


## Law amending the Law on Elections to the Seimas

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Official translation

## REPUBLIC OF LITHUANIA

## LAW

## AMENDING THE LAW ON ELECTIONS TO THE SEIMAS

9 July 1992 No. I-2721

Vilnius

(New edition as 18 July 2000, No. VIII-1870)

(As amended by 23 August 2004, No. IX-2429)

**Article 1. Revised Version of the Law of the Republic of Lithuania on Elections to the Seimas**

The Law of the Republic of Lithuania on Elections to the Seimas shall be amended and set forth to read as follows:

## REPUBLIC OF LITHUANIA

## LAW

## ON ELECTIONS TO THE SEIMAS

as amended by 18 July 2000

## CHAPTER I

## GENERAL PROVISIONS

**Article 1. The Principles of Elections of Seimas Members**

Members of the Seimas of the Republic of Lithuania (hereinafter - the Seimas) shall be elected for a four-year term in single-member constituencies and the multi-member constituency on the basis of universal and equal suffrage, by secret ballot in direct, mixed-system elections.

**Article 2. Universal Suffrage**

1. Citizens of the Republic of Lithuania who, on the day of the election, are 18 years of age shall have the right to vote. Citizens who have been declared legally incompetent by the court shall not participate in elections.

2. Any citizen of the Republic of Lithuania who is not under allegiance to a foreign state and is at least 25 years of age on the day of elections, and who permanently resides in Lithuania may stand for election as a member of the Seimas. A citizen of the Republic of Lithuania shall be considered to be permanent resident of the Republic of Lithuania, whose data about a place of residence are entered in Population Register of the Republic of Lithuania, or a citizen who, under the Civil Code, is recognised as having a permanent place of residence in the Republic of Lithuania.

3. Persons who, with 65 days remaining before elections, have not yet served their sentence imposed by the court, as well as persons who have been declared legally incompetent and incapable by the court may not stand for election as members of the Seimas.

4. Persons who on the day of elections are in the active or alternative military service, also officers, non-commissioned officers and re-enlistees of the national defence system, police and the internal affairs service who, with 65 days remaining before elections, have not retired from the service, and officers of military-type and security services who are on the payroll may not stand for election as members of the Seimas.

5. A person who has been removed from office or his mandate of Seimas member has been revoked by the Seimas in accordance with impeachment proceedings may not be elected Seimas member.

6. Other direct or indirect abridgements of suffrage of the citizens of the Republic of Lithuania on grounds of their origin, political convictions, social or property status, nationality, sex, education, language, religion, or the type or character of their occupation shall be prohibited.

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

Every citizen of the Republic of Lithuania who has the right to vote shall have one vote in a single-member constituency and one vote in the multi-member constituency, and these votes shall have the same value as the votes of any other citizen who has the right to vote. Every voter shall have an equal right to express his opinion about the candidates who are on the list of candidates for which he votes in a multi-member constituency, and this opinion shall have the same value as the opinion of any other voter who has voted for this list.

### **Article 4. Direct Elections**

There shall be no voting by proxy in the elections of the Seimas members.

### **Article 5. Secret Ballot**

1. Voters shall vote in person and by secret ballot. It shall be prohibited for a person to vote instead of another person or to vote by proxy. A voter who because of his physical disability cannot cast a ballot himself, may vote with the assistance of another person whom he trusts as laid down in Paragraph 6 of Article 66 of this Law. If the secret of another person's voting has come to the knowledge of anyone, it shall be prohibited to disclose it.

2. It shall be prohibited to control the will of the voters during the elections. It shall be prohibited during the voting to influence the will of an elector to vote for or against any candidate or a list of candidates. A voter must have adequate conditions to mark his ballot in privacy and without interference. It shall be prohibited to handle the ballot in such a way that the secret of voting might be disclosed.

### **Article 6. Announcement of the Date of Elections to the Seimas**

1. Regular elections to the Seimas shall be announced by the President of the Republic, and early elections to the Seimas may be announced by the Seimas of the Republic of Lithuania or the President of the Republic.

2. Regular elections to the Seimas shall be announced by the President of Republic not later than three months prior to the expiration of the powers of the Seimas members. Regular elections to the Seimas shall be held not earlier than two months before and no later than one month before the expiration of the powers of the Seimas members. If, with four months remaining before the expiration of the powers of the Seimas members, the President of the Republic has not yet announced the date of regular elections to the Seimas, the Central Electoral Committee shall hold regular elections to the Seimas on the last Sunday from which at least a month remains before the expiration of the powers of the Seimas members.

3. If regular elections must be held in time of war, the Seimas or the President of the Republic shall adopt a decision to prolong the powers of the Seimas. In this event, elections must be called not later than three months within three months after the end of war.

4. Early elections to the Seimas may be held by the decision of the Seimas adopted by at least a three-fifths majority vote of all the Seimas members, or announced by the President of the Republic in the cases referred to in Paragraph 2 of Article 58 of the Constitution. The elections to the new Seimas must be held within three months from the adoption of the decision on the early elections. The day of elections to the new Seimas shall be specified in the decree of the President of the Republic on the regular elections to the Seimas, and in the resolution of the Seimas or decree of the President of the Republic on the early elections to the Seimas.

5. The day when ballots are cast in the multi-member constituency and in the first election in one-member constituencies shall be considered the day of the elections to the new Seimas. The election day shall be the day of repeat voting as well. Voting by post, voting on ships and in diplomatic missions shall be carried out before the election day or shall be completed on the day of the elections as laid down by this Law. The time-limit which starts on the election day and may become effective only after the election results have been announced shall start from the day of proclamation of the election results.

6. The date of by-election or run-off elections in a one-member constituency shall be announced by the Central Electoral Committee in cases laid down by this Law within 15 days after the day when the necessity to hold such elections arose, save as otherwise provided in this Law.

### **Article 7. Openness of Preparation and Holding of Elections**

1. Public notice about a forthcoming meeting of the electoral committee shall be put on the notice board placed in the premises where the electoral committee has its offices, and the members of this committee shall be personally notified about the forthcoming meeting at least 24 hours before the start of the meeting.

2. Meetings and voting of electoral committees shall be open and may be observed by representatives and observers of political parties and political organisations (hereinafter - parties), candidates for Seimas members upon presenting certificates of the established form or credentials with the seal of the organisation which have authorised them; representatives of the mass media, upon presenting their authority or service cards. A candidate for Seimas member may participate in the meeting of an electoral committee if: a) a matter concerning his personal activities or circumstances directly related to his person is being adopted or if he has been invited to participate in the meeting by the chairman of the electoral committee.

3. Persons present in the conference room may, from their seats, record, write down in shorthand or take down everything that is said at the meeting, photograph, film or make video recordings. Taking photographs, filming, and video recording which requires walking about the hall or using special lighting equipment, as well as live radio or television broadcasting of meetings shall be subject to the permission of the electoral committee chairman.

4. Electoral committees may not hold closed meetings. The Central Electoral Committee may prohibit anyone from entering the workroom of the service staff of electoral committees, document safe-keeping premises if it is necessary to guarantee undisturbed working conditions of the staff and to protect electoral documents.

5. If there are reasons to believe that during a meeting a threat to the security of an electoral committee or its participants may arise, the chairman of the committee may instruct the police to check documents and belongings of the persons entering the conference room or carry out their personal search.

6. The electoral committee may remove from the meeting hall persons who interfere with the work of the committee.

### **Article 8. Expenditure Related to the Preparation and Conduct of Elections**

Expenditure related to the preparation and holding of elections shall be covered from the state and municipal budgets. The expenditure of electoral committees related to the organisation and conduct of elections and the work of the members of electoral committees and the service staff shall be covered from the state budget. Maintenance of the office space of constituency electoral committees and polling district committees, expenditure of purchasing and keeping of the equipment of polling stations shall be covered from municipal budgets. If the municipal administration fails to provide adequate premises and supplies for the office of the polling district and the polling station, by the decision of the Central Electoral Committee state funds shall be used for this purpose. In such a case, the actual expenses for the polling station and supplies shall be recovered without suit by the Central Electoral Committee from the municipal administration.

## **CHAPTER II CONSTITUENCIES AND POLLING DISTRICTS**

### **Article 9. Formation of Constituencies**

1. For the organisation and conduct of elections, the territory of the Republic of Lithuania shall be divided into 71 single-member constituencies, taking into consideration the number of inhabitants in each constituency, the division of the territory of the Republic of Lithuania into single-member constituencies during previous elections to the Seimas, and the administrative-territorial division of the Republic of Lithuania. A constituency shall be formed from polling districts which have common boundaries. The number of voters in constituencies must be from 0.8 to 1.2 of the average number of voters in all single-member constituencies. The Central Electoral Committee, no later than 95 days before the election, shall establish, and no later than 90 days before the election, shall publish in the *Valstybės žinios (The Official Gazette)*

the list of polling districts forming a constituency, the addresses and telephone numbers of their polling stations, the number of voters in the constituency, and the addresses and telephone numbers of constituency electoral committees.

2. One multi-member constituency shall also be formed where all citizens of the Republic of Lithuania eligible to vote shall cast their votes. 70 Seimas members shall be elected in this constituency according to the proportional system of elections.

### **Article 10. Formation of Polling Districts**

1. With a view of making it more convenient for a voter to reach a polling station and with account of the number of voters, the territories of cities and regions shall be divided into polling districts.

2. The division of the territory of a town or region into polling districts, which shall be permanent during elections and referenda, shall be changed, where necessary, by the Central Electoral Committee on the

recommendation of the mayor. The Central Electoral Committee shall publish a list of approved polling districts, and changes made therein in the *Valstybės žinios* (*The Official Gazette*).

3. No more than 5, 000 voters must reside within the territory of a polling district.

4. The boundaries of a polling district and the address of the polling station shall be changed, necessary, but no later than 100 days prior to the election. In his recommendation to approve the division of the territory of the municipality into polling districts, the mayor shall specify the proposed name of the polling district, the addresses belonging to the polling district, the number of voters in the district, the address and telephone number of the polling station. The recommendation on changes in the division of the municipality into polling districts shall specify the changes it is proposing. These changes must be submitted to the Central Electoral committee at least 110 days prior to the election. In the event when it is impossible have polling at the polling stations established earlier, the Central Electoral Committee, on the recommendation of the constituency electoral committee, may change the address of the polling station within a shorter time limit than the one specified in this Article.

### **CHAPTER III ORGANISATION OF ELECTIONS**

#### **Article 11. Electoral Committees**

1. Elections to the Seimas shall be organised and conducted by:

- 1) the Central Electoral Committee;
- 2) constituency electoral committees; and
- 3) polling district committees.

2. A citizen of the Republic of Lithuania may be nominated to the electoral committee provided eligible to stand in election as a member of the Seimas (without taking into consideration the minimum age limit set for a Seimas candidate, but who is not younger than 18 years of age on the election day) and has not been dismissed, in the course of the last three years, from the an electoral or referendum committee due to violations of the Law on Elections to the Seimas, the Law on Presidential Elections, the Law on Electoral Municipal Councils or the Law on the Referendum.

3. The same person cannot concurrently be: a member of the electoral committee and a candidate for Seimas member; a candidate for Seimas member and a representative for the election; a representative for the election and a member of the electoral committee; a candidate for Seimas member and an observer at elections; a member of the electoral committee and an observer at the elections. If a member of the electoral committee seeks to stand in election as a member of the Seimas, at least 10 days in advance of giving his consent to stand for election as a member of the Seimas or before he starts collecting the signatures, he must resign from the post of a member of the electoral committee. If a member of the electoral committee fails to do so he shall be dismissed from the electoral committee for the violation of this Law and shall be not registered as a candidate for Seimas member or his name shall be struck off the list of candidates.

**Article 12. Repealed on 20 June 2002**

**Article 13. Repealed on 20 June 2002**

**Article 14. Repealed on 20 June 2002**

#### **Article 15. Formation of Constituency Electoral Committees**

1. The Central Electoral Committee shall for the period of elections form constituency electoral committees no later than 74 days in advance of the elections.

2. Constituency electoral committees shall be composed of:

1) a person nominated by the Minister of Justice, having a university law degree, who resides or works in the territory of the municipality the whole or a part whereof has been designated to this constituency;

2) a person nominated by the Lithuanian Lawyers' Association, having a university law degree, resides or works in the territory of the municipality the whole or a part whereof has been designate constituency;

3) a career public servant nominated by the mayor and employed in the administration of t municipality the whole or a part whereof has been designated to this constituency;

4) persons nominated by parties which have received the mandates of the Seimas memi multi-member constituency.

3. The Minister of Justice, the Lithuanian Lawyers' Society and the mayor may nominate m candidates. If the territory of a constituency is made up of territories of several municipalities, the committee must include career public servants employed in the administration of all of these municipalities, nominated by the mayors of these municipalities.

4. Parties which have received the mandates of the Seimas members in the multi-member constituency according to the list (joint list) of candidates shall each have the right to nominat representatives to constituency electoral committees from one list of candidates nominated in thi constituency. If the representatives meet the requirements of this Law, the Central Electoral Committee may not turn down said candidacies. If candidates have not been nominated, the Central Electoral Committee may, instead of them, additionally appoint as members of the Committee persons nominated by the Minister of Justice, the Lithuanian Lawyers' Society or a mayor.

5. In all cases, no less than 3 committee members must be persons who have been appoint constituency electoral committees from among the candidates nominated by the Minister of Justice, Lithuanian Lawyers' Society or a mayor. If the number of such persons is less, additional members to committee shall be appointed from among the candidates nominated by the Minister of Justice, the Lithuanian Lawyers' Society or a mayor.

6. If elections to the Seimas or elections of the President of the Republic, or a referendum : concurrently held on the same day, the same polling district committees or referendum committees shal formed. The Central Electoral Committee shall form a single - town, region, constituency or referen committee in a separate electoral, referendum territory and shall define its functions in organising a conducting other elections or a referendum.

7. The Central Electoral Committee shall appoint the chairman of the constituency electoral committee.

8. During its first meeting, the constituency electoral committee shall elect the deputy chairman and the secretary of the committee.

### **Article 16. Powers of the Constituency Electoral Committee**

The constituency electoral committee shall:

1) inform, in the manner established by the Central Electoral Committee, the voters who reside in the constituency about the boundaries of the polling districts, their offices, their working hours and poll stations;

2) supervise the implementation of this Law in the constituency;

3) form polling district committees;

4) distribute the funds allocated for the election among the polling district committees, control how these funds are used and report to the Central Electoral Committee about the funds used for the election;

5) register election observers and issue certificates to them;

- 6) monitor voting by post in the territory of the constituency
- 7) make up a list of health care, social care and guardianship institutions, military units and confinement situated in the territory of the constituency, and together with the head of the post office arrangements to organise voting by post in those institutions;
- 8) draw up the vote counting record of the constituency;
- 9) consider complaints against decisions and actions of the polling committees and adopt decisions to repeal decisions which contravene the requirements of laws and other legal acts;
- 10) exercise other powers provided for in this Law.

### **Article 17. Formation of Polling District Committees**

1. No later than 65 days prior to the election, the constituency electoral committee shall determine the number of the members of each polling district committee that must be a multiple of the number of the parties (their coalitions) which have the right to nominate candidates to electoral committees. If the number of nominated candidates is insufficient or if there is a vacancy in the committee, the mayor of the municipality in the territory whereof the polling district is formed may nominate the needed candidates.

2. An equal number of candidates to the polling district committee may be nominated by:

1) each party or a coalition of parties which received mandates of the Seimas members in multi-member constituency during the last election. If a party received mandates of the Seimas members while in a coalition, the candidates may be nominated together with the parties in this coalition;

2) a party or a coalition of parties which during the last election to the council of the municipality to the territory whereof the polling district belongs received mandates of the municipal council member according to the list of the nominated candidates.

3. If a party may nominate candidates in accordance with the results of both the elections to the Seimas and municipal elections it shall nominate its candidates only according to the results of one of the elections, whichever it chooses. If one of the parties which took part in an election coalition fails to nominate candidates or refuses to nominate them, or if it chooses to nominate candidates according to the results of another election when the coalition was formed, the other parties in this coalition have the right to nominate candidates without the participation of said party.

4. A party shall submit its list of candidates for the members of polling district committees in the constituency no later than 48 days prior to the election.

5. Polling district committees for the period of the election shall be formed by constituency electoral committees no later than 45 days before the elections. If the candidate nominated by the party does not meet the requirements of this Law the constituency electoral committee may not turn him down.

6. If no candidates have been nominated or the nominated candidates do not meet the requirements of this Law, or if they have been nominated after the expiration of the prescribed time limit, constituency electoral committees may reduce the number of members of the polling district committee established earlier or may ask the mayor to nominate the lacking number of candidates to the polling district committee. Candidates nominated by the mayor may not be party members or become party members until the expiration of the term of office of an electoral committee member. If during a meeting of a constituency electoral committee which appoints a member of the polling district committee nominated by the mayor no less than three members of the constituency electoral committee object to the appointment of the candidate, this candidate may not be appointed a member of the committee. A polling district committee must be made up of at least 5 members.

7. Chairmen of polling district committees shall be appointed from among the members of the polling district committee by constituency electoral committees.

8. During its first meeting the polling district committee shall elect the deputy chairman and secretary of the committee.

### **Article 18. Powers of the Polling District Committee**

The polling district committee shall:

- 1) receive voter lists from the constituency electoral committee, provide conditions for representatives of parties at the elections to familiarise themselves with said lists, hand or deliver in some other way certificates to voters, inform the constituency electoral committee about inaccuracies noticed in the voter list of a polling district;
- 2) investigate complaints about the errors made in voter lists;
- 3) in the manner prescribed by the Central Electoral Committee, monitor voting by post conducted in the territory of a polling district, ensure that conditions for voting by post are provided in all health care, social care and guardianship institutions, military units and the places of confinement situated in the territory of the polling district;
- 4) together with a representative of the municipality administration make arrangements in accordance with the requirements set forth in this Law about a timely preparation of the polling station, voting booths and ballot boxes;
- 5) organise voting in the polling district on the day of elections;
- 6) count votes and draw up the vote counting record of the polling district;
- 7) consider the complaints of the voters and observers of their electoral district on issues concerning preparation of the elections, organisation of voting, vote counting, drawing up a vote counting record, and adopt decisions related to them; and
- 8) exercise other powers provided for in this Law.

### **Article 19. A Written Pledge of Electoral Committee Members**

1. A member of an electoral committee, its chairman shall take office upon having given a written pledge.

2. The Central Electoral Committee shall establish the procedure for giving a written pledge for members and chairmen of constituency and polling district committees. When giving a written pledge, a person shall have the right to choose one of the following texts of a written pledge, established in this paragraph, and to give a written pledge pursuant to the chosen text. The following texts of a written text member of an electoral committee shall read as follows:

1) "I, (first name, name), swear to be faithful to the Republic of Lithuania, observe its Constitution and laws, in good faith and conscientiously perform my duties in the electoral committee and refrain from actions violating laws and the human rights.

So help me God."

2) "I, (first name, name), swear to be faithful to the Republic of Lithuania, observe its Constitution and laws, in good faith and conscientiously perform my duties in the electoral committee and refrain from actions violating laws and the human rights."

3. The person who has given the written pledge shall sign the text of the pledge. The text of the written pledge may not be altered. The written pledge shall be effective for the whole duration of the appointment to work in the electoral committee.

4. The written pledges of the members and chairmen of the electoral committees shall remain in custody of the electoral committees which have appointed them.

5. When appointing an electoral committee member, the electoral committee shall fix the date by which he must give a written pledge. The person who has not given a written pledge for more than 15 days after his appointment may not commence performing his duties in the electoral committee.

### **Article 20. Organisation of the Work of Electoral Committees**

1. Meetings of electoral committees shall be valid provided that at least three-fifths of the members of the committee are in attendance. Decisions of the committees shall be adopted by open vote of the majority of the committee members participating at the meeting. In the event of a tie vote, the committee chairman shall have the casting vote. Committee members who do not agree with the decision shall have the right to give a separate opinion in writing, which shall then be appended to the minutes of the meeting and shall be its constituent part.

2. After the close of elections, the powers of the chairmen and members of constituency electoral committees and of polling district committees shall be suspended. The decision to suspend the powers shall be adopted by the electoral committee which appointed the committee members, provided this committee and its chairman have fulfilled all the tasks assigned to him under law.

3. The chairman or a member of an electoral committee who has given a written pledge shall be prohibited from any form of campaigning or to influence the voters' will in any other way. Individuals who violate this requirement, the written pledge of a member of the electoral committee must be dismissed from the committee and may be held liable in the manner established by law.

## **Article 21. Appeals against Decisions of Electoral Committees Adopted before Closing of the Polls**

1. A party which has nominated a candidate for Seimas member, a person running for election to the Seimas, a representative for elections, and an election observer may appeal the decision of the electoral committee which was adopted before closing of the polls or against any other act of the committee:

1) an appeal against a polling district committee decision shall be lodged with the constituency electoral committee;

2) an appeal against the decision of a constituency electoral committee decision shall be lodged with the Central Electoral Committee;

3) an appeal against the Central Electoral Committee decision shall be lodged with the Administrative Court of Lithuania.

2. A voter, a representative of a political party or public organisation, who does not agree with decision of the polling district committee which has been adopted in reply to his appeal about the errors made in the voter list which did not let him exercise his right to vote (he has been incorrectly put on the voter list or his name has been struck off the voter list or when the data in the list about the voter has been inaccurate), may lodge an appeal against the decision of the polling district committee to the administrative court of an appropriate county.

3. Decisions of the Central Electoral Committee or its other acts may be appealed to the Administrative Court of Lithuania within 5 days after adoption of a decision but no later than before the closing of the polls. Appeals must be investigated within 48 hours of lodging them. Days off shall also be included in this period. The decision of the Tribunal shall become effective from its pronouncement.

4. Appeals lodged not in the manner established by this Article shall not be examined and shall be forwarded to the electoral committee which must examine them. The polling district committee, the constituency electoral committee may not forward to the Central Electoral Committee appeals for investigation which fall within their respective competence and have not been investigated.

## **Article 22. Assistance for Electoral Committees**

1. Central and local government institutions and agencies, their officers and staff, enterprises and their employees must assist electoral committees in exercising their powers and must furnish all necessary information to them.

2. Central and local government institutions and agencies, their officers and staff, firms, enterprises

and their employees must consider, within 3 days, requests submitted to them by electoral committees and give the electoral committee a reasoned response.

3. Electoral committees may recruit the required number of staff for additional work.

4. Central and local government institutions and agencies, their officers and staff, enterprises and their employees must provide to electoral committees adequate premises and equipment for the preparation and conduct of elections.

### **Article 23. Remuneration of Electoral Committee Members**

For their work in electoral committees, the chairmen, their deputies and members of the committee shall be remunerated at the rates submitted by the Central Electoral Committee and approved by the Government.

### **Article 24. Changing of the Composition of Electoral Committees**

1. The chairman or a member of an electoral committee may be removed from his office in the committee by the electoral committee which approved the composition of said committee, or the Central Electoral Committee.

2. The electoral committee may consider only a reasoned proposal of a party or a coalition to remove a member of the electoral committee whom it has nominated.

3. A new chairman or a member of the electoral committee shall be appointed, as necessary, in accordance with the procedure established by this Law, even after the expiration of the time period specified in paragraph 1 of Article 15, and paragraph 5 of Article 17.

## **CHAPTER IV VOTER LISTS AND VOTER CERTIFICATES**

### **Article 25. Voter Lists**

1. For the organisation and conduct of elections, the following voter lists shall be compiled:

- 1) the list of the voters of the Republic of Lithuania;
- 2) single-member constituency voter lists; and
- 3) polling district voter lists.

2. Voter lists shall be drawn up two times - preliminary and final. These lists may be used only for the organisation and conduct of elections.

3. The procedure of compiling voter lists must be such that every citizen of the Republic of Lithuania who is eligible to vote is registered in voter lists. No one may be registered in a voter list more than once.

4. At the request of parties which have nominated candidates, general electoral rolls of a constituency may be compiled and furnished for the purposes of campaigning. The parties which are registered in the State Register of Personal Data Processors, may obtain general electoral rolls (in electronic information media or printed). General electoral rolls shall indicate the name, the surname, the address, and the year of birth. The actual expenses for drawing up such electoral rolls shall be paid by the party which ordered them. If a voter has, in the manner prescribed by legal acts, refused to consent that the address of place of residence or the year of his birth would be publicly announced in general electoral rolls, only his name and surname shall be indicated in such rolls. The parties may not furnish general electoral rolls to third parties and to use them for the purposes other than campaigning. The parties must destroy the obtained data within 30 days after the proclamation of the final election results.

5. The electoral roll of the Republic of Lithuania and single-member constituency electoral rolls which are compiled and kept by the keeper of the population register shall be drawn up in electronic information media. Electoral rolls of polling districts shall be printed. The procedure and form of drawing-up

of electoral rolls, the method of drawing up and the manner of their use shall be determined by the Central Electoral Committee. The following data shall be used when drawing up electoral rolls:

1) in the electoral roll of the Republic of Lithuania: name, surname, personal number, date of birth, number of the personal document confirming the citizenship, the address of the place of residence and grounds for and the date of the entry of the said address into the Population Register;

2) in the single-member constituency electoral roll: name, surname, personal number, date of birth, the address of the place of residence and the grounds for and the date of the entry into the Population Register;

3) in the polling district electoral roll: name, surname and the address of the place of residence addresses of the voters who have refused to consent that their addresses of the place of residence would be announced in the polling district electoral roll, shall be indicated in the annex to the printed polling district electoral roll, and in the voter certificate.

6. Each voter shall have the right to refuse to consent that the address of his place of residence would be publicly announced in the polling district electoral roll, as well as that the address of his place of residence and the date of birth, or any other datum from the said data would be indicated in the general electoral rolls furnished to the parties. The Central Electoral Committee shall, in conjunction with the keeper of the population register, create conditions for a voter to exercise his right not to consent that the address of his place of residence would be announced in the polling district electoral roll, as well as the address of the place of residence and the date of birth would be announced in general electoral rolls.

#### **Article 26. General Procedure for Registering Citizens in Voter Lists**

1. All citizens of the Republic of Lithuania who have the right to vote shall be registered in the voter list of the Republic of Lithuania according to the data of issuance of the document (passport) certifying citizenship, and according to the population register of the Republic of Lithuania. State institutions which issue documents certifying citizenship of the Republic of Lithuania, keep information related to the statement of citizens' residence, register citizens' death and loss of citizenship are also responsible for a timely and proper updating of the population register of the Republic of Lithuania.

The lists compiled according to the data of the population register of the Republic of Lithuania shall be preliminary lists.

2. Compiling, updating and keeping of voter lists shall be organised by the Central Electoral Committee on the basis of the information furnished by central and local government institutions and constituency electoral committees.

3. The following persons shall be removed from the voter list of the Republic of Lithuania:

- a diseased citizen of the Republic of Lithuania;
- a person who has lost the citizenship of the Republic of Lithuania; and
- a citizen who has been declared legally incompetent by the court.

4. At least 7 days in advance of the election, updated preliminary voter lists acknowledged in the manner established by the Central Electoral Committee shall be approved as final voter lists. Changes in final voter lists may be made only subject to the consent of the Central Electoral Committee.

#### **Article 27. Voter Lists of One-Member Constituencies**

The voter list of a constituency in the magnetic media shall be made by the Central Electoral Committee according to the voter list of the Republic of Lithuania and the place of residence of a voter indicated therein (the most recent known place of residence), and shall be delivered to the constituency electoral committee at least 39 days before the election. Lists of voters residing abroad shall be also drawn up and shall be delivered to diplomatic missions of the Republic of Lithuania. A list of citizens whose place

of residence is unknown shall be also compiled.

### **Article 28. Voter Lists of Polling Districts**

The voter list of an polling district shall be drawn up by the constituency electoral committee according to the voter list of the constituency and the place of residence indicated therein, and shall be delivered to the polling district committee at least 26 days prior to the election. A list of citizens whose place of residence is specifically known shall be also compiled. Voters, ship crew members and passengers who are unable to return to Lithuania during the period of voting by post or on the election day, shall, according to the procedure established by the Central Electoral Committee, be registered in the voter list of the polling district in the territory where the ship's registration harbour or the administration of the ship's owner is located.

### **Article 29. Public Announcement of Electoral Rolls and Access to Electoral Rolls**

1. At least 25 days before the elections, an electoral committee of a polling district, a diplomatic mission shall provide conditions for the voters to have access to electoral rolls of the polling district. Only the data which concern a particular voter and which are contained in the annexes to the electoral roll of the polling district shall be provided to such voter. It shall be prohibited to make copies of the electoral rolls of the polling districts or to copy or disseminate such rolls in any other way. The business hours of electoral committee members as well as the telephone numbers for electors to make inquiries about whether they entered on the electoral roll must be on display at the entrance to the premises of the electoral committee. Following expiration of the time period for delivering voters' certificates, as prescribed by this Law, the business hours of the electoral committee of the polling district, its telephones must be on display in the entrances of multi-family apartment houses. The time and place for the voters to exercise their right to have access to electoral rolls shall be on display in a diplomatic mission, at the entrance to the premises of the electoral committee of the polling district.

2. The electoral roll of the Republic of Lithuania and electoral rolls of single-member constituencies shall not be announced publicly, however, the information about the entry of a voter on the electoral roll may be provided to the voter by telephone.

### **Article 30. Voter Certificate**

1. A voter certificate shall be a document issued by an electoral committee specifying the polling district in the voter list whereof a citizen of the Republic of Lithuania is registered. Electoral committees shall hand in voter certificates signed by the chairman of an electoral committee. A voter himself may print his voter certificate in accordance with the data of the voter list of the Republic of Lithuania, receive electronically according to the procedure established by the Central Electoral Committee. In this event, the voter himself shall sign his voter certificate. One cannot vote by post without this certificate.

2. A voter certificate shall contain:

- 1) the voter's first name and name;
- 2) the voter's birth date (year, month, day);
- 3) the voter's address;
- 4) the name and number of the single-member constituency in which the voter shall vote;
- 5) the name, number of the polling district in the list of voters whereof the name of the voter has been registered, as well as the address of the polling station;
- 6) the number of the voter in the voter list of a polling district;
- 7) the election day, the voting time at the polling station, the requirement to produce this certificate when voting by post, and other information relevant for the voter.

### **Article 31. Delivery of the Voter Certificate**

1. The delivery of voter certificates to voters shall be organised by the polling district committee. A diplomatic mission shall deliver or send by post voter certificates to a voter who is abroad, provided that he has informed the diplomatic mission of his address. A voter certificate shall not be delivered to the voter who is votes aboard a ship.

2. The delivery of a voter certificate shall be marked off in the preliminary voter list of a polling district. A voter certificate shall be either delivered to the voter personally or another person who lives together with the voter, or to a neighbour of the voter, who knows the voter and promises to deliver the certificate to the voter. The delivery of voter certificates to voters must be finished at least 20 days before the election.

3. The voter who has not received a voter certificate in due time or who has received a voter certificate with incorrect data, must, without delay, inform the polling district committee in the territory whereof he resides, and to produce his passport or other document confirming his identity to the election committee. If the voter is registered in the voter list of this polling district, the polling district committee must write out a new voter certificate to the voter and issue it to him immediately. If the voter is not registered in the voter list of this polling district but the address of his residence according to the data of the population register falls within the territory of this polling district or if the voter produces other evidence testifying that he resides within the territory of this polling district, the polling district committee shall ask him to fill out an application form established by the Central Electoral Committee for registering the voter in the voter list of this polling district (or this application form may be filled out by a member of the polling district committee). The polling district committee shall forthwith notify about it the constituency electoral committee which must cause to have the voter registered on the basis of this application in the voter list of the polling district. The voter certificate shall be issued and delivered to the voter following the updating of the voter lists.

4) A constituency electoral committee may, in the manner prescribed by the Central Electoral Committee, issue a voter's certificate to a voter who is registered in the voter list of a different constituency if said voter is not able to return to his permanent place of residence to collect or obtain in some other manner a voter certificate. The voter must apply for this in writing and produce the passport of a citizen of the Republic of Lithuania

### **Article 32. Updating of Voter Lists before Drawing up Final Lists**

1. Preliminary voter lists shall be updated when transferring a voter from one voter list of a constituency polling district into another, when removing a voter from or registering him in the voter list of the Republic of Lithuania.

2. A voter shall be transferred from one voter list into another if it transpires that the address of his place of residence in the preliminary list is incorrect or it has changed after said list was made.

3. Transferring of a voter from the voter list of one polling district into another in the same constituency shall be the responsibility of the constituency electoral committee which shall notify the Electoral Committee about the changes made in voter lists of polling districts. Transferring of a voter from the voter list of one constituency into another shall be the responsibility of the Central Electoral Committee on the recommendation of the constituency electoral committee and the Central Electoral Committee shall notify constituency electoral committees about the changes made. A voter may be registered in or removed from the voter list of the Republic of Lithuania only by the Central Electoral Committee in cases specified in Article 26 of this Law.

### **Article 33. Registration of Citizens of the Republic of Lithuania Who Are Staying Abroad in Voter Lists**

1. Citizens of the Republic of Lithuania who are staying in other states shall be registered in the voter list of the single-member constituency in the territory whereof the Seimas of the Republic of Lithuania is situated.

2. A diplomatic mission of the Republic of Lithuania shall, at least 15 days before the election to the Seimas, submit to the Central Electoral Committee the voter list compiled in the diplomatic mission, as well as a report about its updating. Added to this list may be the voters who, during the period of voting by post or on the day of elections, are not able to return to Lithuania and are voting in the diplomatic mission.

#### **Article 34. Registration in Voter Lists of Servicemen, Voters who are Aboard a Ship and Corrective Institutions, Detention Centres and Pre-trial Detention Institutions**

1. Voters performing the active or alternative service shall be registered in the voter lists of the polling district on whose territory they permanently resided before they were summoned for the active or alternative service.

2. Officers, non-commissioned officers and re-enlistees of the national defence system and the internal affairs service shall be registered in the voter lists of the polling district on whose territory they permanently reside.

3. The voters who are aboard a ship and who will be unable to return to Lithuania during the period of voting by post or to be present on the election day, shall be registered in the additional voter list of the polling district in whose voter list the ship's crew is registered.

4. Voters who are in corrective institutions, detention centres and pre-trial detention institutions shall be registered in the voter list of the polling district in whose territory they have declared their place of residence. If such a person has not declared a place of residence and upon his written request, he shall be registered in the voter list of the polling district in whose territory the corrective institution, detention centre or pre-trial detention institution is situated. A person who declared his place of residence before he has been put into a corrective institution, detention centre or pre-trial detention institution, may not be registered in the voter list of the polling district in whose territory the corrective institution, detention centre or pre-trial detention institution is situated.

#### **Article 35. Updating Voter Lists upon Compiling Final Voter Lists, as well as on the Election Day**

If following the approval of the final voter lists, but no later than until 6:00 p.m. on the election day, a voter who has not been registered in the voter list of the polling district addresses the electoral committee of the polling district and submits the passport of the citizen of the Republic of Lithuania with the address of the place of residence recorded therein or the passport and a document concerning his stated place of residence (the place of residence must be attached to the territory of this polling district), the electoral committee of the polling district shall register the voter in the additional voter list of the polling district, shall allow him to vote according to the procedure established by the Central Electoral Committee and shall immediately notify the voter's surname, name, personal code, his passport number and address to the constituency electoral committee. The electoral committee of the constituency shall check whether or not the voter is registered in the voter list of the constituency and take measures to guarantee that the voter would not be able to vote twice or the ballot papers filled by him would be counted only once. If the voter has voted twice, only that vote shall be counted which was put in the ballot box of the polling station. The other vote of the voter, received by post or cast according to the additional voter list of the polling district shall not be counted.

#### **Article 36. Complaints about Voter Lists**

1. A voter or a representative of the party may lodge complaints with the electoral committee of the polling district no later than 7 days before the election about the errors made in voter lists due to which the

voter is not registered in the voter list in the manner prescribed by this Law or is registered in several voter lists. The electoral committee of the polling district must investigate the complaint and adopt a decision thereon either immediately or within 2 days of the receipt thereof, if more than 10 days are left until the election day.

2. The decision of the electoral committee of a polling district may be within 3 days appealed against to the administrative tribunal of an appropriate county, which shall investigate the complaint within 3 days. The decision of the tribunal shall be final.

3. Complaints and comments shall not be investigated after the expiration of the term established for filing comments or complaints.

4. Electoral committees of polling districts shall report to the constituency electoral committee about the received complaints and changes made in the voter lists by the court's decision, and the electoral committee of the constituency shall report to the Central Electoral Committee as soon as possible but no later than within 12 hours.

## **CHAPTER V NOMINATION OF CANDIDATES FOR SEIMAS MEMBER**

### **Article 37. Nomination of Candidates for the Seimas Member**

1. Candidates for the Seimas member may be nominated by:

1) in single-member constituencies or the multi-member constituency - the party registered pursuant to the Law on Political Parties and Political Organisations no later than 65 days prior to the election,;

2) in a single-member constituency - every citizen of the Republic of Lithuania who qualifies to be elected as a Seimas member, may nominate himself for the Seimas member, provided his candidature is supported by signatures of no less than 1,000 voters of that constituency.

2. In the multi-member constituency parties shall nominate their candidates by presenting a list of candidates in which candidates are recorded in the succession established by the party. Unless the statutes of a party provide otherwise, candidates in single-member constituency and the list of the candidates, recorded in succession, in the multi-member constituency must be approved at the congress or conference of the party. The list of candidates (joint list) must not include less than 25 and more than 141 candidates.

### **Article 38. Application Documents for the Nomination of Candidates**

1. Parties must file with the Central Electoral Committee the following application documents:

1) an application for the participation in the election;

2) copies of their registration papers; the programme and the election programme of the party submitted as well;

3) the list of candidates nominated in the multi-member constituency;

4) the list of candidates nominated in a single-member constituency;

5) an obligation signed by each nominated candidate to terminate, if elected, his employment or any other activities incompatible with the status of Seimas member, the consent to be nominated by this party in a specific constituency, a questionnaire for a candidate for Seimas member filled in by the candidate himself, as well as the extract containing the basic data from the income tax return and the return of assets, presented to the State Tax Inspectorate, approved by that Tax Inspectorate to which the returns have been submitted. The party shall also have the right to submit photographs and autobiography of each candidate;

6) an authorisation for a representative for elections to represent it in the Central Electoral Committee; the party shall also have the right to grant authorisation to represent it and the candidate nominated by it in the electoral committees of constituencies;

7) documents certifying that the election deposit has been paid;

8) if the party, political organisation nominated candidates or candidates' lists during the prece elections to the Seimas or municipal councils, it shall have the right to submit a copy of the report published in the press, which had to be published in pursuance of the laws on the elections to the Seimas and M Councils, concerning the sources and use of funds for campaigning;

9) a copy of the financial statement for the preceding year, which had to be presented to the inspectorate pursuant to the Law on Political Parties and Political Organisations, which has been approved by the tax inspectorate to which this return was submitted; the party may also submit a copy of the accou (report), which had to be publicly announced according to the Law on Political Parties and Organisi concerning the budget revenue and the sources thereof, expenditures and their purpose.

2. The person who decides to nominate himself for the candidates for Seimas member, must submit the electoral committee of the constituency the following documents:

1) application concerning his nominating himself for the candidate for Seimas member i constituency;

2) a signed obligation to terminate, upon his election, his employment or any other activiti incompatible with the status of Seimas member, a questionnaire for a candidate for Seimas member filled in by the candidate himself, as well as the extract containing the principal data from the income tax return and the return of assets, submitted to the State Tax Inspectorate, approved by that Tax Inspectorate to which returns have been submitted. He shall also have the right to submit his photographs, autobiography;

3) a document certifying that election deposit has been paid. An authorisation by a candidat represent him in the Central Electoral Committee and the electoral committee of the constituency may also be presented.

3. The constituency electoral committee shall within three days issue to the citizen who has decided to nominate himself as candidate for Seimas member individual forms with the first name and name of t candidate for the collection of voter signatures to collect signatures of voters of that constituency who support his self-nomination. The citizen who has decided to nominate himself as candidate for Seimas shall eith himself collect voter signatures or charge other persons having the right to vote to perform the task. The person who collected the signatures shall put his signature at the end of the voter signatures collection form and shall be responsible for the collection of signatures according to the procedure laid down in this Law. In the form for the collection of signatures the citizen who supports the person's self-nomination must himself fill in the following data: name, first name, number of the passport, date of birth, address of the permanen place of residence, and sign it. Where a citizen who supports the candidate's self-nomination is unable, due to some physical disability or for some other reasons, to personally write down the required data in the form for signature collection, he may request any other citizen with the right to vote, except for the person collecting the signatures, to do this for him. In such an event a statement of the form prescribed by the Central Electoral Committee shall be drawn up and attached to the form for the collection of signatures. citizen who supports the person's self-nomination as candidate and has no physical disabilities which preclude him from filling in his data must himself write down the data in the form for the collection signatures. It shall be prohibited to bribe voters who supported self-nomination, to give or promise remuneration for supporting the candidate's self-nomination also to demand under threat that the person put his signature or in any other way violate the principle of voluntariness. The candidate must return the forms for the collection of signatures to the constituency electoral committee not later than 40 days before th election. Upon receiving the forms for the collection of signatures, the constituency electoral committee verify them within 7 days. The constituency electoral committee shall count the number of signatur constituency voters who supported the citizen's self-nomination. The following signatures shall not be counted: the signatures of persons with no right to vote, of voters who are not registered in the voter list of the constituency; of persons who failed to record all the data prescribed by this Law; if incorrect data recorded; all signatures of the citizen who has signed for the self-nomination of the person several times. If it is established that the citizens' signatures have been forged, that the principle of voluntariness or

requirements of this Law have been violated during signature collection, the constituency electoral committee shall recommend the Central Electoral Committee not to register the person as a candidate for the members of the Seimas. If it turns out, upon deducting the invalid signatures, that the number of signatures established in this Law has been collected in the forms for the collection of signatures, the constituency electoral committee shall recommend to the Central Electoral Committee to register the person as a candidate for Seimas member.

4. In the Seimas member's questionnaire a citizen who has nominated himself or has been nominated as a candidate for Seimas member must fill in the following data himself: name, first name, number of passport, personal code, date of birth, address of the permanent place of residence, whether or not he has an unserved term of the court-imposed sentence, whether or not he is in the active or alternative national defence service, whether or not he is an officer, non-commissioned officer or re-enlistee of the national defence system, police and the internal affairs service, who has not retired from service, as well as an officer of other military-type or security service, who is on the payroll. Other questions, additionally established by the Central Electoral Committee, may also be included in the Seimas member's questionnaire, to which person is not bound to give answers. A candidate for Seimas member must also inform in writing the Electoral Committee whether or not he is or was and when a citizen of any other state (other states), and if such is the case, he must present a document confirming the citizenship of any other state (other states), and at the request of the Central Electoral Committee – a document issued by competent institutions of the Republic of Lithuania, any other state (other states), pertaining to the renunciation or the loss of the citizenship of any other state (other states), as well as a written consent of an appropriate form and content that the Central Electoral Committee might obtain the information from the competent institutions of the Republic of Lithuania, any other state (other states), concerning the candidate's for Seimas member citizenship of any other state (other states) which he has or had, and the renunciation or loss thereof.

5. The filing of application documents shall commence 65 days before and shall end at 5:00 p.m. 3 days before the day of the election. The documents filed after the deadline for filing the application documents may not be recognised as application documents

### **Article 39. Registration of Candidates for the Seimas Member**

1. Upon the commencement of filing of the lists of candidates, at the request of the Central Electoral Committee the Ministry of Justice shall, within one day, confirm officially which parties have been registered, the activities of which parties have been suspended or terminated.

2. Upon receiving the application documents of a party, the Central Electoral Committee must not later than on the next working day apply to the Ministry of Justice for the confirmation of the fact of registration of the party and the validity of the submitted statutes. The Ministry of Justice must give a written reply within two days and present to the Central Electoral Committee a copy of the valid statutes.

3. While checking the application documents filled in by a candidate for Seimas member, the Central Electoral Committee shall determine whether or not the candidate meets the requirements of Article 2 of this Law. When necessary, it may appeal to the Ministries of Foreign Affairs, the Interior, Justice or other competent institutions of the Republic of Lithuania or foreign states to furnish the data important for registering the candidate. Such request of the Central Electoral Committee must be considered as a matter of great urgency, and a written reply must be given within 5 days, but not later than 32 days before the election.

4. After the Central Electoral Committee has checked out and established that all application documents, specified in this Law, have been submitted and that they meet the requirements of this Law, it must adopt a decision concerning the registration of a candidate or refusal to register the said candidate within 10 days following submitting of the application documents, but not less than 31 days prior to the election.

5. If not all application documents, specified in this Law, have been submitted or there are any faults

in them, the Central Electoral Committee must immediately inform the appropriate representative for elections about such fact.

6. If following the registration of a candidate for Seimas member, the Central Electoral Committee establishes that the candidate does not meet the requirements laid down in Article 2 of this Law, or if the candidate refuses to give a written consent referred to in paragraph 4 of Article 38 of this Law, the Central Electoral Committee shall cancel the registration of such candidate for Seimas member, provided that not less than 15 days are left until the election.

#### **Article 40. A Representative for the Election**

1. The party, the citizen who has nominated himself and has been registered as a candidate for Seimas member shall authorise a representative for the election to represent them on all issues in the Central Electoral Committee or the constituency electoral committee. In meetings of an electoral committee he shall have the right of deliberative vote and the right to express a separate opinion on all issues under consideration. The representative for elections shall have all the rights of the election observer in the territory of the constituency in the electoral committee whereof he is authorised to represent. Authorisation by parties to represent them in electoral committees may be filed with the Central Electoral Committee the following day after the formation of an appropriate electoral committee. If the candidature of the representative for elections meets the requirements of this Law, the Central Electoral Committee shall, within 3 days register, the authorisation given to him and shall issue the certificate of a representative for the election. The authorisation for a representative for the election shall expire after the lapse of 20 days following announcement of the final results of the election. The powers of a representative for the election in an appropriate electoral committee shall also lapse 20 days following the presentation of the application documents, provided that the party, political organisation does not have a candidate (candidates) in the territory of that constituency.

2. Until the election day, the party, the citizen who has nominated himself as a candidate may revoke an authorisation at any time and authorise another person to be a representative for the election. In order for a representative for the election to be registered, a certificate must be issued to him, and the registration of the previous representative for the election must be terminated within 3 days.

#### **Article 41. Election Deposit**

1. The election deposit for one candidate for Seimas member to be registered in a single-member constituency shall be equal to one most recently announced average monthly wage of the national economy (AMW). In order to register one new candidate in a single-member constituency instead of the candidate whose application documents have been revoked or who has revoked the documents himself the required deposit shall be in the amount of one AMW.

2. The election deposit left in order to register one list of candidates for the Seimas member in a multi-member constituency shall be in the amount of twenty AMWs. A change of the place of one candidate on the list or entry of a new candidate on the list shall be in the amount of one AMW. Joining the candidate lists shall be in the amount of 0.3 AMW for each joint list.

3. Election deposits for registration of the list of candidates shall be doubled for the party which at the preceding elections to the Seimas or municipal councils nominated candidates or the list (lists) of candidates and did not furnish a copy of the report published in the press about the sources and use of the funds for campaigning.

4. Within 40 days following the announcement of the final election results, the Central Electoral Committee shall refund the election deposit to the party or the citizen who has furnished it, if:

- 1) the candidate nominated as Seimas member or the person who nominated himself as a candidate

for Seimas member is elected as a Seimas member in a single-member constituency ; and

2) the list (joint list) of nominated candidates becomes eligible for distribution of mandate multi-member constituency and the report on the sources and use of the funds for campaigning, which has to be published pursuant to this Law, has been published in the press.

5. The non-refundable deposits shall be transferred to the State budget.

#### **Article 42. Prohibition for One Person to be a Candidate in Several Constituencies or Several Lists of Candidates**

1. Each candidate for a member of the Seimas may be entered in the list of candidates nominated by only party in the multi-member constituency.

2. The person who is entered in a list of candidates in the multi-member constituency shall have the right to be at the same time nominated as a candidate for Seimas member in one single-member constituency as well.

3. If a person has given his consent to be entered in the list of candidates nominated by more than one party in the multi-member constituency, or if he has given his consent to be nominated (or has nominated himself) in more than one single-member constituency , he shall be struck off all the lists of candidates in the multi-member constituency and of all single-member constituencies.

#### **Article 43. Joining the Lists of Candidates**

Before the deadline for filing application documents several parties may join the lists of candidates nominated by them. In order to do so, they must submit a statement to the Central Electoral Committee concerning the joining of the lists of candidates, indicating the name of the coalition. The joint list in which the candidates are entered in a newly established succession, as well as the document confirming that the election deposit for the joining of the lists of candidates has been furnished shall be submitted as well. On those persons can be put down on the joint list who are on the lists which are being joined together. The name of the coalition must include the word "coalition" and may not contain any references to the names of the parties which do not form this coalition. The joint list shall be regarded as one list. The same party may participate in more than one coalition.

#### **Article 44. The Right to Withdraw or Supplement Electoral Application Documents**

1. A party or election coalition, as well as a person who has been nominated or who has nominated himself as a candidate for Seimas member in single-member constituency or is registered in the list of political organisation, may at any time, but no later than 25 days before the election, declare their application documents fully or partially withdrawn. A party or election coalition shall notify the Central Electoral Committee thereof by a statement, the citizen - by a notarised statement and the relevant representatives for elections in the Central Electoral Committee shall be notified thereof. If application documents are withdrawn, the election deposit may be refunded only after the election, provided it is refundable as stipulated in Article 41 of this Law. It shall be allowed to additionally submit, before the deadline for the filing of application documents set in paragraph 5 of a 38 of this Law, new application documents when altering the sequence of candidates on a list of candidates or when nominating new candidates in single-member constituencies.

2. If the application documents are withdrawn by a party that has formed a coalition, the candidates nominated by it shall be struck off the joint list of candidates, and, if the name of the coalition contains reference to its name, the name of the coalition shall be changed. In such case it is necessary to notify in writing the representatives for elections of the coalition partners in the Central Electoral Committee. In case of withdrawal of the electoral application documents, the candidates of only one party remain on the coalition list.

joint list of candidates, they will participate in the election only as the nominees of that party.

3. If, upon withdrawal of application documents or annulment of the candidates' registration, there are less than 20 candidates left on the list of candidates, the registration of all the candidates of this list shall be annulled.

#### **Article 45. Publication of the Names and Lists of Candidates, Beginning of Campaigning**

1. With not less than 30 days prior to the election, the Central Electoral Committee shall publish in the *Valstybės žinios* (the Official Gazette) the lists of candidates of parties and coalitions which participate in the election, election numbers assigned to the lists of candidates by drawing lots, election numbers assigned to the candidates on the above lists as well as the candidates nominated in single-member constituencies. The Central Electoral Committee shall hand over the certificates of candidates for Seimas members with the election numbers assigned to the candidates to the representative for elections. At the moment of its assignment the candidate's election number coincides with the candidate's successive number on the list of nominated candidates (joint list). The candidate's assigned election number may not be changed until the announcement of the election results.

2. Campaigning shall commence from the day of publication of the lists of candidates.

### **CHAPTER VI GUARANTIES OF THE ACTIVITIES OF THE CANDIDATES FOR SEIMAS MEMBER**

#### **Article 46. The Right of a Candidate for Seimas Member to Speak at Meetings, to Use the Media**

1. After the commencement of campaigning, candidates for Seimas members in constituencies shall have equal rights to speak at voters' meetings or any other meetings, gatherings, conferences as well as through the state mass media, and to announce their respective election programmes.

2. Heads of state and municipal institutions and agencies, also municipality mayors or persons authorised by them must help candidates for Seimas member to organise meetings with voters, to obtain necessary information, with the exception of the information which is considered confidential according to laws of the Republic of Lithuania and the resolutions of the Government.

#### **Article 47. Liability for the Violation of the Law on the Elections to the Seimas**

Persons who by force, threat, deception, bribery or otherwise prevent voters from implementing their right to vote or to be elected to the Seimas, and to organise campaigning, as well as the members of committees, other officers who have falsified election documents, made an incorrect vote count, violated the secrecy of voting or otherwise violated this Law, shall be liable under laws of the Republic of Lithuania. Legal action shall also be taken against persons who have released or otherwise disseminated false information about a candidate for Seimas member or prevented a candidate from meeting with voters.

#### **Article 48. The Right of a Candidate for Seimas Member to be Relieved from Work or his Service Duties during the Period of Campaigning**

Upon his request, a candidate for Seimas member may be relieved from work or other service duties for the period of organising and conducting campaigning for the election to the Seimas, but for not longer than 1 month.

#### **Article 49. The Immunity of a Candidate for Seimas Member**

Without the consent of the Central Electoral Committee, during campaigning as well as until the

first meeting of a newly elected Seimas (after the run-off elections or by election - until the announcement of the final election results), a candidate for Seimas member may not be found criminally liable, arrested, neither may administrative penalties be imposed on him by court for the actions performed in the campaigning.

## **CHAPTER VII CAMPAIGNING**

### **Article 50. Basic Principles of Campaigning**

1. The conditions prescribed by this Law to start campaigning shall be provided for parties candidates who have nominated themselves from the day campaigning starts.

2. Campaigning may be conducted in any form or manner, provided it does not contradict Constitution and the laws of the Republic of Lithuania.

### **Article 51. Conditions and Procedure for the Use of the Mass Media**

1. Parties that have submitted lists of candidates for elections, candidates in single-member constituencies shall be granted the right to use state mass media free of charge. The rules for prepar programs for campaigning shall be approved and the actual duration and time of the Lithuanian national radio and television programs shall be established by the Central Electoral Committee upon agreement with the heads of the Lithuanian national radio and television. The Central Electoral Committee shall allocate the time of the programs distributing it in such a manner that the following principles of equality are preserved: among the lists of candidates in the multi-member constituency; among single-member constituencies; among candidates in a single-member constituency. Each list of candidates shall be allocated no less than one hour of the state (national) radio time and no less than one hour of the state (national television time for a debate with representatives with other list or lists of candidates. Two and more groups of representatives of lists of candidates who participate in a debate shall be formed by mutual agreement, and in the case of failure to do so - by drawing lots. Each candidate who has been nominated or has nominated himself in a single-member constituency shall be allocated at least 5 minutes of the state (national) radio. such radio programmes candidates shall participate in a debate held for the candidates of an app single-member constituency. If only one candidate participates in a programme, he shall have a discussion with a radio programme host.

2. The election programme of a list of candidates shall be published by the Central Electoral Committee within 20 days after its submission.

3. The election programme of the candidate who stands for election in a single-member constituency shall be published by the electoral committee of the constituency no later than 15 days prior to the election. The procedure for publishing election programmes shall be established by the Central Electoral Committee.

4. Campaigning in the commercial mass media shall be restricted only by the size of special e accounts. The procedure for specifying the campaigning on television and radio as well as in periodic indicating the source of funds or whether the campaigning is carried out free of charge, shall be established by the Central Electoral Committee: in respect of the campaigning on television and radio – on recommendation of the Radio and Television Commission of Lithuania, in respect of the campaigning periodicals – on the recommendation of the Inspector of Journalistic Ethics.

5. Outdoor political advertising shall be restricted. Political advertising may be communicated by means of outdoor advertising measures only on billboards intended for that purpose or other pl: (window-cases, poles, stands, walls of buildings, temporary construction works, etc.). Director of administration of a municipality shall recommend a constituency electoral committee to designate su billboards or other places in the territory of the constituency not later than 29 days prior to a polling day. equal area of advertising shall be reserved for all lists or candidates (parties shall be arranged in accordanc

with the numbers of the lists, and the names of the candidates shall be alphabetised) on the billboards and other places. An area for advertising intended for each list or candidate must not exceed the format A1. There may not be less billboards or other such places than there are polling districts in the said single-member constituency. If the billboards or other advertising places do not meet the established requirements, the director of the administration of the municipality must immediately indicate another appropriate place. Political advertising shall be communicated on billboards and other places by political parties, candidate persons authorised by them. It shall be prohibited to communicate political advertising in places which are not designated for this purpose; such advertising shall be punishable in accordance with the procedure established by law.

6. All disputes concerning the campaigning shall be settled by the Central Electoral Committee in compliance with this Law.

## **Article 52. Releasing the Material Compromising a Candidate for the Seimas Member Candidate's Countering Opinion**

1. If during campaigning the mass media release the material compromising a candidate for Seimas member (such data may be released not later than: in a means of the mass media which is issued more frequently than three times a week - 5 days before the election, in other means of the mass media - 10 days before the election, but in any case the material compromising a candidate may be released not later than in the last but one issue of a means of the mass media before the election), it must provide the candidate with a possibility to express a countering opinion which consists of a short exposition of the released compromising material and the candidate's answer. The extent of the countering opinion usually may not exceed the volume of the compromising material by more than three times. The means of the mass media must publicise the candidate's countering opinion within 7 days after it has been expressed, but not later than 2 days before the prohibition of campaigning becomes effective. If the means of the mass media itself cannot publicise the candidate's countering opinion during the period of time set by the Law, it must with its own funds publicise the candidate's countering opinion in another means of the mass media.

2. The material which is aimed at influencing voters not to vote for an individual candidate and contains information negatively describing the candidate shall be considered as material compromising a candidate. An opinion about the candidate announced in the mass media (unlike hard news, criteria of truth shall not apply to an opinion), including a negative opinion, shall not be considered as compromising material and shall not entitle the candidate to demand announcing a countering opinion. The candidate may be refused publicising of a countering opinion also in cases when: the released material does not concern him personally; the released material about him is not compromising; the compromising material about the candidate is released by him or by another candidate who is nominated on the same list of candidates or is nominated by the same party; the material contains no information describing the candidate; the candidate has already exercised the right to a countering opinion.

3. If the candidate has duly furnished the countering opinion to the means of the mass media, but it has not been announced, by the decision of the Central Electoral Committee the candidate's countering opinion shall be broadcast on the Lithuanian national radio or television and shall be paid for at the rates of advertisement fees. In this event, the means of the mass media must pay the Central Electoral Committee double the amount of the broadcast costs.

4. If the compromising material about the candidate was released during the period of time when release is not permitted under this Law, by the decision of the Central Electoral Committee the candidate's countering opinion shall be broadcast on the Lithuanian national radio or television and shall be paid for at the rates of advertisement fees. In this event the means of the mass media must pay the Central Electoral Committee three times the amount of the broadcast costs.

5. In all cases a countering opinion shall not be announced during the period when campaigning is prohibited. Announcement of a countering opinion shall not exempt the means of the mass media from liability under the laws of the Republic of Lithuania.

6. When the candidate's countering opinion is made public on the decision of the Central Electoral Committee, the costs thereof set by this Law shall be recovered without suit from that means of the mass media which has released the material compromising the candidate during the period when such release is not permitted or which has not announced the candidate's countering opinion.

## Article 53.

### **Releasing the Material Compromising a Party which has Nominated a List of Candidates and Countering Opinion**

1. If during the election campaign the mass media release the material compromising a party which has nominated a list of candidates (such data may be released not later than: in a means of the mass media which is issued more frequently than three times a week - 5 days before the election, in other means of the mass media - 10 days before the election, but in any case the material compromising the party which has nominated a list of candidates may be released not later than in the last but one issue of a means of the mass media before the election), it must provide the party with a possibility to express a countering opinion. A countering opinion shall consist of a short exposition of the released compromising material and the party's reply. The extent of the countering opinion usually may not exceed the volume of the compromising material more than three times. The means of the mass media must announce the countering opinion within 7 days after it has been expressed, but not later than 2 days before the prohibition of campaigning becomes effective. If the means of the mass media itself cannot announce the countering opinion during the period of time set by this Law, it must make arrangements to publicise the countering opinion with its own funds in another means of the mass media.

2. The material which is aimed at influencing voters not to vote for the candidates nominated by a specific party and which contains information negatively describing the party (its branch or division) is considered as material compromising the party. An opinion about the party announced in the mass media (unlike hard news, criteria of truth shall not apply to an opinion), including a negative opinion, shall be considered as compromising material and shall not grant the party the right to demand announcement of a countering opinion. The demand to announce a countering opinion may also be rejected in cases when: the released material does not concern the party; the released material is not compromising; the compromising material about the party is released by a candidate nominated by the party; the material contains no information characterising the party; the party has already exercised the right to a countering opinion.

3. The party shall give its countering opinion to the means of the mass media through its representative for elections at the Central Electoral Committee or through its representative for the elections at the constituency electoral committee. In the event the representative for elections has given the countering opinion to the means of the mass media by the due date, but it has not been made public, the countering opinion shall be broadcast, on the decision of the Central Electoral Committee, on the Lithuanian national radio or television and shall be paid for at the rates of advertisement fees. In this event, the means of the mass media must pay the Central Electoral Committee double the amount of the broadcast costs.

4. If the compromising material was released during the time period when its release is not permitted under this Law, by the decision of the Central Electoral Committee the candidate's countering opinion shall be broadcast on the Lithuanian national radio or television and shall be paid for at the rates of advertisement fees. In this event the means of the mass media must pay the Central Electoral Committee three times the amount of the broadcast costs.

5. In any case a countering opinion shall not be announced during the period when campaigning

prohibited. Announcement of a countering opinion shall not exempt the means of the mass media from liability under the laws of the Republic of Lithuania.

6. When the countering opinion is released on the decision of the Central Electoral Committee, the costs thereof set by this Law shall be recovered without suit from that means of the mass media which released the compromising material during the period when such release is not permitted or has not announced the candidate's countering opinion.

#### **Article 54. Prohibition to Take Advantage of one's Official Position for Campaigning**

1. Anyone shall be prohibited from taking advantage of his official position in state or local authority institutions, agencies or organisations, as well as in the state or municipal mass media for any form of campaigning or from instructing other persons to do so or from trying to exert influence upon the will of voters in any other manner, taking advantage of his official position. State or municipal officials, public servants shall be prohibited from taking advantage of their official position in order to provide exclusive conditions for campaigning for themselves or for the party. A person who violates the provisions of this Article may be held administratively or criminally liable in accordance with the procedure laid down by law.

2. If a person is a candidate for Seimas member, he can use the state or mass media only according to the procedure set forth in Article 51 of this Law. If the fulfilment of their duties requires to release important news to the mass media, they can do so only at a press conference. State or municipal mass media programmes of the mass media financed from the state or municipal funds may broadcast only a recording of the conference or a portion thereof which contains no elements of campaigning.

#### **Article 55. Financing of Political Campaigns of Elections to the Seimas**

Financing of political campaigns of elections to the Seimas shall be regulated by the Law on Financing of Political Parties and Political Campaigns, and Control over such Financing.

#### **Article 56. Prohibition of Campaigning on the Election Day**

1. Campaigning shall be prohibited 30 hours before the beginning of an election and on the election day, with the exception of permanent visual campaigning material in the places intended for this, provided that it was displayed at least 48 hours prior to the beginning of the election. During the period when campaigning is prohibited no visual campaigning material (with the exception of those issued by the Central Electoral Committee) may be displayed in a polling station or within 50 meters of the building in which the polling station is situated.

2. Persons who violate the provisions of paragraph 1 hereof shall be punishable under law.

### **CHAPTER VIII**

#### **PREPARATORY ACTIVITIES OF THE ORGANISATION OF ELECTIONS**

#### **Article 57. Establishment of Election Document Specimens**

The Central Electoral Committee shall establish specimens and forms of voter certificates, ballot papers, posters of a candidate in a single-member constituency and lists of candidates in the multi-constituency with the data about a candidate (candidates), voucher envelopes and outer envelopes for voting by post, other documents, blanks, questionnaires, official envelopes, packages, seals used in elections, as well as the specimens for filling them out.

#### **Article 58. Ballot Papers**

1. During the election to the Seimas, each voter shall be presented with two ballot papers: one for

voting for a candidate in a certain single-member constituency , and the other for voting for a list of candidates in the multi-member constituency. Instructions for the voter regarding the procedure for filling out the ballot paper must be printed on the ballot-paper which must also contain a special space designate indicating the voter's will.

2. The names of all candidates for Seimas members shall be placed on the ballot paper o single-member constituencies in alphabetic order on the same space and in the same type (types). Such t papers shall indicate the first name and name of each of the candidates for Seimas member, as well as the name of the party which has nominated him or it shall indicate "Nominated himself".

3. A ballot paper of the multi-member constituency shall contain all the lists of candidates arr according to the assigned election numbers in an increasing order on the same space and in the same ty (types). The type shall be chosen of such size which would best fit to fill the space designated for inscription A ballot paper shall contain the name of the party, coalition (indicated in its application documents). The name and surname of the head of the party shall be written down in brackets under the name of the party, ar the names of the parties comprising the coalition shall be written down in brackets under the name of coalition. At the party's request, a black-and-white image of the emblem (sign) of this party, registered manner prescribed by law, may be placed by the name of the party. In such case, a sample of this emble (sign) shall be submitted to the Central Electoral Committee together with the application documents. All t lists of the parties, coalitions (candidates' names and surnames) shall be distributed to voters in the r prescribed by the Central Electoral Committee and located in each voting booth.

4. The second part of the ballot paper of the multi-member constituency shall contain 5 designate spaces where the voter shall record the election numbers of the chosen candidates.

5. Aboard the ship ballot papers shall be printed in accordance with the description transmitt radiogram by the Central Electoral Committee. Aboard the ship the names of the candidates shall not indicated on the ballot paper of the multi-member constituency and the place for expressing the voter's opinion of the candidates shall not be designated.

### **Article 59. Delivery of Ballot Papers**

1. Electoral committees of constituencies shall deliver ballot papers and envelopes to central po offices at least 2 days prior to the beginning of voting by post, ballot papers to polling stations - 12 h preceding the beginning of voting.

2. At the diplomatic missions of the Republic of Lithuania, voters must be provided with free access to ballot papers and envelopes for voting by post at least 20 days before the election. Aboard ships voters must be provided with free access to the text of ballot papers not less than 15 days prior to the election.

3. The Central Electoral Committee shall be responsible for the publishing of ballot papers a envelopes for voting by post, as well as for the keeping of records and delivery thereof without violating t fixed dates.

### **Article 60. Preparation of Polling Stations**

1. A polling station of the polling district must be completely prepared for elections not later than 12 hours before the beginning of voting. The electoral committee must also have counted all ballot papers received from the constituency electoral committee and drawn up their acceptance report by the prescribe time. In the polling station of a polling district there must be a ballot box, secret voting booth (booths) in which a voter could fill ballot papers in private. The following material, issued by the Central Elect Committee, must be displayed in the polling station: lists of candidates eligible in the multi-meml constituency; election posters of candidates eligible in a single-member constituency. The text of this Lav must be accessible in each polling district. The campaigning material, except for the material issued by

Central Electoral Committee, must be removed from the polling station, passageways leading to or out of (corridors) and from the territory within 50 metres of the building in which the polling station is situated. Working places for the electoral committee members and places for election observers must be also organised. Upon completion of preparations the polling station shall be closed, sealed, left under the protection and the chairman of the electoral committee of the polling district shall inform the constituency electoral committee thereof.

2. Other requirements for the preparation of polling stations shall be laid down by the Central Electoral Committee.

3. The chairman of the electoral committee of the polling district shall be responsible for fitting out the polling station by the due date and in an appropriate manner. If the municipality administration fails to allocate premises suitable for establishing a polling station or fails to ensure the provision of equipment necessary for voting, the chairman of the electoral committee of the polling district must forthwith inform the constituency electoral committee thereof and take measures to find premises suitable for fitting out a polling station and to acquire the necessary equipment as prescribed in Article 8 of this Law.

### **Article 61. Election Observers**

1. Parties as well as candidates for the Seimas member shall have the right to appoint election observers. An election observer shall be a person having a certificate in the form established by the Central Electoral Committee. He shall have the right to observe elections conducted in the territory of the constituency or polling district which is indicated in his certificate. The observer's certificate shall be issued by:

1) the Central Electoral Committee - to observe elections in the entire territory of the Republic of Lithuania and the country's diplomatic missions or only in specific constituencies, polling districts upon the proposal of the Minister of Foreign Affairs, adviser to the President of the Republic or upon the request of the persons representing foreign states or international institutions, as well as at his own discretion;

2) a constituency electoral committee - to observe elections in the entire territory of the constituency, in one or several polling districts to citizens of the Republic of Lithuania who are above 18 years of age upon the proposal of the candidate whose name is on the ballot paper of the multi-member constituency or constituency, or at the request of the local branch of the party; the name and first name of the person, his personal code, name of the polling district (districts) must be indicated in the certificate.

2. The observer's certificate shall be issued by the chairman of the electoral committee on behalf of the electoral committee or by any other member of the committee on the instruction of the committee chairman. It shall not be allowed to refuse to issue an observer's certificate or delay its issuance, if the person to whom it should be issued meets the requirements of this Law. All refusals to issue an observer's certificate must be reported at the next committee sitting and an appropriate representative for elections must be notified thereof.

3. An election observer shall have the right to demand that the chairman and members of the committee, as well as persons who are in the polling station should adhere to this and other laws of the Republic of Lithuania. Electoral committees must make arrangements to ensure that an election observer is provided with proper conditions in the polling station of a polling district to monitor the observance of this Law. If an observer violates this or other laws himself, his observer's certificate may be revoked on the decision of the chairman of the constituency electoral committee. The members of the electoral committee, the Central Electoral Committee and an appropriate representative for elections shall be immediately notified of the decision.

## **CHAPTER IX VOTING**

### **Article 62. Time and Place of Voting**

Voting shall take place on the election day from 7:00 a.m. until 8:00 p.m. in the place designated by the electoral committee of the polling district. The voter shall vote in the polling district in whose list of voters his name has been included, unless this Law provides otherwise.

### **Article 63. Prohibition to Carry out other Activities in the Polling Station**

It shall not be allowed to carry out any other activities in the polling station, except organisation of the election and voting. It shall also not be allowed to carry out any activities in the passageways leading to or out of the polling station (corridors) and at the entrance to the building where the polling station is situated.

### **Article 64. Commencement of Voting**

On the day of election, the polling station shall be opened only when at least 3/5 of the members of the electoral committee of the polling district are present. Prior to opening of the polling station for voter only the electoral committee members, observers and the policeman on duty can be present in it. The chairman of the electoral committee, together with the members of the electoral committee, shall make sure that the ballot box is empty and shall seal it up. After the electoral committee of the polling district checks that the polling station has been furnished according to the established requirements, the chairman of electoral committee of the polling district shall register the total amount of the ballot papers received by the electoral committee of the polling district from the constituency electoral committee into the vote counting record, affix the seal on ballot papers, distribute ballot papers and the voter list among its members of the electoral committee, register the number of ballot papers issued to each member of the electoral committee into the vote counting record of the polling district, and open the polling station to voters, thereby proclaiming the commencement of the elections.

### **Article 65. Voter Identification**

1. At the entrance to the polling station, a voter shall present his voter certificate, passport or other document certifying his identity and citizenship to an electoral committee member of the polling district. Upon having established that the voter has arrived at the polling district in whose list of voters his name has been included, the committee member shall hand the voter an arrival card indicating which the voter was come to the polling station to vote and shall show the committee member to be applied to for a ballot. It shall not be allowed to hand several arrival cards to one voter or to hand in to a voter another voter's arrival card. If upon arriving at the polling station, the person does not have the required documents or it is not clear whether he has been registered in the list of voters of this polling district, the committee member shall not hand the arrival card to this person, instead, the person shall be handed a guest's card and shall be referred to the committee chairman or deputy chairman to clarify his voting status.

2. The committee member who is tasked with handing ballot papers, having established on the basis of the produced documents that the person who arrived to vote is indeed the citizen who has been registered in the list of voters, or if two citizens of the Republic of Lithuania registered in the list of voters of that polling district testify to this fact in writing to the electoral committee chairman, shall find the name of the voter on the list of voters, and shall take the voter certificate and the arrival card from the person. After the voter and the committee member who hands ballot papers sign in the list of voters of the polling district, the voter shall be handed ballot papers - one for a single-member constituency and the other for the multi-member constituency. The voter certificate and arrival card shall not be returned to the voter. In voting by post, an entry shall be made on the voter certificate concerning the issue of a ballot paper, and the certificate shall be returned to the voter.

3. It shall be prohibited to hand the voter the ballot paper (ballot papers) of another person. The member of an electoral committee who violates this provision shall be liable under law.

### **Article 66. Voting Procedure**

1. Having been handed ballot papers, the voter shall go into the polling booth and mark the ballot papers. It shall be prohibited to mark ballot papers outside the polling booth.

2. On a ballot paper of a single-member constituency, the voter shall mark the name of the candidate for Seimas member whom he is voting for.

3. On a ballot paper of the multi-member constituency the voter shall mark the list of candidates whom he is voting for and, expressing his opinion about the candidates on the list, shall enter the election numbers of the 5 chosen candidates in the designated spaces of the ballot paper. In this way preference votes are given for the candidates. If the election number of one and the same candidate is entered two or more times on the ballot paper, only one preference vote from the ballot paper shall be considered for the candidate. Where the marks on the ballot paper make it impossible to determine the voter's preference regarding the election numbers of one or more candidates, it shall be considered that the voter has not expressed his preferences regarding the candidates.

4. The voter shall personally cast his marked ballot papers into the ballot box.

5. Upon the request of the voter, spoiled ballot papers shall be exchanged for new ones. A spoiled ballot paper shall be crossed and signed by a member of the electoral committee who shall then hand a new ballot paper. Spoiled ballot papers shall be kept separately.

6. The voter who, because of his physical disability, is unable to mark his ballot papers and cast them into the ballot box himself, may invite another person (with the exception of the chairman of the electoral committee or its member, or an election observer) to carry out these actions for him. A voter who has physical disabilities precluding him from marking the ballot papers must vote personally.

### **Article 67. Voting by Post**

1. Citizens who due to their health condition or other reasons are not able to come to the polling station on the election day shall be provided with a possibility to participate in elections by voting by post. Voting by post shall be possible at post offices during their business hours beginning 5 days before election and ending 1 day prior to the election, provided the voter is put on the voter list of the constituency which is situated in that city, region, and ending 2 days prior to the election, provided the voter is not put on voter list of the constituency which is not situated in that city, region. Expenses related to voting by post shall be covered from the funds of the State Budget.

2. The head of the post office shall be responsible for the organisation of voting by post. He shall be responsible for keeping of records, issue and collection of ballot papers and voucher envelopes during voting by post. The chairman of the electoral committee of the polling district within the territory of which post office is situated, shall be responsible for the organisation of the supervision of the work of the post office during voting by post. When necessary, he must, in conjunction with the chairmen of other polling district committees, whom the constituency electoral committee has assigned with such task, arrange organisation of members' of polling district committees watching-over in post offices.

3. The head of the post office, with the consent of the constituency electoral committee, shall appoint postal workers for the issue and collection of ballot papers and voucher envelopes during voting by post, who are entrusted with the issue of ballot papers and voucher envelopes. If the constituency electoral committee requests so, the head of the post office must remove a postal worker from the work with election documents. Postal workers who are authorised to issue election papers shall be issued by the constituency electoral committee the certificates of the established form. An electoral committee member, election observer, produced his certificate to the postal worker, a voter, having produced the voter certificate and the document proving his identity, shall have the right to write his remark in this certificate, and the head of the post office shall immediately notify the constituency electoral committee about this remark. The postal worker who does

not have this certificate shall not have the right to issue election papers.

4. Post offices must provide a room (place) where the voter can, without interference and in secret mark the ballot papers and put them into a voucher envelope. Voting may be observed by the observers parties and political organisations, who have certificates permitting to observe voting in any polling district.

5. The postal worker shall issue election documents to a voter in accordance with the procedure established by the Central Electoral Committee. Together with ballot papers, voters shall be given envelope for voting by post. An outer envelope for voting by post shall be addressed by the postal worker to the polling district committee which is indicated in the voter certificate of the person.

6. Voting in secrecy, the voter shall:

- 1) mark the ballot papers;
- 2) put the marked ballot papers into the voucher envelope;
- 3) seal the voucher envelope;
- 4) put the voucher envelope into the outer envelope together with the voter certificate;
- 5) seal the outer envelope.

7. The outer envelopes, voucher envelopes, and ballot papers shall be delivered at least 2 days prior to the election by a postman to the homes of voters who due to their health condition are not able to come to vote at a post office or a polling station on an election day. A concrete schedule of postmen's arrival to the homes of voters must be approved by the head of a post office not later than 12:00 noon, its copy shall be put on an announcement board and may be implemented only on the day following the approval. Not less than 2 committee members as well as observers may arrive at the voter's home together with the postman. The list of such voters shall be compiled 10 days before the elections by polling district committee in accordance with requests to ensure the possibility to vote at home, which are of the form established by Central Electoral Committee and filled in by the citizens. Polling district committees, with the consent of the chairman of a constituency electoral committee or a member of the constituency electoral committee authorised by the chairman, may supplement the list, if they receive the requests of these voters not later than 3 days prior to the elections. Citizens' requests must also be approved by heads of town, regional council, guardianship or health surveillance and treatment institutions. The requests shall be appended to the list of voters who due to their health condition are not able to come to vote at a post office or a polling station on an election day, which is compiled by a polling district committee. Postal workers, electoral committee members or other persons may not bring envelopes for voting by post and ballot papers to the homes of voters who are not on the list of voters who due to their health condition are not able to come to vote at a post office or a polling station on an election day. The following persons may be included in the list of voters who due to their health condition are not able to come to vote at a post office or a polling station on an election day: invalids of Group I, invalids of Group II with motor disabilities and temporary working incapacity, as well as persons who have attained the age of 70, if they submit requests, provided for in this Paragraph, to ensure the possibility to vote at home. Officers who furnish false information about voters who due to their health condition are not able to come to vote at a post office or a polling station on an election day, shall be held liable in accordance with the procedure established by law.

8. The sealed outer envelope (with the voter certificate, voucher envelope and ballot papers in it) the voter may:

- 1) hand to a postal worker;
- 2) hand to the postman who has delivered the election documents to him; or
- 3) put into a post-box.

9. When a voter votes at home, it shall be prohibited to exert influence on his determination and to urge him to vote. The voter who has no physical disability preventing him from marking ballot papers, himself put the secretly marked ballot papers into the voucher envelope, seal it, put the voucher envelope into the outer envelope together with the voter certificate and seal the outer envelope. Upon request of the voter who because of his physical disability is not able to do this himself, the person chosen by him (except

the postman, electoral committee member or observer) shall assist him in doing so. The said person must keep the voting secret. The voter may hand the sealed outer envelope to the postman or to send it on the same day or another day.

10. It shall be prohibited to accept from the voter an outer envelope which is not sealed.

### **Article 68. Voting in Diplomatic Missions**

1. Voting in diplomatic missions (consulates) of the Republic of Lithuania may take place during business hours, but for at least 4 hours a day. If the voter requests so, the diplomatic mission (consulate) may send and accept election documents from him by post.

2. On the recommendation of the Ministry of Foreign Affairs, the Central Electoral Committee compile the list of diplomatic missions (consulates) in which voting shall be conducted and shall establish voting days (no less than 10) for each diplomatic mission (consulate).

3. The head of the diplomatic mission (consulate) shall be responsible for the organisation of voting.

### **Article 69. Voting on a Ship**

1. Voting shall take place aboard a ship if the ship leaves a port of the Republic of Lithuania at least 5 days prior to an election and does not return until the day of the election, or if other circumstances are such that a crew member or a board passenger who is a qualified voter is unable to vote in his polling district, by post or in a diplomatic mission.

2. The list of ships, on which there are no less than 10 crew members - voters, with which communication shall be maintained during the voting and on which voting shall take place, as well as the time of voting on each ship shall be compiled by the Central Electoral Committee on the recommendation of the Ministry of Communications in such a manner that each voter who is aboard a ship is given the opportunity to vote. The captain of the ship, who is a citizen of the Republic of Lithuania, shall be responsible for the organisation of voting on a ship. On a ship it shall not be voted for the rating of the list of candidates.

3. Voting shall not be organised on ships in which there are no conditions for organising the voting in accordance with the requirements of this Law.

### **Article 70. The Procedure for Voting in Diplomatic Missions (Consulates) and on Ships of the Republic of Lithuania**

1. Polling committees shall be formed to organise voting and count cast votes in diplomatic missions (consulates) and on ships of the Republic of Lithuania.

2. Polling committees shall consist of a chairman and at least two members. Polling committees shall be formed by the head of a diplomatic mission or consulate of the Republic of Lithuania from among employees of the diplomatic mission or consulate of the Republic of Lithuania, or from other citizens of the Republic of Lithuania residing in a foreign state. The Central Electoral Committee shall prescribe a manner of taking and signing by polling committee members written oaths.

3. Polling committees on ships shall be formed by the ship captain, taking into consideration the decision adopted at the meeting of the ship crew who are citizens of the Republic of Lithuania.

4. The Central Electoral Committee shall prescribe a manner of voting, vote counting and submission of records to the Central Electoral Committee as well as a manner of issuance of certificates to observers.

### **Article 71. Voting in Medical Treatment Facilities and Institutions of Social Guardianship and Care**

1. Special post offices designated for voting shall be established in medical treatment facilities and institutions of social guardianship and care. At least 15 days before the election the constituency elec

committee shall: on the recommendation of heads of medical treatment facilities, institutions of social guardianship and care compile the list of special post offices; on the recommendation of the head of the post office establish the working hours of these post offices. The head of the institution or facilities shall allot the place appropriate for voting and shall be responsible that the voters are notified about the working place at the time of a special post office, and that the conditions should be created for voters to reach it.

2. Patients of such facilities and institutions who are able to move shall vote themselves in the polling place in accordance with the procedure set forth in Article 67 of this Law.

3. Patients or inmates of medical treatment facilities and institutions of social care who are unable to come to a polling place due to their health condition shall be visited by at least 2 committee members, observers (should they participate) and officers of special post offices.

4. The voting person must, in conditions of secrecy, personally mark the ballot paper and put it into the voucher envelope. If necessary, he may be assisted by an individual (except an employee of that institution or facilities, a postman, a member of the electoral committee, or an election observer) whom he trusts.

5. According to the instruction of the head of the medical treatment facilities or the institution of social guardianship or care, it may be prohibited to disturb patients who are in critical health condition for the purpose of voting. Such instruction shall be obligatory to postmen.

6. It shall also be prohibited to disturb an individual for the purpose of voting, if the commission of doctors has concluded pursuant to the established procedure of the Ministry of Health Care that he is incapable of understanding the essence of his actions at the time of voting because of chronic mental disease, feeble-mindedness, or temporary mental disorder.

#### **Article 72. Voting in Military Units**

1. Special post offices designated for voting shall be established in military units of the national defence system and internal service, as established in Article 71.

2. If possible, chief officers of military units shall provide conditions for servicemen to vote in polling stations of their permanent place of residence.

#### **Article 73. Voting in Places of Confinement**

1. Special post offices designated for voting shall be established in places of confinement, established in Article 71.

2. In accordance with the procedure set forth in the laws, heads of places of confinement may allow sentenced persons to vote in polling stations of their permanent place of residence.

### **CHAPTER X COUNTING OF VOTES**

#### **Article 74. Counting of Voucher Envelopes and Ballot Papers in Post Offices**

1. The records of voucher envelopes and ballot papers shall be kept by the head of the post office, indicating the data of said records in a journal specially designated for this purpose in accordance with the procedure established by the Central Electoral Committee.

2. The post office head shall deliver unused envelopes and ballot papers to the constituency electoral committee one day prior to elections.

3. The post office shall deliver envelopes containing ballot papers marked by voters to polling district committees on the day of the election, but not later than 2 hours before the closing of the polls.

4. The Central Electoral Committee shall keep records of voucher envelopes and ballot papers in the Republic of Lithuania.

## **Article 75. Organisation of Work of a Polling District Electoral Committee Concerning Counting**

1. The chairman of the polling district electoral committee shall organise and direct vote counting in committee. His instructions when counting votes shall be mandatory and all persons present in the polling station must adhere to them. He must ensure that votes would be counted in accordance with the established procedure and shall have the right to warn any person present in the polling station if he hinders the committee in its work or does not perform his duties properly. The committee chairman shall publicly announce such a decision. The decision shall be entered into the vote counting record, and shall be signed by the committee chairman. The decision must be enforced without delay, and if necessary, the electoral committee may consider it only after the vote counting record has been signed.

2. The data which are entered into the record must be publicly announced in such a manner that all the persons participating in vote counting would hear them. If the validity of the ballot paper or the meaning of the marks in it raise doubts, the committee chairman shall present it to the committee members and shall announce voting concerning its evaluation (if there are several such ballot papers, he shall produce them one by one). The results of this voting shall be entered on the empty side of the ballot paper.

## **Article 76. Keeping of Records of Ballot Papers in Polling Stations**

1. Upon closing the polling station, the chairman of the polling district electoral committee, in presence of at least 3/5 of the members of the electoral committee, shall seal and stamp the ballot box slot.

2. Unused ballot papers shall be individually collected from each member of the polling district electoral committee, shall be counted publicly, the number of them shall be entered into the vote counting record. According to signatures in the voter list, voter certificates, arrival cards, ballot papers which have been spoiled by voters and returned to be exchanged for blank ballot papers it shall be inspected if a committee member has handed all ballot papers lawfully.

3. The electoral committee shall count the unused and spoiled ballot papers publicly; annul them cutting off the upper right corner; put them into the envelopes specially designated for this purpose and seal these envelopes. The number of unused or spoiled ballot papers shall be entered in the vote counting record.

## **Article 77. Counting of Votes of the Voters who Have Voted in the Polling Station of the Polling District**

1. The polling district electoral committee, in the presence of at least 3/5 of its members, shall inspect the ballot box of the polling station whether the seals have not been broken and whether there are no other evidences which indicate that it could have been opened or that ballot papers could have been removed in any other way. The electoral committee, in the presence of at least 3/5 of its members, shall decide if the ballot box has been tampered with. If the committee decides that the ballot box was tampered with, an act shall be drawn up about this, the ballot box shall be packed up, the package shall be put under seal and votes shall not be counted. The ballot box shall be delivered to the constituency electoral committee. The decision concerning counting of votes of this ballot box shall be adopted by the constituency electoral committee.

2. Having ascertained that the ballot box has not been tampered with, in the presence of at least 3/5 of the members of the polling district committee as well as observers, it shall be opened, all ballot papers shall be placed on tables on which there are no other documents and writing materials (except black pencils), and the committee shall start counting votes. Ballot papers shall be sorted out according to constituencies (single-member and multi-member), then - into valid and invalid ballot papers. Valid ballot papers shall be divided into groups according to the marks made in them by voters. Each group of ballot papers must be recounted at least two times. For the second time ballot papers must be counted by other

members of the committee. Ballot papers which do not hold necessary attributes (irregular ballot paper unsealed or sealed with a seal of another electoral committee, etc.) must, if found, be separated from the rest of the ballot papers. The constituency electoral committee shall be immediately informed about such ballot papers and such fact must be entered into the vote counting record of the polling district. Counting results must be proclaimed and entered into the record, counted ballot papers put into a special envelope (envelope which is sealed and safeguarded. After the electoral committee establishes how many votes have been cast by voters who voted in the polling station of the polling district for lists of candidates in the multi-member constituency and for candidates in single-member constituencies, counting of votes received by poll shall commence.

3. Ballot papers from the marking whereof it is possible to establish which list of candidates a voter voted for, but it is impossible to establish what kind of opinion he expressed regarding the candidates from the list he voted for, may not be declared invalid only because of this reason. If a voter has not indicated election number of a candidate in the ballot paper, indicated a non-existing election number of a candidate, as well as when it is impossible to define voter's will from the inscription or inscriptions, preference vote or votes in the special space (spaces) of the second part of this ballot paper shall not be counted. If the election number of the same candidate is written down two or three times, only one vote shall be counted in accordance with this ballot paper.

4. A decision regarding the declaration of a ballot paper invalid or in the presence of dispute between committee members concerning the assessment of marks in the ballot paper shall be adopted by the committee by way of voting. The result of such voting shall be indicated on the other side of the ballot paper.

5. Votes shall be counted in such a way that this procedure, marks of voters in the ballot papers may be observed by all the persons present during the counting of votes, and they would be able to make sure that votes are counted justly and fairly. The committee must recount the votes if at least one committee member or observer requests so before the signing of the vote counting record.

6. The Central Electoral Committee shall establish the concrete procedure for the counting of ballot papers and votes not later than 14 days before the election.

### **Article 78. Keeping of the Records of Voters who Have Voted by Post and the Counting of the Votes and Preference Votes for the Candidate**

1. After the counting of ballot papers found in the ballot box, ballot papers received by post shall be calculated in the following procedure:

1) the chairman of the polling district committee shall present, unopened, all outer envelopes received by post. Their number shall be announced and entered in the vote counting record;

2) outer envelopes shall be opened one at a time;

3) a voter certificate shall be taken out of the outer envelope, the voter's surname shall be read aloud, it shall be checked against the voter list of the polling district, and the voucher envelope shall be stamped with the seal of the polling district. If the person on the voter certificate is not on the voter list; if the voter has already signed the voter list indicating that he has already voted in the polling district; if another envelope for voting by post has been received from the same voter; if there is no voter certificate in the outer envelope; or if there is more than one voucher envelope in the outer envelope - the seal shall not be affixed and the ballot paper (ballot papers) in the envelope shall be considered invalid, the envelope shall not be opened. This fact must be noted on the voucher envelope (voucher envelopes). The content of such envelopes shall not be taken into account in the vote counting record of the polling district;

4) in the voter list of the polling district, the words "voted by post" or "VBP" shall be written by the surname of the voter whose vote has been received by post;

5) the sealed voucher envelope shall be cast into the ballot box prepared and sealed according to established requirements; and

6) when all envelopes received by post have been inspected, the ballot box shall be opened and

sealed voucher envelopes shall be opened. If there is more than one ballot paper of the single- or multi-member constituency in the voucher envelope, all ballot papers in the envelope shall be considered invalid. Then the votes received by post shall be counted according to the requirements of Article 77.

2. If only one sealed voucher envelope for voting by post is in the polling district (committee), it, in order to protect the secrecy of voting, shall not be opened, and shall be handed over to the election committee, which has formed this committee, which shall enter the results of the voting in its vote counting record.

3. After votes cast in a polling station and by post for lists of candidates and candidates have been counted, all data have been entered into the vote counting record of a single-member constituency and the first part of the vote counting record of the multi-member constituency, the record and the first part of the record have been signed by the committee members, chairman and observers and the polling district committee has announced to the constituency electoral committee that the votes for lists of candidates counted, the polling district committee may commence counting votes cast for candidates (preference votes). The polling district committee may decide to count preference votes at once or, with the consent of the chairman of the constituency electoral committee, to count them at another time, but not later than within 24 hours. If it is decided to count preference votes at another time, the ballot papers to be counted shall, in a manner prescribed by the Central Electoral Committee, be transferred in a special envelope for safekeeping to the constituency electoral committee. In this case, the constituency electoral committee, after it has accepted election documents from the polling district committee, must adopt one of the following decisions on counting of preference votes in the ballot papers transferred to it:

1) to return ballot papers and to instruct the polling district committee from which it has got preference votes to count such votes;

2) to change the decision of the polling district committee from which the election documents have been received, regarding the counting of preference votes and to instruct the committee of another polling district to count preference votes or to count preference votes itself. In this case, the constituency electoral committee must set the place and time of counting preference votes.

4. If the committee counts preference votes next day or recounts ballot papers, it shall, in the presence of at least 3/5 of the members, check whether the special envelope (envelopes) has not been opened. If the polling district committee adopts a decision that the envelope has been tampered with or its contents have been changed, an act shall be drawn up concerning this fact, the envelope shall be packed, the package shall be sealed and the votes shall not be counted. The package shall be delivered to the constituency electoral committee. The Central Electoral Committee shall be immediately informed about this. A decision pertaining to the counting of the votes which are in the package shall be adopted by the constituency electoral committee. Upon having ascertained that the envelope has not been tampered with, counting of preference votes shall commence. Information on the time and place of the counting of preference votes as well as in the event when the constituency electoral committee decides to recount ballot papers, must, not later than one hour before the commencement of the counting, be announced on two notice boards: one installed in the building in which the headquarters of the constituency electoral committee is situated, and the other in the premises in which preference votes shall be counted. When counting preference votes, election observers may attend and a police officer must be on duty. All ballot papers shall be put on tables on which there are no other documents and writing materials (except black lead pencils), and the committee shall check there are all the ballot papers from which preference votes must be counted. The concrete procedure for preference votes counting shall be established by the Central Electoral Committee not later than 7 days prior to elections. Votes must be counted in such a way that such procedure might be observed by all the persons present during the counting of votes and would be able to ascertain that votes are counted fairly and justly. Counted votes shall be recorded in the second part of the vote counting record of the multi-member constituency, ballot papers shall be packed, the package shall be sealed and transferred to the constituency electoral committee.

## **Article 79. Vote Counting Records of the Polling District**

1. Two vote counting records shall be drawn up in every polling district: one of the single-member constituency and one of the multi-member constituency. The vote counting record of the multi-member constituency shall consist of two parts.

2. The vote counting record of the single-member constituency shall include the following:

- 1) the number of voters in the polling district;
- 2) the number of ballot papers of the single-member constituency received from the constituent electoral committee;
- 3) the number of ballot papers delivered to each member of the committee, the number of ballot papers delivered to voters, the number of voters' signatures, the number of voter certificates, the number of arrival cards, and the number of unused and spoiled ballot papers;
- 4) the number of annulled ballot papers;
- 5) the number of voters who have voted in the polling station of the polling district;
- 6) the time of the opening of the ballot box;
- 7) the number of invalid ballot papers found in the ballot box;
- 8) the number of valid ballot papers found in the ballot box;
- 9) the number of votes found in the ballot box which have been separately cast for each candidate for Seimas member;
- 10) the number of envelopes received by post and the number of sealed voucher envelopes;
- 11) the number of invalid ballot papers received by post (ballot papers which are in unsealed unopened envelopes shall not be counted and shall not be indicated as invalid);
- 12) the number of valid ballot papers received by post;
- 13) the number of votes received by post for each candidate for Seimas member;
- 14) the total number of voters who participated in the elections in the polling district;
- 15) the total number of invalid ballot papers in the polling district; and
- 16) the total number of votes cast for each candidate for Seimas member.

3. The vote counting record of the multi-member constituency shall include the following:

- 1) the number of voters in the polling district;
- 2) the number of ballot papers of the multi-member constituency received from the constituent electoral committee;
- 3) the number of ballot papers delivered to each member of the committee, the number of ballot papers delivered to voters, the number of voters' signatures, the number of voter certificates, the number of arrival cards, and the number of unused and spoiled ballot papers;
- 4) the number of annulled ballot papers;
- 5) the number of voters who have voted in the polling station of the polling district;
- 6) the time of the opening of the ballot box;
- 7) the number of invalid ballot papers found in the ballot box;
- 8) the number of valid ballot papers found in the ballot box;
- 9) the number of votes found in the ballot box which have been separately cast for the list candidates nominated by each party (their coalition);
- 10) the number of envelopes received by post, the number of sealed voucher envelopes;
- 11) the number of invalid ballot papers received by post;
- 12) the number of valid ballot papers received by post;
- 13) the number of votes received by post which have been cast for the list of candidates nominated by each party (their coalition);
- 14) the total number of voters who have participated in the elections in the polling district;
- 15) the total number of invalid ballot papers in the polling district; and

16) the total number of votes cast for the list of candidates nominated by each party (their coalition).

4. The number of the voters of the polling district shall be established according to the voter lists of the polling district. The number of the voters who have been delivered the ballot papers, shall be established according to the voters' signatures proving that the ballot papers have been received. The number of the voters who have voted in the polling district shall be established according to the number of the ballot lawfully delivered to voters by the electoral committee of that polling district and found in the ballot box of the polling station. The total number of the voters who have participated in the election in the polling district shall be established by adding the number of the ballot papers found in the ballot boxes to the number of ballot papers received by post and counted.

5. If more ballot papers are found in the ballot box than it has been delivered to voters, the committee shall take measures to discover the causes. This shall be entered in the vote counting record, indicating number of extra ballot papers which were found.

6. After all data have been entered into the single-member constituency vote counting record of polling district and the first part of the multi-member constituency vote counting record and all ballot papers have been put into sealed packages and the special envelope (envelopes), the vote counting records of the polling district shall be signed by the chairman and members of the polling district committee. After that the observers shall sign the records. Their remarks, the separate opinions of the members of the committee shall be appended to the records and shall be an inseparable part thereof.

7. The second part of the multi-member constituency vote counting record shall contain the information:

- 1) the number of counted ballot papers;
- 2) the number of ballot papers in which voters have not indicated preference votes;
- 3) the number of preference votes cast for each candidate;
- 4) the sum total of preference votes received by all candidates;

5) other vote counting data established by the Central Electoral Committee necessary when checking if the votes cast by the voters have been counted accurately.

8. After all data have been entered into the second part of the polling district vote counting record and all counted ballot papers have been put into sealed packages, this part of the polling district vote counting record shall be signed by the chairman and members of the polling district committee. After that observers shall sign the second part of the record. Their remarks, the separate opinions of the members of the committee shall be appended to the second part of the record and shall be an inseparable part thereof. If the polling district committee or the constituency electoral committee establishes that the mistake has been made in the data recorded in the first part of the vote counting record, a record shall be drawn up to correct the mistake. The second part of the record and ballot papers shall be returned to the constituency electoral committee. A decision concerning the mistake shall be adopted by the constituency electoral committee.

### **Article 80. Invalid Ballot Papers**

1. Invalid ballot papers shall be:

- 1) non-standard ballot papers;
- 2) ballot papers sealed with the seal of the electoral committee of the wrong polling district (ballot papers received by post - without the seal of the constituency electoral committee);
- 3) ballot papers of the wrong constituency;
- 4) in a single-member constituency, those ballot papers on which the voter has marked more than one candidate for Seimas member, or has not marked any candidate, or it is impossible to ascertain the voter's will from the mark made thereon; and
- 5) in the multi-member constituency, the ballot papers on which the voter has marked more than one

list of candidates or has not marked any list of candidates, or it is impossible to ascertain the voter's will from the mark made thereon.

2. The decision to declare a ballot paper invalid or, in the event of dispute among the committee members as to the assessment of markings on the ballot paper, shall be made by the electoral committee voting. The voting results shall be indicated on the other side of the ballot paper. If the polling district committee declares the ballot paper invalid in accordance with Subparagraphs 1, 2 or 3 of Paragraph 1 of Article, it shall immediately inform the constituency electoral committee about this.

### **Article 81. The Presentation of Documents of the Polling District to the Constituency Electoral Committee**

1. The polling district committee shall put all ballot papers, as well as invalid and unused ballot papers, other election documents into packages, inventory them and affix the seal to them in the manner prescribed by the Central Electoral Committee. The packages shall be delivered together with the vote counting record and its annexes, voter lists, records of the polling district committee and financial documentation for the whole period of its work to the constituency electoral committee within 12 hours of the closing of polls, unless the Central Electoral Committee provides otherwise.

2. The Central Electoral Committee and the Ministry of the Interior must ensure the safe transportation of the election documents and the persons transporting them.

### **Article 82. The Counting of Votes in the Constituency Electoral Committee**

1. The constituency electoral committee shall accept the documents delivered by the polling committee and shall check:

1) whether all required documents (packages and special envelopes with ballot papers) have been delivered;

2) sealing and descriptions of the packages (whether the description is full and correct);

3) whether all data have been entered in the vote counting records; if they do not contradict one another; if they correspond to the data available to the constituency electoral committee (the number of ballot papers issued to the polling district committee, the number of voters, the number of outer envelopes received by post, data on the votes cast by voters for lists of candidates, which are indicated in the first and second parts of the multi-member constituency vote counting record, etc.); if there are all necessary signatures whether all separate opinions of the committee members, remarks of observers are attached to the record which they are specified;

4) whether all remarks and complaints of voters have been considered in the polling district committee.

2. The constituency electoral committee shall immediately report the data of the vote counting record and its comments concerning the documents submitted by the polling district committee to the Central Electoral Committee in the manner prescribed by it, and shall ensure the safety of submitted documents.

3. The packages sealed by the polling district committees, which contain ballot papers or other election documents, may be opened in the constituency electoral committee only by decision of the constituency electoral committee. The constituency electoral committee may recount the ballot papers of the polling district committee or instruct the polling district committee, from which it has received the ballot papers, to recount the said ballot papers, or instruct another polling district committee to recount the ballot papers. When recounting votes, electoral committees must act in compliance with paragraph 4 of Article 78 of this Law. The constituency electoral committee must, in the case specified in paragraph 6 of this Article, adopt a decision to recount ballot papers of all polling district electoral committees.

4. Upon establishing deficiencies of the documents submitted by the polling district electoral committee, the constituency electoral committee shall take measures to eliminate the deficiencies, request the chairman of the polling district electoral committee to submit the missing documents.

5. The constituency electoral committee shall count the votes in the following manner: it shall sum up the figures submitted by polling district electoral committees and shall add to them the votes cast by the voters by post, which have been counted in the constituency electoral committee.

6. The constituency electoral committee must adopt a decision to recount ballot papers of all the polling districts of a single-member constituency when, prior to the signing of the vote counting record, this has been requested by at least one member of the committee, a representative of a party or a candidate, a when the difference between the votes for the candidates who came first or second in this single-n constituency in accordance with the preliminary election results, is less than 50.

### **Article 83. The Presentation of Vote Counting Documents of the Constituency to the Central Committee**

All documents (except financial documentation) received from polling districts, voter lists, the vote the counting record of the constituency, the records of the constituency electoral committee for the w period of the activities and other election documents shall be put into special packages and sealed constituency electoral committee. The packages shall be delivered to the Central Electoral Committee within the time period established by the Central Electoral Committee.

### **Article 84. The Participation of Observers in the Counting of Votes and Establishment of Electio Results**

1. The election observers and also representatives of the mass media may participate in the counting of votes in polling districts and constituencies, and also in the establishment of election results constituencies.

2. The observers shall have the right to make remarks and claims to the electoral comm concerning the violations of this and other laws of the Republic of Lithuania, but they must not hinder the work of electoral committees. The observers shall have the right to make a written protest to the pol district committee, which is appended to the vote counting record of the polling district and delivere constituency electoral committee together with other election documents of the polling district. The protest of the election observer to the constituency electoral committee shall be appended to the constituency counting record. The protests shall be considered by that electoral committee to whom they have been filed.

### **Article 85. Publication of the Preliminary Election Results**

1. Preliminary election results may be proclaimed only by the Central Electoral Committee. If the constituency electoral committee delivers the preliminary data of the election results in all polling districts, the Central Electoral Committee must immediately prepare a report to the mass media. This report sl announced in the Internet in the first place.

2. The representatives of the mass media shall be prohibited from disseminating the information about the vote counting or election results by video or sound recording equipment, orally, in writing, or otherwise until the report of the Central Electoral Committee.

### **Article 86. Complaints against the Decisions of Electoral Committees which Have Been Adopted after Closing of the Poll**

1. Parties which have nominated a candidate for Seimas member, candidates for Seimas membe their representatives for elections, election observers may appeal against the decisions of polling distri electoral committees concerning the drawing up of vote counting records to the constituency elect

committee not later than within 24 hours of their drawing up. These complaints must be investigated no later than within 24 hours.

2. The decisions of the constituency electoral committee concerning vote counting records may be appealed against to the Central Electoral Committee no later than within 72 hours following their drawing up and must be considered before the official announcement of election results.

3. While investigating complaints against the decisions of polling district electoral committees concerning the drawing up of vote counting records, constituency electoral committees, in the presence of at least 3/5 of the committee members, may recount ballot papers which are presented by the polling district electoral committee, and, in the event of an arithmetical error in the records, incorrectly calculated valid and invalid ballot papers, the committees shall draw up an additional vote counting record of the polling district and attach it to the vote counting record of the polling district. The constituency electoral committee shall not have the right to nullify the vote counting records of the polling district electoral committee.

4. While investigating the complaint against the decision of the constituency electoral committee concerning the drawing up of the vote counting record of the constituency, the Central Electoral Committee may recount ballot papers which are presented by the constituency electoral committee, and, in the event of an arithmetical error in the record, incorrectly calculated valid or invalid ballot papers, shall draw up an additional vote counting record of the constituency, the polling district and attach it to the vote counting record of the constituency.

5. Parties, political organisations which have nominated candidates for Seimas member, as well as candidates for Seimas member, may appeal against the decisions of the Central Electoral Committee against the refusal of the Central Electoral Committee to investigate complaints about the violations of the Law on Elections not later than within 24 hours after the official announcement of the election results, to the Seimas or the President of the Republic. In such cases, the Seimas or President of the Republic shall, no later than within 48 hours, appeal to the Constitutional Court with the inquiry concerning the violation of the Law in Elections to the Seimas.

### **Article 87. Constituency Vote Counting Records**

1. In accordance with vote counting records, ballot papers and other documents of polling districts, the constituency electoral committee shall establish:

- 1) the number of voters who have participated in the elections in the constituency;
- 2) the number of invalid ballot papers in the constituency, as well as vote counting data established by the Central Electoral Committee, which is necessary when checking if the votes cast by voters have accurately counted;
- 3) the number of ballot papers valid in the constituency ;
- 4) the number of votes cast for each candidate for Seimas member;
- 5) the number of votes cast for each list of candidates;
- 6) the number of preference votes cast for each candidate.

2. The chairman and the members of the constituency electoral committee shall sign the constituent vote counting record only after considering separate opinions of the members of the electoral committees of the polling districts, remarks of observers and complaints of voters. The constituency electoral committee may recommend the Central Electoral Committee to declare the election in the constituency invalid.

## **CHAPTER XI ESTABLISHMENT AND ANNOUNCEMENT OF ELECTION RESULTS**

### **Article 88. The Establishment of Election Results in Single-member Constituencies**

1. The election results shall be established by the Central Electoral Committee after having investigated all complaints and established all election results in this constituency, including of the votes cast by the voters who have voted on ships and abroad.

2. A candidate shall be considered elected in a single-member constituency, if the not less than 40 percent of the voters from the voter list of that constituency have participated in the elections, and the candidate has received more than half of votes cast by the voters who have participated in the elections. If less than 40 percent of the voters from the voter list of that constituency have participated in the elections, the candidate who have received the majority, but not less than one-fifth of the votes of all the voters from the voter list of that constituency, shall be considered to have been elected.

3. If more than two candidates have participated in the elections and a Seimas member has not been elected pursuant to paragraph 2 of this Article, a second poll shall be held after two weeks, in which candidates who have received the majority of votes shall participate in the said poll. A date of the second poll shall be announced by the Central Electoral Committee together with the election results. A candidate who has received more votes, regardless of the number of voters who participated in the elections, shall be considered to have been elected at the second poll. In the event of a tie, a candidate who received more votes during the initial poll shall be elected Seimas member. If both candidates received an equal amount of votes during the initial poll, a candidate shall become Seimas member by drawing lots.

4. If one or two candidates participated in the elections and a Seimas member has not been elected pursuant to paragraph 2 of this Article, the elections shall be considered to have not been held and new elections shall be held.

#### **Article 89. The Establishment of the Election Results in the Multi-member Constituency**

1. The elections shall be considered to have been held in the multi-member constituency if more than one fourth of all voters have participated in them.

2. The list candidates of the party may receive mandates of Seimas member (takes part in the distribution of mandates) only if not less than 5 percent of the voters participating in the elections voted for it. The joint list of candidates, drawn up in accordance with Article 43 of this Law, may receive mandates of Seimas member (takes part in the distribution of mandates) provided that not less than 7 percent of the voters who participated in the election have voted for it. If less than 60 percent of all voters who participated in the election have voted for the lists, taking part in the distribution of mandates, the list (lists if an equal amount of votes has been cast for them), which has not taken part in the distribution of mandates up till then for whom the majority of voters have voted shall acquire the right to take part in the distribution of mandates. The number of lists of candidates which have the right to participate in the distribution of mandates shall be further increased in the same manner until not less than 60 percent of all the voters who participated in the election shall have voted for the lists of candidates participating in the distribution of mandates.

3. Mandates for lists of candidates shall be distributed according to the number of votes received by each of them, applying the method of quotas and remainders.

4. At first, the quota shall be counted, that is, how many votes are needed to receive 1 mandate. It shall be equal to the sum of votes, divided by 70, cast by voters for the lists participating in the distribution of mandates. If when dividing, a remainder is received, 1 shall be added to the quotient.

5. The amount of votes cast for each list shall be divided by the quota. The received integer quotient shall be the number of mandates for each list according to the quota and the remainders of this division shall be used to distribute the remaining mandates according to the remainders. Therefore, all names of the lists shall be written down in succession in which the first follows the last, according to the size of the remainders of the dividing received by the lists, beginning with the largest. If the remainders of two lists are equal, the first written down shall be the list which have received more votes of voters and if these numbers are also equal, the first written down shall be the list which has received more mandates in all single-me

constituencies. If the number of mandates is also equal, the first written down shall be the list which possesses the smaller election number. The mandates which have not been distributed when distributing by the method of quotas shall be distributed by one to the lists according to the succession, beginning with the list which was written down first.

6. If one of the lists received the larger number of mandates than there were candidates on the list, these mandates would be distributed to other lists, further continuing the dividing thereof by the me remainders.

7. Candidates of the same list shall receive mandates in the numerical order established by the Central Electoral Committee which has established the rating of candidates. Those candidates who are elected in single-member constituencies shall be omitted from the list.

8. If the party, coalition submits together with the application documents the request that the rating of their candidates should not be established, voters shall be notified about this in advance, indicating this in ballot paper and the rating of candidates shall not be counted, and the registered sequence of candidates on the list shall be considered final.

### **Article 90. Counting of the Rating of Candidates for Seimas Member and Establishment of the Final Order of Succession of the Lists**

1. The Central Electoral Committee shall calculate the rating of candidates for Seimas member and shall establish a final order succession of the lists in accordance with the opinion expressed by voters and preference votes cast.

2. At first preference votes cast for each candidate in single-member constituencies shall be summed up and the sum total of all the preference votes for each candidate shall be calculated. In the event when the sum total of the candidate's preference votes is bigger than the number of Seimas members who are being elected in the multi-member constituency or such sum is equal to the said number, election rating of that candidate shall be equal to that sum, if it is smaller - election rating of the candidate shall be considered to be equal to zero.

3. Then the points of the rating received by each candidate for Seimas member shall be calculated. They shall be equal to the product of two numbers - election rating (the first factor) and party's rating (the second factor). Election rating shall be an integer number which is established by the Central Electoral Committee for each candidate in accordance with election numbers of the candidates in such a way that party's rating of the candidate who has the first election number would be 20 times higher than party's rating of the candidate who has the last election number on this list of candidates, and the difference of party's ratings of the candidates from the list whose election number differs by one digit, would be equal to 19. Party's rating of the candidate who is the last on the list, which is determined in such a way, shall be lower by one digit than the number of candidates on this list, and party's rating of the candidate who is the first on the list shall be 20 times higher than party's rating of the candidate who is the last on the list.

4. The final order of candidates for Seimas member on the lists shall be established according to the points of the rating received by each candidate. The first written down in the succession shall be the candidate who have received more points of the rating. In the event that several candidates receive the same amount of the rating points, then the first written down shall be the candidate whose election rating is higher. If the election ratings and candidates' ratings are also equal, then the first written down shall be the candidate whose party's rating is higher.

5. The final succession of the lists of candidates for Seimas member shall be announced by the Central Electoral Committee on the same day as the results of voting in single-member constituencies.

### **Article 91. The Declaration of the Election Invalid**

1. The Central Electoral Committee may declare the election results in the constituency null and void, if it has established that severe violations of this Law which were committed in the constituency or poll district, the falsification of documents or the loss thereof had an essential influence on the election results, and the following essential results cannot be determined from the vote counting records or other election documents:

1) in a single-member constituency - the candidate who gets a mandate or the candidates who participate in the second poll;

2) in the multi-member constituency - the list of candidates which take part in the distribution of mandates, or the number of mandates due to the list of candidates can be determined at the exactness of one or more than one mandate.

2. The election cannot be declared invalid if the indisputably determined election results allow to determine essential election results.

### **Article 92. Run-off Elections**

1. Run-off elections shall be held in constituencies in which the elections did not take place or were declared invalid.

2. Run-off elections shall be held not later than within half a year, and after the run-off elections which have not been held - not later than within a year.

3. The concrete procedure for holding run-off elections, the second poll to the Seimas according to the requirements and terms set in this Law shall be established by the Central Electoral Committee taking into consideration the fact that run-off elections, the second poll are held in one of the single-member constituencies. When establishing the procedure for holding the run-off elections, the Central Electoral Committee cannot change the boundaries of constituencies. The citizens, permanently residing on the territory of a constituency who are aged 18 or over on the day of the run-off elections shall be additionally registered in the voter list of this constituency, and only the persons who have lost the right to vote shall be crossed out. The voting shall not be conducted abroad, on ships (with the exception of the case when the voters residing abroad or the crews of ships are registered in the voter lists of the constituency in which run-off elections shall be held), in the post offices which are not located on the territory of this constituency (except the central post offices of towns, regions).

4. Run-off elections shall not be held if the election date planned to be announced falls within the period when less than a year remains before the date of the next election to the Seimas, as counted in compliance with the Constitution.

### **Article 93. Establishment and Announcement of the Final Election Results**

1. The Central Electoral Committee shall establish the final election results after it has investigated all complaints and established all election results in the constituency, including of the voters who have voted in Lithuania and abroad.

2. The Central Electoral Committee shall proclaim the final election results not later than within 7 days following the election or the second poll. If during the elections to a new Seimas the second poll is held, the final results in a multi-member constituency shall be proclaimed together with the results of the second poll. The Central Electoral Committee shall first of all announce the final results in the Internet and in the next issue of the *Valstybės žinios*.

3. The Central Electoral Committee shall within three months from the announcement of the final election results issue a book about the election results and shall within four months transfer the vote counting records of polling districts and constituencies, application documents (except the forms for the collection of signatures), minutes of the sittings and the decisions of the Central Electoral Committee, as well as the collection of samples of election documents to the State Archives for unlimited safekeeping. After that it may

decide to destroy the election documents which are not subject to safe keeping.

#### **Article 94. The Certificate of Seimas Member**

1. After the proclamation of election results the Central Electoral Committee shall issue certificates of Seimas member to the elected candidates within 3 days.
2. All disputes concerning the non-issuance of the certificate of Seimas member shall, not later than within 3 days, be settled by the Supreme Administrative Court of Lithuania whose decision shall become effective from the moment of its pronouncement.

#### **Article 95. Inquiry Concerning the Violation of the Law on Elections to the Seimas**

1. Not later than within 3 days of the official proclamation of the election results or the announcement of the decision of the Central Electoral Committee concerning occurring or filling a vacancy in the Seimas, the Seimas of the Republic of Lithuania as well as the President of the Republic may appeal to the Constitutional Court with the inquiry whether the Law on Elections to the Seimas has been violated.
2. The Constitutional Court shall investigate and evaluate the decision of the Central Electoral Committee or its refusal to investigate complaints about the violations of the Law on Elections to the Seimas in those cases when decisions have been adopted or another deed of the Committee has been performed after the closing of voting.
3. This inquiry shall be investigated by the Constitutional Court not later than within 72 hours of its submission to the Constitutional Court. Non-working days shall be included in this time period.
4. Basing itself on the findings of the Constitutional Court, the Seimas of the Republic of Lithuania shall adopt the final decision concerning the violation of the Law on Elections to the Seimas.
5. If the Constitutional Court makes a conclusion that the Law on Elections to the Seimas has severely violated or election documents have been falsified and this has had an essential influence on the establishment of the election results, the Seimas of the Republic of Lithuania may pass one of the following resolutions:
  - 1) to declare the elections in a single-member constituency or multi-member constituency invalid when, from the vote counting records, it is impossible to establish essential election results; or
  - 2) to establish real essential election results according to the vote counting records or other election documents submitted by electoral committees.
6. The Seimas shall also pass a resolution on legally and illegally elected Seimas members.

#### **Article 96. Recognition of the Lapse of the Powers of a Seimas Member**

The Central Electoral Committee shall recognise the lapse of the powers of a Seimas member, with the exception of the cases provided for in paragraph 6 of Article 95, not later than within 15 days after occurrence of a cause for it:

- 1) upon the death of a Seimas member - according to a notarised copy of the death certificate;
- 2) upon the resignation of a Seimas member - according to the resignation statement written by the Seimas member himself. The Seimas member must repeat this statement himself during a sitting of the Central Electoral Committee. If because of the health conditions the Seimas member is unable to attend the sitting, the sitting shall be held in the place where the Seimas member is at that time;
- 3) when the court declares a Seimas member legally incompetent - according to the effective decision of the court;
- 4) when the Seimas revokes the mandate of Seimas member in accordance with impeachment proceedings - according to the effective resolution of the Seimas;
- 5) if a Seimas member takes up, or does not resign from, employment which is incompatible with the duties of Seimas member - according to the effective resolution of the Seimas;

6) if a Seimas member loses citizenship of the Republic of Lithuania - according to the effective legal act concerning the loss of citizenship; and

7) if a Seimas member takes an oath in the manner prescribed by the law or takes a conditional oath according to the effective resolution of the Seimas.

#### **Article 97. Filling a Vacant Seat in the Seimas**

Upon the recognition of the lapse of the powers of a Seimas member, a vacancy occurs in the Seimas. It shall be filled in the following manner:

1) if the former Seimas member was elected in a single-member constituency, by-elections shall be organised in this constituency. By-elections must be held not later than within 6 months. The elections shall not be held if the election date planned to be announced falls within the period when less than a year remains before the date of the next election to the Seimas, as counted in compliance with the Constitution. The Central Electoral Committee shall establish the concrete procedure for holding by-elections according to the requirements and terms established by this Law, taking into consideration the fact that by-elections are held in one of the single-member constituencies. When establishing the procedure for holding by-elections, the Central Electoral Committee cannot change the boundaries of a constituency. The citizens, permanently residing on the territory of a constituency who are aged 18 or over on the day of the by-elections shall be additionally registered in the voter list of this constituency. Only the persons who have lost the right to vote shall be crossed out from the list. The voting shall not be conducted abroad, on ships (with the exception of the case when the voters residing abroad or the crews of ships are registered in the voter lists of the constituency in which by-elections are to be held), in the post offices which are not located on the territory of this constituency (except the central post offices of towns, regions);

2) in a multi-member constituency the first candidate, who has not received the mandate of Seimas member, from the list of candidates according to which the former Seimas member was elected to the presently vacant seat shall become a Seimas member. If there are no candidates on this list of candidates who have not received mandates of Seimas member, the mandate of Seimas member shall be transferred to another list according to the sequence of the lists of candidates which was established after the election for the distribution of mandates by the method of remainders, that is to the list following the list which was the last to receive the mandate according to this sequence. So the first candidate, who has not received the mandate, on the list which has newly received a mandate shall become a Seimas member. The Central Electoral Committee must adopt the decision concerning recognition of the mandate of Seimas member for a new Seimas member not later than within 7 days after the occurrence of a vacant seat in the Seimas.

#### **Article 98. Loss of the Mandate of Seimas Member because of the Collaboration with the Special Services of other States, and Earlier Conviction which Has Not Been Disclosed to the Voters**

1. Each candidate for a Seimas member must make a public disclosure of his deliberate collaboration with the special services of other states, provided that he was not thereby carrying out the assignments of the Republic of Lithuania. He shall indicate this fact in the questionnaire for a candidate for Seimas member, in the election poster of a candidate for Seimas member, issued by the Central Electoral Committee, as well as in the poster with the list of candidates. The poster with the list of candidates must contain the following notice beside the surname of the candidate: "The candidate deliberately and not on the instruction of the Republic of Lithuania collaborated with the special services of another state".

2. If the candidate fails to indicate this and there is a valid court sentence which has established a fact having juridical meaning (or this fact has been confirmed by the candidate himself in the manner prescribed by law) that he with full awareness collaborated with the special services of other states which was not related to carrying out the assignments of the Republic of Lithuania, the Central Electoral Committee shall

not register him; where it has already registered him a candidate for Seimas member, the Central Electoral Committee shall immediately cancel his registration as a candidate for Seimas member. If the candidate has not indicated it and after the election to the Seimas his deliberate collaboration with the special services or other states which was not related to carrying out the assignments of the Republic of Lithuania is prohibited according to the procedure established by law, his Seimas member powers shall be lapse from that day.

3. Each candidate for Seimas member must make a public disclosure that under the sentence of the court of the Republic of Lithuania, which became effective after 11 March 1990, he was found guilty committing a criminal act or under the effective court sentence was found guilty for committing a minor or a major crime at any time. He shall indicate this fact in the questionnaire for a candidate for Seimas member regardless of the fact whether the conviction has expired or has been revoked. An election poster of a candidate for Seimas member, issued by the Central Electoral Committee, as well as a poster with the candidates must contain the following notice beside the name of the candidate: "Has been found guilty committing a criminal act".

4. If the candidate has not indicated this fact and there is a sentence of the court of the Republic of Lithuania which came into effect after 11 March 1990 and which found the person guilty for committing a criminal act or there is a court sentence which found the person guilty for committing a minor or a major crime at any time, the Central Electoral Committee shall not register such person as a candidate for Seimas member, and if the Committee has already registered him, it shall immediately cancel his registration as a candidate for Seimas member. If the candidate failed to disclose this fact and, following the elections to the Seimas, it has been established that there is a sentence of the court of the Republic of Lithuania effective after 11 March 1990 which found the person guilty for committing a criminal act or there is the court sentence which found the person guilty for committing a minor or a major crime at any time, the Central Electoral Committee shall, within 15 days, submit copies of the court sentence and the questionnaire of a candidate for Seimas member to the Seimas of the Republic of Lithuania for the Seimas to adopt a decision to initiate impeachment proceedings."

*I promulgate this Law passed by the Seimas of the Republic of Lithuania.*

PRESIDENT OF THE REPUBLIC

VALDAS ADAMKUS

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