrangements for the exercise of the right to vote and stand as a candidate in elections to the European Parliament for citizens of the Union residing in a Member State of which they are not citizens.

2. Council Directive 94/80/EC of 19 December 1994 laying down detailed arrangements for the exercise of the right to vote and to stand as a candidate in municipal elections by citizens of the Union residing in a Member State of which they are not citizens.

3. Council Directive 2013/1/EC of 20 December 2012, amending Council Directive 93/109/EC as regards certain detailed arrangements for the exercise of the right to stand as a candidate in elections to the European Parliament for citizens of the Union residing in a Member State of which they are not nationals ((OJ, L 26/27 of 26 January 2013).

TRANSITIONAL AND FINAL PROVISIONS

§ 9. This Code shall supersede:

1. Election Code (promulgated in the State Gazette No. 9 of 2011; Constitutional Court Judgement No. 4 of 2011 - [promulgated in] No. 36 of 2011; amended in No. 45 of 2011, Nos. 17 and 66 of 2013).

2. Election of the Grand National Assembly Act (promulgated in the State Gazette No. 28 of 1990; amended in No. 24 of 2001)

§ 10. (1) After the conduct of the first elections following the coming into force of this Code and after carrying out a check with regard to violations of the voting provisions of this Code, the Directorate General Civil Registration and Administrative Services at the Ministry of Regional Development through its territorial units shall submit the electoral rolls of the conducted elections to the regional administrations for their further delivery to the Central Election Commission, while the rolls from the voting abroad shall be submitted to the Central Election Commission.

(2) On the basis of the received electoral rolls, the Central Election Commission shall create a register of the persons who have voted in the elections.

(3) Until scheduling the next elections, all persons with voting rights, except for those entered into the register under para. 2, may declare before the Central Election Commission their wish to vote.

(4) The Central Election Commission shall submit, within 55 days before election day, to the Directorate General Civil Registration and Administrative Services at the Ministry of Regional Development, in a structured electronic format, the Uniform Civil Number of the voters who have cast their vote on the elections, conducted after the coming into effect of this Code and of the voters under para. 3, for printing out the electoral rolls of the elections to be conducted following the first elections under para. 1.

(5) The names of the citizens, who have lost their right to vote or who are deceased by election day, shall be removed from the electoral rolls.

(6) the names of the citizens who have gained right to vote in the period between the two elections shall be entered into the electoral rolls.

(7) The names of the citizens who have the right to vote but have not been entered in the electoral rolls as per the provisions of para. 4, shall be entered in, respectively supplemented to the electoral rolls.

(8) The entry under para. 6 shall be effected upon request of the voter submitted to the authorities under Art. 23, para. 1 before delivery of the electoral rolls to the precinct election commissions. Supplementing under para. 6 shall be done on the election day by the chairperson of the precinct election commission on the basis of the permanent address (the residence address). The entry, respectively the supplementing shall be effected upon presentation of an identity document and a residence certificate for a citizen of another Member State of the European Union, who has submitted within the time limit a declaration under Art. 359, para. 1 or under Art. 408, para. 1.

(9) The Central Election Commission shall maintain an electronic register of the persons who have voted, including those under para. 2, providing opportunity for each voter to make references in the register by entering the Uniform Civil Number, including using a toll-free number. The access to the personal data in the register shall be in conformity with the requirements of the Personal Data Protection Act.

§ 11. Upon conduct of the elections of Members of the European Parliament for the Republic of Bulgaria in 2014, the machine voting shall be carried out in the administrative centres of the regions.

§ 12. Upon conduct of the elections for Members of the European Parliament for the Republic of Bulgaria in 2014 simultaneously with the elections for President and Vice President of the Republic and of National Representatives, the constituencies for the organizational and logistic preparation of the elections of Members of the European Parliament for the Republic of Bulgaria and of President and Vice President of the Republic shall correspond to the constituencies for the elections of National Representatives.

§ 13. Not later than three months after the entry into force of this Code, the National Assembly shall elect new members of the Central Election Commission. The term of office of

the incumbent members of the Central Election Commission as of the date of the coming into effect of this Code, shall be terminated upon assuming office of the new members.

§ 14. (1) New members shall be added to the composition of the Central Election Commission during the first term of office by drawing a lot. The chairperson shall not participate in the lot.

(2) After expiration of two and a half years since the election of the members of the Central Election Commission, its composition shall be increased by members.

§ 15. The Central Election Commission within one month following its election shall:

1. adopt the rules and regulations under Art. 48, para. 3;
2. create the Public Council under Art. 55;;
3. determine the terms and the procedures for the machine voting.

§ 16. The Central Election Commission within two months of its election shall:

1. endorse the standard forms of the election stationery for all types of elections and shall promulgate the said standard forms in the State Gazette.
2. in coordination with the Council of Ministers, determine the terms and procedures for printing out, safe-keeping and distribution of the election stationery and materials, including for the safe-keeping of the technical devices for the machine voting.

§ 17. By-elections scheduled by a promulgated decree of the President of the Republic as of the date of the coming into force of this Code shall be conducted as per the provisions of the supersede Election Code.

§ 18. The Territorial Administration of the Republic of Bulgaria Act (promulgated in State Gazette, No. 63 of 1995; Constitutional Court Judgment No. 8 of 1996 - No. 51 of 1996; amended in No, 27, 33 and 154 of 1998, No, 10 and 69 of 1999, No. 57 of 2000, No, 67 and 80 of 2003, No. 46 of 2005, No. 63 of 2007 and No. 36 of 2008) shall be amended as follows:

1. In Art. 16, item 1 the words "350 persons" shall be replaced by "100 persons".
2. In § 4 of the Supplementary Provisions, the words "4 months" shall be replaced by "three months".

§ 19. (1) The nucleated settlements which at the date of the promulgation of the decree of the President of the Republic for scheduling of general elections for municipal councillors and mayors are in conformity with Art. 16, para. 1 of the Territorial Administration of the Republic of Bulgaria Act., shall acquire the status of a mayoralty and elections shall be conducted on their territories simultaneously with the conduct of the general elections for municipal councillors and mayors.

(2) The mayoral lieutenants in nucleated settlements, who at the date of the coming into effect of this Code are in conformity with the requirements of . Art. 16, para. 1 of the Territorial Administration of the Republic of Bulgaria Act., shall continue to exercise their powers until the newly elected mayoralty mayor takes the oath of office.

(3) In case of pre-term termination of the credentials of a mayoral lieutenant under para. 2, the municipality mayor may appoint a new mayoral lieutenant.

§ 20. The Local Self-government and the Local Administration Act (promulgated in State Gazette, No. 77 of 1991; amended in Nos, 24, 49 and 65 of 1995, No. 90 of 1996, No. 122 of 1997, Nos, 33, 130 and 154 of 1998, Nos, 67 and 69 of 1999, Nos, 26 and 85 of 2000, No. 1 of 2001, Nos, 28, 45 and 119 of 2002, No. 69 of 2003, Nos, 19 and 34 of 2005, Nos, 30 and 69 of 2006, Nos, 61 and 63 of 2007, Nos, 54 and 108 of 2008, Nos, 6, 14, 35, 42 and 44 of 2009, and Nos. 15 and 97 of 2010) shall be amended and supplemented as follows:

1. In Art. 4, para. 1 the words "4 months" are replaced by "three months".
2. In Art. 30, para. 8, the words "of parties" are deleted and the words "Art. 267" are replaced by "Art. 459"

3. In Art. 38:
 - a) in para. 2 after the words "the mayors of" the words "constituencies and" shall be added while the words "by law" are replaced by "Election Code";
 - b) in Art. 5, after the word "municipality" the words "for a borough mayor" shall be added.
4. Article 39a shall be revoked.
5. In Art. 42:
 - a) in para. 1:
 - aa) in the text before item 1, the words "of municipalities or mayoralties" shall be deleted;
 - bb) in item 6, after the word "municipality" the word "district" shall be added;
 - b) in Art. 3 the words "Art. 267" are replaced by "Art. 459";
 - a) in para. 4:
 - aa) in the first sentence, the words "of a municipality or mayoralty" and the words "of the municipality and the acting mayoralty mayor" shall be deleted;
 - bb) in the second sentence after the word "municipality" shall be added "or a borough mayor", and at the end shall be added "of the municipality, respectively the borough";
 - cc) in the third sentence, after the word "municipality" the phrase "or a borough mayor" shall be added;
 - d) in para. 5:
 - aa) in the first sentence, the words "of municipality or a mayoralty mayor" shall be deleted;
 - bb) in the second sentence, before the words "or mayor" the words "borough mayor" shall be added.;
 - d) in para. 6:
 - aa) in the first sentence, after the word "municipality", the words "borough mayor" shall be added, while before the words "or mayor" the words "borough mayor" shall be added.
 - cc) in the third sentence, after the word "municipality" the words "or a borough mayor" shall be added;
 - f) in para. 7, after the word "municipality" the words " borough mayor" shall be added.
 - g) in para. 8, after the word "municipality" the words " borough mayor" shall be added.
6. Article 42a shall be revoked.
7. In Art. 46a the words „Art. 4, para. 5“ shall be replaced by „Art. 397, para. 1“.

§ 21. (1) The borough mayors, elected by the Municipal Councils, shall continue to exercise their powers until the conduct of general elections of municipal councillors and mayors.

(2) Upon pre-term termination of the credentials of a borough mayor, until the conduct of general elections for municipal councillors and mayors and until the taking the oath of office of the newly elected borough mayor, the provisions of the revoked Art. 39a and Art. 42a of the Local Self-government and the Local Administration Act shall apply.

§ 22. The Radio and Television Act (promulgated in State Gazette, No. 138 of 1998; Constitutional Court Judgment No. 10 of 1999 - No. 60 of 1999; amended in No. 81 of 1999, No. 79 of 2000, Nos, 96 and 112 of 2001, Nos, 77 and 120 of 2002, Nos, 99 and 114 of 2003, Nos, 99 and 115 of 2004, Nos, 88, 93 and 105 of 2005, Nos, 21, 34, 70, 80, 105 and 108 of 2006, Nos, 10, 41, 53 and 113 of 2007, No. 110 of 2008, Nos, 14, 37, 42 and 99 of 2009, Nos. 12, 47, 97, 99 and 101 of 2010) shall be amended and supplemented as follows:

1. In Art. 13, para. 4 shall be repealed
2. In Art. 32, para. 1, item 22 is added:

"22. shall work out specific monitoring procedures of the activities of the providers of media services at the time of conducting an election campaign, which shall be delivered to the Central Election Commission; the volume and the parameters of the specific monitoring procedures shall be determined on the basis of an Agreement between the Council for Electronic Media

and the Central Election Commission concluded before the opening of the election campaign irrespective of the coverage of the programs."

§ 23. The Political Parties Act (promulgated in State Gazette, No. 28 of 2005; amended in No. 102 of 2005, Nos, 17 and 73 of 2006, Nos, 59 and 78 of 2007, No. 6 of 2009 Nos, 54 and 99 of 2010, Nos, 9 and 99 of 2011, Nos. 30, 68 and 71 of 2013) shall be amended and supplemented as follows:

1. In Art. 29, para. 2, item 2, the words "BGN 1000" shall be replaced by "one minimum wage".

2. Article 43 shall be amended as follows:

"Art. 43. (1) A payment penalty shall be imposed on a political party which does not present within the time limit the financial report under Art. 34, para. 1 and a declaration under Art. 34, para. 4 to the amount within the range of BGN 5000 to BGN 10 000.

(2) A payment penalty shall be imposed on a political party which does not create a public register or which does not enter into the public register the circumstances under Art. 29, para. 2 to the amount within the range of BGN 1000 to BGN 5 000.

3. A new Art. 43a is created:

"Art. 43a. (1) Upon violation of the requirements of Art. 22, Art. 23, para. 2, Art.. 24 and Art. 29, para. 1, the person under Art. 30, para. 1, and if such a person is not determined, the person representing the political party, shall be liable to a fine within the range of BGN 1000 to BGN 5000.

(2) Upon breach of the obligations under Art. 28a, the person under Art. 30, para. 1, and if such a person is not determined, the person representing the political party, shall be liable to a fine within the range of BGN 100 to BGN 500.

(3) Upon breach of the obligations under Art. 30, para. 1 and 2, the person representing the political party, shall be liable to a fine within the range of BGN 200 to BGN 500.

(4) In case of repeated violation under para. 1 and 2 the fine shall be doubled.

4. Article 44, para. 1 shall be amended as follows:

"(1) The written statements ascertaining the violation referred to in Articles 43 to 43a shall be drawn up by officials empowered by the President of the Bulgarian National Audit Office."

5. In § 1 of the Supplementary Provisions a new item 6 shall be created.

"6. "Repeated violation" shall be the violation, conducted within a period of one year following the enforcement of a penalty decree by which a penalty has been imposed for the same violation.

§ 24. The Direct Participation of Citizens in the State Government and the Local Self-government Act (promulgated in State Gazette, No. 44 of 2009; amended in No. 100 of 2010, No. 9 of 2011, No. 42 of 2012, Nos, 20 and 66 of 2013). shall be amended and supplemented as follows:

1. In Art. 13:

a) in para. 1, after the word "list of signatures" the words "hard copy and in a structured electronic format" shall be added;

b) in para. 2, the first sentence, after the word "collection of signatures" the words "in electronic format" shall be added.

2. In Art. 29:

a) in para. 1, after the word "collection of signatures" the words "in hard copy and in a structured electronic format" shall be added;

b) on para. 2, first sentence, after the word "collection of signatures" the words "in electronic format to the territorial unit" shall be added, after the word "development" the words "in the respective region" shall be added, and the word "which" shall be replaced by "that".

3. In Art. 51:

a) in para. 1, after the word "collection of signatures" the words "in hard copy and in a structured electronic format" shall be added;

b) in para. 3, first sentence, after the word "collection of signatures" the words "in electronic format to the territorial unit" shall be added, after the word "development" the words

"or on the territorial unit in the respective region" shall be added, and the word "which carry out" shall be replaced by "that carry out".

4. In Art. 57, para. 5:

a) in the first sentence, after the word "collection of signatures" the words "in hard copy and in a structured electronic format" shall be added;

b) in the second sentence, after the word "collection of signatures" the words "in electronic format to the territorial unit" shall be added, after the word "development" the words "in the respective region" shall be added, and the word "which" shall be replaced by "that".

5. The words "ballot box", "ballot boxes". "the ballot box" shall be replaced by "box", "boxes". "the box"

§ 25. In the ministry of Interior Act (promulgated in State Gazette, No. 17 of 2006; amended in Nos, 30, 102 and 105 of 2006, Nos. 11, 31, 41, 46, 64 and 109 of 2007, and Nos. 28, 43, 94 and 98 of 2008, Nos. 27, 42, 74, 82 and 93 of 2009, No. 88 of 2010) in Art. 212, para. 1, item 9, the words "Art. 104, para. 1-3" shall be replaced by "Art. 161, para. 1-3".

§ 26. In the Administration Act (promulgated in State Gazette, No. 130 of 1998; Constitutional Court Judgment No. 2 of 1999 - No. 8 of 1999; amended in No. 67 of 1999, Nos, 64 and 81 of 2000, No. 99 of 2001; amended in No. 101 of 2001; amended in No. 95 of 2003, No. 19 of 2005, Nos. 24, 30, 69 and 102 of 2006, Nos, 46 and 78 of 2007, Nos, 43 and 94 of 2008, Nos, 35 and 42 of 2009, Nos, 24 and 97 of 2010, No. 69 of 2011, Nos, 15 and 82 of 2012, No. 15 of 2013) in Art. 19, para. 6, item 6 is repealed.

§ 27. In the Judicial System Act (promulgated in State Gazette, No. 64 of 2007; amended in Nos, 69 and 109 of 2008, Nos. 25, 33, 42, 102 and 103 of 2009, No. 59 of 2010, Nos. 1, 23,32, 45, 81 and 82 of 2011; Constitutional Court Judgment No. 10 of 2011 - No. 93 of 2011; amended in Nos, 20, 50 and 81 of 2012, Nos. 15, 17, 30, 52, 66, 70 and 71 of 2013) the following amendments shall be made in Art. 195.

1. In Art. 1, item 2, the words "except for a member of the Central Election Commission" are deleted.

2. Paragraph 2 shall be amended as follows:

"(2) The magistrates of the administrative courts, the magistrates of the Supreme Administrative Court, the prosecutors and investigators may not be members of constituency, municipal and precinct election commissions in the conduct of elections of National Representatives, Members of the European Parliament for the Republic of Bulgaria, of President and Vice President of the Republic and of municipal councillors and mayors."

§ 28. In Bulgarian News Agency Act (promulgated in State Gazette, . No. 99 of 2011; Constitutional Court Judgment No. 11 of 2012 - No. 78 of 2012; amended in No. 15 of 2013 in Art. 5, Para. 2, p.. 3 the words „respectively of the Election of Grand National Assembly Act“ are deleted.

§ 29. In the Penalty Code (promulgated in State Gazette No. 26 of 1968; amended in No. 29 of 1968; No. 92 of 1969, Nos, 26 and 27 of 1973, No. 89 of 1974; No. 95 of 1975; No. 3 of 1977, No. 54 of 1978, No. 89 of 1979, Nos, 28 and 31 of 1982, No. 44 of 1984, Nos, 41, 79 and 80 of 1985, Nos, 89 and 90 of 1986, Nos, 37, 91 and 99 of 1989, Nos, 10, 31 and 81 of 1990, Nos. I. 86, 90 and 105 of 1991, No. 54 of 1992, No. 10 of 1993; No. 50 of 1995, Constitution Court Judgment No. 19 of 1995 - No. 97 of 1995, No. 102 of 1995, No. 107 of 1996, Nos. 62 and 85 of 1997; Constitutional Court Judgment No. 19 of 1997 - No. 120 of 1997 issue Nos. 83, 85, 132, 133 and 153 of 1998, Nos. 7, 5, 1 and 81 of 1999, Nos. 21 and 51 of 2000; Constitutional Court Judgment No. 14 of 2000 - No. 98 of 2000, Nos, 41 and 101 of 2001, Nos, 45 and 92 of 2002, Nos, 26 and 103 of 2004, Nos. 24, 43, 76, 86 and 88 of 2005, Nos, 59, 75 and 102 of 2006, Nos, 38, 57, 64, 85, 89 and 94 of 2007, Nos, 19, 67 and 102 of 2008, Nos. 12, 23, 27, 32, 47. Nos, 80, 93 and 102 of 2009, Nos, 26 and 32 of 2010, Nos, 33

and 60 of 2011, Nos, 19, 20 and 60 of 2012, Nos. 17 and 61 of 2013) shall be amended and supplemented as follows:

1. In Art. 167:

a) in para. 1 after the word „elected" shall be added „or to vote on a referendum or to participate in a collection of signatures for a referendum";

b) in para. 2 after the word „coalition" shall be added „or to vote on a referendum in a particular way";

c) in para. 3 after the word „coalition" shall be added „or to vote on a referendum in a particular way";

d) in para. 4 after the word „coalition" shall be added „or to vote on a referendum in a particular way";

e) A new para. 5 is created:

"(5) Where the act under par. 1-4 is committed by an official during or in connection with the performance of his duties, the punishment is imprisonment from one to six years."

e) the current para. 5 shall be para. 6 and the words "para. 2, 3 and 4" shall be replaced by "para. 2, 3, 4 and 5

g) the current para. 6 shall become 7,

2. In Art. 167a after the word „candidate" shall be added „or to vote on a referendum in a particular way";

3. In Art. 168:

a) in para. 1, after the word "right" the words "or to vote on a referendum" shall be added.

b) in para. 2. after the word "choice" shall be added "or to vote two or more times in one referendum".

4. In Art. 169, after the word "elections" the word "or referendum" shall be added.

§ 30. The Constitutional Court Act (promulgated in State Gazette, No. 67 of 1991; amended in No. 25 of 2001, No. 45 of 2002, No. 114 of 2003; Constitutional Court Judgment No. 1 of 2006 - No. 23 of 2006; amended in No. 50 of 2012) shall be amended and supplemented as follows:

1. Article 12 para. 1 shall be amended and supplemented as follows:

e) A new item 10 is created:

"10. Rule on disputes to the legality of the election of a Member of the European Parliament for the Republic of Bulgaria."

b) the current items 10 and 11 shall become items 11 and 12.

2. In Art. 17, para. 4, the words "and a National Representative" shall be replaced by "National Representative and a Member of the European Parliament for the Republic of Bulgaria".

3. In Art. 21:

e) A new para. 5 is created:

"(5) Constitutional Court shall rule on the legality of the elections of National Representatives and of the election of a National Representative and of the election of a Member of the European Parliament for the Republic of Bulgaria within a month of receiving the petition."

b) the current para. 5 shall become para. 6.

4. In Art. 22, para. 5, the words "and a National Representative" shall be replaced by "National Representative and a Member of the European Parliament for the Republic of Bulgaria".

**ANNEX № 1
TO ARTICLE 248, PARA. 1**

**METHODOLOGY FOR THE RESULTS OF THE VOTE AND THE ALLOCATION
OF SEATS DURING ELECTIONS FOR MEMBERS OF PARLIAMENT**

I. General

1.1. The methodology used is the Hare - Niemeyer method for the distribution of seats by electoral regions (constituencies) for elections for Members of the National Assembly and the Grand National Assembly.

1.2. Voting takes place in the country's multi-electoral regions (MER) and abroad.

1.3. Seats are distributed between parties, coalitions and independent candidates.

1.4. Seats for parties and coalitions are personalised by the candidate lists and preferential voting.

II. Number of seats in MERs based on population numbers

2.1. In the elections for Members of the National Assembly, a total of 240 seats are assigned. In elections for Members of the Grand National Assembly, a total of 400 seats are assigned. In any MER the number of seats assigned is in proportion to the population data provided by the National Statistical Institute (NSI) based on the results of the latest census by the Hare - Niemeyer method. The procedure is closed if all MERs are assigned 4 seats or more in elections for a National Assembly and 6 seats or more in elections for a Grand National Assembly.

2.2. If in a MER the number of seats under Section 2.1. is smaller than 4, or respectively 6, further seats are assigned to this MER so that the region has 4 and 6 seats respectively. This MER is excluded from consideration along with other MERs where 4 or 6 seats have been assigned as per Section 2.1. If the number of excluded areas is N, then 4N seats, respectively 6N seats are assigned (when elections for a Grand National Assembly take place).

2.3. The remaining 240-4N, 400-6N seats (when elections for a Grand National Assembly take place) are distributed, using the Hare-Niemeyer method, between the MERs which as per Section 2.1 were assigned 5, respectively 7 seats (in elections for a Grand National Assembly), or more seats.

III. Independent Candidates

3.1. An Independent candidate is elected in a MER provided he/she receives a vote of no less than the number of valid votes in the region, divided by the number of seats, specified for this region under Section II.

IV. Participation of Parties and Coalitions

4.1. The number of votes for a party or coalition is equal to the sum of the valid votes cast for the party or coalition in all MERs and abroad.

4.2. The distribution of seats is made among parties and coalitions that hold at least 4 percent of the sum of all valid votes in all MERs and outside the country, as per Section 4.1.

V. Allocation of seats by parties and coalitions

5.1 M number of seats are distributed between the parties under Section 4.2, where M is equal to 240, (respectively 400 - in elections for a Grand National Assembly) reduced by the number of independent candidates elected under Section 3.1.

5.2. Each party or coalition receives a number of seats at national level by the Hare - Niemeyer method.

5.3. Seats under Section 5.2. are personalised with the candidate lists in the MER.

5.4. In any MER seats are distributed between candidates on lists of parties and coalitions whose number is equal to the number specified in section II, reduced by the number of independent candidates elected in this region under Section 3.1.

VI. Assignment of seats to candidate lists

6.1. The assignment of seats to candidate lists is done in steps.

6.2. Under Section 7.1. Candidate lists and respectively parties and coalitions receive a current number of seats.

6.3. Any party or coalition whose current number of seats equals the number under Section 5.2. is excluded.

6.4. Any party or coalition whose current number of seats is greater than the number under Section 5.2. has a surplus. In subsequent steps this number is reduced or maintained.

6.5. Any party or coalition whose current number of seats is less than the number under Section 5.2. has a shortage. In subsequent steps this number is increased or maintained.

VII. Balance in whole parts

7.1. Each candidate list is assigned a number of seats equal to the integer portion of a number equal to the number of votes for the list, divided by the number of votes for all the lists in the MER, multiplied by the number as per Section 5.4.

7.2. If the number of seats of a party or coalition is equal to the number under Section 5.2. this party is excluded. If all parties and coalitions are excluded, the procedure is closed.

7.3. If there is a party or coalition with a surplus (there is an imbalance by whole parts), there are parties and coalitions with shortages. The list of a party or coalition with a surplus with the lowest value (the number of votes divided by the number of current seats for the list) has one seat removed. If values are equal, a lot is drawn. The value of a seat for a list is updated. If the number of seats for a party or coalition is equal to the number under Section 5.2. it is excluded. If all parties and coalitions are excluded, the procedure is closed.

7.4. The procedure under Section 7.3. is repeated until only parties and coalitions with shortages are left.

VIII. Assignment of seats by the Hare - Niemeyer method

8.1. In the MERs there are seats left for assignment whose number is the number under Section 5.4 less the sum of seats for the candidate lists in the region of the excluded parties and coalitions. If this number is zero, the region is excluded.

8.2. Seats as per Section 8.1 are distributed between candidate lists in the MER by the Hare - Niemeyer method.

8.3. Subject to Section 8.2., each candidate list is assigned a fractional seat, equal to the number of votes for the list divided by the number of votes for all candidate lists in the MER (without lists of parties and coalitions excluded under Section 7.3) and multiplied by the number as per Section 8.1. The fractional seat consists of a whole part (non-negative integer) and residual (non-negative number smaller than 1). The residual is utilised if the candidate list has received an additional seat by the Hare - Niemeyer method. If the candidate list has not received an additional seat, the residual is not utilised.

8.4. If the number of seats of a party or coalition is equal to the number as per Section 5.2, it is excluded. If all parties or coalitions are excluded, the procedure is closed.

IX. Allocation of seats by residuals

9.1. If there is a party or coalition with a surplus, there are parties or coalitions with shortages. From all the candidate lists of parties or coalitions with surplus and the lowest unutilised residual, one seat is taken and assigned to the list of a party or coalition with a shortage in the same electoral region, with the largest unutilised residual. If residuals are equal, a lot is drawn. If the number of seats of a party or coalition is equal to the number as per Section 5.2. the party or coalition is excluded. If all parties and coalitions are excluded, the procedure is closed.

X. Allocation of seats by value

10.1. If the procedure under Section 9.1. cannot be closed because there is no list of candidates of a party or coalition with a surplus and/or shortage with the corresponding

residual, then it is proceeded to the assignment of seats by value. One seat from a candidate list of a party or coalition with a surplus with the lowest value is taken and given to the candidate list of the party or coalition with a shortage in the same electoral region with the highest future value (the number of votes for the list, divided by the sum of one and the number of seats for the list). If values are equal, a lot is drawn. The value of a seat for the lists is updated. If the number of seats of a party or coalition is equal to the number as per Section 5.2. the party or coalition is excluded. If all parties and coalitions are excluded, the procedure is closed.

10.2. The procedure under Section 10.1. is repeated until all parties or coalitions are excluded.

XI. Personalising seats in candidate lists

11.1. When the number of seats of a party or coalition is greater than the number of candidates in the candidate list, the number of seats assigned is equal to the number of candidates on the list.

11.2. Selected candidates from each list of candidates of the party or coalition with a number of seats X is determined by the number of received valid preferences and the ranking of candidates on the list.

11.3. Preferences for a candidate from the candidate list are valid if the number of votes received is not less than 7 per cent of the votes cast for the candidate list.

11.4. When there are no candidates according to the provisions of Section 11.3, the ranking in the candidate list is preserved.

11.5. When there are candidates according to Section 11.3, they are ranked according to the number of received preferences, starting with the candidate receiving the highest number of valid preferences. These candidates are removed from the candidate list of the party or coalition list and included in an A-list. When there is equal number of preferences, the ranking is determined by drawing lots. The remaining candidates in the candidate list retain their original ranking in the list and form a B- list.

11.6. The first candidates according to Section 11.4. or 11.5 are elected.

11.7. Lists under sections 11.4. or 11.5 are maintained in case of substitution due to suspension or termination of office of an elected candidate.

ANNEX № 2 TO ART. 312

METHODOLOGY FOR DETERMINING THE RESULTS OF THE VOTE IN THE ELECTION OF PRESIDENT AND VICE-PRESIDENT OF THE REPUBLIC

1. For each list of candidates for President and Vice President of the Republic, raised by a party or coalition or an Initiative Committee, the sum of the votes cast in the country and abroad is calculated.

2. The duo of candidates to have received more than half of the valid votes is elected, provided more than half of voters cast their votes.

3. If no candidate duo is elected, the Central Election Commission (CEC) calls new elections within 7 days from the date of the first round.

3.1. The new selection involves the two candidate lists receiving the most votes.

3.2. If more than two candidate lists have received maximum votes and there is a tie, they are all eligible to participate in the new election round.

3.3. If a list of candidates received the most votes, followed by two or more lists with a tie, they are all eligible to participate in the new election round.

3.4. If two candidate lists are selected for a new round and before the round a candidate for president or vice president on the list passes away or is taken seriously ill, the CEC postpones the election round and schedules a new election date not later than 14 days from the

date of the postponed election round. Within three days from the date of the decision of the CEC, the respective party or initiative can register a new candidate.

3.5. If two candidate lists are selected for a new election round and before the new round a candidate from one of them withdraws within 24 hours after the announcement of the results of the election, the CEC appoints by a decision the candidate list which ranks next in terms of number of votes. If there is no next list, the National Assembly calls new elections for President and Vice President of the Republic.

4. In the new election the candidate duo receiving the most votes is elected.

5. If in the new vote two or more candidate lists receive the most votes and there is a tie, no pair of candidates is elected.

ANNEX № 3 TO ART. 355, PARA. 1

METHODOLOGY FOR DETERMINING THE RESULTS OF THE VOTE AND THE ASSIGNMENT OF SEATS IN THE ELECTION OF MEMBERS OF EUROPEAN PARLIAMENT OF THE REPUBLIC OF BULGARIA

I. General

1.1. The methodology used is the method of Hare - Niemeyer for the assignment of seats in elections for Members of the European Parliament of the Republic of Bulgaria.

1.2. Voting takes place in the country, in appointed regions with the same territory as the multi-mandate electoral regions (MERs) in the latest elections for MPs, including abroad.

1.3. Seats are assigned between the candidate lists of parties and coalitions and independent candidates.

1.4. Seats for candidate lists are personalised by preferential voting

II. Conditions for the election of an independent candidate

2.1. An independent candidate is elected after having received votes not less than the number of all valid votes divided by the number E of Members of the European Parliament of the Republic of Bulgaria as of the election date. For the year 2014 the number E is 17.

III. Condition for the participation of a party

3.1. In the assignment of seats candidate lists participate that have received votes not less than the number as per Section 2.1.

IV. Assignment of seats by lists

4.1. Among candidate lists as per Section 3.1 an M number of proposals is assigned by the Hare - Niemeier method, wherein M is equal to E, reduced by the number of the independent candidates elected as per Section 2.1. A candidate list is full when the number of seats assigned to it equals the number of candidates in it.

4.2. Each candidate list is assigned fractional seats equal to the M number multiplied by the number of votes in the list and divided by the sum of the votes of all lists as per Section 3.1. Fractional seat is the sum of a whole unit (non-negative integer) and the residual (non-negative number smaller than 1).

4.3. Each candidate list is assigned a number of seats equal to all of the fractional seats plus up to an additional seat depending on the size of the residual.

4.4. If in all candidate lists the number of assigned seats as per Section 4.1 is smaller or equal to the number of candidates, the procedure is closed.

4.5. If a candidate list according to Section 4.1. has been assigned more seats than the number of candidates in it, it will finally be assigned as many seats as the number of candidates, and then is excluded. Full lists are also excluded. If all the lists are excluded, the procedure is closed.

4.6. From each list of candidates a number of unutilised seats remains, equal to the balance between seats assigned to it as per Section 4.1 and the number of candidates on the list. Unutilised seats shall be distributed among the remaining lists according to residuals. Lists that have not received additional seats shall be arranged in order of decreasing residuals, for those with equal residuals lots are drawn.

The first list to be assigned a seat is the one with the largest residual, the second - the one with the second largest residual etc. until the unutilised seats are distributed. If all unutilised seats are utilised or if all lists are full, the procedure is closed.

4.7. If, after following the procedure as per Section 4.6. there are unutilised seats, they will be assigned to the remaining unfilled lists with highest future values. One seat is assigned to the list with the highest future value (the number of votes divided by the sum of one and the number of seats on the list). The value of a seat for the lists is updated. If all unutilised seats are utilised or if all lists are full, the procedure is closed.

4.8. The procedure under Section 4.7. is repeated until all unutilised seats are utilised or until all candidate lists are full.

V. Personalising seats in candidate lists

5.1. Seats as per Section IV are personalised by preferential voting.

5.2. Elected candidates from each list of candidates of the party or coalition with a number of seats X won in the election are determined by the number of received valid preferences and ranking of candidates on the list.

5.3. Preferences for a candidate from a candidate list are valid if the number of votes received is not less than 7 per cent of the votes cast for the candidate list.

5.4. When there are no candidates as per the provisions of Section 5.3., the ranking in the candidate list is maintained.

5.5. When there are candidates as per Section 5.3, they are ranked according to the number of received preferences, starting with the candidate receiving the highest number of valid preferences. These candidates are removed from the candidate list of the party or coalition list and included in an A-list. When there is equal number of preference, the order is determined by drawing lots. The remaining candidates in the candidate list retain their original arrangement in the list and are included in list B.

5.6. The elected candidates are the first X candidates from the lists as per Sections 5.4 or 5.5.

5.7. Lists as per Sections 5.4. or 5.5 are maintained in case of substitution due to suspension or termination of office of an elected candidate.

ANNEX № 4 TO ART. 452, PARA. 1

METHODOLOGY TO DETERMINE THE RESULTS FROM VOTING FOR MAYORS

1. The methodology determines the outcome of elections for mayor of a municipality, region or town/village council.

2. For each candidate for mayor the sum of the votes cast in the electoral region is calculated.

3. The candidate receiving more than half of the valid votes cast in the region is elected.

4. If there is no chosen candidate, the Municipal Election Commission (MEC) schedules a second round within 7 days from the date of the first round.

4.1. In the second round the two candidates who received the most votes take part.

4.2. If more than two candidates received the most votes and there is a tie, they are all eligible to participate in the second round.

4.3. If a candidate has received the most votes, and next to him there are two or more candidates in a tie, they are all eligible to participate in the second round.

5. In the second round the candidate receiving the most votes is elected.

6. If in the second round two or more candidates receive the most votes and there is a tie, there is no elected candidate.

**ANNEX № 5
TO ART. 453, PARA 1**

**METHODOLOGY FOR DETERMINING THE RESULTS OF THE VOTE AND
THE ASSIGNMENT OF SEATS IN ELECTIONS FOR MUNICIPAL COUNCILLORS**

I. General

1.1. The methodology used is the Hare - Niemeyer method for the assignment of seats in elections for municipal councillors.

1.2. Voting takes place in the municipalities .

1.3. Seats are assigned between the candidate lists of parties and coalitions and independent candidates.

1.4 Seats in candidate lists are personalised by preferential voting.

II. Independent candidates

2.1. An independent candidate is elected if he/she received a number of votes not less than the number of valid votes cast in the municipality divided by the number of councillors in the municipal council.

III. Participation of parties and coalitions

3.1. In the assignment of seats parties and coalitions take part that received votes not less than the votes necessary for the election of an independent candidate as per Section II

IV. Assignment of seats to parties and coalitions

4.1. In the assignment of seats candidate lists participate that received votes not less than the votes required for the election of an independent candidate as per Section 2.1.

4.2. Between candidate lists as per Section 4.1. M number of seats are distributed, where M is the number of councillors reduced by the number of the elected independent candidates as per Section 2.1.

4.3. Each candidate list is assigned a number of seats by the Hare - Niemeyer method .

4.4. When the number of seats for a candidate list under item 4.3. is greater than the number of candidates on the list, the list is assigned as many seats as the number of candidates in it.

4.5. Seats under the provisions of Sections 4.3. and 4.4. are personalised by preferential voting.

V. Personalising seats

5.1. The elected candidates from each list of candidates of a party or coalition with an X number of seats won are determined by the number of received valid preferences and ranking of candidates on the list.

5.2. Preferences for a candidate from a candidate list are valid if the number of votes received is not less than 7 per cent of the municipal electoral quota.

5.3. When there are no candidates as per the provisions of Section 5.2., ranking in the candidate list is preserved.

5.4. When there are candidates as per Section 5.2, they are ranked according to the number of received preferences, starting with the candidate receiving the highest number of valid preferences. These candidates are removed from the candidate list of the party or coalition list and included in an A-list. If there is equal number of preferences, order is determined by drawing lots. The remaining candidates in the candidate list retain their original arrangement in the list and are included in a list B.

5.5. Elected candidates are the first X from the lists as per Section 5.3 or 5.4.

5.6. Lists under section 5.3. or 5.4. are maintained in case of substitution due to suspension or termination of office of an elected candidate.

The act with the Annexes to it has been adopted by the 42nd National Assembly on 21 February 2014 and on 4 March 2014 and has been sealed by the official stamp of the National Assembly.