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

**DRAFT**

**ELECTORAL CODE**

**OF THE REPUBLIC OF ARMENIA**

**PART ONE****SECTION 1****GENERAL PROVISIONS****CHAPTER 1*****MAIN PROVISIONS*****Article 1. Fundamentals of elections**

1. Pursuant to the Constitution of the Republic of Armenia, elections of the National Assembly, council of elders of communities, heads of communities, except for the heads of communities provided for by this Code shall be held by secret ballot on the basis of universal, equal, free and direct suffrage.

**Article 2. Universal suffrage**

1. Citizens of the Republic of Armenia having attained the age of 18 as of the day of election (hereinafter referred to as "the voting day") shall have the right to elect during the elections of the National Assembly.

2. During the elections of the local self-government bodies the right to elect shall be reserved to the following persons having attained the age of 18 as of the voting day and registered in the Population Register of the community where the elections are held:

- (1) citizens of the Republic of Armenia registered for at least six months prior to the voting day;
- (2) citizens having no registration for at least six months prior to the voting day who have been registered in that community by virtue of discharge from compulsory fixed-term military service or of release from serving punishment in the form of imprisonment;
- (3) persons not holding citizenship of the Republic of Armenia but having registration for at least one year prior to the voting day.

3. During the elections of local self-government bodies, the rights and responsibilities prescribed by this Code for citizens of the Republic of Armenia shall also extend to persons having the right to elect during the elections of local self-government bodies.

4. Persons lacking active legal capacity as declared by a civil judgment of a court having entered into force, as well as persons sentenced by a criminal judgment having entered into force and serving a punishment for grave and particularly grave offences committed intentionally do not have the right to elect.

**Article 3. Equal suffrage**

1. Electors shall participate in elections on equal grounds.

2. Public authorities shall ensure equal conditions for the exercise of the right of suffrage of electors.

3. Electors shall — irrespective of national origin, race, gender, language, religion, political or other views, social origin, property or other status — have the right to elect and to be elected.

**Article 4. Free suffrage**

1. Elections in the Republic of Armenia shall be held on the basis of the principle of free and voluntary exercise of the right of suffrage. No one has the right to force an elector to vote for or against a candidate (a political party, an alliance of political parties) or has the right to force an elector to participate or not to participate in elections.

**Article 5. Direct suffrage**

1. The National Assembly, local self-government bodies — except for the heads of Yerevan, Gyumri, Vanadzor communities — shall be elected directly by electors.

**Article 6. Secrecy of voting**

1. Voting shall be held by secret ballot. Secrecy of voting shall be not only the right, but also the responsibility of an elector. Control over the free expression of the will of an elector shall be prohibited.

**Article 7. Mandatory and periodic nature of elections**

1. Elections of the National Assembly and local self-government bodies shall be held periodically, within the time limits prescribed by the Constitution and this Code.

2. During martial law or state of emergency, elections of the National Assembly and local self-government bodies shall not be held. No earlier than 50 days and no later than 65 days after the end of the martial law or state of emergency, new elections of the National Assembly and local self-government bodies shall be held. The new election shall be called by the decision of the Central Electoral Commission no later than 7 days after the end of the martial law or state of emergency.

**Article 8. Publicity of elections**

1. Preparations for and holding of elections shall be public.

2. Secondary regulatory legal acts of the Central Electoral Commission shall be published as prescribed by the Law of the Republic of Armenia “On legal acts”. The individual legal acts of the Central Electoral Commission shall be posted on the Internet website of the Central Electoral Commission by the end of the day following its adoption.

The secondary regulatory acts of the Central Electoral Commission shall be posted on the Internet website of the Central Electoral Commission by the end of the day following the state registration and filing with the Central Electoral Commission, and during the period of elections of the National Assembly — on the same day.

The website of the Central Electoral Commission shall be the following: [www.elections.am](http://www.elections.am).

3. For the purpose of ensuring publicity and transparency of organising and holding elections, raising the level of public awareness, ensuring security, protection and regular operation of the website of the Central Electoral Commission and the “Elections” automated system and for proper exercise of the powers vested in electoral commissions by this Code, they shall be provided with necessary software, hardware and communication means, equipment and property.

4. Political parties, alliances of political parties running in elections of the National Assembly and the Councils of Elders of Yerevan, Gyumri, Vanadzor (hereinafter referred to as "the political party running in elections") may submit their election programmes in the electronic format prescribed by the Central Electoral Commission for the purpose of posting them on the Internet website of the Central Electoral Commission. The Central Electoral Commission shall post these programmes on the Internet website by the end of the next working day following their submission.

5. Candidates shall, within 5 days following the expiry of the time limit prescribed by this Code for registration, submit a declaration of their property and income to the relevant electoral commission.

Within 5 days following the expiry of the time limit prescribed by this Code for registration of the electoral lists of political parties running in elections, political parties running in elections shall submit a declaration of property and income of the political party (alliances of political parties — that of the political parties included therein) to the Central Electoral Commission.

The forms (electronic forms) of declarations, the procedure for submission thereof, as well as the day as of which the declaration of property and financial means are submitted and the period for which the declaration of income is submitted shall be prescribed by the Central Electoral Commission.

6. Declarations of political parties running in elections shall, within a three-day period after being submitted, be posted on the Internet website of the Central Electoral Commission, whereas carbon copies of the declarations of other candidates shall, on the basis of a written application, be provided to members of district electoral commissions, proxies, mass media representatives and observers.

7. During the elections of the National Assembly, the authorised state administration body maintaining the State Population Register of the Republic of Armenia (hereinafter referred to as "the authorised body") shall — on the 30th, 20th, 10th day and on the day preceding the voting day — publish the total number of electors included in the Register of Electors of the Republic of Armenia, indicating also the number of electors included in each supplementary list.

8. Electors shall, as prescribed by this Code, be informed of the composition, locations, working hours of electoral commissions, time limits for submission of applications on inaccuracies in the lists of electors, nomination and registration of candidates, voting day and place, as well as voting and election results.

9. On the voting day, by 11:30, 14:30, 17:30 and 20:30 district electoral commissions shall be obliged to communicate to the district electoral commission the number of electors having participated in the voting at the given electoral precinct by 11:00, 14:00, 17:00 and 20:00 respectively. District electoral commissions shall summarise, publish and communicate such data to the Central Electoral Commission with the same interval. During the election of the National Assembly, the Central Electoral Commission shall, on the voting day at 09:00, publish information on the progress of elections, and from 12:00 to 21:00 it shall publish, every three hours, information by electoral districts, Marz centres and electoral district communities having more than 10 000 electors and the city of Yerevan — on the number of electors having participated in the voting as of the previous hour. After the information on the number of electors having participated in the voting is published, it shall be posted on the Internet website of the Commission by electoral precincts.

In cases provided for by this part, the Central Electoral Commission shall publish the data by live broadcasting on public radio and public television, from the seat of the Central Electoral Commission.

10. The Central Electoral Commission shall — no later than the day following the voting, starting at 00:00 — carry out tabulation of voting results by electoral precincts. The Central Electoral Commission shall finalise the tabulation of preliminary voting results and shall post

preliminary voting results on the Internet website of the Commission no later than within one hour following the receipt of the latest information from the electoral precinct on the voting results, but no later than within 24 hours following the end of the voting.

11. Proxies, observers, mass media representatives and — upon the consent or assignment of the chairperson of the higher level commission — members of a higher level electoral commission shall have the right, as prescribed by this Code, to be present at the sittings of electoral commissions, as well as in the voting room during the entire voting process. Proxies, observers, mass media representatives may photograph and videotape the sittings of electoral commissions, as well as the voting process without violating the right of electors to secrecy of voting.

12. Both the general number of electors registered in military units and the number of those registered by electoral precincts, the lists of electors being drawn up in military units, the numbers and locations of the electoral precincts where the electors included in the lists of electors being drawn up in military units are to vote shall not be subject to publication.

## **CHAPTER 2** ***LISTS OF ELECTORS***

### **Article 9.                    Maintaining the Register of Electors, drawing up lists of electors**

1. The Register of Electors of the Republic of Armenia shall be a permanently maintained document which is drawn up by electoral districts and communities. Citizens of the Republic of Armenia included in the State Population Register of the Republic of Armenia, registered in any community of the Republic of Armenia and having the right to elect shall be included in the Register of Electors of the Republic of Armenia.

Electors having no registration in the Republic of Armenia, as well as persons not holding citizenship of the Republic of Armenia but having the right to elect during the elections of self-government bodies shall not be included in the Register of Electors of the Republic of Armenia, which does not restrict their right to elect.

2. The Register of Electors of the Republic of Armenia shall be maintained and the list of electors shall be drawn up by the authorised body. The authorised body shall be responsible for maintaining and drawing up the Register of Electors of the Republic of Armenia and the list of electors in accordance with the requirements of this Code.

3. Heads of penitentiary institutions and facilities for holding arrestees, as well as commanders of military units shall also draw up lists of electors in cases and as prescribed by this Code.

4. The authorised body shall, twice a year, in June and November (during the first week), submit the Register of Electors of the Republic of Armenia by communities, and in case of the election of the National Assembly also by electoral precincts to the Central Electoral Commission in an electronic format no later than 41 days and 3 days before the voting day, for posting it on the Internet website of the Central Electoral Commission with search functionality. The Register of Electors of the Republic of Armenia shall be a permanent and integral part of the Internet website of the Central Electoral Commission.

### **Article 10.                    Including electors in the list**

1. The list of electors of a community shall be drawn up on the basis of the Register of Electors of the Republic of Armenia by electoral precincts, which shall include the persons having the right to elect during relevant elections pursuant to Article 2 of this Code.

2. In case of each election, an elector may be included only in one list of electors and only once.

3. In case of the election of the National Assembly, electors having no registration of another community shall, no later than 7 days before the voting day, submit an application to the authorised body or to the head of its relevant subdivision (hereinafter referred to as "the authorised body") on temporary withdrawal from the list of electors by place of registration, indicating their place of residence on the voting day.

The authorised body shall, within a three-day period following the receipt of the application, issue a statement of information to the elector on removing his or her data from the list of electors by place of registration and on including him or her in the supplementary list of electors of the electoral precinct by place of residence. The forms of the application and the statement of information shall be established by the Central Electoral Commission.

4. During the election of the National Assembly, members of precinct electoral commissions may be included in supplementary lists of electors of the electoral precinct by place of residence of those precincts where they are appointed as members of precinct electoral commissions, being removed from the list of electors by place of registration. The application for including members of precinct electoral commissions in supplementary lists of electors of the electoral precinct by place of residence shall be submitted to the authorised body by the chairperson of the political party (alliance of parties) that has appointed him or her, or of the district electoral commission on the basis of the application of the member of the precinct electoral commission no later than 5 days before the voting day, by 14:00.

The application being submitted to the authorised body shall include the surname, name, patronymic, the year, month and day of birth, address of the place of registration of the member of precinct electoral commission and the number of the precinct by place of residence. Based on these lists, the authorised body shall remove the member-electors of the precinct electoral commission from the list of electors of their place of registration and shall include them in the supplementary list of electors by place of residence. The form of the application shall be established by the Central Electoral Commission. The data referred to in this part shall also be included in the application being submitted to the chairperson of the district electoral commission.

5. For the purpose of participating in the voting during the election of the National Assembly, electors having no registration in the Republic of Armenia shall, no later than 7 days before the voting day, submit an application on including them in the list of electors, indicating their place of residence in the Republic of Armenia on the voting day. The authorised body shall, within a three-day period following the receipt of the application, include the elector in a supplementary list of electors of the electoral precinct of his or her place of residence in the Republic of Armenia on the voting day and shall issue him or her a statement of information thereon. The forms of the application and the statement of information shall be established by the Central Electoral Commission.

6. During the election of the National Assembly, the Police of the Republic of Armenia adjunct to the Government of the Republic of Armenia (hereinafter referred to as "the Police") shall — no later than 5 days before the voting day, by 14:00 — draw up a list of police officers seconded to electoral precincts on the voting day, indicating therein the surname, name and patronymic, the year, month and day of birth (hereinafter referred to as "the date") and the address of the place of registration of the elector. Based on these lists, the authorised body shall remove the police officers from the list of electors of their place of registration and shall — in accordance with the requirements for the lists of electors as prescribed in Article 11 of this Code — draw up a supplementary list of police officers of the given electoral precinct.

7. During the election of the National Assembly, the head of the medical institution providing inpatient care shall — no later than 5 days before the voting day, by 14:00 — submit to the authorised body the list of electors undergoing inpatient treatment and having no possibility to

be present in the polling station on their own but willing to participate in the voting, indicating therein the surname, name and patronymic, the date of birth and the address of the place of registration of the elector.

Based on the submitted lists, the authorised body shall remove the electors undergoing inpatient treatment from the list of electors of their place of registration and shall, in accordance with the requirements for the lists of electors as prescribed in Article 11 of this Code, draw up a supplementary list of electors participating in the voting in a medical institution providing inpatient care.

8. During the election of the National Assembly, military servants undergoing compulsory fixed-term military service may, in case of being granted a temporary leave from service as prescribed by the legislation, be removed from the list of electors of the military unit and included in the list of electors of their places of permanent residence, in case an application to be included in the list of electors is submitted within the time limit prescribed by part 3 of this Article. The form of the application and the list of documents attached thereto shall be established by the Central Electoral Commission.

9. During the election of the National Assembly, military servants undergoing compulsory fixed-term military service, as well as contract military servants registered within the territory where the military units are located, members of their families, registered together with them within the same territory, who have the right to elect shall be included in the list of electors of the military unit.

10. During the election of the National Assembly, the Ministry of Defence, the National Security Service and the Police shall, no later than 50 days before the voting day, submit to the authorised body and the Central Electoral Commission the number of electors registered in military units, troops of the National Security and the Police respectively, as prescribed by the Central Electoral Commission.

11. Contract military servants registered outside the territory of a military unit shall be included in the list of electors under the general procedure.

12. Lists of electors registered in the penitentiary institutions shall be drawn up by the head of the penitentiary institution 3 days before the voting day.

#### **Article 11. Requirements for the lists of electors**

1. Lists of electors shall be drawn up by the addresses of the places of registration of electors.

2. The list of electors being posted in the polling station shall include the name and the number of the electoral district (marz, community), the number of the precinct, the name of the community, and in separate columns the following data of the elector:

(1) the record number in the list;

(2) the surname, name and patronymic (the patronymic, if available in the relevant registration documents);

(3) the date of birth;

(4) the address of the place of registration, and in case of electors having no registration in the Republic of Armenia the address of the place of residence in the Republic of Armenia on the voting day.

3. The numbering — referred to in point 1 of part 2 of this Article — in the lists of electors being used by precinct electoral commissions shall be carried out by electoral precincts; the number of the electoral precinct shall also appear on each sheet of the lists.

In the lists referred to in this part, 4 more columns shall be provided for:

- (1) the data of the personal identification document;
- (2) the elector's signature;
- (3) the individual seal of the member of the commission responsible for the registration of electors;
- (4) additional notes. Additional notes in the list of electors shall be made in the manner and cases prescribed by the Central Electoral Commission.

4. The lists of electors shall be drawn up in the form of a register and paginated for up to 1 000 electors, so that each register of the lists of electors allocated to an electoral precinct having more than 1 000 electors includes data of approximately equal number of electors. Each page of the list of electors may contain data on maximum twenty electors.

5. The list of electors and the supplementary list of electors being drawn up by the authorised body in cases prescribed by this Code shall be drawn up, paginated, and each page of the list shall be signed and sealed by the authorised body.

6. The lists of electors being provided to the precinct electoral commission shall be drawn up also electronically, with special software. The electronic lists of each electoral precinct shall beforehand be downloaded in the technical equipment being provided to the relevant precinct electoral commission and shall contain:

- (1) the record number in the list;
- (2) the surname, name and patronymic (the patronymic, if available in the relevant registration documents);
- (3) the date of birth;
- (4) the address of the place of registration, and in case of the electors having no registration in the Republic of Armenia, the address of the place of residence in the Republic of Armenia on the voting day;
- (5) the number of the electoral precinct;
- (6) data of all personal identification documents of the elector.

7. The list of electors being drawn up in a military unit, penitentiary institution and facility for holding arrestees shall be drawn up, paginated, and each page of the lists shall be signed and sealed by the commanders of the military unit, heads of penitentiary institutions and facilities for holding arrestees respectively. The lists referred to in this part shall not be drawn up electronically and shall not be downloaded in the technical equipment being provided to the precinct electoral commissions.

## **Article 12. Providing lists of electors to electoral commissions and to the person possessing the premises of a polling station**

1. The authorised body shall, no later than 40 days before the voting day, provide to the person possessing the premises of the polling station the list of electors — containing on the last page a statement of information on the time limits and place of submitting applications on inaccuracies in the lists of electors, on the procedure and time limits for the consideration thereof — for the purpose of posting it in the polling station. The form of the statement of information shall be established by the Central Electoral Commission.

2. The authorised body shall — 10 days and 4 days before the voting day — provide a statement of information to the Central Electoral Commission on the number of electors by electoral districts and electoral precincts in case of the elections of the National Assembly and the Councils of Elders of Yerevan, Gyumri, Vanadzor. During the elections of head of community and member of the council of elders, the authorised body shall — 10 days and 4 days before the voting day — provide a statement of information to the district electoral commission on the number of electors by electoral precincts and communities.



No later than 7 days after calling elections of the National Assembly, the authorised body shall provide the Central Electoral Commission a statement of information on the number of electors by electoral districts.

3. The authorised body shall — 3 days before the voting day — provide the chairpersons of precinct electoral commissions with the lists (including supplementary lists) of electors by electoral precincts posted at polling stations and with those in the form of a register to be maintained by the precinct electoral commission, as well as with the addresses of the residential buildings (houses) included in the electoral precinct and the forms necessary for drawing up supplementary lists of electors as provided for by Article 15 of this Code.

The relevant equipment with downloaded electronic lists of electors of the relevant precinct together with the lists of electors shall be provided to the chairpersons of precinct electoral commissions as well.

4. The lists of electors registered in a military unit shall be provided by the commander of the military unit to the chairperson of the district electoral commission 3 days before the voting day, in a sealed envelope which shall be opened only on the voting day at the precinct electoral commission.

5. The head of the penitentiary institution shall, 2 days before the voting day, hand over the list of electors to the chairperson of the precinct electoral commission.

6. On the voting day the head of the facility for holding arrestees shall draw up and hand over the list of electors to the member of the precinct electoral commission organising the voting through a mobile ballot box in the facility for holding arrestees.

### **Article 13. Accessibility of the lists of electors**

1. The list of electors of the Republic of Armenia, except for the cases provided for by this Code, shall be open to the public.

The lists (including electronic lists) of electors containing information on the participation in the voting shall not be subject to publication, it shall be prohibited to take photocopies of them, in any way reprint, photograph and videotape them.

2. During the elections of the National Assembly and the Councils of Elders of Yerevan, Gyumri, Vanadzor, the authorised body shall post the list of electors by electoral precincts on the following Internet address — [www.police.am](http://www.police.am) — 40 days and 2 days before the voting day. The lists of electors posted on the Internet by electoral precincts must be downloadable.

3. The person possessing the premises of the polling station shall, 40 days before the voting day, post the list of electors in the polling station, in a place visible to all.

4. The chairperson of a precinct electoral commission shall, 2 days before the voting day, post a carbon copy of the list of electors, including the supplementary lists, in the polling station, in a place visible to all. These lists shall remain posted in the polling station until the seventh day following the voting.

5. Lists of electors registered in a military unit shall, 10 days before the voting day, be posted in a military unit in a place visible to military servants.

6. In case of forming more than one electoral precinct in a community, the authorised body shall, no later than 4 days before the voting day, send notifications to the electors on the voting day, the number of the electoral precinct, time and place of the polling station.

**Article 14. Procedure for submitting applications on eliminating inaccuracies in the lists of electors and considering applications and for correcting the lists of electors**

1. Everyone shall have the right to submit, no later than 7 days before the voting day, an application to the authorised body on eliminating inaccuracies (including those not relating to the persona of the applicant) in the lists of electors. Within 5 days following the receipt of an application but no later than 5 days before the voting day, the authorised body shall, in case of grounds prescribed by this Code, make necessary alterations or corrections to the list of electors, informing the applicant about it in writing. Where the application does not relate to the persona of the applicant, the authorised body shall, in case the application is satisfied, notify thereon through the Internet website "azdarar.am".

2. During 5 days preceding the voting day, as well as on the voting day until the end of the voting, everyone shall have the right to submit an application to the authorised body to be included in the list of electors. Decisions concerning applications to be included in the lists shall be delivered within such time limits which enable the elector to participate in the voting. The authorised body shall provide a statement of information on including in the supplementary list of electors drawn up on the voting day to those persons who are registered at the address included in the description of the relevant electoral precinct, but who have been left out of the list of electors of that precinct, as well as to those persons who have applied to the authorised body, in the manner and within the time limits prescribed by this Code, for being included in the supplementary list of persons without registration or in the supplementary list of electors by place of residence, and whose application has not be rejected yet they have not been included in the relevant supplementary list.

The Central Electoral Commission shall establish the form of the statement of information of the authorised body on being included in the supplementary list of electors being drawn up on the voting day, which is submitted to precinct electoral commissions. Additions to the list of electors, based on a statement of information of the authorised body on being included in the supplementary list of electors being drawn up on the voting day, shall be made by a precinct electoral commission on the voting day, through drawing up a supplementary list as prescribed by Article 15 of this Code.

3. Disputes on eliminating inaccuracies in the lists of electors and making an addition to the list shall be settled by superior authorities or through judicial procedure, in the manner and within the time limits prescribed by the Law of the Republic of Armenia "On fundamentals of administrative action and administrative proceedings" or the Administrative Procedure Code of the Republic of Armenia. The superior authorised body or the court shall deliver the act on eliminating inaccuracies in the lists in the course of 3 days after the receipt of the complaint (application). In case the complaint (application) is satisfied on the voting day and within 3 days preceding it, the superior authorised body shall provide the applicant a statement of information on being included in the supplementary list of electors being drawn up on the voting day. The court or the superior authorised body shall deliver the act on making an addition to the list within time limits enabling the elector to participate in the voting. The act on eliminating inaccuracies in the lists of electors shall be executed by the authorised body. On the voting day, based on the act on being included in the list of electors, the data of the elector shall, as prescribed by Article 15 of this Code, be entered by the precinct electoral commission in the supplementary list of electors drawn up on the voting day.

The courts shall send the carbon copy of the civil judgment on including electors in the list of electors to the authorised body for making relevant changes in the Register of Electors as well.

4. Electoral commissions shall not have the right to make, on their own initiative, any changes — a correction or an addition — to the lists of electors (including to the supplementary lists).

**Article 15. Supplementary list of electors drawn up on the voting day**

1. Precinct electoral commissions shall, as prescribed by this Code, draw up a supplementary list of electors.
2. The supplementary list of electors shall be drawn up where electors who are not included in the lists of electors (including in the supplementary lists) show up at the electoral precinct on the voting day and submit a statement of information or a civil judgment of a court on being included in a supplementary list of electors drawn up on the voting day as provided for by part 2 or 3 of Article 14 of this Code.
3. Documents serving as a basis for including an elector in a supplementary list of electors shall be attached to the supplementary list.
4. Supplementary lists of electors shall be drawn up in compliance with the requirements for the lists of electors being submitted for voting to precinct electoral commissions, adding one column for indicating the number and date of the civil judgment of the court or the statement of information of the authorised body.
5. Each page of the supplementary list of electors drawn up by a precinct electoral commission shall be signed and sealed by the chairperson of the precinct electoral commission. Upon termination of the voting, the chairperson of the commission shall indicate at the end of the list the total number of electors included in the supplementary list of electors being drawn up on the voting day.

**CHAPTER 3  
ELECTORAL PRECINCTS AND POLLING STATIONS**

**Article 16. Electoral precincts**

1. The authorised body shall, no later than 45 days before the voting day and with the participation of the head of community and member of district electoral commission, form electoral precincts, taking into account local and other conditions, with the purpose of creating more favourable conditions for voting.
2. Electoral precincts shall be formed by sequential numbering. The procedure for numbering the electoral precincts shall be established by the Central Electoral Commission.
3. At the moment of establishment, an electoral precinct shall include not more than 2 000 electors. The number prescribed by this part may be changed in case of correcting the lists of electors and in cases provided for by Article 10 of this Code.
4. An electoral precinct may not include different settlements.

**Article 17. Polling station and voting room**

1. The voting shall be held in a polling station, a hall, a parlour, a room and other premises equipped for that purpose (hereinafter referred to as "the voting room").
2. A polling station must be as close as possible to the residential buildings and houses located in the electoral precinct. The voting room in a polling station shall be selected so that the regular voting process is ensured. Where there are no appropriate buildings and structures in an electoral precinct belonging to the state or local self-government bodies, the head of

community shall be obliged to rent relevant premises. The head of the community shall be responsible for designating the location of a polling station and the voting room, as well as for furnishing the voting room in accordance with the requirements prescribed by Article 57 of this Code.

3. A polling station may not be located in premises occupied by military educational institutions, military units and health care institutions.

4. During the election of the National Assembly, polling stations shall also be formed in penitentiary institutions.

5. For ensuring the accessibility of the exercise of the right of suffrage by electors with limited physical capacity, local self-government bodies shall undertake necessary measures in polling stations.

#### **Article 18. Designating a polling station**

1. The head of the community (also the head of the penitentiary institution in cases provided for by this Code) shall, no later than 43 days before the voting day, designate a polling station. The head of the community shall inform about it the authorised body, the relevant district electoral commission and the person possessing the premises of the polling station, whereas the head of the penitentiary institution shall inform the district electoral commission.

2. In case it is impossible to arrange the voting properly or in case it is impossible to hold it in a polling station, the head of the community shall be obliged to change — no later than 5 days before the voting day and upon the request of the chairperson of the district electoral commission — the location of the polling station, and, in exceptional cases (natural disaster, accident, fire or force majeure), to change the location of the polling station also on the voting day, upon the consent of the chairperson of the district electoral commission.

3. In case the location of a polling station is changed, the head of the community shall without delay inform the electors about it.

### **CHAPTER 4 ELECTION CAMPAIGN**

#### **Article 19. Main principles of election campaign**

1. The period of election campaign shall be the period prescribed by this Code during which the rules prescribed by this Code and aimed at ensuring equal opportunities for the political parties running in elections and candidates, such as the rules on making use of public resources, conducting election campaign and ensuring financial transparency, are effective.

The fact that the period of election campaign is fixed shall not restrict the conduct of election campaign during other periods not prohibited by this Code.

The period of election campaign shall start on the seventh day following the last day of the time period prescribed by this Code for the registration of the electoral lists of political parties running in elections and of candidates, and shall expire on the day before the voting day. The campaign during that period shall be hereinafter referred to as "the election campaign".

The campaign on the voting day and on the preceding day shall be prohibited.

2. The State shall ensure the free conduct of election campaign. It shall be ensured by state and local self-government bodies by providing them with halls and other premises for the purpose of organising election assemblies, meetings of electors with candidates and other events related with elections. These shall be provided to political parties running in elections on equal grounds and free of charge, as prescribed by the Central Electoral Commission.

Halls of general education institutions may be provided to candidates, political parties running in elections only after 18:00, or on non-working days, and only in cases where there exist no other relevant halls for conducting election campaign in the given community (administrative district of Yerevan).

3. No later than 20 days after calling elections of the National Assembly and the Council of Elders of Yerevan, the marz governor and, in case of Yerevan, the Mayor of Yerevan shall submit to the Central Electoral Commission the list of halls and other premises that are provided to political parties running in elections free of charge. This list shall be posted on the Internet website of the Central Electoral Commission. Information shall be submitted in accordance with the procedure prescribed by the Central Electoral Commission.

4. After calling elections, election campaign offices may be formed. Election campaign offices may not be located in buildings occupied by state and local self-government bodies (except for cases where election campaign offices occupy an area not belonging to such bodies), in buildings of the general education institutions, as well as in the buildings where electoral commissions are functioning. Signboards placed on election campaign offices shall not be regarded as printed campaign materials within the meaning of this Code where they do not contain direct appeals to vote for or against a candidate, a political party running in elections, the number of such posters does not exceed the number of election precincts formed for elections, and the dimension of each signboard does not exceed six square metres.

5. It shall be prohibited to conduct an election campaign and disseminate any type of campaign material by:

(1) state and local self-government bodies, as well as state and community servants (except for the Deputies of the National Assembly), pedagogical staff of education institutions when performing their powers;

(2) judges, prosecutors, officers of the Investigative Committee, officers of the Special Investigation Service, Police, National Security Service, penitentiary institutions, officers of the Judicial Acts Compulsory Enforcement Service and military servants;

(3) members of electoral commissions.

6. During the election campaign as well as the day preceding the voting day and on the voting day, candidates, political parties running in elections shall be prohibited to give (promise) — in person or through someone else on their behalf, or in any other manner, gratuitously or on preferential conditions — money, food, securities, goods to electors or to provide (promise) services to them. Charitable organisations, the names of which may resemble (be associated with) the names of political parties running in elections and the names of candidates, may not carry out during the election campaign charity work in the communities where elections are held in which these candidates, political parties or candidates nominated thereby are running.

7. Electoral commissions shall control the observance of the established procedure for election campaigns. In case this procedure is violated by candidates, political parties running in elections, the commission which has registered the candidate and the electoral list of a political party running in elections shall apply to the competent authorities in order to prevent them, or shall apply a warning in respect of the candidate, political party running in elections, which has committed the violation, by giving a three-day reasonable period for eliminating the violation. The candidate, the political party running in elections shall be obliged to eliminate the violation (consequences of the violation) within the time limit referred to in the decision and shall inform the electoral commission about it.

8. Where there is a violation of the established procedure for the election campaign, which is of a continuous nature and the committed violation may essentially affect the results of the elections, or the consequences of the committed violation is impossible to eliminate and the committed violation may essentially affect the results of the elections, the commission having

registered the candidate, the political party running in elections shall apply to court for revoking the registration of the candidate and the electoral list of the political party running in elections.

9. Arrested candidates or candidates kept in detention and candidates included in the electoral list of a political party running in elections shall conduct election campaign through their proxies designated to act in electoral processes. To that end, arrested candidates or candidates kept in detention shall have the right, during the election campaign, to have meetings with up to three proxies representing them for up to two hours a day at the facilities for holding arrestees or detention facilities respectively.

## **Article 20. Election campaign through the mass media**

1. Political parties running in elections of the National Assembly and the Council of Elders of Yerevan shall have the right to use the airtime (including by live broadcasting) of public radio and public television on equal conditions, free of charge and for pay.

2. The procedure and schedule for providing free and paid airtime on public radio and public television shall be prescribed by the Central Electoral Commission on the next day following the expiry of the time limit prescribed for registration of the electoral lists of political parties running in elections.

3. Public radio and public television shall be obliged to ensure non-discriminatory conditions for candidates, political parties running in elections.

News programmes on public radio and public television shall provide impartial and non-biased information on election campaigns of candidates, political parties running in elections.

Failure to organise events by a candidate, political parties running in elections or lack of information on those activities shall not serve as a ground for the mass media not to publish information on the campaign of the candidate, political parties running in elections.

Upon revoking or declaring invalid the registration, contracts concluded with candidates, political parties running in elections by radio companies and television companies for providing airtime for election campaign purposes shall be considered revoked, and the provision of airtime to them for election campaign purposes shall be terminated.

4. No later than 10 days after calling elections of the National Assembly and the Council of Elders of Yerevan, the National Commission on Television and Radio shall publish the price per minute of the paid airtime of public radio and public television, which may not exceed the market value of the commercial advertisement for the last 6 months preceding the calling of elections and may not be changed until the end of the election campaign.

5. Provisions prescribed by part 3 of this Article shall equally extend also to other radio companies and television companies carrying out terrestrial on-air broadcasting, which provide airtime to candidates, political parties running in elections for conducting campaign, irrespective of the form of ownership.

No later than 10 days after calling elections, radio companies and television companies carrying out terrestrial on-air broadcasting shall publish the price per minute of their paid airtime, which may not exceed the average cost of the commercial advertisement for the last 6 months preceding the calling of elections and may not be changed until the end of the election campaign.

6. It shall be prohibited to interrupt radio programmes and television programmes on election campaign by the commercial advertisement.

7. Television companies and radio companies carrying out terrestrial on-air broadcasting shall be obliged to observe the requirements of this Article when carrying out satellite broadcasting.

8. When carrying out terrestrial on-air broadcasting, radio programmes and television programmes on election campaign shall be audio- and video-taped. They shall be kept until the day the body assumes its powers.

9. Supervision over the observance by television companies and radio companies carrying out terrestrial on-air broadcasting of the established procedure for election campaigns shall be exercised by the National Commission on Television and Radio.

10. During the election campaign for the elections of the National Assembly and the Council of Elders of Yerevan, the National Commission on Television and Radio shall conduct monitoring for assessment of provision by television companies and radio companies carrying out terrestrial on-air broadcasting of equal conditions for political parties running in elections. To this end, the National Commission on Television and Radio shall develop and, no later than 20 days after calling elections of the National Assembly and the Council of Elders of Yerevan, publish and submit to the Central Electoral Commission a methodology for assessment of provision by television companies and radio companies carrying out terrestrial on-air broadcasting of equal conditions for political parties running in elections during the period of the election campaign.

11. During the elections of the National Assembly and the Council of Elders of Yerevan, the National Commission on Television and Radio shall — no later than on the 10th day and 20th day of the time period established for the election campaign, as well as 2 days before the time limit established for summarising the election results — publish and submit to the Central Electoral Commission the results of the monitoring on fulfilling the requirements of this Article by television companies and radio companies carrying out terrestrial on-air broadcasting during the period of the election campaign, as well as the conclusion of the Commission on compliance by television and radio companies carrying out terrestrial on-air broadcasting with the established procedure for election campaigns.

12. Newspapers and magazines founded by state or local self-government bodies shall be obliged to ensure non-discriminatory and impartial conditions for candidates, political parties running in elections during the period of the election campaign.

13. During the conduct of the election campaign the abuse of freedom of the mass media shall be prohibited.

**Article 21. Procedure for using a campaign poster, printed campaign and other materials during election campaign**

1. Candidates, political parties running in elections shall have the right to disseminate campaign posters, printed campaign and other materials in an unimpeded manner.

2. Campaign posters, printed campaign and other materials may be posted only on places designated for this purpose, on paid billboards and on election campaign offices.

Campaign posters, printed campaign and other materials may also be posted on or inside buildings (except for block of flats or subdivided buildings, public catering or trading facilities), structures, means of transport (except for public transport) belonging to or under the possession of natural or legal persons upon their consent.

Campaign posters, printed campaign and other materials may be posted or used without restrictions during holding of campaign assemblies, meetings with electors and other elections related events — at the places of holding such events. Campaign posters, printed campaign and other materials posted during such events shall be removed by the relevant candidate, political party running in elections after the event is over.

Natural persons having the right to carry out electoral campaign may without restrictions carry campaign materials with them.

3. The head of community shall be obliged to — within 10 days after starting election campaign — designate free places for posting a campaign poster, printed campaign and other materials in the territory of the community, establishing such conditions which shall ensure equal opportunities (equal dimension) for candidates, political parties running in elections. This power shall be considered a mandatory power for the head of community.

4. In case of a community with 10 000 or more electors, the head of community shall submit to the Central Electoral Commission the decision on designating free places for posting campaign posters, printed campaign and other materials within a three-day period following the adoption of such decision.

5. Organisations disposing outdoor billboards shall, in case of placing campaign posters, other printed campaign materials during the period of the election campaign, ensure non-discriminatory and impartial conditions for candidates, political parties running in elections.

6. For the purpose of providing the political parties running in elections with billboards with the dimension exceeding five square metres during the elections of the National Assembly and the Council of Elders of Yerevan, organisations disposing outdoor billboards shall, within a 21-day period after calling elections, submit information to the Central Electoral Commission on the number, dimensions, locations and rental charges for billboards being provided during the period of election campaign to political parties running in elections. Information shall be provided in accordance with procedure prescribed by the Central Electoral Commission. Billboards not included in the list submitted to the Central Electoral Commission may not later be provided to political parties running in elections. The Central Electoral Commission shall post this information on the Internet website of the Commission. Political parties running in elections shall — within the time limits prescribed by this Code for submitting documents for registration of electoral lists of political parties running in elections — submit requests to the Central Electoral Commission for placing a campaign poster, other printed campaign materials on these billboards in the form prescribed by the Central Electoral Commission. Based on this information, the right to post a campaign poster, other printed campaign materials on outdoor billboards shall be distributed among political parties running in elections upon the decision of the Central Electoral Commission. Based on the decision of the Central Electoral Commission, the political party running in elections shall conclude a contract with an organisation disposing outdoor billboards for posting a campaign poster, other printed campaign material. Where no contract is concluded by the political party running in elections within a three-day period after entry into force of the decision of the Central Electoral Commission, the disposer of the billboard shall be free to conclude another contract for using this billboard for other purposes. During elections of the National Assembly and the Council of Elders of Yerevan the campaign poster with a dimension exceeding five square metres may only be posted on an outdoor billboard distributed beforehand by the Central Electoral Commission. Campaign posters, printed campaign and other materials posted on the voting day and the day preceding the voting day may remain in their places.

7. Tearing off, tearing, as well as making notes on or damaging in any other way campaign posters, printed campaign and other materials shall be prohibited.

8. The head of the community, the heads of organisations disposing outdoor billboards shall ensure that a campaign poster, printed campaign and other materials of candidates, political parties running in elections whose registration has been revoked or declared invalid are removed.

In case of failure to remove within a three-day period the campaign posters, printed campaign and other materials by candidates, political parties running in elections whose registration has been revoked or declared invalid, they shall be removed by the head of community. The head of the community may claim from the candidates, political parties running in elections whose registration has been revoked or declared invalid compensation for the expenses incurred by him or her.



9. A campaign poster, printed campaign and other materials posted in violation of the provisions of this Article shall be removed by the head of community, if necessary with the help of the Police. This function shall be considered as a delegated power of the head of community. During the period of conducting election campaign the posters, printed and other materials with a dimension exceeding five square metres recognised by the Central Electoral Commission or district electoral commission as being associated with election campaign must be removed in the communities where elections are conducted, and in which these candidates, political parties are running. Posters, printed and other materials with a dimension up to five square metres recognised as being associated with the election campaign, as well as posters, printed and other materials with a dimension exceeding five square metres deemed as being associated with the election campaign during the elections of the local self-government bodies must be removed, where the expenses of the given posters, printed and other materials are not included in a campaign fund as prescribed.

10. Printed campaign materials must include information on the client, printing organisation and the print run.

11. Dissemination of anonymous printed campaign materials shall be prohibited. In case of detecting anonymous or printed campaign materials not prepared by the relevant candidate, political party running in elections, the informed electoral commission shall apply to competent authorities to stop the unlawful actions.

## **Article 22. Prohibiting influence on the free expression of the will of electors**

1. Employees of radio companies and television companies carrying out terrestrial on-air broadcasting, who are registered as candidates, as well as persons having an employment contract or a contract on provision of paid services shall be prohibited to cover elections, to anchor radio programmes or television programmes except for cases prescribed by Article 20 of this Code.

2. During the election campaign, state and community servants, persons having an employment contract or a contract on provision of paid services with the mass media shall be prohibited to exercise their powers for the purpose of establishing unequal conditions among candidates, political parties running in elections and for the purpose of influencing the free expression of the will of electors through demonstrating partiality.

3. When publishing the results of an opinion poll on ratings of candidates, political parties running in elections, the organisation carrying out the opinion poll shall be obliged to indicate the time limits of the poll, the number of respondents and the type of sample, type and place of collection, precise wording of the question, statistical evaluation of a possible error and the client.

It shall be prohibited to publish the results of an opinion poll in relation to candidates, political parties running in elections, as well as information thereon via television, radio carrying out terrestrial on-air broadcasting, or the print media on the day preceding the voting, as well as on the voting day by 20:00.

4. Assembling in groups on the territory — with up to 50 metre radius — adjacent to a polling station, as well as cluster of vehicles on the territory adjacent to the entrance of a polling station on the voting day shall be prohibited. The enforcement of the provisions of this part shall be ensured by the Police of the Republic of Armenia, irrespective of the request of the electoral commission.

**Article 23. Restrictions for election campaigns of candidates occupying political, discretionary, civil positions, as well as candidates occupying a position of state or community servant**

1. Candidates occupying political, discretionary, civil positions, as well as candidates occupying a position of state or community servant, candidates included in the electoral list of the political party running in elections shall carry out the election campaign taking into account the following restrictions:

(1) direct or indirect appeals to vote for or against a candidate, a political party running in elections while performing official powers or any abuse of the official position to gain advantage during elections shall be prohibited;

(2) use of premises, means of transport and communication, material and human resources provided for performing official responsibilities for election campaign purposes shall be prohibited, except for security measures applicable in respect of high-ranking officials subject to state protection under the Law of the Republic of Armenia "On ensuring the safety of persons subject to special state protection".

2. Where coverage of other activities of a candidate referred to in this Article and included in the electoral list of the political parties running in elections is carried out, the mass media carrying out terrestrial on-air broadcasting shall consider this when covering the activities of other candidates, political parties running in elections, in order to comply with the non-discriminatory principle of equality of coverage prescribed by Article 20 of this Code.

**CHAPTER 5  
FUNDING OF ELECTIONS**

**Article 24. Funding of organisation and holding of elections**

1. The funding of expenditures for organising and holding elections (including drawing up lists of electors, organising professional courses for holding elections) as well as expenditures necessary for the activities of electoral commissions shall be made at the expense of the funds of the State Budget. Such expenditures shall be provided for by the State Budget under a separate item and shall be included in one line in the Public Procurement Plan.

When making procurement at the expense of financial means allocated for the organisation and holding of elections, the procurement procedure shall be prescribed by the Central Electoral Commission.

2. In case of holding early elections, the elections shall be funded from the reserve fund of the State Budget and, if impossible, from the reserve fund of the Central Bank.

3. Where budgetary funds are not provided in a timely manner, or no means are available in the reserve fund of the Central Bank of the Republic of Armenia, or the provided means are insufficient to fund the elections, the Central Electoral Commission shall be entitled to obtain a loan from private banks on a competitive basis or to use the funds available on the special account of electoral deposits of the Central Electoral Commission. The Government shall compensate the loan or the funds used from the special account of electoral deposits within a period of three months.

4. Financial means intended for organisation and holding of elections (including those designated for the operation of commissions) shall be allocated to "Staff of the Central Electoral Commission" state administration institution. "Staff of the Central Electoral Commission" state administration institution shall, as prescribed by this Code and the legislation of the Republic of Armenia, dispose of the financial means and shall be responsible for using such means in accordance with the estimates prescribed by the Central Electoral Commission.

**Article 25. Electoral deposit**

1. Candidates, political parties running in elections shall pay an electoral deposit to the account of the Central Electoral Commission.
2. The amount of the electoral deposit shall be returned within a period of 7 days following the receipt of application, in case of:
  - (1) being elected or participating in the distribution of mandates;
  - (2) receiving ballot papers with affirmative votes making 5 or more per cent of the number of ballot papers cast for candidates;
  - (3) recusal prior to the registration of candidates, electoral lists of political parties running in elections;
  - (4) declaring the election results invalid and calling a new election; and
  - (5) death of candidate — to his or her heirs.
3. In all other cases the amount of the electoral deposit shall not be returned.

**Article 26. Formation of a campaign fund**

1. Candidates, political parties running in elections shall, for the purpose of financing their election campaign, set up a campaign fund prior to the commencement of the time limit for the election campaign. In case of elections of the National Assembly, Councils of Elders of Yerevan, Gyumri, Vanadzor, political parties running in elections, as well as candidates for a head of community having 10 000 and more electors shall be obliged to set up a campaign fund within 7 days from the date of registration. In case of not setting up a campaign fund within 3 working days after being subjected to administrative liability for not setting up a campaign fund, the competent electoral commission shall apply to court for revoking the registration of a candidate, the electoral list of political party running in elections. Political parties included in an alliance of political parties and candidates nominated through an electoral list shall not be entitled to form a separate campaign fund. Means of the campaign fund of political parties running in elections of the National Assembly and the Council of Elders of Yerevan shall be collected in the Central Bank of the Republic of Armenia, whereas the candidates, political parties running in other elections shall collect them in any commercial bank having a branch in Yerevan and all marzes of the Republic. The Central Bank of the Republic of Armenia shall provide the Central Electoral Commission with the list of such banks. For the purpose of forming a campaign fund, banks shall open temporary special accounts based on the applications of candidates, political parties running in elections. Revenues shall not be calculated and paid from those accounts.
2. The campaign fund of a candidate shall be formed from:
  - (1) his or her personal funds;
  - (2) funds provided by the political party that has nominated him or her;
  - (3) voluntary contributions by persons having the right to elect.
3. The campaign fund of a political party running in elections shall be formed from:
  - (1) funds of that political party, and in case of an alliance of political parties — from funds of the member political parties of the alliance;
  - (2) personal funds of a candidate included in the electoral list of the political party running in elections;
  - (3) voluntary contributions by persons having the right to elect.
4. Amounts paid to accounts of campaign funds by natural and legal persons not referred to in parts 2 and 3 of this Article shall be transferred to the State Budget.

5. The procedure for keeping records of contributions made to campaign funds, and expenditures made from such funds shall be prescribed by the Central Electoral Commission.
6. The maximum amounts of contributions made to campaign funds shall be prescribed by this Code. Portions exceeding the maximum amounts of contributions, prescribed by this Code, made to campaign funds shall be transferred to the State Budget.
7. Banks where temporary special accounts are opened shall — once every 3 working days after the expiry of the time limit prescribed by this Code for the registration of candidates, electoral lists of political parties running in elections — submit to the Oversight and Audit Service of the Central Electoral Commission a statement of information on financial receipts and expenditure of campaign funds of candidates, political parties running in elections. The Oversight and Audit Service shall summarise such data, draw up a brief statement of information and post it on the website of the Central Electoral Commission.
8. Attachment may not be imposed on the means of a campaign fund, such means may not be subject to levy in execution against personal obligations not related to the election campaign of a candidate, political party running in elections.

#### **Article 27. Use of the means of campaign fund**

1. Candidates, political parties running in elections shall use only the means of a campaign fund for funding the conduct of an election campaign through the mass media, the renting of halls, premises for the purpose of organising election gatherings and meetings with electors, preparing (placing), acquiring a campaign poster, printed campaign and other materials, preparing all types of campaign materials (including printed materials) to be provided to electors. The maximum amount of expenses made from a campaign fund for this purpose shall be prescribed by this Code.
2. Goods and services described in part 1 of this Article, where not served with a price lower than the market value or acquired prior to formation of the campaign fund, shall be included in the expenditures of the campaign fund at their market value.
3. Where it is substantiated that the service or goods rendered for an election campaign is not included in the expenditures of the campaign fund at their market value, the Central Electoral Commission shall impose a fine on the candidate, political party running in elections in the three-fold amount of the expenses not included in the campaign fund expenditures.
4. Where it is substantiated that the expenses made for the election campaign of a candidate, political party running in elections have exceeded the maximum amount of campaign fund prescribed by this Code, the electoral commission shall impose a fine on the candidate, political party running in elections in the three-fold amount of the sum exceeding the maximum amount of the fund prescribed by this Code.
5. Where the difference between the amount spent for an election campaign and the amount of the fine paid to the State Budget prescribed by parts 3 and 4 of this Article and the maximum amount of a campaign fund prescribed by this Code exceeds 10 per cent of the maximum amount of a campaign fund prescribed by this Code, the court shall, upon the application of the electoral commission, revoke the registration of the candidate, the electoral list of the political party running in elections.
6. In case of failure to transfer the amounts prescribed by this Article to the State Budget within 5 days of the decision of the electoral commission or failure to appeal against the decision of the electoral commission through judicial procedure within the same time limit, the electoral commission shall collect the mentioned amount through judicial procedure.

7. All operations with the accounts of campaign funds shall be terminated as of the voting day.

8. Based on the application of candidates, political parties running in elections, the Central Electoral Commission shall allow to make payments from the fund also after the voting day, but only for transactions carried out before the voting day.

9. After the election, the means remaining in the campaign fund shall, within three months following the official announcement of election results, be used for charitable purposes at the discretion of the candidate, political party running in elections. After the expiry of the three-month period, the means remaining in the campaign fund shall be transferred to the State Budget.

10. In the cases of declaring elections not having taken place or declaring elections invalid or calling new elections, the means remaining in the campaign fund shall be frozen until candidates, electoral lists of political parties running in elections are registered for the new elections. In case of new elections, candidates, political parties running in elections may use the means remaining in their campaign funds.

11. The means remaining in campaign funds of the candidates, political parties running in elections which do not run in the new elections shall, within three months, be used for charitable purposes at the discretion of the candidate, the political party running in elections. After the expiry of the three-month period, the means remaining in the campaign fund shall be transferred to the State Budget.

12. The provisions of parts 3, 4 and 5 of this Article shall only apply to funding — prescribed by part 2 of this Article — of the conduct of an election campaign through the mass media, renting of halls, premises for the purpose of organising election gatherings and meetings with electors, preparing (placing), acquiring a campaign poster, printed campaign and other materials, preparing all types of campaign materials (including printed materials) to be provided to electors.

**Article 28. Declaration on the contributions made to campaign funds and the use thereof**

1. Candidates, political parties running in elections shall submit to the Oversight and Audit Service of the Central Electoral Commission a declaration on the contributions made to their campaign funds and the use thereof on the tenth day following the commencement of the election campaign, also on the twentieth day in case of the regular elections of the National Assembly, Councils of Elders of Yerevan, Gyumri, and Vanadzor, as well as no later than 3 days before the period for summarising election results prescribed by this Code. Contracts of a candidate, political party running in elections concluded for funding the conduct of election campaign through the mass media, renting of halls, premises for the purpose of organising election gatherings and meetings with electors, preparing (placing), acquiring a campaign poster, printed campaign and other materials, preparing all types of campaign materials (including printed materials) to be provided to electors, as well as documents certifying the payments made shall be attached to the declaration.

2. The electronic form of the declaration shall be established by the Central Electoral Commission. The form of the declaration shall also include guidelines on the procedure and time limits for drawing up and submitting the declaration.

3. The following shall be specified in the declaration:

(1) the timeline of all contributions made to the campaign fund and the amount of contributions;

- (2) all the expenses incurred for the acquisition of each service, property, product prescribed by part 2 of Article 27 of this Code, the time limit for incurring them, the data of documents certifying such expenses;
  - (3) the amount remaining in the campaign fund.
4. Within 3 days following the submission, the declarations shall be posted on the website of the Central Electoral Commission.

#### **Article 29. The Oversight and Audit Service**

1. The Audit and Oversight Service shall carry out oversight of the contributions made to campaign funds, expenditures and their calculation, as well as of the daily financial activities of political parties.
2. The position of the Head of the Oversight and Audit Service shall be a civil position; the other two employees of the Service shall be civil servants. The Head of the Oversight and Audit Service shall be appointed upon the decision of the Central Electoral Commission. The official pay rates for the Head of the Oversight and Audit Service shall be prescribed by the Law of the Republic of Armenia "On remuneration for persons holding state positions". The Head of the Service may not be a member of any political party.
3. For the purpose of ensuring the transparency and publicity of contributions made to campaign funds, expenditures and their calculation, each faction of the National Assembly may — within a 10-day period upon calling elections of the National Assembly and Council of Elders of Yerevan — appoint one auditor to the Oversight and Audit Service qualified as an auditor in the Republic of Armenia and having the right of suffrage. The auditors of factions of the National Assembly appointed to the Service shall be remunerated for two months in the amount of three-fold of the minimum nominal monthly salary prescribed by the legislation of the Republic of Armenia for each month. Their activities shall terminate on the fifth day following the announcement of election results.
4. During the regular elections of the National Assembly, Councils of Elders of Yerevan, Gyumri, Vanadzor, and local self-government elections, up to five specialists may be involved in the Oversight and Audit Service on a contractual basis for a period up to one month.
5. The Oversight and Audit Service shall — within two days after receiving the declarations on the use of means available in campaign funds of candidates, political parties running in elections — carry out inspection, draw up a statement of information on inspection results and submit it to the Central Electoral Commission for consideration. After being considered in the sitting of the Commission, the statement of information shall be posted on the website of the Central Electoral Commission.
6. Powers of the Oversight and Audit Service shall be as follows:
  - (1) receive from banks, in which temporary special accounts are opened for the formation of campaign funds, relevant information, statements of information, carbon copies of documents on financial receipts and expenditure of campaign funds of candidates, political parties running in elections;
  - (2) receive from banks and political parties relevant information, statements of information, carbon copies of documents on membership fees paid to the political party, donations to the political party, budget financing, proceeds from civil transactions as well as other receipts and expenditures not prohibited by the legislation;
  - (3) prepare draft decisions on issues related to its activities and submit them to the Central Electoral Commission for consideration.

7. The rules of procedure of the Oversight and Audit Service shall be prescribed by the Central Electoral Commission in compliance with the requirements of this Code and the Law of the Republic of Armenia “On political parties”.

**CHAPTER 6**  
**OBSERVERS, PROXIES, MASS MEDIA REPRESENTATIVES, AUTHORISED**  
**REPRESENTATIVES**

**Article 30. Right to observation mission**

1. The following shall have the right to observation mission during elections:

- (1) international organisations whose charter objectives include issues of democracy and protection of human rights;
- (2) foreign non-governmental organisations and those of the Republic of Armenia whose charter objectives include issues related to democracy and protection of human rights and which do not support candidates or political parties running in elections;
- (3) representatives of electoral bodies of other states.

2. Organisations and bodies referred to in part 1 of this Article may carry out observation mission upon invitation. Citizens of the Republic of Armenia may not be included as an observer in the observation missions of international organisations, foreign non-governmental organisations.

The following shall be entitled to invite the organisations and bodies referred to in part 1 of this Article to carry out observation mission:

- (1) the President of the Republic;
- (2) the Chairperson of the National Assembly;
- (3) the Prime Minister;
- (4) the Central Electoral Commission.

3. Reports of observation missions of the organisations and bodies referred to in part 1 of this Article on elections shall be posted on the website of the Central Electoral Commission.

**Article 31. Accreditation of observers**

1. Observers of the organisations and bodies referred to in part 1 of Article 30 of this Code shall carry out their mission after being accredited with the Central Electoral Commission.

2. Applications for accreditation or for making amendments (supplements) to the list of accredited observers shall be submitted to the Central Electoral Commission after the date of calling elections, but no later than 10 days before the voting day.

3. The Central Electoral Commission shall deliver to those organisations the certificates to be issued to observers no later than 7 days after receiving the application.

4. The Central Electoral Commission shall reject the application on accreditation of observers where the charter objectives of the organisation do not meet the requirements of point 2 of part 1 of Article 30 of this Code or where the submitted documents do not comply with the requirements of the decision of the Central Electoral Commission prescribed by part 7 of this Article.

5. In case where an observer organisation supports any candidate, political party running in elections, the Central Electoral Commission shall deprive the respective organisation of the right to carry out observation mission.

In case where an observer supports a candidate, political party running in elections, where the requirements of this Code are not complied with, the chairperson of the electoral commission may remove the observer from the sitting of the commission or from the voting room.

6. Powers of observers shall terminate on the eighth day following the official announcement of election results, unless an appeal has been lodged with the court against the election results. In case of lodging an appeal with the court against the election results, the powers of observers shall cease on the day following the date of announcement of the judicial act, unless second round of elections or repeat voting is called. In case of the second round of elections or repeat voting, accreditation of observers shall not be required again.

7. The procedure for accreditation of observers, the list of documents and information necessary for accreditation of observers, forms of certificates of observers and the procedure for completing them shall be prescribed by the Central Electoral Commission.

**Article 32. Rights, responsibilities, and guarantees for activities of an observer, mass media representative**

1. An observer, a representative of mass media shall be entitled to:

(1) be present at the sittings of electoral commission and, during the voting, in the voting room as well.

Observers of non-governmental organisations registered in the Republic of Armenia may be present at the sittings of electoral commissions and, during voting, also in the voting room where — as a result of the professional courses and test on holding elections prescribed by Article 41 of this Code — they have a qualification certificate for being included in an electoral commission or have received, through a test, a certificate for carrying out observation mission;

(2) observe, as prescribed by the Central Electoral Commission, the processes of printing, transportation, keeping of ballot papers, ballot envelopes and counting of ballot papers;

(3) freely get acquainted with sample ballot papers in the precinct electoral commission, freely get acquainted with — in the presence of the chairperson of the electoral commission, deputy chairperson, secretary or any member of the commission, as assigned by the chairperson of the commission — with election documents under the disposal of the electoral commission, the decisions of the commissions, the minutes of sittings, relevant court decisions, the relevant statement of information provided to an elector by the authorised body. Not intervening in and not disturbing the activities of an electoral commission, independently make extracts from election documents (except for lists of persons having participated in the voting, voting passes). Extracts at a precinct electoral commission shall be made through photography;

(4) freely move in the voting room for observing the ballot papers, ballot envelopes, lists of electors and the ballot box;

(5) publicly, including through the mass media, express an opinion, make a statement on organisation and holding of elections;

(6) enjoy other rights provided for by this Law.

2. Observers shall, when implementing their rights, be obliged to be unbiased, neutral, not to express a prejudiced position publicly nor display a preferential attitude towards the authorities or opposition, candidates, political parties running in elections or any issue related to the electoral process.

Observers of non-governmental organisations registered in the Republic of Armenia shall — for being present at the electoral commission and, during the voting, also in the voting room — compulsorily carry, in a visible manner, the certificate of the established sample issued by the Central Electoral Commission and the qualification certificate for being included in the composition of the electoral commission or for carrying out observation mission.



Observers may not give instructions, make claims and intervene in the activities of electoral commissions and in the voting process; they may ask questions to officers responsible for the elections and draw their attention to violations.

Observers may submit their personal observations to electoral commissions through the report of the observation mission. Observers shall base all their findings on their personal observations.

3. Mass media representatives shall not be entitled to intervene in the activities of an electoral commission and in the process of voting, to conduct a campaign, to give instructions, make claims to members of the electoral commission.

4. An observer, mass media representative shall be obliged to register in the registration book of the commission for being present in the sittings of the commission or in the voting room.

5. No limitation of the rights — prescribed by this Code — of an observer, mass media representatives shall be allowed. No one (including electoral commissions) shall be entitled to remove an observer, mass media representative from the polling station or otherwise exclude them from the activities of the commission, except for the cases where they violate the requirements of this Code.

In case where an observer, mass media representative is asked to leave the polling station or the sittings of the electoral commission, a relevant notice shall be put in the registration book of the electoral commission together with an indication of the reasons.

6. An observer, mass media representative shall be obliged to comply with the requirements of this Code.

### **Article 33. Status of proxy**

1. Political parties running in elections, after registering the electoral lists, and candidates, after having registered, may have proxies for the purpose of protecting their interests in electoral commissions, in their relations with state and local self-government bodies, organisations, mass media. Only persons having the right of suffrage may act as a proxy.

2. After registration of candidates, electoral lists of political parties running in elections, the electoral commission making the registration shall within a five-day period provide the candidate, authorised representative of the political party running in elections with proxy certificates equal to the three-fold of the number of the formed electoral precincts. The relevant commission shall indicate in the certificate the name of the political party running in elections, the name, patronymic, surname of the candidate. The candidate or his or her authorised representative or the authorised representative of the political party running in elections shall complete the certificates and provide them to proxies.

3. Judges, prosecutors, officers of the Investigative Committee, Special Investigation Service, officers of the Police and the National Security Service, the Judicial Acts Compulsory Enforcement Service, penitentiary officers, military servants, observers, candidates, members of electoral commission may not act as a proxy.

### **Article 34. Rights, responsibilities and guarantees for activities of a proxy**

1. A proxy shall have the right to:

- (1) participate, in an advisory capacity, in the sittings of a commission, be present in the voting room during the voting;
- (2) freely get acquainted with samples of ballot papers, ballot envelopes, freely get acquainted — in the presence of the chairperson of the electoral commission, deputy chairperson,

secretary or any member of the commission, as assigned by the chairperson of the commission — with election documents under the disposal of the electoral commission concerned, the decisions of electoral commissions, the minutes of sittings, relevant court decisions, the relevant statement of information provided to an elector by the authorised body, receive their carbon copies or make extracts from them (except for lists of persons having participated in the voting, voting passes), during the recount of voting results independently make extracts from the lists signed by electors;

(3) in the manner and cases prescribed by this Code, appeal against the decisions, actions, omission of the commissions;

(4) observe, as prescribed by the Central Electoral Commission, the processes of printing ballot papers, transportation, keeping of voting envelopes and counting of ballot papers;

(5) be physically present — without intervening in the activities of the member of commission and the person maintaining the technical equipment (hereinafter referred to as “the specialist”) — near the commission members identifying the electors, providing a voting ballot and a voting envelope and the specialist, the member controlling the ballot box as well as observe their activities;

(6) submit observations and recommendations to the chairperson of the commission with regard to activities of the electoral commission;

(7) when summarising the voting results, freely get acquainted — in the presence of the chairperson, secretary or one of the members of the commission as assigned by the chairperson of the commission — with the cast ballot papers and indications made therein, be present during the counting of ballot papers and summarisation of voting results;

(8) exercise other rights reserved thereto by this Code.

2. A proxy shall exercise his or her rights as prescribed by this Code.

Proxies shall not have the right to intervene in the activities of an electoral commission, to conduct a campaign, give instructions to members of the electoral commission, intervene in the voting process.

3. One proxy of each candidate and each political party running in elections may be present at the sitting of the electoral commission and in a voting room during the voting.

Candidates included in the electoral list of political parties, running in elections of the National Assembly, Councils of Elders of Yerevan, Gyumri, Vanadzor may not have proxies.

Proxies shall be obliged to register in the registration book of the electoral commission for being present at the sittings of the electoral commission and/or in the voting room.

4. No limitation of the rights of proxy prescribed by this Code shall be allowed. No one (including electoral commissions) shall have the right to remove proxies from the voting room or otherwise exclude them from the activities of the commission, except for cases where they violate the requirements of this Code.

Where the chairperson of the commission asks a proxy to leave the polling station or the sittings of the commission, a relevant notice shall be put in the registration book of the electoral commission, indicating the reasons.

5. A proxy shall comply with the requirements of this Code.

### **Article 35. Status of authorised representative of political party participating in elections**

1. Political parties running in elections shall have the right to appoint up to three authorised representatives to the Central Electoral Commission.

2. Only persons having the right of suffrage may act as a representative.

3. The representative shall be provided with a certificate of the form established by the Central Electoral Commission.
4. A representative shall have the right to:
  - (1) get acquainted with the electoral documents under the disposal of the Central Electoral Commission;
  - (2) participate, in an advisory capacity, in the sittings of the Central Electoral Commission;
  - (3) enjoy the rights prescribed by this Code for a proxy.
5. Powers of a representative may be terminated at any point by the person having appointed him or her.
6. Powers of a representative shall terminate 7 days after the publication of the final decision based on the results of elections.
7. In case of lodging an appeal with a court against the results of elections, the powers of a representative shall terminate on the day following the date of announcement of the judicial act.

**SECTION 2  
ELECTORAL COMMISSIONS**

**CHAPTER 7  
SYSTEM, FUNCTIONS OF ELECTORAL COMMISSIONS. STATUS OF MEMBERS OF  
ELECTORAL COMMISSIONS**

**Article 36. System, status, and procedure for activities of electoral commissions**

1. For the purpose of organising and holding elections, a three-level system of electoral commissions consisting of the Central Electoral Commission, district electoral commissions and precinct electoral commissions shall be formed.
2. One or more district electoral commissions shall be formed for each electoral district. The formation, numbering of more than one district electoral commissions in an electoral district, the boundaries of service areas and seats of district electoral commissions shall be prescribed by the Central Electoral Commission.
3. Where a community is included in the service areas of more than one district electoral commissions, the Central Electoral Commission shall — no later than 65 days prior to the voting day — designate the district electoral commission which shall be vested with the power to organise and hold elections of local self-government bodies in the community concerned.
4. Electoral commissions shall be independent from state and local self-government bodies in exercising their powers.
5. Electoral commissions shall exercise their powers based on the principles of lawfulness, collegiality and publicity.
6. State and local self-government bodies shall gratuitously provide district electoral commissions with necessary office space and facilities, shall support the commissions for ensuring their smooth activities.

**Article 37. Functions of electoral commissions**

1. Electoral commissions shall ensure the exercise and protection of the right of suffrage of electors.

**Article 38. Acts of electoral commissions**

1. The Central Electoral Commission shall adopt secondary regulatory legal acts and individual legal acts, whereas district and precinct electoral commissions shall adopt individual legal acts.

Chairpersons of the Central Electoral Commission and district electoral commission may adopt individual legal acts.

2. Legal acts of electoral commissions adopted within the scope of their powers shall be binding.

**Article 39. Status of members of electoral commissions**

1. Member of electoral commission shall act in the electoral commission independently and shall not represent the person having appointed him or her.

2. Members of electoral commissions shall be exempt from drill meetings and, during the period of elections of the National Assembly, from conscription as well. Members of the Central Electoral Commission shall also be exempt from mobilisation.

3. Criminal proceedings may be initiated against a member of the Central Electoral Commission only upon the consent of the Central Electoral Commission. Without the consent of the Central Electoral Commission, member of commission may not be deprived of liberty, except where he or she has been caught at the time of or immediately after committing a criminal offence. The Central Electoral Commission shall adopt a decision on the mentioned issue by majority of votes of the total number of members of the commission.

4. Member of the Central Electoral Commission shall work on a permanent basis. He or she may not act as member of any political party or otherwise engage in political activities, hold a position not related to his or her status in state or local self-government bodies or any position in commercial organisations, engage in entrepreneurial activities, perform other paid work except for scientific, educational and creative activities. In public speeches, they must show political restraint.

5. Member of district electoral commission shall work on permanent basis. He or she may not act as a member of any political party, nor engage in political activities. In public speeches, they must show political restraint.

6. Members of electoral commission shall have the right to get acquainted in advance with issues and documents submitted to the commission for consideration, make speeches at the commission sittings, submit recommendations and require to hold voting on that issue, ask questions to participants of the sitting and receive answers.

7. Members of electoral commission shall be obliged to perform tasks assigned by the chairperson of the commission within the scope of his or her competence.

8. Members of higher level electoral commission — upon the assignment or the consent of the chairperson of that commission — shall be obliged to or may respectively participate, in an advisory capacity, in sittings of a lower electoral commission and on the voting day be present in the voting room.

9. Members of district and precinct electoral commissions may, on their own initiative, be exempt from performing their official responsibilities for the purpose of exercising their powers.

10. Member of electoral commission shall be obliged to participate in the activities of the commission and perform his or her powers, and this shall not be deemed an invalid absence from his or her job.

11. Each member of electoral commission shall, at the first sitting in which he or she participates, publicly read and sign a commitment “On performance of the powers of a member of electoral commission in compliance with the requirements of the Constitution of the Republic of Armenia and legislation of the Republic of Armenia”, which is attached to the registration book of the electoral commission. The text of the commitment of a member of electoral commission “On performance of the powers of a member of electoral commissions in compliance with the requirements of the Constitution of the Republic of Armenia and legislation of the Republic of Armenia” shall be established by the Central Electoral Commission.

**Article 40. Funding of electoral commissions, remuneration of members of electoral commissions**

1. Electoral commissions shall be funded and members of electoral commissions shall be remunerated at the expense of the funds of the State Budget as prescribed by the Law of the Republic of Armenia "On remuneration for persons holding state positions" and this Article. The Central Electoral Commission may also have an extra-budgetary account for implementing programmes aimed at improving the quality of electoral administration and technical re-equipment of electoral commissions.

2. The official pay rates for members of the Central Electoral Commission shall be prescribed by the Law of the Republic of Armenia "On remuneration for persons holding state positions".

3. The chairperson of precinct electoral commission, secretary or members of the commission shall not be remunerated where they failed to sign the protocol or their powers terminated early.

4. Up to 30 per cent of the funds available on the special account of electoral deposits of the Central Electoral Commission may — in accordance with the budget approved by the decision of the Central Electoral Commission for each year — be used for study of the practice of election administration, implementation of programmes aimed at improving the quality of election administration, for technical re-equipment of electoral commissions, and for preparation and publishing of materials with regard to the electoral legislation.

The funds remaining on the special account of electoral deposits of the Central Electoral Commission may, upon the decision of the Central Electoral Commission, be used for the technical re-equipment of electoral commissions and for preparation and publishing of materials with regard to the electoral legislation.

## **CHAPTER 8**

### **FORMATION OF ELECTORAL COMMISSIONS**

#### **Article 41. Fundamentals for formation of electoral commissions**

1. Citizens having the right of suffrage and meeting the requirements of Articles 42 and 43 of this Code, respectively, may be included in the composition of the Central Electoral Commission and district electoral commissions.
2. Persons convicted for crimes provided for by Articles 149 to 154.6 of the Criminal Code of the Republic of Armenia may not act as member of electoral commission. Deputies of the National Assembly, judges, prosecutors, heads of communities, officers of the Investigation Committee, Special Investigation Service, ministers, marz governors, officers of the Police, the National Security Service, the Judicial Acts Compulsory Enforcement Service, penitentiary officers, military servants, proxies, authorised representatives, observers, candidates, may not act as member of precinct electoral commissions.  
Deputies of ministers and marz governors, members of the councils of elders may also not act as member of district electoral commissions.
3. Persons having the right of suffrage and having a qualification certificate for being included in an electoral commission may be included in the composition of precinct electoral commission.
4. Following the formation of district electoral commissions, the Central Electoral Commission shall carry out the training of members of those commissions.
5. The Central Electoral Commission shall, as it has prescribed, organise and conduct professional courses on holding elections for candidates for members of electoral commissions and representatives of non-governmental organisations, registered in the Republic of Armenia, wishing to carry out an observation mission. The courses shall be organised in the city of Yerevan and in marzes, at least once a year, based on the applications of citizens and the lists submitted by political parties. Persons included in the submitted lists, as well as persons having submitted an application shall participate in the professional courses in compliance with the schedule (date, time, venue) published by the Central Electoral Commission in advance. The persons referred to may participate in a test, irrespective of the fact of participating in the course, in compliance with the published schedule. Qualification certificates shall be issued based on the test. The test shall be carried out through computer-based or standard testing method. Representatives of mass media, non-governmental organisations may follow the process of the courses and the test.
6. A citizen may simultaneously be included in the composition of only one electoral commission.
7. Information on the composition of electoral commissions shall be published as prescribed by the Central Electoral Commission.

#### **Article 42. Procedure for formation of the Central Electoral Commission**

1. The Central Electoral Commission shall comprise of seven members.
2. The chairperson and other members of the Central Electoral Commission shall, upon recommendation of the competent standing committee of the National Assembly, be elected by the National Assembly by at least three fifths of votes of the total number of Deputies, for a term

of six years. The same person may not be elected as a member of the Central Electoral Commission, including as chairperson of the commission for more than two consecutive terms. The number of representatives of each sex in the Central Electoral Commission shall not be less than two.

3. Everyone, meeting the requirements for Deputies, shall be eligible for being elected as member of the Central Electoral Commission provided that he or she has:

(1) higher legal education and at least three years of professional work record within the last five years;

(2) scientific degree in law and at least two years of professional work record within the last five years;

(3) higher education and at least five years of work record of public service in state bodies within the last 10 years;

(4) higher education and in the last five years at least three years of professional experience in a standing electoral commission or at least three years of work record in the staff of the commission.

4. The nomination and election of the chairperson and members of the Central Electoral Commission shall be carried out as prescribed by the Law "Rules of Procedure of the National Assembly".

5. The chairperson of the Central Electoral Commission shall, no later than 60 days before termination of powers of a member of the Central Electoral Commission, notify the Chairperson of the National Assembly on the term of termination of powers of the member of the Central Electoral Commission.

6. The chairperson and members of the Central Electoral Commission shall be elected as prescribed by the Law "Rules of Procedure of the National Assembly" no later than 7 days before the termination of powers of a member of the Central Electoral Commission.

In case where the chairperson or a member of the Central Electoral Commission is not elected by the National Assembly within the prescribed time limit, the President of the Republic shall, within a 5-day period, appoint acting chairperson or member of the Central Electoral Commission. The acting chairperson or member shall hold his or her office until the chairperson or member of the Central Electoral Commission is elected by the National Assembly.

7. In case where the chairperson or member of the Central Electoral Commission submits a letter of resignation, the vacant position shall be filled no later than within 30 days as prescribed by the Law "Rules of Procedure of the National Assembly". In case of early termination of powers of a member of the Central Electoral Commission, the new member of the Central Electoral Commission shall be appointed for a term of six years.

8. The powers of a member of the Central Electoral Commission shall be terminated by the National Assembly by at least three fifths of votes of the total number of Deputies, in case of violating the incompatibility requirements, joining a political party, otherwise engaging in political activities, failing to show political restraint in public speeches.

9. The right to nominate candidates for the deputy chairperson and secretary of the Central Electoral Commission shall be vested in the members of the Central Electoral Commission.

10. The deputy chairperson and secretary of the Central Electoral Commission shall be elected by open vote.

Where one candidate has been voted for the position of the deputy chairperson or secretary of the Central Electoral Commission, he or she shall be elected in case of receiving more than half of the votes of the participants of the voting. Where more than one candidate is voted for the position of the deputy chairperson and secretary of the Central Electoral Commission, the candidate having received the greatest number of affirmative votes shall be elected. In the

event of a tie vote, the candidates having received the greatest number of affirmative votes shall be elected by lot.

**Article 43. Procedure for formation of district electoral commission**

1. District electoral commission shall comprise of seven members. District electoral commission shall be formed for a six-year period. The Central Electoral Commission shall appoint the members of district electoral commission until the termination of the powers of the district electoral commission.

2. The number of representatives of each sex in a district electoral commission shall not be less than two.

3. A citizen of the Republic of Armenia having the right of suffrage shall be eligible for applying for involvement in the composition of district electoral commissions, if he or she does not carry out public political activities and has:

(1) higher legal education and at least two years of professional work record within the last five years;

(2) scientific degree in law and at least one year of professional work record within the last four years;

(3) higher education and at least three years of work record within the last six years in state or local self-government bodies or state non-commercial organisations in public service or community service respectively, or in a managerial position; or

(4) higher education, and at least two years of professional experience within the last five years in a standing electoral commission or at least two years of work record in the staff of the commission.

4. For selecting candidates for members of district electoral commissions, the Central Electoral Commission shall disseminate, through mass media, an announcement on the time limits for submission of applications by citizens and the requirements pertaining to the member of district electoral commission. The form of the application and the list of required documents shall be established by the Central Electoral Commission.

5. Citizens who submit, within the prescribed time limit, an application to the Central Electoral Commission for being included in the composition of district electoral commissions and who meet the requirements prescribed by part 3 of this Article may be appointed as member of district electoral commissions.

6. Where the gender equality standard prescribed by part 2 of this Article is not violated *a priori*, the Central Electoral Commission, being unanimous, may:

(1) appoint the entire composition of a district electoral commission;

(2) appoint the composition of a district electoral commission partly; or

(3) cut down the list of the candidates under consideration.

7. In the cases provided for by points 2 and 3 of part 6 of this Article, the Central Electoral Commission shall elect the non-formed part of the composition of district electoral commission in preferential voting as prescribed by Article 140 of this Code.

8. Where the number of citizens having submitted applications for being included in the composition of district electoral commission is not sufficient for the formation of the commission, including for complying with the gender equality standard, vacant positions for members of commission shall be filled by the Central Electoral Commission from among the persons having completed the professional courses on holding elections and having been awarded qualification certificates.



9. Where powers of a member of district electoral commission terminate or are early terminated, the vacant position shall be filled by the Central Electoral Commission within a 21-day period in accordance with the procedure prescribed by this Article for the formation of district electoral commission.

10. The decision of the Central Electoral Commission on appointing members of district electoral commissions shall be adopted no later than 14 days prior to the date of termination of powers of the district electoral commission.

11. The Central Electoral Commission shall convene the first sitting of district electoral commission no later than 7 days prior to the date of termination of powers of the operating district electoral commission. The first sitting of district electoral commission shall — until the chairperson of the commission is elected — be held by an elder member of the commission. The formed district electoral commission shall assume its powers at 12:00 on the day of termination of powers of the operating district electoral commission.

12. Chairpersons of district electoral commissions, deputy chairpersons of commissions and secretaries of commissions shall be elected by the relevant commissions from among their members in accordance with the procedure prescribed for election of the deputy chairperson and secretary of the Central Electoral Commission.

#### **Article 44. Procedure for formation of precinct electoral commission**

1. Precinct electoral commission shall be comprised of at least seven members.

2. Members of precinct electoral commission shall be appointed by:

(1) political parties, alliances of political parties having a faction in the National Assembly — one member each where the number of factions is more than four, and two members each where the number of factions is less than five;

(2) the relevant district electoral commission — two members.

To appoint a member to each precinct electoral commission, each member of the district electoral commission (except for the chairperson of the commission) may nominate one candidate. Where the number of nominated candidates is more than two, the district electoral commission shall select the two members of the precinct electoral commission by drawing of lots in accordance with the procedure prescribed by the Central Electoral Commission.

3. Where no member of the commission is appointed by any political party, alliance of political parties — in the manner and within the time limits prescribed by this Code for formation of precinct electoral commission — or the number of candidates nominated by the members of the district electoral commission is less than two, the vacant positions of the commission shall be filled by the chairperson of the relevant district electoral commission, instead of them, within a three-day period after the expiry of terms prescribed for formation of the commission. In case of filling vacant positions of the precinct electoral commission in the manner prescribed by this part, the decision of the Central Electoral Commission on distribution by precincts of chairpersons and secretaries of precinct electoral commissions shall not be changed even where the filling of vacant position resulted in violation of proportionality prescribed by the decision.

4. Chairperson and secretary of the precinct electoral commission shall be appointed upon the decision of the relevant district electoral commission from among the members appointed to the commission by political parties, alliance of political parties — in accordance with the distribution prescribed by part 5 of this Article — except for the case prescribed by part 3 of this Article. Where a political party, alliance of political parties has appointed two members to the precinct electoral commission, it shall indicate, while appointing, which of them will occupy the position of the chairperson or the secretary of the commission.

5. The positions of chairpersons and secretaries in precinct electoral commissions shall be distributed among political parties, alliances of political parties having a faction in the National Assembly. The number of positions of chairpersons and secretaries of precinct electoral commission available for each political party and alliance of political parties shall be determined by the following formula:

$$\text{NCS} = \frac{\text{NMP}}{\text{ND}} \times \text{NP} \text{ — taken as whole numbers,}$$

where:

NCS is the number of chairpersons and secretaries of a commission respectively available for a political party, alliance of political parties;

NMP is the number of mandates obtained by a political party, alliance of political parties of the National Assembly;

NP is the number of electoral precincts formed;

ND is the number of mandates of Deputies of the National Assembly. The remaining positions of chairperson and secretary of a commission in precinct electoral commissions shall be distributed as per the value of remainders.

In case the remainders are equal, the distribution of other positions shall be carried out by drawing of lots in accordance with the procedure prescribed by the Central Electoral Commission.

Where during early local self-government elections, the number of electoral precincts formed is less than three, the distribution of positions of a chairperson and a secretary of the precinct electoral commission among the bodies having formed a commission shall be carried out by drawing of lots — as prescribed by the Central Electoral Commission — taking into account that those two positions within the same commission may not be filled simultaneously by the representatives of political parties, alliances of political parties participating in the formation of the government.

The distribution of chairpersons and secretaries of precinct electoral commissions by electoral precincts shall be carried out prior to the beginning of the time limit for submission of requests for appointing members to precinct electoral commission as prescribed by the Central Electoral Commission.

6. Requests for appointing members to precinct electoral commission shall be submitted to the Central Electoral Commission no earlier than 30 days and no later than 25 days prior to the voting day by 18:00, whereas in case of early elections — no earlier than 20 days and no later than 18 days prior to the voting day, by 18:00. The request for appointing members to precinct electoral commissions shall be signed by the head of the political party or, upon his or her assignment, by the deputy head (secretary) of a political party; in case of an alliance of political parties — by the head of faction, in his or her absence — by the secretary of faction.

Procedure for appointing members to precinct electoral commission, the form of the request, the list of necessary documents and information shall be prescribed by the Central Electoral Commission.

7. The first sitting of a precinct electoral commission shall be convened at the polling station at 12:00 on the third day following the formation of the commission.

8. In case the powers of a member of precinct electoral commission terminate or are early terminated, the vacant position shall be filled within a seven-day period — in accordance with the procedure for formation of precinct electoral commission prescribed by this Code — but no later than 3 days prior to the voting day.

9. Where no member has been appointed to a precinct electoral commission within the time limit and in the manner prescribed by part 8 of this Article, the vacant positions of members of

commission shall be filled by the chairperson of district electoral commission from among the persons having the right to be included in precinct electoral commissions. In this case, where the person appointed within the time limit and in the manner prescribed by part 8 was to occupy the position of the chairperson or secretary of commission, the person appointed by the chairperson of the electoral commission shall be appointed to that position.

10. Where at 08:00 on the voting day the number of members of precinct electoral commission having appeared is less than five — in case of an electoral precinct with up to 1 000 electors — the powers of the members not having appeared shall terminate early, and the number of the members shall be supplemented with up to five members respectively by the chairperson of the district electoral commission from among the persons having the right to be included in precinct electoral commissions. Where at 08:00 on the voting day the number of members of precinct electoral commission having appeared is less than seven — in case of an electoral precinct with more than 1 000 electors — the powers of the members not having appeared shall terminate early, and the number of the members shall be supplemented with up to seven members respectively by the chairperson of the district electoral commission from among the persons having the right to be included in precinct electoral commissions.

11. The powers of precinct electoral commission shall terminate upon the end of elections, after 7 days following the summarisation of election results by the relevant electoral commission except for cases where the second round of elections of the National Assembly are held.

12. In case of appealing against the election results before a court, the powers of precinct electoral commission shall terminate on the next day following the publication of the judicial act.

13. In case of adopting a decision on declaring the voting results invalid in particular electoral precincts, or in case of calling a repeat voting in those electoral precincts, the powers of the members of the precinct electoral commission concerned shall be deemed early terminated, and they may not be included in the compositions of precinct electoral commissions holding a repeat voting.

In case of calling a repeat voting at electoral precincts or declaring the elections invalid and holding a repeat voting, the distribution of the positions of the chairperson or the secretary of precinct electoral commission previously made shall be maintained and the requests for new appointments to precinct electoral commissions shall be submitted to the Central Electoral Commissions within a period of 3 days from the day of adoption of the decision on calling a repeat voting, by 18:00. In that case the first sittings of precinct electoral commissions shall take place on the day following the expiry of the term for formation, at 12:00.

**Article 45. Procedure for removal of the chairperson, deputy chairperson of the electoral commission, secretary of the commission from their positions, and for early termination of powers of member of the commission**

1. The powers of the Chairperson, Deputy Chairperson of the Central Electoral Commission or the Secretary of the Commission shall be deemed terminated, where he or she has submitted an application for recusal from that position.

In case of recusal from the position of the Chairperson of the Central Electoral Commission the membership to the Commission thereof shall be terminated, and in case of recusal from the positions of the Deputy Chairperson of the Central Electoral Commission or the Secretary of the Commission, the membership to the Commission of the Deputy Chairperson or the Secretary shall not be terminated.

Application for recusal of the Chairperson of the Central Electoral Commission shall be submitted to the Chairperson of the National Assembly and the application for recusal from the

positions of the Deputy Chairperson of the Central Electoral Commission or the Secretary of the Commission shall be submitted to the Chairperson of the Central Electoral Commission.

2. The fact of early termination of powers of the Chairperson of the Central Electoral Commission shall be stated by the Chairperson of the National Assembly no later than within 3 days upon the receipt of the application; the announcement thereon shall be made at the forthcoming sitting of the National Assembly. The powers of the Chairperson of the Central Electoral Commission shall be deemed early terminated upon statement of the fact by the Chairperson of the National Assembly.

The fact of withdrawal from the positions of the Deputy Chairperson of the Central Electoral Commission or the Secretary of the Commission shall be stated by the Chairperson of the Central Electoral Commission no later than within 3 days upon the receipt of the application.

3. Deputy Chairperson of the Central Electoral Commission and Secretary of the Commission may be removed from the positions thereof upon a decision adopted by at least two thirds of the total number of votes of the members of the Commission.

In cases referred to in this part the membership to the Commission of the Deputy Chairperson of the Central Electoral Commission or the Secretary of the Commission shall not be terminated.

4. The powers of the chairperson, deputy chairperson of the district electoral commission or the secretary of the commission shall be deemed terminated, if he or she has submitted an application for recusal from that position.

Chairperson, deputy chairperson of district electoral commission and secretary of the commission may be removed from the positions thereof upon a decision adopted by at least two thirds of the total number of votes of the members of commission.

In cases referred to in this part, the commission membership of the chairperson, deputy chairperson of district electoral commission or secretary of commission shall not be terminated.

5. Chairperson and secretary of precinct electoral commission may be removed from their positions upon a decision adopted by at least two thirds of the total number of votes of the members of commission only as a result of such an obvious omission on the day preceding the voting day or on the voting day which may jeopardize the preparation of the voting, the regular process of voting or the summarising of voting results. In that case the chairperson or the secretary of precinct electoral commission shall be appointed by the chairperson of district electoral commission from the composition of precinct electoral commission.

6. Powers of a member of electoral commission shall terminate early:

- (1) where he or she is not eligible for appointment to the commission;
- (2) where he or she refuses to sign the text of the commitment "On performing the powers of the member of the electoral commission in accordance with the requirements of the Constitution of the Republic of Armenia and legislation of the Republic of Armenia";
- (3) where he or she has been convicted under Articles 149 to 154.6 of the Criminal Code of the Republic of Armenia, and the conviction has not been cancelled or has not expired in a due manner, or detention or imprisonment has been imposed thereon as punishment;
- (4) where a member of the Central Electoral Commission or the district electoral commission has submitted an application for recusal from the position of a member of commission;
- (5) where the chairperson, secretary of precinct electoral commission or member of the commission has submitted an application for recusal from that position. Such an application may be submitted to the chairperson of district electoral commission on the fifth day preceding the voting day, by 18:00;
- (6) where he or she has been conscripted.

In cases provided for by points 1-6 of this part the fact, the fact of early termination of powers in case of members of district and precinct electoral commissions shall be stated by the chairperson of a higher level commission.

The fact of early termination of powers of member of the Central Electoral Commission shall be stated by the Chairperson of the National Assembly no later than within 3 days upon the receipt of the application; the announcement thereon shall be made at the forthcoming sitting of the National Assembly. The powers of a member of the Central Electoral Commission shall be deemed early terminated upon statement of the fact by the Chairperson of the National Assembly.

7. Powers of a member of district electoral commission may be early terminated upon a decision adopted by two thirds of the votes of the members of the Central Electoral Commission.

District electoral commission may early terminate the powers of a member of precinct electoral commission upon a decision adopted by at least two thirds of the total number of votes of the members of commission, if the latter has violated the provisions of this Code. Such a request may be submitted to a district electoral commission by the chairperson of district electoral commission, by the political party (alliance of political parties) having appointed him or her to the precinct electoral commission or the member of district electoral commission having nominated him or her.

The procedure prescribed by this part may be enforced for invalid absence from regular sittings of the Central Electoral Commission or the district electoral commission where the member of commission has been absent from three or more regular sittings — within three calendar months — without a valid reason.

The procedure prescribed by this part shall not be applied for absence from regular sittings of the precinct electoral commission.

8. In case of invalid absence from three or more regular sittings of the Central Electoral Commission or the district electoral commission within three calendar months, the commission shall have the right to early terminate the powers of the member of commission upon a decision adopted by the majority vote of the total number of its members.

#### **Article 46. Organising the activities of electoral commission**

1. Activities of electoral commission shall be managed by the chairperson of the commission or — upon the assignment of or in the absence thereof — by the deputy chairperson of the commission, and in case of a precinct electoral commission — by the secretary of commission.

2. The chairpersons of the Central Electoral Commission and district electoral commissions shall prescribe the schedule for holding regular sittings. Precinct electoral commissions shall convene regular sittings within the time limits prescribed by this Code.

3. Extraordinary sittings of the Central Electoral Commission and district electoral commissions shall be convened by the chairperson of the commission — at his or her own initiative or upon the written request of at least one third of the members of the commission — within the time limits indicated thereby notifying the members of the commission through available means of communication. An extraordinary sitting of the precinct electoral commission shall be convened by the chairperson of the commission upon the request of the chairperson of district electoral commission.

4. The sitting of the electoral commission shall have quorum if attended by more than half of the members of commission. Members of commission shall be obliged to participate in the voting. A decision shall be adopted if more than half of the number of attending members of the commission vote for that decision, except for cases prescribed by this Code.

Besides the members of the Commission, the head of Oversight and Audit Service may also put forward items on the agenda of a sitting of the Central Electoral Commission, within the scope of the competence reserved to the Service, as well as the head of staff of the Commission — as regards the financial and economic issues.

5. In the event of a tie during adoption of a decision on the results of elections, the chairperson of the commission shall have the casting vote.
6. Electoral commissions receive a registration book with numbered pages, sealed by a higher level commission.  
The requirements with regard to the registration book, as well as the procedure for filling it in shall be prescribed by the Central Electoral Commission.
7. The registration book shall be used to record information on participation of the members of the commission in the sittings, as well as on presence of persons having the right to be present in the sittings. The records shall be signed by the members of commission attending the sitting.
8. Members of electoral commissions and persons having the right to be present in the sitting of the commission (including on the voting day, in the voting room) (except for the voters and the police officers on duty at the polling station) shall be obliged to carry visible identification badges on their outer clothing, certifying their right to be present. To be present in the electoral commission, and during the voting also in the voting room, the observers of non-governmental organisations registered in the Republic of Armenia shall also carry the qualification certificate on being included in the composition of the electoral commission or for carrying out observation mission. The chairperson of commission shall prohibit the presence of persons not having the right to be present in electoral commissions and during the voting also in the voting rooms, as well as of persons without a relevant identification on their outer clothing at the electoral commission (in the voting room).
9. Members of electoral commission shall be obliged to participate in the sittings of the commission.
10. Carbon copies of the decisions, protocols and records of registration books, as well as excerpts therefrom (except for excerpts from the lists signed by electors during the recount, as well as excerpts made by photographing) shall be sealed and signed by the chairperson and the secretary of commission. Documents received from precinct electoral commission shall be sealed only on the voting day or on the day following the voting day prior to handing the seal over to the district electoral commission.

**Article 47.                    Specifics of administrative proceedings in the Central Electoral Commission and district electoral commission**

1. Administrative proceedings in the electoral commission shall be carried out in accordance with the Law of the Republic of Armenia “On fundamentals of administrative action and administrative proceedings”, and according to the specifics and time limits prescribed by this Code.
2. The applicant or the complainant (hereinafter referred to as “applicant”) shall be notified of the consideration of his or her application or complaint (hereinafter referred to as “application”) at the Central Electoral Commission through placing information on the date and time of the consideration of the application on the Internet website of the Commission. Where there are any means of electronic communications indicated in the application — i.e. phone number, electronic mail (hereinafter referred to as “electronic means of communications”) — the applicant shall be notified through such means as well, also where possible by sending a short text message.  
An applicant shall be deemed notified of the consideration of the application at the district electoral commission, where information on the date and time of the consideration of application is posted in a place visible to all in the commission, and where a phone number is

indicated in the application, the applicant shall be notified also through that means, also where possible by sending a short text message.

3. Participants of the proceedings may not challenge the composition or recuse a member of the electoral commission carrying the administrative proceedings; neither the member of the electoral commission carrying out the administrative proceedings shall have the right to recuse himself or herself.

4. During the election period, taking into consideration the workload, the participants of administrative proceedings shall be introduced to the materials of the proceedings — before the sitting convened within the scope of the proceedings concerned — at the electoral commission carrying out the proceedings. Brief minutes of the sitting shall be taken, whether the participants of the proceedings are present or not.

5. The administrative act adopted by the Central Electoral Commission shall enter into force upon publication thereof at the sitting. The administrative act adopted by the Central Electoral Commission shall be placed on the Internet website of the Central Electoral Commission within the time limits prescribed by part 2 of Article 8 of this Code.

6. Administrative act adopted by district electoral commission shall enter into force upon publication thereof at the sitting. The administrative act adopted by district electoral commission shall be posted in a place visible to all in the commission within 24 hours after adoption of the act.

7. Within a three-day period after adoption of the administrative act of the electoral commission, it shall be forwarded to the participants of the administrative proceedings attaching the delivery receipt to the case, where the participants of the proceedings have not received that act in the commission. Where the application is submitted jointly by more than one applicant, the adopted administrative act shall be forwarded to the first applicant indicated in the application.

8. The administrative proceedings shall not be suspended during the election period.

**Article 48.           Appealing against decisions, actions and omissions of electoral commissions, filing an application for declaring the voting results in an electoral precinct invalid or for declaring the election results invalid**

1. Decisions and actions (omissions) of electoral commission may be appealed against by:

- (1) any person, if he or she finds that the subjective right of suffrage thereof has been violated or may be violated;
- (2) a proxy, if he or she finds that the rights of the proxy or the principal thereof prescribed by this Code have been violated;
- (3) an observer, if he or she finds that the rights of the observer prescribed by this Code have been violated;
- (4) a member of commission, if he or she finds that the lower commission or the commission to which he or she is a member to has violated the right thereof or the rights of other persons prescribed by this Code;
- (5) an authorised representative of a political party running in elections, if he or she finds that the rights of the proxy or the principal thereof prescribed by this Code have been violated.

2. Application for declaring the registration of a candidate, the electoral list of a political party running in elections as invalid or revoked, or an application for appealing against the results of the elections may be submitted only by the candidate, the political party running in elections respectively, and in case of declaring the registration of a candidate included in the electoral list

of a political party running in elections as invalid or revoked — only by the political party running in elections.

3. Application for declaring the voting results in an electoral precinct as invalid may be submitted by:

- (1) a candidate, political party running in elections;
- (2) a proxy, if he or she has been present at the electoral precinct concerned;
- (3) a candidate included in the electoral list of political party running in elections, where he or she has been present at the process of summarising the voting results in the electoral precinct concerned;
- (4) a member of the relevant precinct electoral commission, where he or she has made a record in the protocol on having a special opinion;
- (5) a member of the Central Electoral Commission.

Application for declaring the election results as invalid may be submitted by a candidate, political party running in elections.

4. Where the electoral commission finds that the application submitted does not comply with the requirements of this Article and Article 49, it shall reject the initiation of the administrative proceedings.

In that case the electoral commission shall have the right to carry out administrative proceedings on its own initiative.

5. Decisions, actions (omissions) of precinct electoral commission may be appealed against before the district electoral commission.

6. Decisions, actions (omissions) of district electoral commission (except for decisions on the results of elections of the head of community and members of the council of elders) may be appealed against before the Central Electoral Commission. Decisions of district electoral commission on the results of elections of the head of community and members of the council of elders may be appealed against before the Administrative Court.

7. Decisions and actions (omissions) of the Central Electoral Commission (except for decisions on the results of the elections of the National Assembly) may be appealed against before the Administrative Court. Decisions of the Central Electoral Commission on the results of the elections of the National Assembly may be appealed against before the Constitutional Court.

8. In case of appealing against the decisions, actions (omissions) of electoral commissions before a higher level commission, the party filing the complaint shall bear the burden of proving the factual circumstances submitted by him or her, whereas the electoral commission shall bear the burden of proving the factual circumstances underlying the decision taken by it. The electoral commission examining the complaint may *ex officio* seek proof. Rules prescribed by this part shall also apply to the application for declaring the results in the electoral precinct as invalid or for declaring the election results as invalid.

9. Applications shall be considered at electoral commissions within the time limits prescribed by the legislation of the Republic of Armenia, except for cases prescribed by this Code.

10. Complaints against the decisions taken by, actions or omissions of precinct electoral commission during the voting day may be submitted to the relevant district electoral commission on the voting day or on the day following the voting day from 12:00 to 18:00.

Complaints against the decisions taken by, actions or omissions of precinct electoral commission during the days preceding the voting day may be submitted to the district electoral commission within two calendar days starting from the day when the applicant learned or should have reasonably known about the violation.



Complaints against the decisions taken by, actions or omissions of district electoral commission may be submitted to the Central Electoral Commission within 3 calendar days starting from the day when the applicant learned or should have reasonably known about the violation.

Application for declaring the voting results in the electoral precinct as invalid may be submitted to the relevant district electoral commission only on the day following the voting day, from 12:00 to 18:00.

Application for declaring the election results as invalid may be submitted to the relevant electoral commission no later than two days prior to the expiry of the relevant term prescribed by this Code for summarising the election results, by 18:00. Applications for declaring the election results as invalid shall be considered within the framework of summarising election results, and no separate decision shall be made thereon.

11. Where based on the result of consideration of application the district electoral commission draws a conclusion that violations of the requirements of this Code have taken place during the voting, which could have significantly affected the voting results, and where it is impossible to reveal the real results of the voting, and the violation is not expressed in inaccuracies, the district electoral commission shall announce the voting results in electoral precinct concerned invalid. In that case the materials shall be forwarded to the Prosecutor's Office.

12. Application for revoking or declaring the registration of a candidate, the electoral list of a political party running in elections or of a candidate included in the electoral list as invalid may be submitted on the second day preceding the voting day by 18:00.

Decision of the district electoral commission on registration of a candidate may be appealed against before the Central Electoral Commission or the Administrative Court within a period of 3 days starting from the day when the applicant learned or should have reasonably known about the violation, but no later than the second day preceding the voting day, by 18:00.

Handling of applications received in electoral commissions after the expiry of these terms shall be decided after the voting.

13. After calling elections, the electoral commissions shall respond to the applications received two days before the voting day and — in cases prescribed by this Code — take decisions thereon within a five-day period but no later than prior to the day preceding the voting.

Electoral commissions shall respond to the applications received on the day preceding the voting and on the voting day and — in cases prescribed by this Code — take decisions thereon no later than on the fourth day following the voting.

Applications or complaints received on the fifth day following the voting, after 18:00, shall be processed after summarising the election results.

**Article 49. Requirements with regard to applications. Procedure for consideration thereof at electoral commissions**

1. Application submitted to electoral commissions must be signed by the applicant, contain his or her name, surname, address of the applicant, the date of submission. Application may contain also the telephone number, electronic mail of the applicant. Application must contain the statement of request of the applicant, substantiations provided thereby. The available evidence must be attached to the application.

Where an application is submitted through a representative, a power of attorney issued in the manner prescribed by law shall also be submitted. The power of attorney shall be submitted in the original.

Applications not containing any data or containing false data concerning the applicant, those submitted with the abuse of a right, as well as applications submitted in violation of requirements prescribed by paragraph 2 of this part shall not be considered, administrative proceedings shall not be initiated based thereon and electoral commissions shall take decisions on rejecting the initiation of administrative proceedings.

2. Where an application contains formal mistakes that can be corrected, the electoral commission shall give an opportunity to the applicant to correct those mistakes or shall correct them itself and notify the applicant thereon before or after taking the action. Where the list of documents attached to the application is not complete, the electoral commission shall propose the applicant to complete it within a time limit prescribed.

3. The applicant shall address the application to the electoral commission, which has jurisdiction to resolve the issue raised. Where a deadline for submitting the application is provided for by this Code, the application shall be deemed submitted by the due date if it has been submitted to the relevant electoral commission prior to the deadline. The chairperson of commission shall address the application to the member of commission and shall distribute carbon copies of the application among other members of commission. Issues raised in the application shall be examined by the members of commission. Each member of commission shall have the right to submit a draft decision on the application to be considered at the sitting of the commission. If a member of commission fails to submit a draft decision on rejecting the initiation of administrative proceedings, the administrative proceedings shall be deemed initiated. In case of rejecting the initiation of administrative proceedings, the response to the application shall be sent to the applicant with the signature of the chairperson of the commission. In case of initiation of administrative proceedings, the applicant shall have the right to participate in the consideration of his or her application at the sitting of the commission, provide substantiations, ask questions to the speaker concerning the application, deliver a speech.

4. The response to the application for obtaining information shall be sent to the applicant with the signature of the chairperson of the commission. Where a downloadable version of the required information or of the copy of document is posted on the Internet website of the Central Electoral Commission, the applicant shall be informed thereof and shall not be provided with photocopies or extracts therefrom.

5. Electoral commissions shall take appropriate measures with regard to issues requiring urgent solution. In such cases adopting decisions in the form of a separate act shall not be binding.

## **Article 50. Recount of voting results**

1. The candidate included in the district list of elections of the National Assembly, as well as the candidate or the proxy, where they have been present at the process of summarising the voting results in the electoral precinct, as well as the member of precinct electoral commission — in case of making a record in the protocol on the voting results in the electoral precinct on having a special opinion concerning the procedure of summarising the voting results — shall have the right to appeal against the voting results in the electoral precinct concerned in the manner and within the time limits specified by this Code, filing an application for recount of the voting results at the electoral precinct (hereinafter referred to as “recount”) to the district electoral commission.

Application for recount of the

voting results in the electoral precinct may be submitted only to the relevant district electoral commission on the day following the voting, from 12:00 to 18:00.

2. Application for recount shall contain the name, surname, address of the applicant, and the number of the electoral precinct where the recount is requested, as well as the voting results (if several voting have been held simultaneously) for which the recount is requested. Evidence on erroneous summarisation of the voting results may be attached to the application. The application for recount must be signed by the applicant.

3. Where several votings have been held simultaneously, a member of precinct electoral commission may submit an application for recount only with regard to the results of the voting, in the protocol of which he or she has made a record on having a special opinion.
4. Where several votings are held simultaneously, a separate application for recount shall be submitted with regard to the results of each voting.
5. District electoral commission shall record the submitted applications for recount in the registration book, indicating the date of receipt.
6. Recount process shall start at 09:00 of the next day following the time limit prescribed for the receipt of recount applications and shall be completed at 14:00 of the fifth day following the voting day (hereinafter referred to as “the deadline for recount”). While carrying out the recount, the electoral commission shall work seven days a week, from 09:00 to 18:00. The electoral commission shall continue the recount after 18:00 if it has failed to complete the already started recount for the electoral precinct, as well as in cases where it is not possible to complete the recount of the voting results at the electoral precinct by working till 18:00, prescribed by part 7 of this Article before the deadline for recount.
7. District electoral commission shall recount the voting results of all those electoral precincts, concerning which the district commission believes that sound evidence on erroneous summarisation of the voting results has been submitted, as well as it shall recount the voting results of all those electoral precincts, the examination of protocols whereof (including examination of inaccuracies) has made the district commission uncertain concerning the erroneous summarisation of the results.
8. Where the recount of voting results prescribed by part 7 of this Article has been completed before the deadline for recount, or no such results have been recorded, the commission shall — based on the available applications for recount — decide, by drawing of lots, upon the order of the recount of the voting results in the electoral precinct.
9. Withdrawal by the applicant of the application for recount of the voting results in the electoral precinct shall not serve a basis for not carrying out the recount.
10. The recount shall be carried out in accordance with the requirements prescribed by this Code for summarising the voting results in an electoral precinct, except for the number of ballot envelopes provided to the precinct electoral commission, the number of participants of voting registered through technical devices, where there is a statement of information available on the number of participants of the voting printed through a technical device (where no statement of information is available, the number shall be calculated in accordance with the procedure prescribed by the Central Electoral Commission), and a protocol on the recount of voting results in the electoral precinct shall drawn up; the lines indicating the “number of ballot envelopes provided to the commission” and the “number of participants of voting registered through technical devices” shall be filled in with figures recorded by the precinct electoral commission unless there are obvious mechanical mistakes found therein.

When carrying out recount, a ballot envelope shall be of a non-established sample where it obviously differs from the established sample, or is not punched, or otherwise punched; a ballot paper shall be of a non-established sample where it obviously differs from the established sample, and the validity of ballot paper shall be determined in accordance with the requirements of Article 69 of this Code.

Persons having the right to be present in the sitting of the commission shall — upon their request — be provided with carbon copies of those protocols.

11. Depending on the work load, the district electoral commission may carry out recount of voting results of the electoral precinct with at least three members of the commission

simultaneously. When carrying out recount of voting results with at least three members of the commission, the responsibilities of the chairperson of precinct electoral commission prescribed by this Code for summarising the voting results shall be carried out by the deputy chairperson of district electoral commission or the secretary of commission, and where they are not included in that composition — by the member appointed by the chairperson of district electoral commission.

12. Duration of the recount of voting results of one electoral precinct may not exceed four hours.

13. Members of respective precinct electoral commission, persons having the right to be present in the sittings of the electoral commission, the person having submitted an application for recount, the candidate and the proxy thereof may be present during the recount process of voting results of the electoral precinct.

14. During the recount of voting results of the electoral precinct, the candidate, the proxy and the applicant filing the application for recount shall have the right to be introduced — along with other documents — to the lists signed by the electors, to independently make extracts without the right to photocopy, photograph or videotape them. The proxies, observers, mass media representatives may photograph and videotape the recount process.

15. The absence of the applicant for recount shall not serve as a basis for not carrying out or terminating the recount.

16. The district electoral commission shall reject the application for recount of voting results of the electoral precinct, and the recount shall not be carried out where the recount has been requested in violation of the provisions of this Article.

## **CHAPTER 9**

### ***FUNCTIONS AND POWERS OF ELECTORAL COMMISSIONS***

#### **Article 51.            Functions and powers of the Central Electoral Commission**

1. The Central Electoral Commission is an independent state authority which shall organise the elections of the National Assembly and local self-government bodies, referenda, as well as exercise supervision over the lawfulness thereof.

2. The Central Electoral Commission shall:

(1) exercise supervision over using state budget funds allocated for preparing and holding elections;

(2) adopt the rules of procedure thereof and the rules of procedure of lower electoral commissions;

(3) organise and hold professional courses for holding elections, establish the procedure for organising courses and issuing qualification certificates;

(4) exercise supervision over the uniform application of this Code;

(5) prescribe the forms and samples of ballot papers, ballot envelopes, protocols and other election related documents, the procedure for filling in and keeping thereof; provide the electoral commissions with necessary election related documents;

(6) prescribe the standard forms of documents necessary for registration of candidates, electoral lists of political parties (alliances of political parties) running in elections;

(7) adopt decisions — within the scope of powers thereof — that are binding throughout the Republic;

- (8) abolish, declare repealed, invalid or revoke the decisions of commissions, which are in conflict with this Code, except for the decisions of district electoral commissions on election of head of community or members of the council of elders;
- (9) hear the communications of electoral commissions and state authorities on preparing and holding elections;
- (10) accredit mass media representatives, the observers;
- (11) register the Deputies of the National Assembly elected, the members of the Councils of Elders of Yerevan, Gyumri and Vanadzor, issue relevant identifications thereto;
- (12) call new elections of the National Assembly, the Councils of Elders of Yerevan, Gyumri and Vanadzor;
- (13) adopt decisions provided for by this Code, provide clarifications concerning each issue related to the electoral processes in cases where the relevant function is not reserved to other responsible authorities, as well as adopt decisions which are not in conflict with this Code, with the view of regulation of electoral processes;
- (14) publish a training manual for the members of precinct electoral commissions, proxies and observers at the elections of the National Assembly, and may publish a training manual for the members of the precinct electoral commissions at the elections of local self-government bodies;
- (15) prescribe the procedure for drawing of lots at the electoral commissions;
- (16) approve the sample ballot box and the technical specifications;
- (17) exercise supervision over financial activities of political parties;
- (18) register the electoral lists of political parties running in elections of the National Assembly and the Councils of Elders of Yerevan, Gyumri, Vanadzor; issue certificates in the form established by the Central Electoral Commission to the candidates included in the lists;
- (19) may establish institutions as prescribed by law;
- (20) exercise other powers provided for by this Code;
- (21) abolish the decisions of a lower electoral commission, which are in conflict with this Code;
- (22) give binding instructions ensuring the execution of this Code.

2. The Chairperson of the Central Electoral Commission or any member of the Central Electoral Commission — upon his or her assignment — shall submit a communication in accordance with the procedure prescribed by the Rules of Procedure of the National Assembly on activities thereof.

This communication shall be posted on the Internet website of the Central Electoral Commission.

3. The Central Electoral Commission may apply to the Government of the Republic of Armenia, to the National Assembly proposing legislative amendments aimed at improvement of the election process.

## **Article 52. Powers of district electoral commission**

1. District electoral commission is a standing state authority. District electoral commission shall:

- (1) exercise supervision over fulfilment of the requirements of this Code at an electoral district;
- (2) approve the samples of ballot papers for the elections of head of community and member of the council of elders;
- (3) prescribe the sequence numbers of electoral precincts in compliance with the procedure prescribed by the Central Electoral Commission and submit those data to the Central Electoral Commission within a two-day period;
- (4) provide information on its own activities and the activities of precinct electoral commissions to the Central Electoral Commission;
- (5) consider the applications with regard to the decisions, actions and omissions of precinct electoral commissions, review or abolish the decisions of precinct electoral commissions which are in conflict with this Code;

- (6) publish preliminary voting results by electoral precinct, based on the data in protocols of precinct electoral commissions;
- (7) summarise the election results of local self-government bodies at communities included in the district concerned, except for cases prescribed by this Code;
- (8) announce the date of elections of local self-government bodies;
- (9) monitor the process of drawing up the lists of electors and posting them for public information purposes in electoral precincts;
- (10) supervise the process of relevant furnishing of the voting rooms in accordance with the requirements of this Code;
- (11) register the candidates for head of community and member of the council of elders, issue certificates in the form established by the Central Electoral Commission thereto;
- (12) exercise supervision over fulfilment of the requirements of this Code by precinct electoral commissions;
- (13) declare the voting results at the electoral precinct as invalid;
- (14) exercise other powers provided for by this Code.

### **Article 53. Powers of precinct electoral commission**

1. Precinct electoral commission shall:
  - (1) organise the voting, summarise the voting results at the electoral precinct;
  - (2) prepare a protocol on voting results at the electoral precinct and post a copy of the protocol in the polling station;
  - (3) submit the seal of the commission, the registration book, two copies of the protocol on voting results, the technical devices, the sack for election related documents and the ballot box to the district electoral commission.

### **Article 54. Transfer and acceptance of election related documents and other supplies at electoral commissions**

1. Election related documents and other supplies shall be transferred at electoral commissions through signing by the persons who have transferred and accepted them, and by providing a receipt.
2. Electoral commissions shall be provided with ballot papers, forms, other documents, stationery and other supplies for the preparation and holding of elections; chairpersons of electoral commissions shall be responsible for the maintenance thereof.
3. After summarising the voting results, the election related documents of a precinct electoral commission shall be deposited in the State Archive of the Republic of Armenia for maintenance in the manner prescribed.

### **Article 55. Co-operation of electoral commissions and the Police**

1. Central and regional bodies of the Police authorities of the Republic of Armenia, their services and subdivisions shall be obliged to ensure the smooth process of elections, the unimpeded activities of electoral commissions and the members thereof. The Police of the Republic of Armenia shall maintain due order during elections related events, provide support to the commissions upon the request of the chairperson of commission, ensure safe transportation and maintenance of election related documents at electoral commissions.

**SECTION 3  
VOTING.  
SUMMARISATION OF VOTING RESULTS**

**CHAPTER 10  
ORGANISATION OF VOTING**

**Article 56. Place and time of voting**

1. Voting shall take place only in the polling stations established on the territory of the Republic of Armenia, between 08:00 and 20:00, except for the cases prescribed by this Code. Electors who are present in the voting room at 20:00, but who have not yet voted, shall have the right to vote.

2. During the election of the National Assembly, the voting for electors who are on inpatient care in medical institutions providing inpatient care — who are unable to visit the polling stations on the voting day on their own — shall be held through a mobile ballot box brought to the medical institution providing inpatient care.

The voting in a medical institution providing inpatient care shall be held subject to the principle of secrecy of voting, as prescribed by the Central Electoral Commission. Proxies, observers and mass media representatives may also be present in the voting organised in medical institutions providing inpatient care. The voting in medical institutions providing inpatient care shall be organised so that it is completed by 18:00.

**Article 57. Voting room**

1. Voting shall be held in a room specially furnished for that purpose, with one room for each electoral precinct.

2. The voting room shall be — to the maximum extent possible — spacious and meet the following requirements:

(1) shall enable to ensure, during the entire voting process, the regular simultaneous work of members of precinct electoral commission and persons having the right to be present in the voting process;

(2) shall enable members of the precinct electoral commission, proxies, mass media representatives and observers to keep within eyeshot the ballot box, the voting booths (provided that the secrecy of voting is not violated), and the space between the voting booths and the ballot box.

3. Furnishing of the voting room must be completed by 24:00 of the day preceding the voting day.

**Article 58. Voting booths**

1. Booths shall be provided for voting, the number of booths being determined on the following ratio: at least one booth for 750 electors.

2. The voting booth shall be assembled in such a way that the elector is able to vote privately from the persons present in the voting room, and that there is sufficient lighting, a pen, and a box of unused ballot papers.

3. Voting booths shall be placed within at least one metre distance from each other; they shall be placed in such a position that the elector has his or her face turned to the commission and his or her back turned to the wall during the voting.

### **Article 59. Ballot paper, ballot envelope**

1. During the elections of the National Assembly, Councils of Elders of Yerevan, Gyumri, Vanadzor, an individual ballot paper shall be printed for each political party running in elections. The ballot paper of each political party running in elections must, by its colour, clearly differ from the ballot papers of other political parties running in elections.

The colours of the ballot papers shall be divided among the political parties running in elections by drawing of lots as prescribed by the Central Electoral Commission.

2. During the elections of head of community and council of elders, the section line on a ballot paper must be punched (perforated). The surnames, names and patronymics of candidates shall be indicated on the left in alphabetic order, below the section line, and empty tick boxes shall be placed on the right for the elector to make a note.

In case only one candidate is voted on, the words “for” and “against” shall be indicated below the line where the surname of the candidate is placed, and opposite to each of these words — on the right side, empty tick boxes shall be placed.

3. The ballot paper must contain the name of the printing house and a notice on the procedure for filling in the ballot paper. The ballot papers and the ballot envelope shall be made of opaque paper.

Where the surnames of candidates coincide, their names shall be stated on the ballot paper in alphabetical order of the names and patronymics. Where surnames, names and patronymics coincide, the date of birth shall be stated. In this case the data concerning the eldest candidate shall be stated in the beginning.

4. The Central Electoral Commission shall ensure the printing of ballot papers and ballot envelopes.

5. The ballot papers shall be printed no earlier than 10 days and no later than 3 days prior to the voting day, on the basis of information on the number of electors provided by the authorised body 10 days prior to the voting day.

6. During the elections of the National Assembly, Councils of Elders of Yerevan, Gyumri, Vanadzor, ballot papers of each political party, alliance of political parties, in a number up to 5 per cent more than the number of electors but not less than 10 ballot papers more than the number of electors in the electoral precinct, shall be provided to the precinct electoral commissions on the day preceding the voting day.

During the elections of head of community and council of elders, ballot papers in a number up to 3 per cent more than the number of electors but not less than two ballot papers more than the number of electors in the electoral precinct, shall be provided to the precinct electoral commissions on the day preceding the voting day.

7. During the elections of the National Assembly, Councils of Elders of Yerevan, Gyumri, Vanadzor, in case registration of the electoral list of the political party running in elections is declared invalid or revoked after the ballot papers have been printed, the ballot papers of that political party shall be cancelled as prescribed by the Central Electoral Commission.

In case registration of a candidate is declared invalid or revoked, the name of the candidate shall be removed from the ballot papers as prescribed by the Central Electoral Commission.

8. In case voting on the head of community and voting on the member of the council of elders are held simultaneously, individual envelopes for each voting shall be made in such a



way that they clearly differ from each other by colours and match the colours of the respective ballot papers.

9. Ballot envelopes in a number up to 3 per cent more than the number of electors but not less than two ballot envelopes more than the number of electors in the electoral precinct, shall be provided to a precinct electoral commission on the day preceding the voting day.

10. During the elections of the National Assembly, Councils of Elders of Yerevan, Gyumri, Vanadzor, the ballot envelopes shall be subject to special record keeping.

**Article 60. Seals, individual seal of the member of precinct electoral commission, ballot box, technical means**

1. Samples of the seals of electoral commissions and those of the individual seals of members of precinct electoral commission shall be approved by the Central Electoral Commission. They shall be prepared upon the order by the Central Electoral Commission.

2. The seal of a precinct electoral commission must have a four-digit identification number.

3. The precinct electoral commission shall be provided with the technical equipment for registration of electors.

The equipment must contain the electronic list on electors of the electoral precinct concerned. The equipment must be furnished with software support for counting the voting participants, excluding their double registration and other type of software support prescribed by the Central Electoral Commission.

4. The Central Electoral Commission shall place the seals of precinct electoral commissions in opaque packages, close them without making any notes thereon, put the Central Electoral Commission's seal thereon and transfer them to district electoral commissions no earlier than 5 days and no later than 3 days prior to the voting day in such a way that each electoral precinct is provided with one seal, carrying out exceptionally quantitative counting of the transferred seals.

5. In district electoral commissions the packages shall be sealed and transferred to the chairpersons of precinct electoral commissions on the day preceding the voting; each chairperson shall get one packed seal.

6. The seals of precinct electoral commissions shall be submitted to the Central Electoral Commission within a three-day period after the end of voting. In case a second round of the election, repeat voting or a new election are held, new seals shall be delivered to precinct electoral commissions.

7. Members of precinct electoral commissions shall, one day prior to the voting day and by drawing of lots as prescribed by the Central Electoral Commission, be provided with distinctive individual seals. After the end of voting, individual seals shall be packed and placed in the precinct electoral commission's disposable sack for electoral documents (hereinafter referred to as "the sack").

8. More than one ballot box may be used in a polling station as prescribed by the Central Electoral Commission.

9. At least one ballot box and, as prescribed by the Central Electoral Commission, one puncher shall be allocated to each precinct.

**Article 61. Making arrangements**

1. Arrangements for voting shall be made by precinct electoral commissions.
2. The ballot papers, the ballot envelopes, the packed seal shall be stored in a special fire-resistant safe located in the voting room. The procedure for storing thereof shall be established by the Central Electoral Commission.
3. During the voting the chairperson of the precinct electoral commission shall be obliged to ensure compliance with the requirements of this Code and maintain necessary order in the polling station.
4. Desks shall be placed in voting rooms for verification of identity and registration of electors, allocation of ballot papers and ballot envelopes to electors, and keeping control over the ballot box.
5. The ballot box, the technical equipment, the desks of commission members shall be located in places visible to persons having the right to be present in the electoral precinct.
6. Samples of ballot papers, ballot envelopes, the electoral lists of the political parties running in elections shall be posted in the voting room or at its entrance. During the election of the National Assembly, the national lists of the political parties running in elections and district lists concerning the given district shall be posted.
7. The day preceding the voting for the elections of head of community and member of council of elders, the precinct electoral commission shall draw lots at its sitting to select three members of the commission who will sign the ballot papers; these members shall be obliged to sign or seal with their individual seals all the ballot papers by 24:00 of the same day (the signatures and the individual seal shall be put on the reverse side of ballot papers), making relevant entries in the register and respectively putting samples of the signature and the individual seal in it. After the end of the works, the individual seals of the commission members shall be held in a special fire-resistant safe placed in the voting room.

**Article 62. Organisation of voting in diplomatic and consular representations**

1. Electors who are on diplomatic service in diplomatic or consular representations of the Republic of Armenia, as well as members of their families residing abroad with them and having the right to elect, in case of being out of the territory of the Republic of Armenia, on the voting day, may participate in the election of the National Assembly by voting electronically in the manner and within the time limits prescribed by the Central Electoral Commission. The Central Electoral Commission shall be obliged to establish such terms for electronic voting that would ensure free expression of the will of voters and secrecy of voting.
2. Electronic voting may be held after the end of the time limit established for registration of the electoral lists for the political parties running in elections of the National Assembly, but no later than 5 days prior to the voting day.
3. The provisions of this Article shall also extend to persons employed at representations of legal persons registered in the Republic of Armenia, which are located abroad (irrespective of the form of ownership), and their family members residing with them abroad and having the right to elect.

**Article 63. Organisation of voting in facilities for holding arrestees and penitentiary institutions**

1. Arrested electors shall participate in the voting as prescribed by the Central Electoral Commission, through a mobile ballot box. The voting of arrested electors shall be organised so that it ends till 18:00.

2. Voting in penitentiary institutions shall be arranged and organised by the head of the penitentiary institution, as prescribed by this Code and by the Central Electoral Commission. Voting in penitentiary institutions shall be organised after 9:00, depending on the number of persons having the right to elect. The Central Electoral Commission shall establish, for each penitentiary institution, the time for beginning of voting so that it ends at 20:00.

3. The precinct electoral commissions operating in penitentiary institutions shall not be provided with technical equipment. Voting in these institutions shall be held as prescribed by the Central Electoral Commission.

**CHAPTER 11  
VOTING PROCEDURE**

**Article 64. Actions of precinct electoral commission prior to voting**

1. At 07:00 of the voting day, at the sitting held at the polling station, the precinct electoral commission shall, by drawing of lots, decide upon:

(1) at least one commission member, carrying out registration of electors, per up to 1 000 electors;

(2) at least one commission member, allocating ballot papers and ballot envelopes, per up to 1 000 electors;

(3) at least one member responsible for the ballot box;

(4) at least one member who holds voting through a mobile ballot box, in case the given precinct electoral commission must organise voting through a mobile ballot box;

(5) the rotation of functions, every two hours, of members of the precinct electoral commission.

The chairperson and the secretary of the commission shall not participate in drawing of lots.

2. The chairperson of the precinct electoral commission shall, in the presence of members of a commission and persons having the right to be present in the voting, check the operating condition of the technical equipment as prescribed by the Central Electoral Commission; open the fire-resistant safe, take out the individual seals of members of a commission and, based on the lots drawn, hand the individual seals to them; take out the ballot papers, the ballot envelopes and the packed seal (during the elections of the National Assembly, the lots for the individual seals shall be drawn the day of voting); check inviolability of the envelope of the packed seal; open the packed seal; announce the seal number by putting a seal in the register; ensure that the ballot box is empty; close and seal the ballot box. [The chairperson] shall provide the ballot papers and the ballot envelopes, in piles of one hundred units each, to the members who provide ballot papers and ballot envelopes, shall place the puncher near the ballot box. The procedure for using the puncher shall be established by the Central Electoral Commission. The chairperson of the precinct electoral commission shall make relevant entries in the register concerning the above-mentioned actions.

**Article 65. Commencement of and procedure for voting**

1. At 08:00 of the voting day, the chairperson of the precinct electoral commission shall announce the commencement of voting and authorise the entry of electors into the voting room.
2. The chairperson of the commission shall arrange and supervise the organising and holding of the voting, support members exercising certain functions, when necessary, substitute them and the person implementing maintenance of the technical equipment (hereinafter referred to as "the specialist") in case of their temporary absence. Upon assignment of the chairperson of the commission, the secretary of the commission shall make entries in the register, support the members exercising certain functions, substitute them and a specialist in case of their temporary absence.
3. Entering a polling station with arms and ammunition shall be prohibited.
4. Military servants, officers serving in national security service and police troops shall not enter the polling station in a marching order and with arms and ammunition. In cases where the smooth voting process is under threat, only police officers, authorised by the chairperson of the precinct electoral commission, may enter the polling station with arms.
5. Proxies, observers, representatives of the mass media and members of higher level electoral commissions may be present in the voting room apart from members of the electoral commission and voters. The candidate may be present in the polling station only for the purpose of participating in the voting.
6. No more than 15 voters may be present in the voting room at the same time. For the purpose of ensuring the smooth voting process, the chairperson of the electoral commission shall have the right to admit electors to the voting room one by one. In case of impossibility to ensure fulfilment of this point by the electoral commission, it shall be ensured with support of the Police, upon the request of the chairperson of the electoral commission.
7. More than eight local observers and a representative of mass media may not be present in the voting room at the same time. Where a maximum number of observers and mass media representatives are present in the precinct, the new observers and mass media representatives shall be listed as prescribed by the Central Electoral Commission and enter the precinct in accordance with the list. The chairperson of the commission shall have the right to permit presence, for a short time, of observers and mass media representatives in a number exceeding the established quantity unless it hinders the smooth voting process. In case of impossibility to ensure the fulfilment of this point by the electoral commission, it shall be ensured with support of the Police, upon the request of the chairperson of the electoral commission.
8. The Central Electoral Commission shall be obliged to create additional opportunities for the purpose of providing electors, facing difficulties with participation in the voting process, with access to voting, ensuring the opportunity for free expression of the will of the voter and secrecy of voting.

**Article 66. Verifying the identity of an elector, registering electors**

1. Electors shall participate in voting in person; proxy voting shall be prohibited. Each elector shall approach the specialist. The specialist shall take the identification document of the elector, insert it in a technical device verifying the identity of electors.
2. Where an elector has submitted an identification card or a biometric passport as an

identification document, has been registered in the list of electors of the given precinct and has not participated in the voting up to that moment with any identification document, the image of that elector shall appear on the screen and a green light shall flash on the screen.

3. Where the elector has submitted a non-biometric passport as an identification document, has been registered in the list of electors of the given precinct and has not participated in the voting up to that moment with any identification document, the image of that elector shall not appear on the screen, but a green light shall flash on the screen.

4. Where the elector is not registered in the list of electors of the given precinct, a blinking red light shall flash. In this case the elector shall be asked to leave the voting room.

5. Where the elector has already participated in the voting with any of his or her identification document, a red light shall flash on the screen. In this case, as well as in the case when the person has presented the identification document of another person, the chairperson of the commission shall invite police officers to the electoral precinct who undertake measures prescribed by law.

6. In case when a green signal flashes on the screen a voting pass is automatically printed which contains the name, surname, the record number in the list of electors, the number of the identification document, the record number of the pass.

7. The specialist shall hand over the voting pass to the relevant member of the commission carrying out the registration of electors. The relevant member of the commission carrying out the registration shall find in the list of electors the relevant row of the elector in the list, the elector shall sign opposite to his or her name, the member of the commission shall put his or her individual seal opposite to the signature, shall put his or her individual seal on the voting pass and pass it on to the elector.

8. Registration of electors shall be carried out without technical means in the following cases:

(1) voting with the lists of electors registered in the military unit, and by mandatory fixed-term military servants in their permanent places of residence, in case of having been granted a leave from the service as prescribed by law;

(2) voting in a facility for holding arrestees and in a penitentiary institution;

(3) voting in the medical institution providing inpatient care;

(4) voting with a supplementary list drawn up on the voting day;

(5) voting, during elections of local self-government bodies, by electors who are not citizens of the Republic of Armenia;

(6) voting under the conditions of failure of the electronic system;

(7) voting on the basis of a temporary document replacing the identification document.

For the registration of electors without the use of technical means, the member of the commission carrying out the registration of the elector shall verify the identity of the elector, find the data of the elector in the list of electors, fill in the number of the identification document of the elector whereafter the elector shall sign opposite to his or her name, the member of the commission shall put his or her own individual seal opposite to the signature, fill in a numbered ticket by indicating the record number of the elector in the list, seal the voting pass with the individual seal and pass it to the elector. In this case a relevant record shall be made in the section for additional notes. The form of the pass without the use of technical means shall be established by the Central Electoral Commission.

9. The list of identification documents of electors who are in penitentiary institutions and, in case of elections of local self-government bodies, of electors who are not citizens of the Republic of Armenia shall be approved by the Central Electoral Commission.

**Article 67. Voting**

1. After having received the voting pass, the elector shall immediately approach the commission member responsible for handing out ballot papers and ballot envelopes and transfer the voting pass to him or her.

2. During the elections of the National Assembly, Councils of Elders of Yerevan, Gyumri, Vanadzor, a commission member shall take the pass and hand one ballot paper and one ballot envelope for each party to the elector. The elector may not refuse to accept all the ballot papers.

During the elections of head of community and member of council of elders, a commission member shall take the pass, tear the stub of the ballot paper (or ballot papers in case several votes are held simultaneously) and together with the ballot envelope (or ballot envelopes in case several votes are held simultaneously) hand to the elector.

The elector shall proceed to the voting booth to vote.

3. During the elections of the National Assembly, the elector shall choose, among the ballot papers of political parties, a ballot paper of any party. In case of electing any of the candidates in the district electoral list, the elector shall put — on the second page of the ballot paper of the political party he or she has chosen — a uniform mark, as prescribed by the Central Electoral Commission, in the tick box opposite to the name of the candidate he or she is voting for. The ballot paper shall be placed in the ballot envelope without folding.

4. During the elections of Councils of Elders of Yerevan, Gyumri, Vanadzor, the elector shall, in the voting booth, vote in favour of any political party by way of placing the ballot paper of that political party in the ballot envelope. The ballot paper shall be placed in the ballot envelope without folding.

5. During the election of head of community and member of council of elders, the elector shall, as prescribed by the Central Electoral Commission, put a uniform mark in the tick box opposite to the name of the candidate he or she is voting for. In case one candidate is voted on, the elector shall mark opposite to the word “for” if he or she will vote for the candidate: opposite to the word “against” if he or she will vote against the candidate.

6. It shall be prohibited to enquire, in any manner, about the vote of the elector.

7. After having voted, the elector shall immediately approach the puncher near the ballot box, punch the envelope; then a commission member shall open the ballot box slot and enable the elector to drop the ballot envelope in the ballot box. During the entire voting process, the puncher shall remain near the ballot box in a place visible to all.

During the elections of head of community and member of the council of elders, a punching tool shall not be used.

After having marked the ballot paper of the elections of head of community and member of council of elders, the elector shall fold the ballot paper while in the voting booth, put it in the ballot envelope and approach the ballot box. In case several votes are held simultaneously, the elector shall place each ballot paper in the relevant envelope. On his or her own initiative or at the request of another commission member or the proxy, the commission member responsible for sealing the ballot envelopes and for the ballot box may verify (submit to another commission member or a proxy) the identification document of the elector. The commission member responsible for sealing the ballot envelopes and for the ballot box, shall seal the ballot envelope, open the ballot box slot and enable the elector to drop the ballot envelope into the ballot box. The ballot envelope shall be sealed with the seal of the precinct electoral commission. During the entire voting process, this seal shall remain near the ballot box in a place visible to all.

8. Electors who are unable to fill in the ballot papers on their own, shall have the right to invite, after having notified the chairperson of the electoral commission, another person into the voting booth, who must not be a member of electoral commission, a proxy. The person shall have the right to assist only one elector who is unable to fill in the ballot paper on his or her own. Except for the mentioned case, the presence of other person in the voting booth while filling in the ballot paper shall be prohibited. The data of the person assisting the elector unable to fill in the ballot paper on his or her own shall be entered in the register of the precinct electoral commission.
9. If the elector finds that he or she has filled in the ballot paper incorrectly or has spoiled it, he or she may apply to the chairperson of the commission to receive a new ballot paper. Upon assignment of the chairperson of commission, a new ballot paper shall be provided to the elector, and the incorrectly filled in (spoilt) ballot paper shall be immediately cancelled.
10. The elector shall not have the right to voice out in the polling station the way he or she has voted.
11. After the voting, the elector shall immediately leave the voting room.
12. During the voting, the candidate, the candidate included in the electoral list of a political party running in elections shall be prohibited from staying at the polling station or in the area up to 50 metres radius adjacent to a polling station, except for the case of participation in the voting.
13. Where the commission member or the proxy finds that cases of violations of the voting procedure have taken place in the voting process as stipulated by this Code, he or she shall have the right to demand that his or her view be recorded in the register.

**CHAPTER 12**  
**PROCEDURE FOR SUMMARISATION AND TABULATION OF VOTING**  
**RESULTS, DETERMINATION OF INACCURACIES AND**  
**SUMMARISATION OF ELECTION RESULTS**

**Article 68. Procedure for summarisation of voting results in electoral precincts**

1. At 20:00 of the voting day, the chairperson of the precinct electoral commission shall announce about the end of the voting and prohibit the entry of electors into the voting room. The commission shall permit the electors present in the voting room to vote, after which the chairperson of the commission shall close the ballot box slot.
2. The precinct electoral commission shall start its sitting for summarisation of the voting results in the presence of persons having the right to be present in the commission sitting (the candidate as well as one candidate included in the electoral list of each political party, alliance of political parties running in elections may also participate in this sitting). For this purpose, [it shall]:
  - (1) pack and seal, as prescribed by the Central Electoral Commission, the individual seals of the commission members;
  - (2) count the participants of voting, based on the signatures in the main list of electors, if available — also in the supplementary lists in the medical institution providing inpatient care, in facilities for holding arrestees and those drawn up, on the voting day at the electoral precinct. This figure shall be published and recorded in the register of the precinct electoral commission. The chairperson of the commission shall immediately inform, through available means of communication, the chairperson of the district electoral commission on the number of voting participants in the electoral precinct;

(3) print a statement of information on the number of voting participants through technical equipment. In case it is not possible to receive the statement of information through technical equipment, the figure shall be calculated based on the list of electors (the voting participants whose names are not relevantly marked in the additional column shall be counted).

Pack the list of electors as well as the statement of information on the number of voting participants printed through technical equipment, seal the package and place it in the sack;

(4) count the voting passes received from the electors, pack the voting passes, seal the package and place it in the sack;

(5) cancel the unused voting passes without counting and — as prescribed by the Central Electoral Commission — pack them, seal the package and place it in the sack;

(6) count the unused ballot envelopes and — as prescribed by the Central Electoral Commission — cancel, pack them, seal the package and place it in the sack;

(7) during the election of head of community and member of council of elders, count the unused ballot papers, and as prescribed by the Central Electoral Commission cancel, pack them, seal the packages and place them in the sacks.

The results of these actions shall be published and recorded in the register of the precinct electoral commission.

3. The chairperson of the commission shall open the ballot box, take one ballot envelope out of the ballot box, check if the envelope is punched or not, announce out loud if the envelope is of the established or non-established sample, then demonstrate it in such a way that it is visible to those present. In case a commission member disagrees with the opinion of a chairperson of a commission, he or she shall raise an objection. Based on the results of voting, where an objection is raised (the commission member's proposal is put to voting, and if the commission member's proposal is not adopted by voting, the commission chairperson's proposal is considered to be adopted), and where no objection is raised, the commission chairperson, based on his or her statement, shall take the ballot paper out of the e ballot envelope of an established sample.

During the elections of the National Assembly, [the commission chairperson] shall announce about the ballot paper being of the established or non-established sample, valid or invalid (assessment of validity based on the votes cast under the district list shall not be carried out); in case of a valid ballot paper [he or she] shall announce the name of the political party running in elections in favour of which ballot papers have been voted. The ballot papers according to the political parties running in elections (their colours) and the invalid ballot papers shall be sorted separately. This action shall be repeated in relation to all the ballot papers. After the ballot papers have been sorted, the ballot papers cast for each political party running in elections shall be counted, announced out loud and recorded in the register.

After having all the ballot papers sorted according to the political parties running in elections, the chairperson of the precinct electoral commission shall, according to the political parties running in elections (in an order from big to small), demonstrate one by one the ballot papers cast for each political party and announce the candidate in the district list of the political party running in elections in favour of whom a vote has been cast, or only the political party in favour of which a vote has been cast, or the invalid ballot papers.

Pursuant to his or her statement, [the chairperson of the precinct electoral commission] shall put the ballot paper in the pile of the ballot papers which have been cast in favour of a relevant candidate, or of the ballot papers which have been cast in favour of the political party only, or of the invalid ballot papers. After the mentioned action has been completed, the votes cast in favour of each candidate of the district list of a political party running in elections shall be counted, announced out loud and recorded in the register. The ballot papers cast for each political party shall be packed together and placed in the sack. After counting the ballot papers cast in favour of a political party running in elections, the ballot papers cast in favour of other parties shall be counted.

During the elections of Councils of Elders of Yerevan, Gyumri, Vanadzor, as well as the elections of head of community and member of the council of elders, the chairperson of the precinct electoral commission shall announce if the ballot paper is valid, invalid, or of the non-established sample.



In case the ballot papers are valid, [he or she] shall also announce the candidate or the political party running in elections in favour of whom or which a vote has been cast. Pursuant to his or her statement, [the chairperson of the precinct electoral commission] shall put the ballot paper in the pile of the ballot papers which have been cast in favour of a relevant candidate, of the political party running in elections; in case one candidate is voted on — in the pile of the ballot papers cast for or against the candidate or of the invalid ballot papers; the envelope — in the piles of the established sample ballot envelopes; then [he or she] shall take the next envelope out of the ballot box. This action shall be repeated in relation to all the ballot envelopes in the ballot box.

During the sorting of envelopes, ballot papers, commission members shall be prohibited from making any notes, as well as having with them any pens, pencils or other items for making notes.

4. In case more than one ballot paper or a non-established sample ballot paper (ballot papers) are found in a ballot envelope, the ballot paper (ballot papers) shall be placed back into the envelope, and the envelope shall be placed in the pile of the non-established sample ballot envelopes.

In case the ballot envelopes are of the non-established sample, the ballot papers shall not be taken out of such envelope, and the ballot envelope shall be placed in the pile of the non-established sample ballot envelopes.

The non-established sample ballot envelopes together with the ballot papers inside them shall be immediately cancelled and packed. The mentioned package shall be submitted to the district electoral commission without being placed in the sack.

5. After having sorted all the ballot envelopes and ballot papers in the ballot box, the commission chairperson shall count one by one, in the presence of the commission members, the invalid ballot papers, the established sample ballot envelopes.

The calculated figures shall be published and recorded in the register.

6. The non-established sample ballot envelopes and the non-established sample ballot papers shall not be considered and counted when summarising the results.

7. The counted and sorted ballot envelopes and ballot papers shall be packed as prescribed by the Central Electoral Commission; the packages shall be sealed and placed in the sack.

The packages must bear the signature of the chairperson of the commission. The other commission members and proxies shall also have the right to sign the packages. The names and surnames of the signatories shall be entered, and samples of the signature shall be put in the register.

8. Proxies, observers, mass media representatives may photograph and videotape the process of summarisation of the voting results.

9. In case several elections for head of community and member of the council of elders are held at the same time, the results of the election of the community council of elders shall be summarised first.

#### **Article 69. Validity of ballot papers**

1. An established sample ballot paper shall be invalid where:

(1) the form of putting a mark in the ballot paper, established by the Central Electoral Commission, is apparently violated. An insignificant violation of the established form shall not serve as a basis for invalidity of the ballot paper if the elector's intention is clear and unambiguous. During elections of the National Assembly, a ballot paper with violation of the established form of marking the ballot paper shall not be declared invalid during the counting of votes of the political party running in elections;

- (2) it contains an unnecessary entry, apart from the mark established by the Central Electoral Commission for voting or the resembling one;
- (3) the ballot paper is not punched in the prescribed manner. A minor violation of an established form may not be considered as a ground for invalidity of the ballot paper, where the intention of the elector is definite and unambiguous. During elections of the National Assembly, a ballot paper with violation of the established form of punching the ballot paper shall not be declared invalid during the counting of votes of the political party running in elections;
- (4) it contains marks both opposite to the words "for" and "against" where one candidate is voted on.

2. In case of elections of head of community and member of the council of elders, the established sample ballot paper shall be invalid also if it contains marks in favour of more than one candidate, or if it is not signed by the member of electoral commission, or if it is not sealed with the individual seal.

3. A ballot paper shall be valid if it is not invalid.

#### **Article 70. Non-established sample ballot papers**

1. A ballot paper shall be of the non-established sample where it differs from the established sample, as well as:
  - (1) where it is in the non-established sample ballot envelope;
  - (2) where it is without an envelope.

#### **Article 71. Non-established sample ballot envelopes**

1. A ballot envelope shall be of the non-established sample where it obviously differs from the established sample, or the envelope that is not punched, as well as:
  - (1) the ballot envelope not containing a ballot paper;
  - (2) the ballot envelope containing more than one ballot paper;
  - (3) the ballot envelope containing a non-established sample ballot paper;
  - (4) the ballot envelope with marks disclosing the identity of the elector.

#### **Article 72. Precinct electoral commission's protocol on voting results**

1. Based on counting carried out as prescribed by Article 68 of this Code, the precinct electoral commission shall draw up a protocol on the results of voting in the electoral precinct, which shall include the following:
  - (1) the total number of electors in the electoral precinct, which shall be equal to the sum of the number of electors included in the main list and the number of electors included in supplementary lists. The number of the main list of electors, the number of the supplementary list of electors participating in the voting in medical institutions providing inpatient care shall be filled in by the district electoral commission;
  - (2) the number of the voting participants (according to the signatures in the list of electors);
  - (3) the number of voting participants registered through technical devices;
  - (4) the total number of voting passes received from electors;
  - (5) the number of envelopes provided to the precinct electoral commission (shall be filled in by the district electoral commission);
  - (6) the number of cancelled envelopes;
  - (7) the number of invalid ballot papers;
  - (8) the number of ballot papers cast for each candidate, a political party running in elections. The number of ballot papers cast for each candidate included in the district electoral list during the election of the National Assembly;

(9) the number of ballot papers cast against a candidate (the line shall be indicated when one candidate is voted on);

(10) the number of the established sample ballot envelopes in the ballot box.

In case of elections of head of community and member of the council of elders, the number of ballot papers provided to the precinct electoral commission (shall be filled in by the district electoral commission) and the number of cancelled ballot papers shall be correspondingly indicated instead of data stated in points 5 and 6 of this part.

2. The protocol shall be signed by the chairperson, the secretary and the members of the commission; it shall be sealed by the chairperson of the commission.

3. The commission member shall be obliged to sign the protocol. In case of having an objection (special opinion) with regard to the data in the protocol, he or she shall make a relevant entry in the protocol in the special place provided for that purpose.

4. The sitting of the precinct electoral commission may not be interrupted from the moment the voting is over until drawing up of the protocol on the voting results in the electoral precinct.

5. The commission shall complete the protocol at the end of the sitting but no later than 10 hours after the end of voting, and the commission chairperson shall publish the protocol on the voting results in the electoral precinct.

6. The protocol shall be drawn up in four copies; one copy shall be posted in the polling station next to the list of electors, and one copy shall be placed in the sack of electoral documents.

7. The sack must bear the signature of the chairperson of the commission. The other commission members and proxies shall also have the right to sign the sack. The names and surnames of the signatories shall be entered, and samples of the signature shall be put in the register.

The sack of electoral documents at the precinct electoral commission must be closed. The chairperson of the commission shall be responsible for closing the sack, in the prescribed manner, at the precinct electoral commission.

8. An excerpt from the protocol on the results of voting in the electoral precinct shall be provided to persons, at their request, having the right to be present at the commission, which shall be certified by the signatures of the commission chairperson and the secretary, and bear the seal of the commission.

9. No later than within 12 hours after the end of voting, the chairperson and the secretary of the precinct electoral commission shall submit the sack, the pile of the non-established sample ballot envelopes, the pile of ballot envelopes not used during the elections of head of community and member of council of elders, two copies of the protocol on the voting results, the register and the commission seal, the technical equipment, the puncher (if available), to the district electoral commission as prescribed by the Central Electoral Commission.

### **Article 73. Procedure for determining inaccuracies**

1. In order to calculate the amount of inaccuracies in an electoral precinct:

(1) the number of ballot envelopes provided to the precinct electoral commission shall be compared with the sum of the number of cancelled envelopes, the number of the established sample envelopes in the ballot box. If the number of envelopes provided to the precinct electoral commission is smaller than the sum of the number of cancelled envelopes and the number of the established sample envelopes in the ballot box, the difference in the absolute

value shall be indicated as the first inaccuracy amount. Otherwise the first inaccuracy amount shall be recorded as "0".

In case of the elections of head of community and member of council of elders, the number of ballot papers provided to the precinct electoral commission shall be compared with the sum of the number of cancelled ballot papers, valid and invalid ballot papers in the ballot box. If the number of ballot papers provided to the precinct electoral commission is smaller than the sum of the number of cancelled ballot papers and the number of valid and invalid ballot papers in the ballot box, the difference in the absolute value shall be indicated as the first inaccuracy amount. Otherwise the first inaccuracy amount shall be recorded as "0";

(2) the number of voting passes received from electors shall be compared with the sum of the numbers of valid and invalid ballot papers in the ballot box. If the sum of the numbers of valid and invalid ballot papers in the ballot box is bigger than the number of voting passes received from the electors, the difference in the absolute value shall be indicated as the second inaccuracy amount. Otherwise the second inaccuracy amount shall be recorded as "0";

(3) the number of voting passes received from the electors shall be compared with the signatures of electors in the list of electors. If the number of voting passes received from the electors is bigger than the number of the signatures of electors in the list of electors, the difference in the absolute value shall be indicated as the third inaccuracy amount. The third inaccuracy amount shall be otherwise recorded as "0";

(4) the sum of the maximum of the numbers indicated in points 1 and 2 and of the number indicated in point 3 of this part shall be considered as the total amount of inaccuracies in the electoral precinct.

2. The amount of inaccuracies in the electoral precinct shall be calculated and recorded by the electoral commission responsible for summarisation of the election results, by using the "Elections" automated system.

3. In case of declaring the voting results in the electoral precinct invalid, the number of voting participants in the precinct shall be recorded as the total amount of inaccuracies in the precinct.

4. While drawing up the protocol on the voting results, the number of electors, also according to the supplementary lists, of the precinct where the results of voting have been declared invalid, the number of voting participants, the number of provided ballot envelopes (in case of the elections of head of community and member of council of elders — the number of ballot papers and numbers of stubs) shall be correspondingly added to the voting results of the remaining precincts; and the number of ballot envelopes (ballot papers) provided to the precinct shall be recorded as the number of cancelled ballot envelopes (in case of the elections of head of community and member of council of elders — the number of the provided ballot papers). The other results (numbers) of the protocol of the electoral precinct where the voting results are declared invalid, except for the amount of inaccuracies, shall be recorded as "0".

#### **Article 74. Actions of district electoral commissions upon receiving the protocols of precinct electoral commissions**

1. The district electoral commission shall check the validity of drawing up the protocols on the voting results in electoral precincts; in case of arithmetic errors, the chairperson and the secretary of the precinct electoral commission shall correct them and certify the corrections with their signatures. The baseline data shall not be modified. Data produced by the precinct electoral commission by way of counting one by one and through the technical device shall be deemed baseline data.

2. The district electoral commission shall enter, as prescribed by the Central Electoral Commission, the data of protocols on the results of voting in the electoral precinct into a computer by means of special software. The software shall ensure reasonable guarantees

against errors generated by the incorrect data input. The Commission shall regularly but no less than every 3 hours, tabulate the voting results through a computer as per electoral precincts. The district electoral commission shall complete the entry into a computer of data of protocols on the results of voting in electoral precincts no later than within 18 hours after the end of voting. The district electoral commission shall tabulate the voting results as per electoral precincts.

3. The district electoral commission shall immediately post the copy of the tabulated voting results, certified by signatures of the chairperson (deputy chairperson) and the secretary of the commission, and by the commission seal, at the commission — in a place visible to all. Upon their request, persons having the right to be present in the electoral commission sitting, shall receive a copy of the tabulated voting results within the service district of the district commission, certified by signatures of the chairperson (deputy chairperson) and the secretary of the commission, and by the commission seal.

During the elections of the National Assembly, Councils of Elders of Yerevan, Gyumri, Vanadzor, the district electoral commission shall submit, twenty four hours after the end of voting, one copy of the protocol on the results of voting in the electoral precinct, to the Central Electoral Commission.

4. During the elections of the National Assembly, Councils of Elders of Yerevan, Gyumri, Vanadzor, the district electoral commission shall not draw up a protocol on summarisation of the voting results; for recounting of the voting results, it shall investigate, within the time limits established by this Code, the violations recorded in the registers of precinct electoral commissions on the voting day, summarise the investigation results at the commission sitting, and submit the decision adopted thereon to the Central Electoral Commission.

**Article 75. Procedure for summarising at district electoral commission the results of elections of local self-government bodies**

1. No later than within eighteen hours after the end of voting, based on the protocols on the results of voting in electoral precincts, the district electoral commission shall, in accordance with the requirements of this Article, summarise the preliminary results of voting on elections of local self-government bodies and endorse them in the form of a protocol.

2. On the fifth day after the voting day, based on the protocols on the results of voting in electoral precincts, the recounting results, the decisions adopted on the voting results, the district electoral commission shall draw up a protocol on the results of voting in the community.

3. The following shall be indicated in the protocol on the voting results of the elections of local self-government bodies:

- (1) the total number of electors in the community, which shall be equal to the sum of the number of electors included in the main list and the number of electors in the supplementary list being drawn up on the voting day;
- (2) the number of voting participants (according to the signatures in the list of electors);
- (3) the number of voting participants registered through a technical device;
- (4) the total number of voting passes received from electors;
- (5) the number of ballot papers provided to precinct electoral commissions of the community;
- (6) the number of cancelled ballot papers;
- (7) the number of invalid ballot papers;
- (8) the number of ballot papers cast for each candidate;
- (9) the number of ballot papers cast against a candidate (the line shall be indicated when one candidate is voted on);
- (10) the number of the established sample ballot envelopes in the ballot box;
- (11) the total amount of inaccuracies.

The total amount of inaccuracies in a community shall be equal to the sum of the total inaccuracy amounts in electoral precincts included in the community.

4. The protocol shall be signed by the commission members; it shall be sealed by the commission chairperson.

5. The chairperson of the district electoral commission shall publish the drawn up protocol.

6. One copy of the protocol shall be posted in a visible place at the commission immediately after the actions provided for by this Article are completed.

7. A carbon copy of the protocol on the voting results, certified by the signatures of the commission chairperson and the secretary, and by the commission seal, shall be provided to persons having the right to be present in the sitting of the electoral commission, upon their request.

8. On the fifth day after the voting day, based on the protocol on the results of voting in the community, civil judgments of a court, decisions adopted due to consideration of applications (complaints) received by the commission, and the adopted decision on the violations recorded on the voting day in the registers of precinct electoral commissions, the district electoral commission shall summarise the results of voting in the community and adopt a decision on the election results.

9. The district electoral commission shall submit copies of the protocol and the decision to the Central Electoral Commission within a two-day period.

**Article 76. Procedure for summarisation of results of elections of the National Assembly, Councils of Elders of Yerevan, Gyumri, Vanadzor in the Central Electoral Commission**

1. No later than twenty four hours after the end of voting, based on the results of elections in the electoral precincts, received from district electoral commissions, the Central Electoral Commission shall, in accordance with the requirements of this Article, summarise the preliminary results of voting on election of the National Assembly, Councils of Elders of Yerevan, Gyumri, Vanadzor, and endorse them in the form of a protocol. The preliminary results of voting for election of the National Assembly shall be officially publicised during live broadcasting of public radio and public television. While publicising the preliminary results during live broadcasting, the number of ballot papers cast for political parties running in elections as per territories and the votes received by candidates included in the district lists, shall not be published.

After having been signed, the protocol on preliminary results of voting on election of the National Assembly, Councils of Elders of Yerevan, Gyumri, Vanadzor, shall be published on the website of the Central Electoral Commission.

2. On the seventh day after the voting day, based on the protocols on the results of voting in electoral precincts, the recounting results, the decisions adopted on the voting results, the Central Electoral Commission shall draw up a protocol on the voting results.

3. The following shall be indicated in the protocol on the voting results:

- (1) the total number of electors, which shall be equal to the sum of the number of electors included in the main list and the number of electors included in supplementary lists;
- (2) the number of voting participants (according to signatures in the list of electors);
- (3) the number of voting participants registered through technical devices;
- (4) the total number of voting passes received from electors;
- (5) the number of ballot envelopes provided to precinct electoral commissions;
- (6) the number of cancelled envelopes;

- (7) the number of invalid ballot papers;
- (8) the number of ballot papers cast for each political party running in elections; in case of election of the National Assembly also by territories;
- (9) the number of ballot papers cast for each candidate, included in the district list of political parties running in elections, as per territories, in case of election of the National Assembly;
- (10) the number of the established sample ballot envelopes in the ballot box;
- (11) the total amount of inaccuracies.

The total amount of inaccuracies shall be equal to the sum of the total amount of inaccuracies in all the formed electoral precincts.

4. The protocol shall be signed by the commission members; it shall be sealed by the commission chairperson.

5. A carbon copy of the protocol on the voting results, certified by the signatures of the commission chairperson and the secretary, and by the commission seal, shall be provided to persons having the right to be present in the sitting of the electoral commission, upon their request.

6. On the seventh day after the voting day, based on the protocol on the voting results, civil judgments of a court, decisions adopted due to consideration of applications (complaints) received from commissions, decisions of district electoral commissions adopted on the violations recorded on the voting day in the registers of precinct electoral commissions, and decisions adopted on the voting results, the Central Electoral Commission shall summarise the election results and adopt a decision on the election results.

**PART TWO**  
**SECTION 4**  
**ELECTIONS OF THE NATIONAL ASSEMBLY**  
**CHAPTER 13**  
**GENERAL PROVISIONS**

**Article 77. Composition of the National Assembly**

1. The minimum number of Deputies of the National Assembly shall be 101. The preliminary distribution of the mandates of the National Assembly shall be carried out by taking number 101 as a basis.

**Article 78. Electoral system**

1. Elections of the National Assembly shall be held under the proportional electoral system, from a multi-mandate constituency covering the whole territory of the Republic from among candidates for Deputies nominated in the national and district electoral lists of political parties, alliance of political parties.

**Article 79. Electoral districts**

1. During elections of the National Assembly 13 electoral districts shall be constituted: 4 — in Yerevan, 9 — in marzes.

2. In the territory of Yerevan 4 electoral districts shall be constituted: Avan, Nor Nork, Nork-Marash, Kanaker-Zeytun administrative districts shall be included in the first electoral district, Arabkir, Ajapnyak, Davitashen administrative districts — in the second electoral district, Malatia-Sebastia, Shengavit administrative districts — in the third electoral district, Kentron, Erebuni, Nubarashen administrative districts — in the fourth one.

3. The territories of Syunik and Vayots Dzor marzes together, Ararat, Armavir, Aragatsotn, Gegharkunik, Lori, Kotayk, Shirak, Tavush marzes shall be considered as separate electoral districts.

**Article 80. Right to be elected**

1. Everyone who has attained the age of twenty-five, has been a citizen of only the Republic of Armenia for the preceding four years, has been permanently residing in the Republic of Armenia for the preceding four years, has the right of suffrage and has command of the Armenian language may be elected as a Deputy of the National Assembly.

2. A citizen shall not be considered as permanently residing in the Republic of Armenia for the preceding four years where he or she has been absent from the Republic of Armenia for at least 731 days from among 1 461 days preceding the day of submitting an application to the authorised body for the purpose of getting the statement of information on having permanent residence for the registration of a candidate, except for cases when the absence has been conditioned by circumstances related to the secondment for service purposes of a person, who is a public servant of the Republic Armenia, or to his or her study at higher educational institutions abroad.



3. Having a command of the Armenian language shall mean having secondary and higher education in the Armenian language. The command of the Armenian language of persons not having secondary or higher education in the Armenian language shall be verified as prescribed by the Ministry of Education and Science of the Republic of Armenia.

## **CHAPTER 14** ***NOMINATION AND REGISTRATION OF CANDIDATES FOR DEPUTY***

### **Article 81. Right to nominate a candidate for Deputy**

1. The right to nominate candidates for a Deputy of the National Assembly shall be vested in political parties and alliances of political parties.  
A candidate for Deputy may be nominated by the electoral list of only one political party.
2. Alliances of political parties may be formed by at least two political parties. A political party may be included in the composition of only one alliance.
3. The political party included in an alliance of political parties may not participate in the elections on its own.
4. The decision on joining an alliance of political parties shall be adopted by the decision of the permanently functioning governing body of the political party.
5. National and district electoral lists of alliances of political parties shall be made up from a national list presented by each political party included in the alliance. The first and second parts of the national electoral list of an alliance of political parties, as well as the district lists shall be determined during joint consultations held by the political parties included in the alliance and shall be approved by the permanently functioning governing body of each political party included in the alliance.
6. Where any political party leaves the alliance of political parties, names of candidates of such party shall be removed from the national and district electoral lists of the alliance of political parties as prescribed by the Central Electoral Commission.

### **Article 82. Restrictions for nomination**

1. Judges, prosecutors, officers of the Investigative Committee, the Special Investigation Service, the Police, the National Security, the Judicial Acts Compulsory Enforcement Service, rescue, tax and customs authorities, penitentiary service, military servants, members of the electoral commission may not be nominated as a candidate for Deputy of the National Assembly.

### **Article 83. Nominating a candidate for Deputy**

1. Political parties shall submit the application to the Central Electoral Commission on running in elections of the National Assembly, upon the decision of their permanently functioning governing body, and the application shall be signed by the head of the political party. Alliances of political parties shall submit the application on running in elections of the National Assembly upon decisions of permanently functioning governing bodies of member political parties to the alliance; the application shall be signed by the heads of member political parties to the alliance.

2. The following shall be attached to the application of a political party, alliance of political parties on running in elections of the National Assembly:

- (1) the charter of the political party (in case of an alliance of political parties — the charters of the political parties included in the alliance);
- (2) the decision of the permanently functioning governing body of the political party (in case of an alliance of political parties — decisions of permanently functioning governing bodies of member political parties to the alliance) on nominating an electoral list of candidates;
- (3) the national and district electoral lists;
- (4) the written statement of the candidates nominated by the electoral list of the political party, the political party included in an alliance of political parties on their consent for being registered as a candidate for Deputy;
- (5) separate electoral lists presented by the political parties included in the alliances of political parties;
- (6) the receipt on payment of the electoral deposit in the amount of 10 000-fold of the minimum salary;
- (7) a statement of information certifying that candidates included in the electoral list of a political party, alliance of political parties have been citizens of only the Republic of Armenia for the last four years and have been permanently residing in the Republic of Armenia for the last four years;
- (8) carbon copy of the document certifying the secondary or higher education in the Armenian language or a statement of information issued by the Ministry of Education and Science certifying the command of the Armenian language;
- (9) carbon copies of personal identification documents of the candidates included in the electoral list of a political party, a political party included in an alliance of political parties.

3. The form of the statement of information prescribed by point 7 of part 2 of this Article shall be approved by the Central Electoral Commission. The mentioned statement of information shall be issued by the authorised body within a period of 3 days following the request but not earlier than the calling of elections.

The authorised body shall upon its decision refuse to issue a statement of information of the specified form to the applicant, if the data thereon do not meet the requirements of Article 80 of this Code.

4. The statement of information prescribed by point 8 of part 2 of this Article on having a command of the Armenian language for persons not having received secondary or higher education in the Armenian language shall be issued within a period of one week after applying to the Ministry of Education and Science.

5. The application of a political party, alliance of political parties on running in elections of the National Assembly shall also contain data on up to three authorised representatives (surname, name, patronymic, date of birth, personal identification document number, place of employment and position (occupation)).

6. Registration documents shall be submitted to the Central Electoral Commission only by the authorised representative of the party, the alliance of political parties in person within the time limits prescribed by this Code.

7. Where errors, deletions, erasures, misprints are found in the documents submitted for registration of the electoral list of a political party, of an alliance of political parties, the Central Electoral Commission shall be obliged to bring them to the attention of persons having submitted the documents so as to correct them, as well as correct, in their presence, the evident errors and misprints existing in the submitted documents.

The Commission shall have no right not to accept the submitted documents only for the reason that they contain such errors, deletions, erasures, or misprints. The provisions of this part shall not apply to correction of such errors, deletions, erasures, misprints or elimination of other

deficiencies found in the documents, the right whereof is reserved by law to the bodies having adopted or issued such documents.

In case the submitted documents contain inaccuracies referred to in the second paragraph of this part or in case of incompleteness of documents attached to the application, the Central Electoral Commission shall give forty-eight hours for the correction of the mentioned inaccuracies and completion of attached documents. In case of failure to eliminate, within the mentioned period, inaccuracies regarding the electoral list of a political party, alliance of political parties or regarding a candidate included in the electoral list, or in case of failure to complete the documents, the registration of the electoral list of a political party, alliance of political parties, a candidate included in the electoral list shall be rejected, whereas, his or her name shall be removed from the electoral list of the political party, an alliance of political parties as prescribed by the Central Electoral Commission.

**Article 84. National and district electoral lists of political parties, alliances of political parties**

1. Each political party, alliance of political parties running in elections shall nominate one national electoral list of candidates and one district electoral list for each district.

2. The national electoral list shall consist of two parts.

3. Within the first part of the national electoral list of a political party, alliance of political parties and each of the political parties included in the alliance, the number of the representatives of each sex, starting from the second place on the list, must not exceed 80 per cent of each integer group of five candidates (2-6, 2-11, 2-16 and subsequently till the end of the list). The first part of the national electoral list of a political party, alliance of political parties there shall include not less than 80 and not more than 300 candidates. In the first part of the national electoral list of a political party, alliance of political parties may be included persons that are not members of that political party, member political parties to the alliance, the number of which may not exceed 30 per cent of the total number of the candidates included in the first part of the national list.

4. Representatives of the first four national minorities with the greater number of resident population according to the data of the latest census preceding the elections shall be included in the second part of the national electoral list of a political party, alliance of political parties.

In the national electoral list of a political party, alliance of political parties the data of candidates for Deputy who are representatives of a national minority with the largest number of resident population shall be listed under numbers 1), 2), 3), 4) in section 1 of the second part; data of candidates for Deputy who are representatives of a national minority with the second largest number of resident population shall be listed under numbers 1), 2), 3), 4) in section 2 of the second part; data of candidates for Deputy who are representatives of a national minority with the third largest number of resident population shall be listed under numbers 1), 2), 3), 4) in section 3 of the second part of the national electoral list of a political party, alliance of political parties; data of candidates for Deputy who are representatives of a national minority with the fourth largest number of resident population shall be listed under numbers 1), 2), 3), 4) in section 4 of the second part.

The second part of the national electoral list of a political party, alliance of political parties shall include no less than two and no more than four representatives from each national minority. A candidate included in the second part of the national electoral list of a political party, alliance of political parties may also be included in the first part of the electoral list.

5. In the first and second parts of the national electoral list of a political party, alliance of political parties shall include — under consecutive numbers — the surname, name, patronymic, date of birth, political affiliation, personal identification document number, place of registered

residence, place of employment and position (occupation) of candidates. In case of candidates included in the second part of the national electoral list of a political party nationality shall also be mentioned.

6. A political party, alliance of political parties shall make up district electoral lists from the candidates included in the first part of the national electoral list thereof. Each candidate may be included only in one district electoral list.

7. The national electoral list of a political party, as well as district electoral lists shall be approved upon the decision of the permanently functioning governing body, whereas the national and district electoral lists of alliances of political parties - as prescribed by part 1 of Article 83 of this Code. All the pages of the electoral list shall be sealed and signed by the competent person of a political party (in case of an alliance - the competent person of member political parties to the alliance).

8. The district electoral list of a political party, alliance of political parties may include no more than one candidate per 10 000 electors of that district but no less than five candidates. The maximum number of candidates included in the district list of each political party shall be prescribed by the Central Electoral Commission based on the rule prescribed by this part within 10 days after calling elections.

9. The number of representatives of each sex shall not exceed 80 per cent in the district electoral list of a party running in elections.

10. The district electoral list of a political party running in elections shall include the surnames, names and patronymics of the candidates for Deputy.

#### **Article 85. Registering electoral lists of political parties**

1. Electoral list of a political party, alliance of political parties shall be registered without voting in case no objection is raised by the members of the Central Electoral Commission with respect to the registration of the electoral lists.

2. Within 3 days following the expiry of the time limit for registration, the Central Electoral Commission shall publish the electoral lists, including the district lists, of political parties, alliances of political parties. The district lists shall be published in alphabetical order of surnames, and where they coincide - in alphabetical order of names and patronymics. Where surnames, names and patronymics coincide, the date of birth shall be stated.

3. An authorised representative of the political party, the alliance of a political party shall have the right to be present at the sitting of the Commission held for the discussion of the issue of registering the electoral list of the political party, the alliance of political parties.

#### **Article 86. Rejecting the registration of an electoral list of a political party, alliance of political parties or a candidate included in the electoral list**

1. The Central Electoral Commission shall reject the registration of the electoral list of a political party, alliance of political parties where:

- (1) not all the documents have been submitted or documents submitted for registration are incomplete or falsified;
- (2) the electoral list does not comply with the requirements prescribed by Article 84 of this Code (except for cases when non-compliance is conditioned by a circumstance which has arisen after the nomination);
- (3) the political party has been dissolved;

- (4) the number of political parties included in the alliance of political parties falls below two;
- (5) the activities of the political party have been suspended or prohibited.

2. In case objection is raised by a member of the Central Electoral Commission regarding the registration of the electoral list of the political party, the alliance of political parties, the objection shall be put to vote. The registration of the electoral list shall be rejected upon the decision adopted by at least two thirds of votes of the total number of members of the Commission.

3. The Central Electoral Commission shall reject the registration of a candidate included in the electoral list, where:

- (1) the candidate does not have the right to be elected;
- (2) all the documents concerning him or her have not been submitted or documents submitted for registration are incomplete or falsified;

4. In case an objection is raised by a member of the Central Electoral Commission regarding the registration of a candidate included in the electoral list of the political party, the objection shall be put to vote. The registration of a candidate included in the electoral list shall be rejected upon the decision adopted by at least two thirds of the total number of votes of the Commission members.

**Article 87. Declaring invalid the registration of an electoral list of a political party, alliance of political parties or a candidate included in the electoral list**

1. The Central Electoral Commission shall declare invalid the registration of an electoral list of a political party, alliance of political parties, where after the registration there emerge some facts certifying that the submitted documents concerning the political party, the alliance of political parties are falsified:

2. As a result of revoking or declaring invalid the registration of the candidate included in the electoral list of a political party, alliance of political parties, the registration of the political party, the alliance of political parties shall not be declared invalid even if the requirements prescribed by parts 1-4 of Article 84 of this Code are violated.

3. The registration of a candidate included in the electoral list shall be declared invalid, where by virtue of facts having emerged after the registration:

- (1) the candidate does not have the right to be elected;
- (2) the submitted documents on the candidate are falsified.

In such a case the candidate shall be removed from the electoral list as prescribed by the Central Electoral Commission.

4. The registration of an electoral list of a political party, alliance of political parties or a candidate included in the list shall be declared invalid upon a decision adopted by at least two thirds of votes of the total number of members of the Central Electoral Commission.

**Article 88. Procedure for appealing against the decisions on rejecting, declaring invalid or revoking the registration of an electoral list of a political party, alliance of political parties or a candidate included therein**

1. The decision of the Central Electoral Commission on rejecting, declaring invalid or revoking the registration of an electoral list of a political party, alliance of political parties or a candidate included therein may be appealed against before the Administrative Court.

2. The electoral list of a political party, alliance of political parties or a candidate included therein shall be deemed to be registered or re-registered by a civil judgment of a court on declaring invalid the decision of the Central Electoral Commission on rejecting, declaring invalid or revoking the registration of an electoral list of a political party, alliance of political parties or a candidate included in the list.

**Article 89. Revoking the registration of an electoral list of a political party, alliance of political parties or a candidate included therein**

1. The registration of the electoral list of a political party, alliance of political parties shall be revoked upon the decision of the Central Electoral Commission, where:

- (1) an application for recusal has been submitted;
- (2) the political party has been dissolved;
- (3) the activities of the political party have been suspended or prohibited.
- (4) the number of political parties in the alliance of political parties falls below two;

2. The registration of the electoral list of a political party, alliance of political parties shall be revoked upon the judgment of the court, where the provisions of part 8 of Article 19 of this Code or of Article 27 of this Code have been violated.

3. The registration of a candidate included in the electoral list of a political party, alliance of political parties shall be revoked upon the decision of the Central Electoral Commission, where he or she has submitted an application for recusal.

4. The registration of a candidate included in the electoral list of a political party, alliance of political parties shall be revoked upon the judgment of the court where he or she has violated the provisions of part 8 of Article 19 of this Code and of Article 27 of this Code.

**CHAPTER 15**  
**STATUS OF A CANDIDATE FOR DEPUTY**

**Article 90. Rights, responsibilities and guarantees of activities of candidates for Deputy of the National Assembly**

1. Candidates for Deputy shall have equal rights and responsibilities, except for the cases prescribed by this Code.

2. Candidates for Deputy shall be exempt from mobilisation, fixed-term military service, and training musters until the official announcement of the election results.

3. Candidates for Deputy shall have the right to withdraw their candidacy in case of submitting an application no later than by 10 days prior to the voting day, by 18:00, as well as after the voting day. An application for recusal shall be certified by a notary, or the candidate shall approve his or her application for recusal at the sitting of the Commission.

The name, surname of a citizen included in the electoral list of a party shall be removed from the list as prescribed by the Central Electoral Commission.

4. No later than at least 10 days prior to the voting day, by 18:00, political parties, alliances of political parties shall have the right to submit an application for recusal by attaching the decision of the permanently functioning governing body of a political party or of all member political parties to the alliance respectively.

5. Criminal prosecution of a candidate for Deputy, a Deputy elected, before assuming his or her responsibilities as a Deputy, may be conducted only upon the consent of the Central Electoral Commission. Without the consent of the Central Electoral Commission, he or she may not be deprived of liberty, unless at the time of or immediately after committing a criminal offence. The Central Electoral Commission shall adopt a decision on the mentioned issue by the two thirds of votes of the total number of members of the Commission. The provision prescribed by this part does not apply to the citizens arrested or detained before being registered as candidates, as well as cases of imposing detention as a measure of restraint of the arrested person and extending the term of detention of the mentioned persons.

6. Where a mandate of Deputy of the National Assembly becomes vacant the applications for recusal of persons included in the electoral list of a political party, alliance of political parties, shall be certified by a notary or the person shall approve his or her application for recusal at the sitting of the Commission.

### **Article 91. Status of candidates for Deputy**

1. A candidate for Deputy of the National Assembly shall acquire his or her status upon registration in the electoral list of the political party.

Rights and responsibilities prescribed by this Code shall apply to the candidate until the expiry of time limits prescribed for challenging the decision of the electoral commission on the election of Deputy, and in case of challenging that decision, until the Constitutional Court adopts a decision.

The registered candidate shall lose his or her rights pertaining to the status of a candidate and shall be exempt from fulfilling his or her responsibilities also in cases prescribed by Articles 87 or 89 of this Code, upon revoking or declaring invalid the registration of the electoral list of a political party, alliance of political parties or a candidate included therein respectively. In case of appealing through judicial procedure against the decision of the Central Electoral Commission on declaring invalid or revoking the registration of a political party, alliance of political parties or a candidate included therein, the candidate shall lose his or her rights pertaining to the status of a candidate and shall be exempt from fulfilling responsibilities upon the entry into force of the judicial act.

2. Candidates, irrespective of the fact of being a public servant, shall have no right to use the advantages of their official or work related posts.

**Version 1.** From the moment of registering as candidates for Deputy of the National Assembly the term of office of candidates who are public servants shall be suspended by virtue of law, except for the President of the Republic, Deputies of the National Assembly and members of the Government; the implementation of official powers of candidates working in mass media shall be terminated as well. The suspension shall be abolished from the moment of final summarisation of results, whereas in case of not holding a second round — when that fact becomes known. The absence from work of the given candidates within that period of time shall be considered valid without preservation of the remuneration.

**Version 2.** Candidates for Deputy of the National Assembly who are public servants (except for the President of the Republic of Armenia, Deputies of the National Assembly and members of the Government) shall be exempt from fulfilling their official responsibilities from the day of the official start of the election campaign prescribed by this Code until the voting day. The absence from work of the mentioned candidates within that period of time shall be considered valid without preservation of the remuneration.

3. Criminal prosecution against a candidate may not serve as a basis for prohibiting the exercise of his or her right to be elected.

**CHAPTER 16**  
***ELECTION CAMPAIGN DURING ELECTIONS OF THE NATIONAL ASSEMBLY***

**Article 92. Campaign fund of a political party running in elections of the National Assembly**

1. For the purpose of conducting an election campaign, a political party running in elections shall set up a campaign fund, which shall be formed by voluntary contributions specified in Article 26 of this Code.
2. The political party or political parties included in the alliance of political parties running in elections together shall have the right to make contributions to the fund of the political party or the alliance of political parties, respectively, in the amount of up to 100 000-fold of the minimum salary, and the candidate included in the electoral list of a political party running in elections — in the amount of up to 5 000-fold of the minimum salary.
3. Each natural person may make a contribution to campaign fund of a candidate for Deputy, a political party and an alliance of political parties in the amount of up to 500-fold of the minimum salary.
4. During the election campaign, for the purpose of funding the conduct of the election campaign through the mass media, renting halls, premises for the purpose of organising election gatherings and meetings with electors, preparing (placing), acquiring a campaign poster, printed campaign and other materials, preparing any kind of campaign materials (including printed materials) to be provided to electors, a political party running in elections shall have the right to spend an amount not exceeding the 500 000-fold of the minimum salary.

**Article 93. Election campaign**

1. During elections of the National Assembly, election campaign shall be conducted in the manner and within the time limits prescribed by this Code.
2. Free and paid use of airtime on public radio and public television for the election campaign of a political party running in elections shall be carried out as prescribed by the Central Electoral Commission.
3. A political party running in elections shall have the right to use no more than 60 minutes of free airtime on public television, and no more than 120 minutes of free airtime on public radio.
4. A political party running in elections shall have the right to use no more than 120 minutes of paid airtime on public television, and no more than 180 minutes of paid airtime on public radio at the account of its campaign fund.
5. In case of a second round of elections, early elections, declaring elections of the National Assembly invalid or repeat voting a political party running in elections shall have the right to use no more than 15 minutes of free airtime on the public television, and no more than 25 minutes of free airtime on the public radio, as well as no more than 25 minutes of paid airtime on the public television and no more than 35 minutes of paid airtime on public radio, at the account of the campaign fund.  
The Central Electoral Commission no later than within 5 days after adopting the decision on holding a second round of elections of the National Assembly, as well as declaring the elections invalid and holding repeat voting shall carry out distribution of airtime.



**CHAPTER 17**  
**BALLOT PAPERS**  
***SUMMARISATION OF ELECTION RESULTS***

**Article 94.                Ballot papers**

1.     The name of the political party, alliance of political parties running in elections, as well as the surnames, names and patronymics of the first three candidates in the national electoral list shall be specified on the first page of the ballot paper of elections of the National Assembly. The surnames, names and patronymics of candidates included in the district list of the political party, alliance of political parties running in elections shall be listed on the second page of the ballot paper in alphabetical order. Checkboxes shall be provided to the right of the names of candidates for the voter to make a note.

**Article 95.                Summarisation of results of elections of the National Assembly**

1.     The Central Electoral Commission shall, in the manner and within the time limits prescribed by Article 76 of this Code, summarise the election results and adopt any of the following decisions:

- (1)    on the National Assembly being elected and distribution of mandates;
- (2)    on preliminary distribution of the mandates of Deputies of the National Assembly;
- (3)    on calling a repeat voting in certain electoral precincts;
- (4)    on declaring the elections of the National Assembly invalid and on calling repeat voting of elections;
- (5)    on declaring the elections of the National Assembly invalid and on calling new elections.

2.     A decision on the election of the National Assembly and distribution of mandates shall be adopted where as a result of the election one of the political parties running in elections has received at least 53 mandates as a result of distribution of mandates as prescribed by this Article.

3.     A decision on preliminary distribution of the mandates of Deputies of the National Assembly shall be adopted where any of the political parties running in elections of the National Assembly does not receive at least 53 mandates as a result of distribution of mandates.

4.     Mandates of the National Assembly shall be distributed among the electoral lists of those political parties and alliances of political parties that have received at least 5 per cent of ballot papers with affirmative vote — in case of a political party, and 7 per cent of ballot papers with affirmative vote — in case of alliances of political parties, respectively, of the total sum of the total number of ballot papers with affirmative vote and the number of inaccuracies. Where an electoral list of only one political party or one alliance of political parties has polled respectively at least 5 per cent or 7 per cent of ballot papers with affirmative vote of the total sum of the total number of ballot papers with affirmative vote and the number of inaccuracies, the next two political parties, alliances of political parties having polled the respective highest number of ballot papers with affirmative vote shall participate in the distribution of mandates. Where no more than three political parties, alliances of political parties run in the elections of the National Assembly, all the political parties, alliances of political parties shall take part in the distribution of mandates.

5.     Mandates of the National Assembly shall be distributed among political parties and alliances of political parties in proportion with the number of ballot papers cast for each of them. The calculation of the number of mandates available for each political party, alliance of political parties, shall be carried out in the following manner: the number of ballot papers cast for each political party shall be multiplied by 101; the product shall be divided by the total number of

ballot papers with affirmative vote cast for political parties having passed the thresholds; and whole numbers shall be parted, which shall be the numbers of mandates available for each political party, alliance of political parties.

6. The remaining mandates shall be distributed among political parties, alliances of political parties as per the sequence of value of remainders, by the principle of one mandate to each. In case the remainders are equal, the contested mandate shall be given to the political party, alliance of political parties the number of ballot papers cast for which is the highest, while in case of a tie, the matter shall be settled by drawing of lots.

7. Where the number of mandates received by a political party is even, mandates equal to 50 per cent of the number of mandates shall be provided to candidates in the national list of a political party in sequential order. Where the number of mandates received by a political party is odd, mandates equal to the integral part of 50 per cent of mandates shall be provided to candidates in the national list of a political party in sequential order. The remaining part of mandates (hereinafter referred to as "DEM") shall be distributed among candidates included in district lists of political parties.

8. The number of mandates available for each district shall be determined as follows: the number of ballot papers cast for the political party in the given district shall be multiplied by the number of the DEM; the product shall be divided by the total number of ballot papers cast for the political party and the whole numbers shall be parted which shall be the numbers of mandates available for the district electoral list of the political party in the given district.

9. The remaining mandates shall be distributed among districts as per the sequence of value of remainders, by the principle of one mandate to each. In case the remainders are equal, the contested mandate shall be given to the district list of a political party the number of ballot papers cast for which is the highest, while in case of a tie, the matter shall be settled by drawing of lots.

10. Mandates available for a political party running in elections at an election district shall — in the quantity equal to the number of mandates available for the given district — be received by the candidates having polled the highest number of ballot papers with affirmative vote. In case of a tie of ballot papers with affirmative vote the matter shall be settled by drawing of lots.

11. If any candidate has received a mandate from the national list and from any district, the mandate of the latter from the national list shall be transferred to the next number of the list.

12. Four mandates of the National Assembly shall be distributed among representatives of national minority. Mandates shall be distributed among political parties, alliances of political parties having passed the threshold as per the coefficient received for each mandate which shall be calculated by the following formula:

$$C_i = \frac{F_i}{M_i + 1}$$

where:

$C_i$  — coefficient of a political party, alliance of political parties;

$F_i$  — the number of mandates received from the first part of the list of a political party, alliance of political parties;

$M_i$  — the total number of mandates of representatives of national minorities already received by a political party while calculating the coefficient of a political party, alliance of political parties for a regular mandate.

A political party, alliance of political parties having the highest coefficient in the beginning of the calculation of coefficients shall receive one mandate of a representative of national minority. The next vacant mandate of a representative of national minority shall be received by the

political party, alliance of political parties having a higher coefficient as compared to other political parties, alliances of political parties. Calculation of coefficients shall be repeated until the four mandates are distributed. In case of equal highest coefficients a mandate shall be distributed by drawing of lots.

When distributing mandates of representatives of national minority the first mandate shall — from among the candidates for Deputy who are representatives of a national minority with the largest number of resident population — be given to the candidate listed under number one in the second part of the electoral list of the respective political party, alliance of political parties; the second — to the number one from among the candidates for Deputy of the respective political party, alliance of political parties who are representatives of a national minority with the second largest number of resident population; the third — to the number one from among the candidates for Deputy of the respective political party, alliance of political parties who are representatives of a national minority with the third largest number of resident population; the fourth — to the number one from among the candidates for Deputy who are representatives of a national minority with the fourth largest number of resident population.

Where the respective candidate from the second part of the electoral list of a political party, alliance of political parties has received a mandate under the national or district list, the mandate available for that candidate shall be passed on to the candidate listed under the next number of the list of the given national minority included in the second part of the electoral list, and in case there are no more candidates in the list of that minority, the mandate shall remain vacant.

13. The procedure for drawing of lots prescribed by this Article shall be prescribed by the Central Electoral Commission.

#### **Article 96. Minority and majority additional mandates**

1. Where any political party, alliance of political parties receives, as prescribed by Article 95, the majority but less than 54 per cent of the total number of mandates, that political party, alliance of political parties shall receive as many additional mandates, so that the integral part of the per cent of mandates of that political party, alliance of political parties equals to 54 per cent.

2. Where based on elections any political party, alliance of political parties receives more than  $\frac{2}{3}$  of the total number of mandates, other political parties, alliances of political parties shall receive as many minimum additional mandates (AM) so that in the result the total number of their mandates (TNM) equals to  $\frac{1}{3}$  of the total number of mandates of the National Assembly or more. The number of additional mandates available for each political party (alliance) shall be determined as follows: the number of ballot papers received by that political party, alliance of political parties shall be multiplied by the number of AM; the product shall be divided by the TNM, and the whole numbers shall be parted which shall be the numbers of additional mandates available for the given political party, alliance of political parties. The remaining mandates shall be distributed among political parties, alliances of political parties as per the sequence of value of remainders, by the principle of one mandate to each. In case the remainders are equal, the contested mandate shall be given to the political party, alliance of political parties the number of mandates whereof is the highest, while in case of a tie, the matter shall be settled by drawing of lots as prescribed by the Central Electoral Commission.

3. Distribution of additional mandates, prescribed by this Article, among the national and district lists, as well as districts, shall be carried out in such a manner so as to observe the rules of part 7 of Article 95 of this Code for the distribution of mandates available for a political party.

4. Within the meaning of part 2 of this Article, as well as Article 98 of this Code, the total number of mandates shall include also the mandates allocated to national minorities and shall comprise 105 mandates.

**Article 97. Formation of political coalitions**

1. Within 3 days after adoption of the decision provided for in point 2 of part 1 of Article 95 of this Code any political party, alliance of political parties having passed the electoral thresholds may form a political coalition with at least two other political parties (alliances) having passed the electoral thresholds, where the sum of the votes cast for them is sufficient for making up 54 per cent of the total number of mandates, and they have come to an agreement as to the candidate for Prime Minister.

2. Coalition member political parties, alliances of political parties must, by 18:00 of the day of deadline for forming a coalition, submit to the Central Electoral Commission the decisions on forming a coalition of permanently functioning governing bodies of coalition member political parties, all member political parties to alliance of political parties. The decision on forming a coalition must contain the surname, name, patronymic of the candidate for the Prime Minister. In case of failure to submit or incomplete submission of the mentioned decision within the prescribed time limit the coalition shall be considered as not formed.

3. The coalition may not be considered as formed where a political party, alliance of political parties, which has received 40 per cent of the total number of mandates based on the results of the first round, prior to the deadline prescribed in part 2 of this Article submits an application to the Central Electoral Commission on holding a second round. The mentioned application shall be submitted with the signature of heads of the political party and, in case of an alliance of political parties, of all member political parties to the alliance.

4. The Central Electoral Commission shall, on the day following the expiry of the deadline provided for in part 2 of this Article, adopt a decision on holding a second round of elections or on election of the National Assembly.

**Article 98. Second round of election**

1. The second round of election shall be held on the 21st day after voting. Two political parties, alliances of political parties, having polled the maximum votes during the first round, shall have the right to run in the second round of election, with the exception of the case prescribed in part 3 of this Article.

2. New alliances may be formed with political parties, alliances of political parties, having the right to run in the second round, which shall be formed of political parties, alliances of political parties having passed the thresholds, where they have come to an agreement on the candidate for Prime Minister.

The letter on forming a new alliance, signed by heads of member political parties to the new alliance, all member political parties to an alliance of political parties which is a member to the new alliance, shall be submitted to the Central Electoral Commission by 18:00 of the second day following adoption of the decision on holding the second round as prescribed by the Central Electoral Commission. The mentioned letter must contain surname, name, patronymic of the candidate for Prime Minister. In case of failure to submit the mentioned letter within the prescribed time limit or in case of submitting it incompletely, the new alliance shall be considered as not formed.

3. Where political parties, alliances of political parties, having received the maximum number of votes, form a new alliance together, then the next political party, alliance of political parties, having received the maximum number of votes, not included in the new alliance shall receive the right to run in the second round with which a new alliance may also be formed. The letter on forming that new alliance, signed by heads of member political parties to the alliance, all member political parties to an alliance of political parties, shall be submitted to the Central

Electoral Commission by the heads by 18:00 of the fourth day following the decision of the Central Electoral Commission on holding the second round as prescribed by the Central Electoral Commission.

4. If the new alliance, the member political parties to which together have received 54 per cent or more of the total number of mandates, wins in the second round, they shall preserve the received mandates.

5. If the new alliance, the member political parties to which together have received 2/3 of mandates by the results of the first round, wins in the second round, other political parties, alliances of political parties shall receive additional mandates as prescribed by part 2 of Article 96 of this Code.

6. The political party (the alliance) having won in the second round or the new alliance which (the member political parties to which together) has (have) received 54 per cent or less of mandates by the results of the first round, shall receive additional mandates as prescribed by part 1 of Article 96 of this Code.

#### **Article 99. Summarisation of results of the second round of elections of the National Assembly**

1. The Central Electoral Commission shall, in the manner prescribed by Article 76 of this Code and on the seventh day following the second round of voting, summarise the results of the elections of the National Assembly and adopt any of the following decisions:

- (1) on the National Assembly being elected;
- (2) on calling a repeat voting in certain electoral precincts;
- (3) on declaring elections of the National Assembly invalid and on calling new elections.

2. In cases prescribed by parts 1 and 2 of Article 96 of this Code the Central Electoral Commission shall also adopt a decision on distribution of additional mandates.

#### **Article 100. Provision of mandates to Deputies**

1. Provision of mandates to candidates included in the electoral list of a political party, alliance of parties shall be carried out upon protocol of the Central Electoral Commission, by registering Deputies of the National Assembly elected from each national electoral list and each district electoral list.

If the number of candidates included in the electoral list of a political party, alliance of political parties is smaller than the number of mandates available as a result of distribution of mandates, then these mandates shall remain vacant.

2. The mandate of a Deputy elected from the national list, whose powers have terminated prematurely, shall be given to the next candidate in the national electoral list of that political party, alliance of political parties upon the protocol of the Central Electoral Commission, within a period of one week after notification to the Commission, whereas in case of a Deputy elected from a specific district — to the next candidate having received maximum votes from that district electoral list.

3. If there is no other candidate in the district list, the mandate shall be passed on to the national list. If there is no other candidate in the national list, the mandate shall remain vacant.

**Article 101. Calling a repeat voting, declaring the results of the elections invalid**

1. Where in the course of voting, such violations of this Code have occurred that could have affected the results of the elections, the Central Electoral Commission shall adopt a decision on holding a repeat voting in certain electoral precincts, if it is possible to remedy the consequences of those violations by such means. If it is not possible to remedy these violations by such means, elections of the National Assembly shall be declared invalid, and a repeat voting for the elections of the National Assembly shall be called.
2. Where in the course of preparation of elections or in the course of holding a repeat voting in certain electoral precincts, such violations of this Code have occurred that could have affected the results of the elections, the Central Electoral Commission shall adopt a decision on declaring the elections of the National Assembly invalid and shall call a repeat voting for the elections of the National Assembly.
3. Where the Central Electoral Commission adopts a decision on holding a repeat voting in certain electoral precincts, the repeat voting shall be held on the seventh day following the adoption of this decision. In this case, the time limits prescribed by this Code for summarisation of results of the elections of the National Assembly shall be calculated from the day of repeat voting.
4. No earlier than 15 and no later than 30 days after the entry into force of the decision on declaring the elections of the National Assembly invalid, a repeat voting shall be held as prescribed by this Code and with the same composition of political parties, alliances of political parties.
5. In case the results of repeat voting for the elections of the National Assembly are declared invalid, new elections shall be held no later than 70 days after the entry into force of that decision. In the event of a new election, the Central Electoral Commission shall adopt a decision on calling the voting day on the seventh day after the adoption of the decision on declaring the elections of the National Assembly invalid.
6. New elections shall be held by new nomination and in the manner and within the time limits prescribed for early elections.

**Article 102. Appealing against the results of the elections**

1. Applications for challenging the decisions adopted by part 1 of Article 95, Article 96, parts 4 and 5 of Article 97, Article 99 of this Code based on the results of the elections of the National Assembly may be submitted to the Constitutional Court by 18:00 of the fifth day following the publication of the relevant decision.

**CHAPTER 18  
CALLING AND HOLDING ELECTIONS OF THE NATIONAL ASSEMBLY**

**Article 103. Time limits for calling and holding regular elections of the National Assembly and for nominating and registering candidates for Deputy**

1. A regular election of the National Assembly shall be held no earlier than 60 and no later than 50 days before the end of the powers of the National Assembly.

2. No later than 90 days prior to the voting day, the President of the Republic shall promulgate a decree on calling regular elections.
3. The political parties running in elections of the National Assembly shall submit the documents for registration to the Central Electoral Commission no earlier than 55 and no later than 45 days prior to the voting day, by 18:00.
4. Registration of electoral lists of political parties, alliances of political parties shall be carried out no earlier than 45 and no later than 35 days prior to the voting day, by 18:00.

**Article 104. Calling and holding early elections of the National Assembly**

1. Early elections of the National Assembly shall be held no earlier than 30 and no later than 45 days after dissolving the National Assembly.
2. Together with the decree on dissolving the National Assembly, the President of the Republic shall promulgate a decree on calling early elections of the National Assembly.
3. Documents required for registration of the political parties running in elections of the National Assembly shall be submitted to the Central Electoral Commission by 18:00 no later than 25 days prior to the voting day.
4. Registration of electoral lists of political parties shall be carried out no earlier than 25 and no later than 20 days prior to the voting day, by 18:00.
5. Electoral precincts shall be formed and polling stations shall be designated no later than 25 days prior to the voting day. No later than 20 days prior to the voting day, the authorised body shall hand over the lists of electors to the person possessing the premises of the polling station, who shall post them in the polling station, in a place visible to all.

**SECTION 5  
ELECTIONS OF HEAD OF COMMUNITY AND MEMBER OF A COMMUNITY COUNCIL OF  
ELDERS**

**CHAPTER 19  
GENERAL PROVISIONS**

**Article 105. Electoral system**

1. During elections of head of community, a single-mandate majoritarian constituency shall be formed in the territory of the community.
2. During elections of community council of elders, one multi-mandate majoritarian constituency shall be formed in the territory of the community.
3. A community council of elders shall consist of:
  - (1) five members in a community having up to 1 000 electors;
  - (2) seven members in a community having from 1 000 to 2 000 electors;
  - (3) nine members in a community having from 2 000 to 4 000 electors;
  - (4) eleven members in a community having from 4 000 to 10 000 electors;
  - (5) fifteen members in a community having from 10 000 to 70 000 electors;
  - (6) thirty-three members in a community having more than 70 000 electors.

**Article 106. Requirements set for candidates for head of community and member of council of elders**

1. Persons, having been registered for at least the last six months prior to the voting day in the population register of the community where elections are held, and having the right to elect during elections of local self-government bodies pursuant to Article 2 of this Code, may be elected as head of community and member of council of elders.
2. Judges, prosecutors, officers of the Investigative Committee, the Special Investigation Service, the Judicial Acts Compulsory Enforcement Service, officers of the Police, the National Security service, rescue, tax, customs authorities, penitentiary service, military servants, members of an election commission may not be nominated as a candidate for head of community and member of council of elders.

**CHAPTER 20  
NOMINATION OF CANDIDATES FOR HEAD OF COMMUNITY AND MEMBER OF  
COUNCIL OF ELDERS**

**Article 107. Nomination of candidates for head of community and member of council of elders**

1. Candidates for head of community and member of council of elders may be nominated by political parties based on the decision of their respective district (primary, local) units, as well as by persons having the right to be elected, by way of self-nomination through submitting an application thereon, the form whereof shall be prescribed by the Central Electoral Commission. A political party may also nominate a person, who is not its member, as a candidate for head of community and member of council of elders.



2. The decision of the respective district (primary, local) unit of a political party on nominating a candidate for head of community and member of council of elders and the application, in case of self-nomination, shall contain the name of the community and the following information about the candidate:

- (1) surname, name, patronymic;
- (2) date of birth;
- (3) place of registration;
- (4) place of employment and position (occupation);
- (5) party affiliation; as well as may contain data on up two authorised representatives of the candidate (their surname, name, patronymic, date of birth, number of the personal identification document, place of employment and position (occupation)).

3. The candidates for head of community and for member of council of elders shall — attached to the decision of the respective district (primary, local) unit of the political party or the application for self-nomination — submit to the district electoral commission:

- (1) the receipt for payment of the electoral deposit.

The electoral deposit shall — in a community having up to 1 000 electors — be paid in the amount of 50-fold of the minimum salary by a candidate for head of community, in the amount of 10-fold of the minimum salary by a candidate for member of council of elders; in a community having from 1 000 to 2 000 electors — in the amount of 100-fold of the minimum salary by a candidate for head of community, in the amount of 15-fold of the minimum salary by a candidate for member of council of elders; in a community having from 2 000 to 4 000 electors — in the amount of 150-fold of the minimum salary by a candidate for head of community, in the amount of 20-fold of the minimum salary by a candidate for member of council elders; in a community having from 4 000 to 10 000 electors — in the amount of 300-fold of the minimum salary by a candidate for head of community, in the amount of 30-fold of the minimum salary by a candidate for member of council of elders; in a community having from 10 000 to 70 000 electors — in the amount of 500-fold of the minimum salary by a candidate for head of community, in the amount of 70-fold of the minimum salary by a candidate for member of council of elders; and in a community having more than 70 000 electors — in the amount of 1 000-fold of the minimum salary by a candidate for head of community, in the amount of 100-fold of the minimum salary by a candidate for member of council of elders;

- (2) a statement of information on being registered in the population register of the community concerned for the last six months;
- (3) carbon copy of the personal identification document.

4. The form of the statement of information prescribed in point 2 of part 3 of this Article shall be defined by the Central Electoral Commission. The mentioned statement of information shall be issued by the authorised body within a three-day period following the request but not earlier than before calling elections.

The authorised body shall, upon its decision, refuse to provide the statement of information of the specified form to an applicant, where the data concerning him or her do not meet the requirements provided for in part 1 of Article 106 of this Code.

5. Registration documents shall be handed over only personally by a candidate or an authorised representative within the time limits prescribed by this Code.

6. Where errors, deletions, erasures, misprints are found in documents submitted for the registration of a candidate for head of community and member of council of elders, the district electoral commission shall be obliged to bring them to the attention of persons submitting such documents so as to correct them, as well as correct, in their presence, on its own, evident errors, misprints existing in the submitted documents.

The Commission shall not have the right not to accept the submitted documents only for the reason that they contain such errors, deletions, erasures, or misprints. The provisions of this part shall not apply to correction of errors, deletions, erasures, misprints or elimination of other

deficiencies found in the documents, the right whereof is reserved by law to the bodies having adopted or issued such documents.

In case the submitted documents contain inaccuracies referred to in the second paragraph of this part or in case of incompleteness of documents attached to the application, the district electoral commission shall give 48 hours for the eliminating the mentioned inaccuracies, completion of attached documents. In case of failure to eliminate inaccuracies or to complete the documents within that time period, the registration of the candidate shall be rejected.

**Article 108. Registration of candidates for head of community and member of council of elders**

1. Candidates for head of community and member of council of elders shall be registered by the decision of the district electoral commission.

In case no objection is raised by the members of the district electoral commission with regard to the registration, the candidate shall be registered.

2. The candidate and the authorised representative shall have the right to be present at the sitting of the district electoral commission when the issue of registration of the candidate is considered.

**Article 109. Rejection of registration of a candidate for head of community and member of council of elders**

1. The district electoral commission shall reject the registration of a candidate, where:

- (1) he or she does not have the right to be elected;
- (2) not all documents thereon have been submitted or the submitted documents are incomplete or falsified.

2. In case objection is raised by a member of the commission with regard to the registration of a candidate for head of community and member of council of elders, the objection shall be put to vote. The registration shall be rejected upon a decision adopted by at least two thirds of the total number of votes of the district electoral commission members.

**Article 110. Declaring invalid the registration of a candidate for head of community and member of council of elders**

1. The district electoral commission shall declare invalid the registration of a candidate for head of community and member of council of elders, where by virtue of facts having emerged after the registration:

- (1) he or she does not have the right to be elected;
- (2) the documents submitted thereon are falsified.

The registration of a candidate shall be declared invalid upon a decision adopted by at least two thirds of the total number of votes of the district electoral commission members.

**Article 111. Procedure for appealing against decisions on rejecting, declaring invalid the registration of a candidate for head of community and member of council of elders**

1. The decision of the district electoral commission on rejecting or declaring invalid the registration of a candidate for head of community or member of council of elders may be appealed against before the Administrative Court.

2. A candidate shall be considered as registered or re-registered upon a civil judgment of a court on declaring invalid the decision of the district electoral commission on rejecting or declaring invalid the registration of a candidate for head of community or member of council of elders.

**Article 112. Revocation of the registration of a candidate for head of community or member of council of elders**

1. The registration of a candidate for head of community or member of council of elders shall be revoked:

(1) by the decision of the district electoral commission, where he or she has submitted an application for recusal;

(2) upon a civil judgment of a court, where he or she has violated the provisions of part 8 of Article 19 of this Code or of Article 27 of this Code.

**CHAPTER 21**

***STATUS OF CANDIDATES FOR HEAD OF COMMUNITY AND MEMBER OF COUNCIL OF ELDERS***

**Article 113. Status, legal equality of candidates for head of community and member of council of elders**

1. Candidates for head of community and member of council of elders shall acquire their status upon the registration. Rights and responsibilities prescribed by this Code shall extend to candidates for head of community and member of council of elders until the expiry of the time limit prescribed for appealing against the decision of the district electoral commission on head of community and members of council of elders being elected.

Candidates shall have equal rights and responsibilities arising from the status of a candidate for head of community and member of council of elders.

2. A candidate for head of community or member of council of elders may submit an application for recusal no later than 10 days before the voting day, by 18:00. An application for recusal shall be certified by a notary, or the candidate shall confirm his or her application for recusal at the sitting of the commission.

**CHAPTER 22**

***ELECTION CAMPAIGN OF CANDIDATES FOR HEAD OF COMMUNITY AND MEMBER OF COUNCIL OF ELDERS***

**Article 114. Campaign fund of candidates for head of community and member of council of elders**

1. Candidate for member of council of elders, and for a head of community having up to 10 000 electors shall set up a campaign fund provided that he or she will spend or has already sent an amount exceeding the 500-fold of the minimum salary for funding the conduct of the election campaign through mass media, renting halls, premises, preparing (placing), acquiring a campaign poster, printed campaign and other materials, preparing all types of campaign materials (including printed materials) to be provided to electors.

2. The campaign fund shall be formed by the voluntary contributions referred to in Article 26 of this Code.

In case of a community having up to 10 000 electors, a candidate for head of community and member of council of elders shall have the right to make contribution to his or her fund in the amount of up to 150-fold, and the political party having nominated him or her — in the amount of up to 200-fold of the minimum salary.

In case of a community having 10 000 and more electors, a candidate for head of community and member of council of elders shall have the right to make contribution to his or her fund in the amount of up to 500-fold, and the political party having nominated him or her — in the amount of up to 1 000-fold of the minimum salary.

3. Any natural person may make a voluntary contribution to the campaign fund of a candidate respectively in the amount of up to:

- (1) 50-fold of the minimum salary in case of a community having up to 10 000 electors;
- (2) 100-fold of the minimum salary in case of a community having more than 10 000 electors.

4. During the election campaign, for the purpose of funding the conduct of the election campaign through the mass media, renting halls, premises, preparing (placing), acquiring a campaign poster, printed campaign and other materials, preparing any types of campaign materials (including printed materials) to be provided to electors, a candidate for head of community shall have the right to spend:

- (1) a sum in the amount of 3 000-fold of the minimum salary in case of a community having up to 4 000 electors;
  - (2) a sum in the amount of 7 000-fold of the minimum salary in case of a community having from 4 000 to 10 000 electors;
  - (3) a sum in the amount of 15 000-fold of the minimum salary in case of a community having from 10 000 to 70 000 electors;
  - (4) a sum in the amount of 25 000-fold of the minimum salary in case of a community having more than 70 000 electors;
- while a candidate for member of council of elders —
- (5) a sum in the amount of 500-fold of the minimum salary in case of a community having up to 4 000 electors;
  - (6) a sum in the amount of 1 000-fold of the minimum salary in case of a community having from 4 000 to 10 000 electors;
  - (7) a sum in the amount of 3 000-fold of the minimum salary in case of a community having from 10 000 to 70 000 electors;
  - (8) a sum in the amount of 5 000-fold of the minimum salary in case of a community having more than 70 000 electors.

#### **Article 115. Election campaign**

1. During elections of head of community and member of council of elders the election campaign shall be conducted in the manner and within the time limits prescribed by this Code.

### **CHAPTER 23** **SUMMARISATION OF ELECTIONS RESULTS OF HEAD OF COMMUNITY AND MEMBER OF COUNCIL OF ELDERS**

#### **Article 116. Ballot papers**

1. The surnames, names and patronymics of candidates, in alphabetical order of surnames, and the name of the nominating political party, in case of self-nomination — the word "self-nomination" shall be specified on the ballot papers for head of community and members of council of elders, respectively. Where surnames, names and patronymics of candidates

coincide, the date of birth shall also be specified. In this case the data on the eldest candidate shall be specified first.

**Article 117. Summarisation of election results of head of community**

1. The district electoral commission shall, in the manner and within the time limits prescribed by Article 75 of this Code, summarise the election results and adopt any of the following decisions:

- (1) on head of community being elected;
- (2) on calling a repeat voting in separate electoral precincts;
- (3) on declaring the election of head of community invalid;
- (4) on declaring the election of head of community as not having taken place.

2. The candidate having received the highest number of affirmative votes of electors shall be elected as head of community. Where one candidate is voted on, he or she shall be elected where more than half of those participating in the voting have cast affirmative votes for him or her.

Where two and more candidates have received an equal number of ballot papers with the maximum affirmative votes, the elected candidate shall be determined by drawing of lots between them.

3. Where in the course of voting such violations of this Code have taken place that might have affected the election results, the district electoral commission shall adopt a decision on holding a repeat voting in separate electoral precincts, if it is possible to remedy such violations by such means. Where it is impossible to remedy these violations by such means, elections shall be declared invalid, and a repeat voting shall be called.

4. Where in the course of preparation of elections or in the course of holding a repeat voting in separate electoral precincts, such violations of this Code have taken place that might have affected the election results, the district electoral commission shall adopt a decision on declaring the elections invalid and shall call a repeat voting.

5. Where the district electoral commission adopts a decision on holding a repeat voting in separate electoral precincts, the repeat voting shall be held on the ninth day following the adoption of this decision. In this case, the time limits prescribed by this Code for summarisation of results of the elections of head of community shall be calculated from the day of repeat voting.

6. The election of head of community shall be declared as not having taken place, where:

- (1) the only candidate voted on has failed to receive necessary number of affirmative votes of electors;
- (2) no candidate has been registered within the time limit and in the manner prescribed by this Code for the registration of candidates or the number of candidates registered within the same time limit is less than two;
- (3) one of the candidates deceases before the end of the voting;
- (4) a candidate having received the maximum number of ballot papers with affirmative vote deceases before the summarization of election results;
- (5) after the election, before assuming powers, the elected head of community deceases or refuses to assume powers;
- (6) based on the results of repeat voting, elections have been declared invalid.

8. The chairperson of the district electoral commission shall, within a two-day period after adopting a decision on election of head of community, submit it to the Central Electoral Commission and to the marz governor.

9. In case elections of head of community are declared invalid, a repeat voting shall be held with the same composition of candidates, after 21 days following the voting day. Repeat voting with the same composition of candidates may be held only once.

10. The decision adopted by the district electoral commission based on the results of elections of head of community may be appealed against before the Administrative Court.

#### **Article 118. Summarisation of election results of members of council of elders**

1. The district electoral commission shall, in the manner and within the time limits prescribed by Article 75 of this Code, summarise the election results and adopt any of the following decisions:

- (1) on members of a community council of elders being elected;
- (2) on calling a repeat voting in separate electoral precincts;
- (3) on declaring the election of a community council of elders invalid;
- (4) on declaring the election of a community council of elders as not having taken place.

2. A respective number of candidates for member of council of elders, referred to in part 3 of Article 105 of this Code, who have received the maximum number of ballot papers with affirmative votes, shall be elected in the community. In case of a tie of ballot papers with affirmative vote, the elected candidate shall be determined by drawing of lots between them as prescribed by the Central Electoral Commission.

3. Where in the course of voting such violations of this Code have taken place that might have affected the elections results, the district electoral commission shall adopt a decision on holding a repeat voting in separate electoral precincts, if it is possible to remedy such violations by such means. Where it is impossible to remedy these violations by such means, elections shall be declared invalid, and a repeat voting shall be called.

4. Where in the course of preparation of elections or in the course of holding a repeat voting in separate electoral precincts, such violations of this Code have taken place that might have affected the elections results, the district electoral commission shall adopt a decision on declaring the elections invalid and shall call a repeat voting.

5. Where the district electoral commission adopts a decision on holding a repeat voting in separate electoral precincts, the repeat voting shall be held on the ninth day following the adoption of this decision. In this case, the time limits prescribed by this Code for summarisation of the results of the elections of a community council of elders shall be calculated from the day of repeat voting.

6. In case of declaring elections of members of a community council of elders invalid, a repeat voting shall be held with the same composition of candidates after 21 days following the voting day.

Repeat voting with the same composition of candidates may be held only once.

7. Election of members of a community council of elders shall be considered as not having taken place where the number of candidates, registered within the time limit and in the manner prescribed by this Code for the registration of candidates, is less than or is equal to the number of members of a community council of elders referred to in part 3 of Article 105 of this Code, or after registration the number of candidates falls below the half of the number of members of a community council of elders referred to in part 3 of Article 105 of this Code, or, based on the results of the repeat voting, elections of the community council of elders have been declared invalid.

8. The chairperson of the district electoral commission shall, within a two-day period after adopting a decision on election of members of a community council of elders, submit it to the Central Electoral Commission and the marz governor.

9. The decision adopted by the district electoral commission based on the election results of members of a community council of elders may be appealed against before the Administrative Court.

#### **CHAPTER 24**

#### ***TIME LIMITS AND PROCEDURE FOR CALLING AND HOLDING ELECTIONS OF HEAD OF COMMUNITY AND MEMBER OF COUNCIL OF ELDERS***

##### **Article 119. Time limits for calling, holding a regular election and nominating and registering candidates**

1. Regular elections of head of community and member of council of elders may be held up to four times a year. The voting days of regular elections of head of community and member of council of elders shall be prescribed by the Central Electoral Commission for each year.

2. The voting day must, from among the days prescribed by the Central Electoral Commission prior to the expiry of powers, be the nearest to the day of expiry of powers. Elections of head of community and member of council of elders shall be called by the marz governor no later than 70 days before the voting day.

3. Documents necessary for the registration of candidates shall be submitted to the district electoral commission no earlier than 35 and no later than 30 days before the voting day, by 18:00.

4. Registration of candidates shall be carried out no earlier than 30 and no later than 25 days before the voting day, by 18:00.

5. Where the voting day for election of head of community and member of council of elders coincides with the voting day for election of the National Assembly, the day of election of local self-government bodies shall be postponed for one week.

##### **Article 120. Calling and holding a new election**

1. A new election of head of community shall be called in cases of declaring the election of head of community as not having taken place prescribed by part 6 of Article 117 of this Code.

2. A new election of a community council of elders shall be called in cases of declaring the election of a community council of elders as not having taken place prescribed by part 7 of Article 118 of this Code.

3. A new election shall be held on the last Sunday of the forty-day period following the day of adoption by the district electoral commission of a decision on declaring the elections of head of community or members of council of elders as not having taken place, or following the day of entry into legal force of the civil judgment of a court.

The new election shall be held by new nomination of candidates under the procedure prescribed by this Code for early election of head of community, members of council of elders. The new election shall be called by the marz governors

**Article 121. Calling and holding early election**

1. An early election of head of community shall be held within the time limit prescribed by part 1 of Article 119 of this Code so that this time limit be the nearest day from among the days prescribed by the Central Electoral Commission after the position of the head of community remains vacant provided that it is at least 45 days after the position remains vacant.
2. A marz governor shall adopt a decision on calling early election within a one-week period after the position the head of community remains vacant.
3. In case the total number of members of council of elders reduces by half, an early election shall be called in the manner and within the time limits prescribed by part 1 of this Article.
4. Documents necessary for the registration of candidates shall be submitted to the district electoral commission no earlier than 25 and no later 21 days before the voting day, by 18:00.
5. Registration of candidates shall be carried out no earlier than 21 and no later than 19 days before the voting day, by 18:00.
6. Electoral precincts shall be formed and polling stations shall be designated no later than 20 days before the voting day, the lists of electors, no later than 17 days before the voting day, shall be posted in a polling station, in a place visible to all.



**SECTION 6  
ELECTION OF THE COUNCILS OF ELDERS OF YEREVAN, GYUMRI, VANADZOR**

**CHAPTER 25  
PROCEDURE FOR ELECTION OF THE COUNCILS OF ELDERS OF YEREVAN, GYUMRI,  
VANADZOR**

**Article 122.           Composition of the Councils of Elders of Yerevan, Gyumri, Vanadzor**

1. The Council of Elders of the city of Yerevan (hereinafter referred to as "Yerevan") shall consist of 65 members.
2. The Councils of Elders of the city of Gyumri (hereinafter referred to as "Gyumri") and the city of Vanadzor (hereinafter referred to as "Vanadzor") shall consist of 33 members.

**Article 123.           The right to elect during elections of the Councils of Elders of Yerevan, Gyumri and Vanadzor**

1. Persons included in the population register of Yerevan, Gyumri and Vanadzor, having the right to elect during elections of self-government bodies pursuant to Article 2 of this Code, shall have the right to elect during elections of the Councils of Elders of Yerevan, Gyumri and Vanadzor, respectively.

**Article 124.           Electoral System**

1. Elections of the Councils of Elders of Yerevan, Gyumri and Vanadzor shall be held under the proportional electoral system.
2. During elections of the Councils of Elders of Yerevan, Gyumri and Vanadzor the entire territory of Yerevan, Gyumri and Vanadzor respectively shall be one multi-mandate constituency.

**Article 125.           Right to be elected**

1. Persons, having been included for at least the last six months prior to the voting day in the population register of Yerevan, Gyumri, Vanadzor, having the right to elect during elections of local self-government bodies pursuant to Article 2 of this Code, shall have the right to be elected as member of the Councils of Elders of Yerevan, Gyumri and Vanadzor, respectively.
2. Judges, prosecutors, officers of the Investigative Committee, the Special Investigation Service, the Judicial Acts Compulsory Enforcement Service, officers of the Police, the National Security Service, rescue, tax, customs authorities, penitentiary service, military servants, members of an election commission may not be nominated as candidate for member of the Councils of Elders of Yerevan, Gyumri and Vanadzor.

**CHAPTER 26**  
**CALLING AND HOLDING ELECTIONS OF THE COUNCILS OF ELDERS OF YEREVAN,  
GYUMRI, VANADZOR**

**Article 126. Time limits for calling, holding regular elections of the Councils of Elders of Yerevan, Gyumri and Vanadzor, for nominating and registering electoral lists of political parties (alliances of political parties)**

1. Regular election of the Councils of Elders of Yerevan, Gyumri and Vanadzor shall be held no earlier than 30 and no later than 20 days before the expiry of its powers.
2. Regular elections shall be called by a decision of the Government of the Republic of Armenia so that the decision of the Government of the Republic of Armenia on calling an election enters into force no later than 60 days before the voting day.
3. Documents necessary for the registration of electoral lists shall be submitted to the Central Electoral Commission no earlier than 45 and no later than 35 days before the voting day, by 18:00.
4. Registration of electoral lists shall be carried out no earlier than 35 and no later than 30 days before the voting day, by 18:00.

**Article 127. Calling and holding early elections of the Councils of Elders of Yerevan, Gyumri and Vanadzor**

1. Early elections shall be held on the furthest Sunday after no earlier than 30 and no later than 40 days following the announcement of the day of election of the council of elders.
2. The day of holding early elections shall be announced by the Central Electoral Commission within a one-week period after dissolving the Councils of Elders of Yerevan, Gyumri and Vanadzor.
3. In case of early elections, documents necessary for the registration of electoral lists shall be submitted to the Central Electoral Commission no later than 25 days before the voting day, by 18:00.
4. In case of early elections, registration of electoral lists shall be carried out no earlier than 25 and no later than 20 days before the voting day, by 18:00.
5. In case of early elections, electoral precincts shall be formed, and polling stations shall be designated no later than 25 days before the voting day. The authorised body shall, no later than 20 days before the voting day, hand over the lists of electors to the person possessing the premises of the polling station who shall post them in the polling station, in a place visible to all.

**CHAPTER 27**  
**NOMINATION AND REGISTRATION OF CANDIDATES FOR MEMBER OF THE COUNCILS**  
**OF ELDERS OF YEREVAN, GYUMRI AND VANADZOR**

**Article 128. Right to nominate candidates for member of the Councils of Elders of Yerevan, Gyumri and Vanadzor**

1. The right to nominate candidates for member of the Councils of Elders of Yerevan, Gyumri and Vanadzor shall be reserved to political parties and alliances of political parties. A candidate may be nominated by the electoral list of only one political party.
2. Alliances of political parties may be formed in case of formation of an electoral alliance of at least two political parties.
3. Political parties included in an alliance of political parties may not be included in another alliance of political parties in the course of elections.
4. The decision on joining an alliance of political parties shall be adopted by the decision of the permanently functioning governing body of the political party.
5. Electoral list of an alliance of political parties shall be formed based on separate lists submitted by each political party included in the alliance. The order of candidates in the electoral list of an alliance of political parties shall be determined in the course of joint consultations held by the political parties included in the alliance and shall be approved by the decision of the permanently functioning governing body of each political party included in the alliance.
6. Where any political party leaves the alliance of political parties, names of candidates of that political party shall be removed from the electoral list of the alliance of political parties.
7. The electoral list of a political party, alliance of political parties may also include persons that are not members of that political party, of any of the member political parties to the alliance, the number of which may not exceed 30 per cent of the total number of candidates included in that electoral list.

**Article 129. Registration of the electoral list of a political party running in elections**

1. Political parties shall submit the application for running in elections to the Central Electoral Commission based on the decision of their permanently functioning governing body. The application shall be signed by the head of the political party. Alliances of political parties shall submit the application for running in elections to the Central Electoral Commission based on the decisions of the permanently functioning governing bodies of member parties to the alliance, and the application shall be signed by heads of all member parties of the alliance.
2. Each political party, alliance of political parties shall have the right to nominate only one electoral list. A political party included in an alliance of political parties shall have no right to nominate a separate list of candidates on its own behalf. In case of election of the Council of Elders of Yerevan the electoral list of a political party shall include at least 25 candidates, whereas in case of elections of the Councils of Elders of Gyumri, Vanadzor — at least 15 candidates. The number of candidates included in the electoral list of a political party may not exceed the three-fold of the number prescribed by this Code for mandates of members of the Councils of Elders of Yerevan, Gyumri and Vanadzor, respectively.

Within the electoral list of a political party, alliance of political parties and each of the political parties included in the alliance, the number of representatives of each sex, starting with the second place on the list, must not exceed 80 per cent of each integer group of five candidates (2-6, 2-11, 2-16 and subsequently up to the end of the list). The electoral list of a political party may include also persons that are not members of that political party.

3. The following shall be attached to the application of a political party to run in elections of the Councils of Elders of Yerevan, Gyumri and Vanadzor:

(1) the statute of the political party, political parties included in the alliance of political parties;  
(2) the decision of the permanently functioning governing body of the political party, of each of the member political parties to the alliance on nominating the electoral list of candidates in the elections of the Councils of Elders of Yerevan, Gyumri and Vanadzor, the electoral list, which shall include the:

- a) record number in the electoral list;
- b) surname, name, patronymic;
- c) date of birth;
- d) sex;
- e) place of registration;
- f) place of employment and position (occupation);
- g) party affiliation of the candidates;

(3) a statement of information on that candidate has been included for the last six months in the population register of Yerevan, Gyumri, Vanadzor, respectively;

(4) a written statement of the candidate regarding the consent to be registered as a candidate for member of the Councils of Elders of Yerevan, Gyumri, Vanadzor.

The statement of information referred to in point 3 of this part shall be issued by the authorised body within a three-day period following the request but no earlier than before calling elections. The form of the statement of information shall be prescribed by the Central Electoral Commission. The authorised body shall, upon its decision, reject the issuing of the statement of information of the specified form to the applicant, if data thereon do not meet the requirements provided for in part 1 of Article 125 of this Code;

(5) separate electoral lists submitted by political parties included in the alliance of political parties;

(6) the receipt for payment of an electoral deposit in the amount of 3 000-fold of the minimum salary in case of Yerevan, the receipt for payment of an electoral deposit in the amount of 2 000-fold of the minimum salary in case of Gyumri and Vanadzor;

(7) carbon copies of personal identification documents of the candidates.

4. Data on up to two authorised representatives (surname, name, patronymic, date of birth, number of the personal identification document, place of employment, position) shall be specified in the decision of the permanently functioning governing body of the political party (in case of alliance of political parties — in the application for running in elections).

Registration documents shall be handed over only personally by the authorised representative of the political party, alliance of political parties within the time limits prescribed by this Code.

5. Where errors, deletions, erasures, misprints are found in documents submitted for the registration of the electoral list, the Central Electoral Commission shall be obliged to bring them to the attention of persons submitting such documents so as to correct them, as well as correct, in their presence, on its own, evident errors, misprints existing in the submitted documents.

The Commission shall not have the right not to accept the submitted documents only for the reason that they contain such errors, deletions, erasures, or misprints. The provisions of this part shall not apply to correction of errors, deletions, erasures, misprints or elimination of other deficiencies found in the documents, the right whereof is reserved by law to the bodies having adopted or issued such documents.

In case the submitted documents contain inaccuracies referred to in the second paragraph of this part or in case of incompleteness of documents attached to the application, the Central

Electoral Commission shall give 48 hours for eliminating the mentioned inaccuracies, supplementing the attached documents.

In case of failure to eliminate inaccuracies in the electoral list of a political party, alliance of political parties, regarding a candidate included in the electoral list, or in case of failure to supplement the documents, the registration of the electoral list shall be rejected, and, if a candidate is included in the electoral list, his or her name shall be removed from the electoral list as prescribed by the Central Electoral Commission.

6. The electoral list shall be registered in case no objections are raised by the members of the Central Electoral Commission with regard to the registration of the electoral list of the political party, alliance of political parties.

Within a three-day period after the expiry of the time limit prescribed for the registration of electoral lists, the electoral lists shall be posted on the Internet website of the Central Electoral Commission.

7. The authorised representative of a political party, alliance of political parties shall have the right to be present at the sitting of the Commission when the issue of registering the electoral list is considered.

**Article 130. Rejecting the registration of an electoral list of a political party or a candidate included therein**

1. The Central Electoral Commission shall reject the registration of the electoral list of a political party, alliance of political parties where:

- (1) the necessary documents have not been submitted or documents submitted for registration are incomplete or falsified;
- (2) the electoral list does not comply with the requirements prescribed by part 2 of Article 129 of this Code (except for cases where non-compliance is conditioned by a circumstance which has arisen after the nomination);
- (3) the political party has been dissolved;
- (4) the number of political parties included in the alliance of political parties has fallen below two;
- (5) the activities of the political party have been suspended or prohibited.

2. In case an objection is raised by a member of the Central Electoral Commission regarding the registration of the electoral list of the political party, the alliance of political parties, the objection shall be put to vote. The registration of the electoral list shall be rejected upon the decision adopted by at least two thirds of the total number of votes of the Commission members.

3. The Central Electoral Commission shall reject the registration of a candidate included in the electoral list of a political party, where:

- (1) he or she does not have the right to be elected;
- (2) the necessary documents concerning him or her have not been submitted or the documents submitted for registration are incomplete or falsified.

4. In case an objection is raised by a member of the Central Electoral Commission regarding the registration of a candidate included in the electoral list of the political party, the objection shall be put to vote. The registration of a candidate included in the electoral list of a political party shall be rejected upon the decision adopted by at least two thirds of the total number of votes of the Commission members.

**Article 131. Declaring invalid the registration of an electoral list of a political party or a candidate included in the list**

1. The Central Electoral Commission shall declare the registration of an electoral list of a political party, alliance of political parties invalid, where by virtue of facts having emerged after the registration:

- (1) the number of candidates included in the electoral list has fallen below the number prescribed by Article 129 of this Code as a result of revoking or declaring the registration of candidates included in the electoral list invalid;
- (2) the submitted documents are falsified.

2. The registration of a candidate included in the electoral list shall be declared invalid, where by virtue of facts having emerged after the registration:

- (1) he or she does not have the right to be elected;
- (2) the documents submitted thereon are falsified.

In this case the name of the candidate shall be removed from the list as prescribed by the Central Electoral Commission.

3. The registration of an electoral list of a political party, alliance of political parties or a candidate included therein shall be declared invalid upon a decision adopted by at least two thirds of the total number of votes of the Central Electoral Commission members.

**Article 132. Procedure for appealing against the decisions on rejecting, declaring invalid or revoking the registration of an electoral list of a political party or a candidate included in the list**

1. The decision of the Central Electoral Commission on rejecting the registration of an electoral list of a political party, alliance of political parties or a candidate included therein, declaring invalid or revoking the registration may be appealed against before the Administrative Court.

2. An electoral list or a candidate included therein shall be considered as registered or re-registered upon a civil judgment of a court on declaring invalid the decision of the Central Electoral Commission on rejecting the registration of an electoral list of a political party, alliance of political parties or a candidate included therein, declaring invalid or revoking the registration.

**Article 133. Revocation of the registration of an electoral list of a political party or a candidate included therein**

1. The registration of an electoral list of a political party, alliance of political parties shall be revoked upon the decision of the Central Electoral Commission, where:

- (1) an application for recusal has been submitted;
- (2) the political party has been dissolved;
- (3) the activities of the political party have been suspended or prohibited;
- (4) the number of political parties included in the alliance of political parties is less than two.

2. The registration of the electoral list of a political party, alliance of political parties shall be revoked upon a civil judgment of a court, where provisions of part 8 of Article 19 of this Code or of Article 27 of this Code have been violated.

3. The registration of a candidate included in the electoral list shall be revoked upon the decision of the Central Electoral Commission, where he or she has submitted an application for recusal.

4. The registration of a candidate included in the electoral list shall be revoked upon a civil judgment of a court where he or she has violated the provisions of part 8 of Article 19 of this Code or of Article 27 of this Code.

**CHAPTER 28**  
**STATUS OF A CANDIDATE FOR MEMBER OF THE COUNCILS OF ELDERS OF**  
**YEREVAN, GYUMRI, VANADZOR**

**Article 134. Status, competencies of candidates for member of the Councils of Elders of Yerevan, Gyumri, Vanadzor**

1. Candidate for member of the Councils of Elders of Yerevan, Gyumri and Vanadzor shall acquire his or her status after registration. The rights and responsibilities prescribed by this Code shall extend to a candidate for member of the Councils of Elders of Yerevan, Gyumri and Vanadzor until the expiry of the time limit prescribed for challenging the decision of the Central Electoral Commission on members of the Councils of Elders of Yerevan, Gyumri and Vanadzor being elected, and where this decision is challenged — until the Administrative Court adopts a decision.

The registered candidate shall lose his or her rights pertaining to the status of a candidate and shall be exempt from the responsibilities also in cases prescribed by Articles 131 or 133 of this Code upon revoking or declaring invalid the registration of the electoral list of a political party, alliance of political parties or a candidate included therein, respectively. In case of appealing through judicial procedure the decision of the Central Electoral Commission on declaring invalid the registration of an electoral list of a political party, alliance of political parties or a candidate included therein, the candidate shall lose his or her rights pertaining to the status of a candidate and shall be exempt from responsibilities upon the entry into force of the judicial act.

Where a mandate of member of the council of elders becomes vacant, the applications for recusal of persons included in the electoral list of a political party, alliance of political parties, shall be certified by a notary, or the person shall approve his or her application for recusal at the sitting of the Commission.

2. Candidates shall have equal rights and responsibilities arising from the status of a candidate for member of the Councils of Elders of Yerevan, Gyumri and Vanadzor.

**Article 135. Rights, responsibilities, guarantees for activities of candidates for member of the Councils of Elders of Yerevan, Gyumri and Vanadzor**

1. Employees of state and local self-government bodies and state officials, who are candidates, except for the officials holding political and discretionary positions, shall be exempt by virtue of law from fulfilling their official responsibilities from the day the election campaign officially starts until the voting day, as prescribed by this Code. The absence from work of such candidates within this period of time shall be considered valid without preservation of the remuneration.

2. A political party, alliance of political parties shall have the right to submit an application for recusal no later than 10 days before the voting day, by 18:00.

A candidate shall have the right to withdraw his or her candidacy no later than 10 days before the voting day, by 18:00, as well as after the voting day. The name, surname of a citizen included in the electoral list of a political party shall be removed from the list as prescribed by the Central Electoral Commission. The application for recusal of a candidate shall be certified by a notary, or the candidate shall approve his or her application for recusal at the sitting of the Commission.

**CHAPTER 29**  
**ELECTION CAMPAIGN DURING ELECTIONS OF THE COUNCILS OF ELDERS OF**  
**YEREVAN, GYUMRI AND VANADZOR**

**Article 136. Election campaign during elections of the Councils of Elders of Yerevan, Gyumri and Vanadzor**

1. Election campaign shall be conducted in the manner and within the time limits prescribed by Articles 19-23 of this Code.
2. During elections of the Council of Elders of Yerevan, a political party, alliance of political parties shall have the right to use, free of charge, the airtime on the public television for not more than 30 minutes, the airtime on public radio for not more than 50 minutes, and in case of early elections — for 15 and 25 minutes, respectively.
3. During elections of the Council of Elders of Yerevan, a political party, alliance of political parties running in elections shall have the right to use, on a paid basis, the airtime on public television for not more than 50 minutes, the airtime on public radio for not more than 80 minutes, whereas in case of early elections — for 25 and 40 minutes, respectively.
4. The procedure and the schedule for using, free of charge and on a paid basis, the airtime on public radio and public television, prescribed by parts 2 and 3 of this Article, shall be prescribed by the Central Electoral Commission.

**Article 137. Campaign fund of a political party at the elections of the Councils of Elders of Yerevan, Gyumri and Vanadzor**

1. For the purpose of conducting an election campaign, a political party, alliance of political parties running in elections shall set up an election fund which shall be formed by the voluntary contributions referred to in Article 26 of this Code.
2. A political party or political parties included in an alliance of political parties running in elections of the Council of Elders of Yerevan may jointly make a contribution in the amount of up to 10 000-fold of the minimum salary to the fund of the political party or the alliance of the political parties, respectively; whereas during the elections of the Councils of Elders of Gyumri and Vanadzor — in the amount of up to 3 000-fold of the minimum salary.
3. Each natural person may make a voluntary contribution in the amount of up to 100-fold of the minimum salary in campaign funds of a political party, alliance of political parties. A candidate included in the electoral list of the political party running in elections of the Council of Elders of Yerevan may make a voluntary contribution in the amount of up to 1 000-fold of the minimum salary to the campaign funds of the political party, the alliance of the political parties; and in elections of the Councils of Elders of Gyumri and Vanadzor — in the amount of up to 500-fold of the minimum salary.
4. During the election campaign for the Council of Elders of Yerevan, for the purpose of funding the conduct of the election campaign through mass media, renting of halls, premises for the purpose of organising election gatherings and meetings with electors, preparing (placing), acquiring a campaign poster, printed campaign and other materials, preparing any types of campaign materials (including printed materials) to be provided to electors, a political party, alliance of political parties running in elections shall have the right to spend an amount not exceeding the 100 000-fold of the minimum salary; and during the elections of the Councils of



Elders of Gyumri and Vanadzor — an amount not exceeding the 30 000-fold of the minimum salary.

## **CHAPTER 30** **SUMMARISATION OF ELECTION RESULTS**

### **Article 138. Ballot papers**

1. Ballot papers of each political party running in elections of the Councils of Elders of Yerevan, Gyumri, Vanadzor shall include the name of the political party, the alliance of political parties, as well as the surnames, names and patronymics of the first three candidates in the electoral list.

### **Article 139. Summarisation of voting and election results**

1. The election results of the members of the Councils of Elders of Yerevan, Gyumri and Vanadzor shall be summarised under the procedure for summarisation of voting results of elections of the National Assembly.

2. The Central Electoral Commission shall, in the manner and within the time limits prescribed by Article 76 of this Code, summarise the election results and adopt any of the following decisions:

- (1) on members of the council of elders being elected;
- (2) on calling a repeat voting in separate electoral precincts;
- (3) on declaring invalid the elections of the members of the council of elders and on calling a repeat voting for the elections of the members of the council of elders;
- (4) on declaring invalid the elections of the members of the council of elders and on calling new election.

3. Mandates of the members of the council of elders shall be distributed among the electoral lists of candidates of those political parties and alliances of political parties that have received at least 6 per cent of ballot papers with affirmative vote — in case of political parties, and 8 per cent of ballot papers with affirmative vote — in case of alliances of political parties, respectively, of the sum of the total number of ballot papers with affirmative vote and the number of inaccuracies.

Where up to three political parties, alliances of political parties run in elections of the council of elders, all the political parties, alliances of political parties shall take part in the distribution of mandates.

4. Mandates of the members of the council of elders shall be distributed among the electoral lists of political parties, alliances of political parties in proportion with the number of ballot papers cast for each of them. The number of mandates available for each electoral list shall be calculated as follows: the number of ballot papers with affirmative votes cast for each electoral list shall be multiplied by the number of mandates available for electoral lists; the product shall be divided by the total number of ballot papers with affirmative votes cast for the electoral lists participating in the distribution of mandates, and the whole numbers shall be parted which shall be the numbers of mandates available for the electoral list of each political party, alliance of political parties.

Where, as a result of the distribution of mandates as prescribed by this part, any of the political parties, alliances of political parties receives more than 40 per cent of the seats but not the absolute majority, such political party, alliance of political parties shall be granted the absolute majority of the seats. Where two political parties, alliances of political parties each receive more than 40 per cent of the seats but not the absolute majority, the political party, alliance of political

parties having received the highest number of mandates, shall be granted the absolute majority of the seats. The remaining mandates shall be distributed among the electoral lists of other political parties, alliances of political parties having obtained the right to participate in the distribution of the mandates.

5. The remaining mandates shall be distributed among the electoral lists as per the sequence of value of remainders, by the principle of one mandate to each. In case the value of remainders are equal, the contested mandate shall be given to the electoral list that has received the highest number of ballot papers with affirmative votes, and, in case of a tie, the matter shall be settled by drawing of lots.

6. A candidate, whose record number in the electoral list is less than or equal to the number of mandates available for that electoral list, shall be elected from the electoral lists. The Central Electoral Commission shall draw up a protocol on candidates elected as members of the council of elders.

7. Where the number of candidates included in the electoral list of a political party, alliance of political parties is smaller than the number of mandates available as a result of distribution of mandates, these mandates shall remain vacant.

8. The mandate of a member of council of elders, who has been elected and whose powers have early terminated, shall be given to the next candidate in the electoral list of such political party, alliance of political parties upon the protocol of the Central Electoral Commission within a one-week period after notifying the Commission. Where there is no other candidate in the electoral list, the mandate shall be distributed by the principle defined in the first paragraph of part 7 of this Article.

9. Where in the course of voting, violations of this Code have taken place that might have affected the election results, the Central Electoral Commission shall adopt a decision on holding a repeat voting in separate electoral precincts, if it is possible to remedy these violations by such means. Where it is impossible to remedy these violations by such means, the elections of the council of elders shall be declared invalid, and a repeat voting for the elections of the council of elders shall be called.

10. Where in the course of preparation of elections or in the course of holding a repeat voting in separate electoral precincts, violations of this Code have taken place that might have affected the election results, the Central Electoral Commission shall adopt a decision on declaring invalid the elections of the council of elders and shall call a repeat voting for the elections of the council of elders.

11. Where the Central Electoral Commission adopts a decision on holding a repeat voting in separate electoral precincts, the repeat voting shall be held on the seventh day following the adoption of this decision. In this case, the time limits prescribed by this Code for summarisation of the results of the elections of the council of elders shall be calculated from the day of repeat voting.

12. The decision adopted based on the results of elections of members of the council of elders may be appealed against before the Administrative Court.

13. In case of declaring invalid the elections of the council of elders, no earlier than 14 days and no later than 21 days following the entry into force of the decision thereon, a repeat voting shall be held with the same composition of political parties, alliances of political parties, under the procedure prescribed by this Code.

14. Repeat voting shall be held once. In case the elections are declared invalid after the repeat voting, the Central Electoral Commission shall call a new election within a 21-day period. New

election shall be held by new nomination of candidates in the manner and within the time limits prescribed by this Code for early elections.

15. In case of early termination of powers of a member of council of elders, within a period of one week after notifying the Commission thereon, this mandate shall, upon a protocol of the Central Electoral Commission be given to the next candidate in the electoral list of the political party, alliance of political parties.

**PART THREE****CHAPTER 31  
ADDITIONAL, TRANSITIONAL AND FINAL PROVISIONS****Article 140. Procedure for preferential voting**

1. In preferential voting, surnames, names, patronymics of all candidates shall be specified on the left side of the ballot paper, and empty tick boxes for each candidate shall be placed for the voter to make a note. The order of names of candidates shall be determined by drawing of lots. The ballot paper may be substituted by an electronic data file expressing the preferences.

2. The voter shall enter the figure "1" in the tick box next to the name of the candidate to whom the elector gives his or her first preference. Next whole numbers starting from "2" shall then respectively be entered in the tick boxes next to the names of other candidates in the order of preference given thereto. No number shall be entered in the tick boxes against those candidates to whom the elector gives no preference, but, in any case, preference must be at least expressed for candidates equal to the number of vacant seats. At a particular stage of summarisation of voting results a ballot paper shall be considered as given in favour of the continuing candidate who has the highest number of preference votes in that ballot paper.

3. The following main concepts are used in this Article:

(1) **continuing candidate** — candidate who is neither excluded from the counting nor declared as elected at a certain stage of summarisation of voting results;

(2) **value of ballot paper** — numerical value given to the ballot paper as prescribed by this Article at a certain stage of summarisation of voting results;

(3) **total value of ballot papers** — the total sum of values of all ballot papers not excluded from the counting at a certain stage of summarisation of voting results;

(4) **value of candidate's votes** — the total sum of values of ballot papers, cast in favour of the candidate, which are not excluded from the counting;

(5) **passing quota** — the minimum number of votes necessary for being deemed to be elected at a certain stage of summarisation of voting results;

(6) **value of candidate's surplus votes** — the difference between the passing quota and the value of the candidate's votes, who is deemed to be elected at a certain stage of summarisation of the voting results;

(7) **gender equality standard** — a quantitative standard ensuring gender equality between the elected candidates (for example, the number of representatives of each sex among the elected candidates shall not be more than 6).

4. The voting results shall be summarised electronically. For the summarisation of the voting results, the following steps shall be taken in turn until the summarisation of the voting results is completed. All the arithmetical actions shall be done with the accuracy of 2 digits after the decimal point.

**Step 1.** Invalid ballot papers shall be excluded from the counting. A ballot paper shall be deemed invalid if it contains no preference given to candidates, at least equal to the number of vacant positions, or more than one candidate has received the same number of preference votes. All valid ballot papers shall be deemed not excluded from the counting, and the value of those ballot papers shall be set at "1".

**Step 2.** Ballot papers cast in favour of candidates not excluded from the counting shall be sorted as per the candidates. All candidates shall be deemed to be continuing candidates.

**Step 3.** Where the election of a representative of one of the sexes *a priori* violates the gender equality standard:

a. all the representatives of that gender shall be excluded from the counting;

b. their ballot papers shall be distributed in the following manner: the ballot paper with the same value shall be added to the ballot papers of the continuing candidates in favour of whom it is cast.

**Step 4.** Where the number of all the elected candidates equals to the number of vacant seats, the summarisation of the voting results shall be completed.

Where the number of all the elected candidates is smaller than the number of vacant seats, but the compliance with gender equality standard unequivocally predetermines the candidates who are to fill the vacant seats, these respective candidates shall also be announced as elected, and the summarisation of the voting results shall be completed.

**Step 5.** The value of candidate's votes shall be calculated for each continuing candidate. Based on these calculations, the total value of ballot papers shall be calculated, which shall be the total sum of votes of all continuing candidates.

The passing quota shall be calculated in accordance with the following formula:

**Passing quota = Total value of ballot papers / (Number of vacant seats +1) + 0.01**

**Step 6.** Where there is no continuing candidate whose total value of votes is higher than or equal to the passing quota, the process of summarisation of voting results shall continue from Step 10.

**Step 7.** The continuing candidate, whose total value of votes is the highest, shall be deemed as elected.

**Step 8.** For the elected candidate the value of surplus votes, equalling to the difference of the value of the candidate's votes and the passing quota, shall be counted. A new value of vote shall be given to each ballot paper cast in favour of that candidate. For the purpose of counting it, the value of vote of the ballot paper shall be multiplied by the value of candidate's surplus votes and divided by the value of the candidate's votes.

**Step 9.** All ballot papers of an elected candidate shall be re-distributed in the following manner: the ballot paper shall be added to ballot papers of the candidate in favour of whom it is cast. Where there is no such continuing candidate, the ballot paper shall be excluded from the counting and shall never be used during the following summarisation steps. The summarisation of the voting results shall continue from Step 3.

**Step 10.** A continuing candidate with the lowest value of votes shall be excluded from the counting unless it *a priori* violates the gender equality standard. In case it violates the gender equality standard, the candidate having received the minimum votes, whose exclusion will not *a priori* violate the gender equality standard, shall be excluded from the counting. Where due to the tie of votes it is impossible to determine the candidate having received the minimum votes, the candidate to be excluded shall be determined by drawing of lots.

Ballot papers of the candidate excluded from the counting shall be distributed in the following manner: the ballot paper with the same value shall be added to the ballot papers of the continuing candidate in favour of whom it is cast. The summarisation of the voting results shall continue from Step 3.

#### **Article 141. Transitional and final provisions**

1. This Code shall enter into force from 1 June 2016.
2. The Electoral Code of the Republic of Armenia adopted on 26 May 2011 shall be repealed upon the entry into force of this Code, except for cases prescribed by part 3 of this Article.
3. The elections of local self-government bodies called before 1 September 2017 shall be organised and held in accordance with the legal arrangements of the Electoral Code adopted on 26 May 2011. The Central Electoral Commission may, before 1 September 2017, adopt a decision on holding the elections of local self-government bodies in separate communities in accordance with the legal arrangements of this Code.

4. The Central and constituency electoral commissions existing before the entry into force of this Code shall exercise their powers until the formation of the Central and district electoral commissions, respectively, as prescribed by this Code.

Where the term of powers of any member of the Central Electoral Commission ceases prior to the entry into force of this Code before formation of the new Central Electoral Commission, those members shall continue to hold office until the formation of the new Central Electoral Commission.

5. The Central Electoral Commission must be formed before 1 November 2016. The first sitting of the Central Electoral Commission shall be convened at 12:00 of the third working day following the formation of the Central Electoral Commission. The Central Electoral Commission shall be considered as formed upon the election of the 2/3 of the composition of the Commission.

6. The Central Electoral Commission shall, before 1 December 2016, designate the service districts of district electoral commissions, the seats and numbers of district electoral commissions. District electoral commissions shall be formed within a 21-day period after designating the service districts of district electoral commissions and the seats of district electoral commissions. The first sittings of district electoral commissions shall be called by the Central Electoral Commission.

7. The second paragraph of part 6 of Article 42 of this Code shall enter into force from the moment of assuming of powers by the newly-elected President of the Republic of Armenia.

8. After the entry into force of this Code, before the elections of the new National Assembly, in part 5 of Article 44 of this Code number 90 shall be taken as the number of mandates of Deputies of the National Assembly, whereas the number of mandates received by a political party, alliance of political parties under the proportional electoral system shall be taken as the number of mandates received by a political party, alliance of political parties of the National Assembly.

9. The request prescribed by Articles 97 and 98 of this Code on recommending a candidate for Prime Minister shall enter into force from the moment of assuming of powers by the newly-elected President of the Republic of Armenia.