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

**DRAFT ORGANIC LAW OF GEORGIA AMENDING  
THE ELECTION CODE**

**DRAFT NEW ARTICLE 79<sup>1</sup>**

*Draft*

**Organic Law of Georgia**  
**Amending**  
**The Organic Law of Georgia on “Election Code of Georgia”**

**Article 1.** Article 79<sup>1</sup> shall be added after Article 79 of the Organic Law of Georgia on Election Code of Georgia (Georgia Legislation Herald, 10.01.2012, registration code: 010190020.04.001.016032) with the following formulation:

**“Article 79<sup>1</sup>. Liability of an election subject for the participation in its pre-election agitation by the person acting as the party leader, who doesn’t meet the criteria established by the Constitution of Georgia for the exercise of active suffrage**

1. If a person, who does not meet any of the criteria established by the Constitution of Georgia for the exercise of active suffrage, participates in the pre-election agitation of a party or election block as its political leader, the election registration of the relevant party or election block shall be revoked by the decree of the Central Election Commission (CEC).

2. A party or election block or a registered local observer organization has the right to appeal to the CEC on the issue specified in paragraph 1 of this article. It is inadmissible to file a relevant complaint with the CEC if more than 2 calendar days have elapsed since the voting day. The CEC shall review the complaint within 2 calendar days.

3. The decision to revoke the election registration of a party or election block in accordance with the first paragraph of this article may be appealed by the same applicant to the Tbilisi City Court within 2 calendar days after its receipt. The court shall hear the appeal within 2 calendar days. The decision of the Tbilisi City Court may be appealed by the relevant applicant within 2 calendar days after court ruling, to the Court of Appeals, which shall hear the appeal within 2 calendar days. The decision of the Court of Appeals is final and cannot be appealed.

4. The decision of the CEC to revoke the election registration of a party or election block shall enter into force upon the expiration of the term for appealing against this decision in the city or appellate court or from the moment of the publication of the appellate court decision.

5. If the election registration of a party or election block is revoked after its placement in the ballot paper or after the voting day, the election results shall be summarized without taking into account the votes obtained by this party or election block.”

**Article 2.** This law shall enter into force on the 15<sup>th</sup> day after its publication.

**Salome Zourabichvili,**  
**President of Georgia**