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**COLLECTION OF LAWS  
of the Slovak Republic**

**Item 20**      **Published on March 19, 1999**

**LAW**  
as of March 18, 1999

on Procedure of the Election of the President of the Slovak Republic, on Plebiscite  
and Removal of the President and on Supplementation of several other Laws

The national Council of the Slovak Republic has decided on the following law:

**Section I**

**FIRST PART**

**ELECTION OF THE PRESIDENT OF THE SLOVAK REPUBLIC**

**Article 1**  
Introductory provision

- (1) The election of the President of the Slovak Republic and voting on the candidate for the presidential office<sup>1)</sup> (hereinafter referred to as „the election“ only) shall be conducted on the basis of universal, equal and direct franchise by secret ballot.
- (2) The right to elect the President of the Slovak Republic (hereinafter referred to as „the President“ only) shall be held by such citizens of the Slovak Republic who will have consummated the age of 18 years as of the election day and are within the territory of the Slovak Republic on election day<sup>2)</sup> (hereinafter referred to as „the qualified voter“ only).
- (3) The election shall be conducted in the territory of the Slovak Republic.

**Article 2**  
Time of holding the election

- (1) The election shall be promulgated by the Chairman of the National Council of the Slovak Republic no later than 55 days before the election day. Promulgation of the election shall be published in the Collection of Laws of the Slovak Republic.
- (2) The election shall be held on the same day in the whole territory of the Slovak Republic. The Chairman of the National Council of the Slovak Republic can determine the election be held in two days.

<sup>1)</sup> Title 101.2 and 6 of the Constitution of the Slovak Republic No. 460/1992 of the Col. in the wording of the constitutional law No. 244/1998 of the C. L. and the constitutional law No. 9/1999 of the C.L.

<sup>2)</sup> Title 101.2 of the Constitution of the Slovak Republic No. 460/1992 of the Col. in the wording of the constitutional law No. 244/1998 of the C.L. and the constitutional law No. 9/1999 of the C.L.

(3) The election shall be held on the determined day from 7 a.m. till 10 p.m.. If required by local conditions, the Mayor of the Municipality can determine an earlier start of the voting.

(4) If the election is held in two days, the voting on the first election day shall start at 2 p.m. and close at 8 p.m. The voting on the second day shall start at 7 a.m. and close at 2 p.m. If required by local conditions, the Mayor of the Municipality can determine an earlier start of the voting.

#### Article 3

##### Election Precincts and Special Election Precincts

(1) For the purpose of casting ballots and counting votes Election Precincts shall be created in Municipalities, or City Wards in the case of Bratislava and Košice.

(2) The Mayor of the Municipality shall determine Election Precincts and Polling Stations in the Precincts no later than 45 days before the election day so that one Election Precinct covers usually 1,000 qualified voters. For the remote parts of the Municipality separate election precincts can be established provided such precincts cover at least 50 qualified voters.

(3) The Municipality can establish a special election precinct in health care facilities, social services facilities, in custodial facilities and places for serving infamous punishment, provided such a precinct covers at least 100 qualified voters.

#### Article 4

##### Lists of Qualified Voters

(1) On the basis of the permanent voter list<sup>3)</sup> the Municipality shall prepare the list of voters qualified to elect the President (hereinafter referred to as „the list of qualified voters“ only) in the respective election precincts.

(2) The Municipality shall prepare the list of qualified voters for the special election precinct as well; the Head of the respective facility shall assist the Municipality in the preparation of the list. The Municipality where a special election precinct has been established, shall with no undue delay announce the record to the list of qualified voters to the respective Municipality according to the permanent address of the respective qualified voter.

(3) Soldiers of armed forces and members of armed security forces and armed forces who are collectively accommodated shall be added to the list of qualified voters in that Municipality where their unit is located. The record to the list shall be made on the basis of the written information provided by the unit and within the deadline determined by the Mayor of the Municipality. The record to the list of qualified voters shall be effective only during the time of the poll. The Municipality where the unit is located shall with no undue delay report on the record to the list of qualified voters to the respective Municipality according to the permanent address of the respective soldier or member. The Municipality shall see to it that no such election

<sup>3)</sup> Second part of the Law of the Slovak National Council No. 80/1990 of the Col. on Election to the Slovak National Council in the wording of later regulations.

precincts are established where the list of qualified voters consist of soldiers of armed forces and members of armed security forces and armed forces only.

- (4) Qualified voters pursuant to clauses (2) and (3) shall not be recorded in the list of qualified voters in the election precinct according to their permanent address.
- (5) The Municipality shall submit the list of qualified voters pursuant to clauses (1) and (2) in two copies to the precinct election commissions no later than 2 hours before the start of the vote.
- (6) The precinct election commission shall add such a citizen of the Slovak Republic to the list of qualified voters who does not have a permanent residence in the Slovak Republic and comes to the polling station on the election day; the information that the record to the list of qualified voters has been made shall be written down in his/her Slovak passport<sup>4)</sup>.
- (7) The precinct election commission shall add to the list of qualified voters a person
  - a) on the basis of the ruling of the court,<sup>5)</sup>
  - b) on the basis of a voter card ,
  - c) who proves by his/her ID card that he/she has a permanent residence within the election precinct.

#### Article 5 Voter Card

- (1) After the election has been promulgated, upon request of such a qualified voter who will not be able to vote in the election precinct where he/she is recorded in the list of qualified voters the Municipality shall issue a voter card and delete him/her from the list of qualified voters. The deletion shall be effective only during the time of the poll by means of the voter card.
- (2) The voter card shall authorize for a record to the list of qualified voters in any election precinct; the record shall be effective only during the time of the poll.
- (3) In cells of police detention, in custodial facilities or places for serving summary punishment, and in facilities for serving infamous punishment where no special election precinct has been established, the precinct election commission within whose territory such a facility is located and in cooperation with the Head of the respective facility shall provide the qualified voters with a chance to vote by means of a voter card. In this case the size of the election precinct does not have to be observed. If a qualified voter is brought in and it is possible, the respective unit of the Police Force or Military Police shall enable such a voter to exercise his/her right to vote.

#### Article 6 Election Bodies

- (1) For the purpose of the election the following bodies shall be created:

<sup>4)</sup> Art 5.1 of the law No. 381/1997 on Travel Papers.

<sup>5)</sup> Art 8.2 of the law of the Slovak National Council No. 80/1990 in the wording of later regulations.

- a) Central Election Commission for the election of the President of the Slovak Republic (hereinafter referred to as „the Central Election Commission“ only),
  - b) District Election Commissions for the election of the President of the Slovak Republic (hereinafter referred to as „the District Election Commission“ only),
  - c) Precinct Election Commissions for the election of the President of the Slovak Republic (hereinafter referred to as „the Precinct Election Commission“ only).
- (2) Only a qualified voter may become a member of the commission. However, the candidate for the President cannot become a member of the commission.
- (3) The member of the commission shall commence office by signing the following pledge: „On my honor I pledge to perform my duties in a faithful and non-partisan manner and observe laws and other legal regulations.“
- (4) The commission has a quorum provided a simple majority of all its members is present. Any resolution shall be deemed passed after a simple majority of the present members voted for it. In case the votes equal, the proposal shall be deemed voted down.
- (5) At its first meeting the commission shall choose two of the members to become the chairman and vice-chairman. In case no agreement can be reached, both chairman and vice-chairman shall be determined by drawing lots. The draw shall be conducted by the recorder of the commission.
- (6) In case the position of the commission member terminated, the chairman shall summon a substitute. The position of the commission member shall terminate as of the day of delivery of the written announcement by the political party, political movement or coalition of political parties and political movements, or the petition committee that decided on it, or the announcement of the commission member about the resignation to the chairman.
- (7) For the purpose of processing the results of the election the Statistical Office of the Slovak Republic shall create expert (summarizing) units for the Central Election Commission and District Election Commissions. Persons delegated to the expert (summarizing) units shall commit the pledge pursuant to clause (3).

#### Article 7 Central Election Commission

- (1) Each political party and political movement represented in the National Council of the Slovak Republic and the petition committee whose proposal has been passed (Article 11.2) shall no later than 35 days before the election day announce the name and second name and the permanent address of one CEC member and one substitute to the Prime Minister of the Slovak Republic.
- (2) The first meeting of the Central Election Commission shall take place no later than 30 days before the election day; the meeting shall be called by the Prime Minister of the Slovak Republic.
- (3) The Central Election Commission shall

- a) oversee the state of readiness of the lower commissions to perform their duties pursuant to this law,
- b) decide on complaints of the work of District Election Commissions,
- c) discuss the information of the Ministry of Interior of the Slovak Republic on organizational and technical preparation of the election and recommend proposals for taking measures,
- d) discuss the information of the Statistical Office of the Slovak Republic on the preparation of the processing of the election results,
- e) find out the election results,
- f) prepare the minutes on the result of the election and announce its result,
- g) give permission for other persons to be present at the count in the Precinct Election Commission and District Election Commission.

(4) The Ministry of Interior of the Slovak Republic shall create the expert and administrative unit to assist the Central Election Commission.

#### Article 8 District Election Commission

(1) Each political party, political movement stated in Article 7.1 and the petition committee whose proposal has been passed (Art 11.2) shall no later than 30 days before the election day announce the name and second name and the permanent address of one DEC member and one substitute to the Head of the District Office.

(2) The District Election Commission must have no less than 5 members. Should the DEC fail to have the determined number of members or should their number fall under five and there is no substitute, the Head of the District Office shall appoint the missing members from among qualified voters.

(3) The first meeting of the District Election Commission shall be held no later than 25 days before the election day; the meeting shall be called by the Head of the District Office.

- (4) The District Election Commission shall
- a) oversee the state of readiness of the Precinct Election Commissions to perform their duties pursuant to this law,
  - b) decide on complaints of the work of Precinct Election Commissions,
  - c) discuss the information on activity of its expert (summarizing) unit,
  - d) oversee the process of finding the election results in election precincts; it is authorized to require explanations or other information from the precinct election commissions and can correct the found errors after an agreement with the precinct election commission, or ask the precinct election commission to correct the found errors,
  - e) find out the election results in the District,
  - f) prepare the minutes on the result of the election in the District and submit it to the Central Election Commission.

Article 9  
Precinct Election Commission

- (1) Each political party, political movement stated in Article 7.1 and the petition committee whose proposal has been passed (Art 11.2) shall no later than 30 days before the election day announce the name and second name and the permanent address of one PEC member and one substitute to the Mayor of the Municipality..
- (2) The Precinct Election Commission must have no less than 5 members. Should the PEC fail to have the determined number of members or should their number fall under five and there is no substitute, the Mayor of the Municipality shall appoint the missing members from among qualified voters.
- (3) The first meeting of the District Election Commission shall be held no later than 23 days before the election day; the meeting shall be called by Mayor of the Municipality.
- (5) The Precinct Election Commission shall
  - a) provide for the proper course of the poll, mainly it shall oversee the ballots are cast in a proper way and it shall control order in the polling station and its immediate surroundings,
  - b) examine the ballots,
  - c) count the ballots and votes, —
  - d) prepare the minutes on the result of the election in the election precinct and submit it to the respective District Election Commission,
  - e) perform other tasks ordered by the respective District Election Commission or the Central Election Commission.

Article 10  
Commission Recorder

- (1) The Recorder of the Commission shall provide for organizational and administrative matters concerning the preparation and course of the meeting of the election commission. He/she is present at the meetings of the commission and has the right to be an advisor to the commission.
- (2) The Recorder
  - a) of the Central Election Commission is appointed and removed by the Government of the Slovak Republic,
  - b) of the District Election Commission is appointed and removed by the Head of the District Office from among employees of the District Office,
  - c) of the Precinct Election Commission is appointed and removed by the Mayor of the Municipality usually from among employees of the Municipality.
- (3) The Recorder of the CEC shall be appointed by the Government of the Slovak Republic no less than 45 days before the election day, the Recorder of the District Election Commission shall be appointed by the Head of the District Office 40 days before the election day and the Recorder of the Precinct Election Commission shall be

appointed by the Mayor of the Municipality 40 days before the election day. The Recorder shall commit the pledge subject to Article 6.3.

#### Article 11 Candidates for President

- (1) The proposal for the Candidate for the presidential office<sup>6)</sup> must include
  - a) name, second name and academic title of the Candidate,
  - b) age and personal number of the Candidate,
  - c) occupation of the Candidate,
  - d) the address of permanent residence of the Candidate,
  - e) declaration of the Candidate that he/she gave consent to the candidature and meets conditions necessary for being elected the President<sup>7)</sup>.
- (2) The Chairman of the National Council shall examine the proposal for the Candidate for the presidential office<sup>6)</sup> within 7 days after its delivery, whether the proposal contains the data subject to the law; in the case of a petition he shall examine whether it meets the requirements subject to the special law<sup>8)</sup> and whether it is clear in each of the petition sheets that it is a petition for the respective Candidate. Provided the proposal meets the requirements stipulated by law, the Chairman of the National Council shall accept the proposal; otherwise he shall reject it. Within 24 hours the Chairman of the National Council shall deliver the announcement of accepting or rejecting of the proposal to the Candidates for the President to the address the Candidate stated, or to the address of the permanent residence of the Candidate.
- (3) The Chairman of the National Council of the Slovak Republic shall announce the proposals for the Candidates for the President, their name, second name and academic title of the Candidates, their age, occupation and permanent address to the Ministry of Interior of the Slovak Republic next day after he accepted the proposal.
- (4) The Candidate whose proposal for the Candidate for the President was rejected can file a motion with the Supreme Court of the Slovak Republic to decide on accepting his/her proposal for the Candidate for the President. The motion can be filed within three days after delivery of the decision of the Chairman of the National Council of the Slovak Republic on rejecting the proposal for the Candidate for the President.

#### Article 12 Resigning Candidature

The Candidate for the President can resign his candidature in writing before the start of the first round of the election. The Candidate shall deliver the declaration of resignation to the Chairman of the National Council. The Chairman of the National Council of the Slovak Republic shall announce this fact to the Ministry of Interior of the Slovak Republic and Central Election Commission that shall with no undue delay

<sup>6)</sup> Title 101.3 of the Constitution of the Slovak Republic No. 460/1992 in the wording of the constitutional law No. 244/1998 and constitutional law No. 9/1999.

<sup>7)</sup> Title 103.1 of the Constitution of the Slovak Republic No. 460/1992 in the wording of the constitutional law No. 244/1998 and constitutional law No. 9/1999.

<sup>8)</sup> Law No. 85/1990 on Petition Right in the wording of Law No. 242/1998.



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forward it through the District Election Commissions to the Precinct Election Commissions and those shall inform the qualified voters about it.

### Article 13 Ballot

- (1) One ballot shared by all Candidates for the President shall be produced. On the ballot the Candidates shall be listed in alphabetical order stating the second name, name and academic title, age, occupation and the municipality of their permanent residence.
- (2) The ballot must be marked with a print of the Central Election Commission stamp and print of the official stamp of the Municipality and before the second name of each Candidate a little box must be printed for marking the votes.
- (3) The Ministry of Interior of the Slovak Republic shall provide for production of the ballots and delivery of their necessary amount to the Municipality.
- (4) The Municipality shall provide for delivery of the ballots to all Precinct Election Commissions on the election day no later than 2 hours before the start of the poll.
- (5) The qualified voter shall receive the ballot in the polling station on the election day.

### Article 14 Informing Qualified Voters

- (1) The Municipality shall inform on the established election precincts, polling station and the election hours in a way usual in the Municipality and no later than 40 days before the election day.
- (2) No later than 20 days before the election day the Municipality shall send to each voter registered in the permanent list of voters<sup>3)</sup> a notification stating the election hours, election precinct and the place where the qualified voter can go to vote; the notification shall also warn of the voter's pre-voting duty to establish identity by ID card and give a brief explanation how to mark the ballot.
- (3) In case the Candidate for the President resigned his/her candidature (Art. 12) or the Candidate for the President died after the ballots were produced, the Precinct Election Commission shall inform the qualified voters about that by posting a notification in the polling station.

### Pre-election Campaign

#### Article 15

- (1) The pre-election campaign (hereinafter referred to as "the campaign" only) shall start 15 days and end 48 hours before the start of the election. The campaign shall mean activities of the Candidates, political parties, political movements or other

subjects in favor of the election of the Candidate including advertising through radio and TV broadcasting pursuant to clauses (4) and (5), mass media<sup>9)</sup>, large-size carriers, posters and other carriers of information<sup>10)</sup>.

(2) Any campaigning in other time than stated in clause (1) is banned.

(3) During the campaign time each Candidate shall have equal access to mass media.

(4) For the campaign pursuant to clause (1) Slovak Radio and Slovak Television shall allocate not more than one hour of their broadcasting time per each Candidate, 10 hours of broadcasting time at the most, in such a way that the determined time for broadcasting shall not put any of the Candidates in a less favorable position. The claim to the broadcasting time must be filed at least five days before the start of the campaign, or it shall lapse. Slovak Radio and Slovak Television shall provide for distinct identification and separation of this broadcasting from other programs.

(5) The holder of the license for radio or TV broadcasting (hereinafter referred to as "the license holder" only) can allocate not more than one hour of broadcasting time for the campaign of each Candidate, 10 hours of broadcasting time at the most. The license holders shall provide for distinct identification and separation of this broadcasting from other programs by broadcasting an announcement for the public that it is a paid political advertising.

(6) The payments for using telecommunication facility<sup>11)</sup> shall be reimbursed to Slovak Radio and Slovak Television according to the extent of the broadcasting time allocated pursuant to clause (4) from the state budget of the Slovak Republic.

(7) The costs for the campaign in the licensed radio and TV broadcasting shall be reimbursed by the Candidates or political parties and political movements that appointed them. The license holders shall be obliged to provide equal conditions to all Candidates for the purchase of the broadcasting time and equal price and payment conditions.

(8) During the campaign it shall be banned to broadcast campaigning in such times that are reserved for advertising in radio and TV programs, or use radio and TV advertising for campaigning.

(9) Broadcasting of the news and journalism programs shall not be considered campaigning provided they are broadcast in such a way and under such circumstances as on non-campaigning days and are in accordance with the valid program structure of the operators of the broadcasting.<sup>12)</sup> Broadcasting operators shall be obliged to provide balanced and non-partisan news programs.

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<sup>9)</sup> Art 3.2 of Law No. 81/1966 on Periodical Press and Other Mass Media in the wording of later regulations.

<sup>10)</sup> Art 2.1.b) of Law of the National Council of the Slovak Republic No. 220/1996 on Advertising in the wording of later regulations.

<sup>11)</sup> Art 1.4.a) of Law No. 110/1964 on Telecommunications in the wording of later regulations.

<sup>12)</sup> Art 11.1.e) of Law No. 468/1991 on Radio and TV Broadcasting in the wording of later regulation.

(10) Broadcasting other programs except for the news and journalism programs pursuant to clause (9) and those that are devoted to the campaign pursuant to clauses (4) and (5) that could influence the voting of the voters in favor or disfavor of a candidate shall be banned during the campaign.

(11) Each Candidate who during the campaign is subjected to false or misrepresenting information and statements in radio and TV broadcasting and mass media shall have a right to respond during the campaign. He/she shall enforce this right with the operator of the broadcasting or editor-in-chief of the mass medium that broadcast or published such a piece of information or statement. The operator of broadcasting or editor-in-chief shall be obliged to provide the Candidates for the President an equally valuable broadcasting time as the time when the subjected information or statement were broadcast, within the campaigning days.

(12) 48 hours before the start of the election and during the election it shall be banned to broadcast or publish information in radio and TV broadcasting and mass media on Candidates in their favor or disfavor in oral, written, audio or visual form.

(13) During the election, in the buildings where Precinct Election Commissions are located and their immediate surroundings any influences for or against any of the Candidates shall be banned.

(14) Latest day to publish results of opinion polls shall be 3 days before the election day.

(15) Election commissions, members of their expert (summarizing) units and recorders shall not be allowed to provide information on the course and partial results of the poll before signing the minutes.

(16) It is banned to publish polls on results of the voting during the election.

(17) The Central Election Commission can publicize partial information on the voting too.

(18) If the second round of the election is held, the campaign shall start by announcing the results of the first round of the election by the Central Election Commission and end 48 hours before the start of the second round of the election. Provision of clauses (2) up to (17) shall apply adequately also to the campaign ahead of the second round of the election and the broadcasting time allocated by Slovak Television and Slovak Radio is two hours; Candidates shall set up a claim to it within 24 hours after the results of the first round of the election were announced. The license holder can allocate no more than two hours of broadcasting time for the campaign ahead of the second round of the election.

#### Article 16 Allowed Costs for the Campaigning

The Candidate for the President can use no more than 4 million Slovak crowns VAT incl. for his/her pre-election campaign. This sum shall cover the expenses the candidate paid off or is to pay off, including expenses the third persons paid off or

committed to pay off for the Candidate for the President. Should the advert or program be published or broadcast free of charge or for a lower price in media other than Slovak Radio or Slovak Television, their usual price shall be calculated in the stated sum.

#### Article 17

For the purpose of this law

- a) the campaign of the Candidate for the President shall be any public announcement used for his/her support or in his favor for which a recompense will be paid or is supposed to be paid,
- b) the expenses of the Candidate for the President for the campaigning shall be the total of all financial and other sources valuable in money that the Candidate for the President shall use to reimburse the paid advertisement in periodical press<sup>14)</sup>, to reimburse advertising or sponsor programs in radio and TV broadcasting<sup>15)</sup>, to reimburse the prices of advertising posted in public places and the costs for production of the advertising materials and things, regardless the fact whether the duty of reimbursement belongs to the Candidate for the President or third parties.

#### Article 18

##### Raising Funds for the Campaign of the Candidate for President

(1) The candidate for the President shall be authorized to receive gifts and other not-to-be-paid-back performance for supporting his/her candidacy only from natural persons with permanent residence within the territory of the Slovak Republic, from legal entities based within the territory of the Slovak Republic or from political parties and movements registered in the Slovak Republic.

(2) The Candidate for the President cannot receive a gift nor other not-to-be-paid-back performance from the State, nor organs of state administration or organs of municipal government.

#### Article 19

##### Disclose Obligation

(1) The Candidate for the President shall be obliged to keep registration of all gifts received for his/her campaign, and donators of the gifts and announce in writing to the Ministry of Finance of the Slovak Republic the total sum of the funds received for his/her campaign (Art. 18.1) and the total sum of the funds spent on his/her campaign (Art. 16). To the written statement the Candidate for the President shall enclose the name, second name, permanent residence and the value of the gift or the not-to-be-paid-back performance of each donator, provided the donator was a natural person and the value of his/her gift exceeded 10,000 crowns and the name, address and the value of the gift or the not-to-be-paid-back performance, provided the donator was a legal entity and the value of its gift exceeded 100,000 crowns.

<sup>14)</sup> Article 3.1 of Law No. 81/1966 in the wording of later regulations.

<sup>15)</sup> Article 2.1.e) and f) of Law No. 468/1991 in the wording of later regulations.

(2) Such a publisher of a periodical medium<sup>16)</sup>, operator of radio and TV broadcasting<sup>17)</sup>, operator of the advertisements posted in public places<sup>18)</sup> and natural person or legal entity who produced an advertising program, poster, leaflet or other advertising material or thing in favor of the candidate for the President shall be obliged to announce in writing to the Ministry of Finance of the Slovak Republic the amount of funds spent by individual Candidates for the President for the campaigning pursuant to this law (Art. 17) that they publicized, broadcast or produced.

(3) The Candidate for the President and the natural person and legal entity shall submit the statement pursuant to clauses (1) and (2) within no later than 30 days after the presidential election day.

(4) In the statement the natural person and legal entity mentioned in clause (2) shall also state the sums corresponding to the usual prices for advertising, sponsored programs, commercials and other advertising material of programs that they published, broadcast or produced in favor of individual candidates for the President free of charge or for a lower price.

(5) The natural persons and legal entities stated in clause (2) shall keep a special registration of all facts they are obliged to disclose pursuant to this law.

(6) Crucial for calculation of expenses shall be the day of publicizing of the advertising material or program through the information medium and the day of publicizing the ready advertising material in favor of the Candidate for the President.

#### Article 20 Sanctions

(1) If the Ministry of Finance finds out in the statement (Art. 19.1) that the Candidate for the President exceeded the maximum allowed amount for expenses pursuant to Article 16, within two months after receiving the statement it shall impose a sanction amounting to the tenfold amount of the sum that exceeded the maximum allowed amount of the expenses pursuant to Article 16.

(2) The Ministry of Finance of the Slovak Republic shall impose a sanction up to 2 million Slovak crowns to such a Candidate for the President, natural person or legal entity who has not fulfilled their disclose obligation (Art. 19).

(3) An appeal from the decision on imposing a sanction shall not have any dilatory effect.

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<sup>16)</sup> Article 3.1 of Law No. 81/1966 in the wording of later regulations.

<sup>17)</sup> Article 2 and 3 of Law No. 468/1991 in the wording of later regulations.

<sup>18)</sup> Article 10a.1 and 3 of Law of the Slovak National Council No. 544/1990 on Municipal Fees in the wording of Law of the Slovak National Council No. 72/1992.

## How to Vote

### Article 21

- (1) The qualified voter shall come before the precinct election commission and vote in person. Representation shall not be allowed.
- (2) After entering the polling station the qualified voter shall establish his/her identity and after the commission recorded him/her in both copies of the list of qualified voters the precinct election commission shall issue an empty official envelope marked with the National Emblem of the Slovak Republic (hereinafter referred to as "the envelope" only) and a ballot paper to the voter. If the qualified voter failed to present his/her ID card and no member of the precinct election commission knows him/her, the commission shall ask such a voter to establish identity by evidence of two persons who are known by the precinct election commission; if the voter fails to do so before the end of the poll, he/she will not be allowed to vote.
- (3) Any qualified voter who came to the polling station with the voter card shall be recorded by the precinct election commission into the list of qualified voters. The record shall be signed by the chairman and two members of the commission; the voter card shall be attached to the list of qualified voters. Then the commission shall issue a ballot and an empty envelope to the voter.
- (4) After receiving a ballot and an envelope, the qualified voter shall enter the area designed for marking the ballots, on the ballot the voter shall only mark the Candidate he/she votes for and put the ballot into the envelope. The voter shall mark the Candidate by placing the "x" in the little box before the second name of the chosen Candidate. Other ways of marking the ballot shall not be taken into consideration.
- (5) Such a qualified voter who is not able to mark the ballot due to physical handicap or because he/she cannot read or write shall have a right to take another qualified voter to the area designed for marking the ballots, except for a member of the precinct election commission, to mark the ballot for the voter according to the voter's instructions and place it into the envelope.
- (6) After leaving the area designed for marking the ballots the qualified voter shall vote by placing the envelope into the ballot box before the precinct election commissions. The commission shall not allow voting to such a qualified voter who did not go to mark the ballot in the area designed for it.
- (7) Such a qualified voter who cannot come to the polling station and is in the municipality of his/her permanent residence on election day, or has a voter card shall have a right to ask the precinct election commission for voting into the mobile ballot box. In such a case the precinct election commission shall send out no less than two of its members with the mobile ballot box, an envelope and ballots to such a qualified voter; these commission members shall provide for maintaining secrecy during the vote.

(8) Such a qualified voter who due to physical handicap is not able to cast the envelope into the ballot box may ask another qualified voter, except for a member of the precinct election commission, to cast the envelope for him/her and in his/her presence.

#### Article 22

Preparation activities in the polling station and areas designed for marking the ballot papers, order in the polling station, interrupting and closing the poll shall be governed by provisions of a special law<sup>19)</sup>.

#### Article 23

##### Count of the votes in the precinct election commission

- (1) After close of the vote the chairman of the precinct election commission shall give order to seal the remaining unused ballots and envelopes and open the ballot box. If the precinct election commission used also the mobile ballot box upon requests of citizens, the contents of the boxes shall be mixed after they both were opened.
- (2) The precinct election commission shall take the envelopes out of the ballot box, count the envelopes and compare their number with the number of records made in the list of qualified voters. The commission shall put away all envelopes other than those pursuant to Art. 21.2. The commission shall also put away those ballots that were not in envelopes.
- (3) After taking the ballots out of the envelopes the commission shall put away invalid ballots and find out how many votes each candidate received.
- (4) Each member of the precinct election commission can look into the ballots. The chairman of the precinct election commission shall check whether the count is correct.
- (5) Apart from the commission members, the commission's recorder, members of higher election commissions and members of their expert (summarizing) units and persons with permission granted by the Central Election Commission shall have a right to be present in the room where the precinct election commission counts the votes.

#### Article 24

##### Examining the Ballots

- (1) Such ballots that are not on the prescribed form shall be invalid. Also such a ballot is invalid where more than one Candidate is marked with the "x", or a ballot where no candidate is marked with the "x". Votes in favor of such candidates who resigned their candidacy (Art 12) or passed away shall not be taken into consideration.
- (2) If two or more ballots were found in the envelope, the precinct election commission shall put away the ballot where no candidates were marked. If the envelope contains two or more ballots where one and the same Candidate was marked properly, the precinct election commission shall count only one vote as valid. If the

<sup>19)</sup> Article 26 and 27, Article 29 up to 31 of Law of the Slovak National Council No. 80/1990 in the wording of later regulations.

envelope contains two or more ballots where a different Candidate is marked properly, all ballots shall be invalid.

(3) In case of any doubt about the ballot, the final decision whether such a ballot is valid or not shall be made by the precinct election commission.

#### Article 25

##### Minutes on Course and Result of Vote in Election Precinct

(1) The precinct election commission shall prepare the minutes on the course and result of the vote in the election precinct in two copies, signed by the chairman, vice-chairman and other members of the commission. If any of the members of the precinct election commission did not sign the minutes, the reason of it shall be recorded into the minutes.

(2) The minutes on the course and result of the vote in the election precinct shall include

- a) what time the poll started and closed, or possibly was interrupted,
- b) number of qualified voters recorded in the list of qualified voters in the election precinct,
- c) number of qualified voters who were issued the envelopes,
- d) number of envelopes cast,
- e) number of valid votes cast for all Candidates,
- f) number of valid votes cast for individual Candidates,
- g) number of the votes for the Candidate who became ineligible, or the Candidate who gave up the right to run.

#### Article 26

##### Close of Activity in Precinct Election Commission

(1) After signing both copies of the minutes on the course and result of the vote in the election precinct the chairman of the precinct election commission shall with no undue delay deliver one copy of the minutes to the District Election Commission and wait for its instruction to close work.

(2) If the chairman failed to fulfil the duties pursuant to clause (1) upon request of the District Election Commission within 24 hours after the close of the vote, the District Election Commission shall deliver the results of voting in other election precincts to the Central Election Commission.

(3) The Precinct Election Commission shall seal the ballots and envelopes cast and the list of qualified voters and deliver them along with other election documents into custody of the municipality.

#### Article 27

##### Collecting Voting Results in District Election Commission

The District Election Commission shall gather the results of voting in individual precinct election commission and through its expert (summarizing) unit it shall verify whether the minutes on the course and result of the vote in the election precinct are



complete. Only members of the commissions, members of their expert (summarizing) units, recorder and persons with permission granted by the Central Election Commission have a right to be present by this activity.

#### Article 28

##### Minutes of District Election Commission on Result of Vote in District

(1) The District Election Commission shall prepare the minutes on the result of the vote in the District in two copies, signed by the chairman, vice-chairman and other members of the commission. If any of the members of the district election commission did not sign the minutes, the reason of it shall be recorded into the minutes.

(2) The minutes of the District Election Commission on the result of the vote shall include

- a) number of election precincts in the District and number of precinct election commission that delivered the voting result,
- b) number of qualified voters recorded in the list of qualified voters in the District,
- c) number of qualified voters who were issued the envelopes,
- d) number of envelopes cast,
- e) number of valid votes cast for all Candidates,
- f) number of valid votes cast for individual Candidates,
- g) number of the votes for the Candidate who became ineligible, or the Candidate who gave up the right to run.

(3) After signing both copies of the minutes on the result of the vote in the District the chairman of the District Election Commission shall with no undue delay deliver one copy of the minutes to the Central Election Commission and wait for its instruction to close work. The chairman shall deliver other election documents into custody of the District Office.

#### Article 29

##### Minutes of Central Election Commission on Election Result

(1) On the basis of the minutes of District Election Commissions on the result of the vote in the District the Central Election Commission shall prepare the minutes in two copies, signed by the chairman, vice-chairman and other members of the Central Election Commission. If any of the members of the Central Election Commission did not sign the minutes, the reason of it shall be recorded into the minutes.

(2) The minutes on the result of the election shall include

- a) number of Districts,
- b) number of District Election Commissions that delivered the minutes,
- c) number of election precincts,
- d) number of precinct election commission that delivered the minutes,
- e) number of voters registered in the lists of qualified voters in the election precincts,
- f) number of valid votes cast for all Candidates,
- g) number of the votes for the Candidate who became ineligible, or the Candidate who gave up the right to run,

- h) order of Candidates according to the number of valid votes of qualified voters they received,
- i) name, second name and academic title of the Candidate who was elected President, or the information that none of the Candidates received the necessary number of votes.

Article 30  
Announcing Election Results

- (1) The Central Election Commission shall announce the election result. The announcement of the election result has to include
  - a) name, second and academic title of the Candidate who received a simple majority of the valid votes of qualified voters and was elected President, or
  - b) a statement that regarding the election result the second round of the election, data on the name, second name and academic title of the Candidates who proceeded to the second round,
  - c) the order of other Candidates stating the number of valid votes of qualified voters they received.
- (2) After announcing the results of the election the Central Election Commission shall deliver one copy of the minutes of the election result with no undue delay to the chairman of the National Council of the Slovak Republic.
- (3) The Central Election Commission shall submit the election documents into custody of the Ministry of Interior of the Slovak Republic.

Article 31  
Second Round of Election

- (1) If none of the Candidates has received a simple majority of valid votes of qualified voters in the first round of the election, the second round of the election shall be held in the time determined by decision of the chairman of the National Council of the Slovak Republic on promulgating of the election.<sup>20)</sup>
- (2) For the second round of the election Article 4.7, Article 5, 12, 13, Article 15 up to 30 shall be applied.
- (3) Municipalities shall inform their citizens on the hours and place of the second round of the election in a way usual in the municipality.
- (4) The Candidate for the President can resign his/her candidacy in writing after the results of the first round of the elections have been announced; otherwise Article 12 shall apply to resignation of the candidacy.

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<sup>20)</sup> Title 101.4 of the Constitution of the Slovak Republic No. 460/1992 in the wording of the constitutional law No. 244/1998 and constitutional law No. 9/1999.

## SECOND PART

### PLEBISCIT ON REMOVING THE PRESIDENT

#### Article 32

##### Promulgation of Plebiscite

- (1) The promulgation of the chairman of the National Council of the Slovak Republic on holding the plebiscite on removal of the President<sup>21)</sup> (hereinafter referred to as "plebiscite" only) shall be published in the Collection of Laws of the Slovak Republic.
- (2) The promulgation of the plebiscite shall include
  - a) the day of passing the resolution of the National Council of the Slovak Republic which is the basis for holding the plebiscite,
  - b) the day, or days of holding the plebiscite; to set the time for the plebiscite Article 2.2 – 4 shall be applied.

#### Article 33

##### Right to Vote

Qualified voters shall have the right to vote in the plebiscite (Art. 1.2.).

#### Article 34

##### Plebiscite Precincts

Municipalities shall establish voting precincts for the plebiscite (hereinafter referred to as "plebiscite precincts" only), for the purpose of casting the ballots and count of the votes. To establish plebiscite precincts provision of Art. 3.2 and 3 shall be applied.

#### Article 35

##### Plebiscite List

- (1) On the basis of the permanent voter list<sup>2)</sup> the Municipality shall compile a list of voters qualified to vote in the plebiscite (hereinafter referred to as "voter list" only) in individual plebiscite precincts.
- (2) The municipality shall compile a plebiscite list for a special plebiscite precinct; the Head of such a facility shall cooperate with the Municipality in it. Such a Municipality where the special plebiscite precinct has been established shall with no undue delay announce the information on having made a record into the plebiscite list to the Municipality of the permanent residence of such a qualified voter.
- (3) Soldiers of armed forces and members of armed security forces and armed forces who are collectively accommodated shall be added to the plebiscite list of in that Municipality where their unit is located. The record to the list shall be made on the basis of the written information provided by the unit and within the deadline

<sup>21)</sup> Title 106.1 of the Constitution of the Slovak Republic No. 460/1992 in the wording of the constitutional law No. 244/1998 and constitutional law No. 9/1999.

determined by the Mayor of the Municipality. The record to the list of qualified voters shall be effective only during the plebiscite. The Municipality where the unit is located shall with no undue delay report on the record to the plebiscite list to the respective Municipality according to the permanent address of the respective soldier or member. The Municipality shall see to it that no such plebiscite precincts are established where the list of qualified voters consist of soldiers of armed forces and members of armed security forces and armed forces only.

(4) Qualified voters pursuant to clauses (2) and (3) shall not be recorded in the plebiscite list in the plebiscite precinct according to their permanent address.

(5) The Municipality shall submit the plebiscite list pursuant to clauses (1) and (2) in two copies to the precinct plebiscite commissions no later than 2 hours before the start of the vote.

(6) The precinct plebiscite commission shall add such a citizen of the Slovak Republic to the plebiscite list who does not have a permanent residence in the Slovak Republic and comes to the polling station on election day; the information that the record to the plebiscite list has been made shall be written down in his/her Slovak passport<sup>4)</sup>.

(7) The precinct plebiscite commission shall add to the plebiscite list for its precinct a person

d) on the basis of the ruling of the court,<sup>3)</sup>

e) on the basis of a voter card ,

f) who proves by his/her ID card that he/she has a permanent residence within the plebiscite precinct.

#### Article 36 Voter Card

(1) Upon request of such a qualified voter who will not be able to vote in the plebiscite precinct where he/she is recorded in the plebiscite list the Municipality shall issue a voter card and delete the voter from the this plebiscite list adding a note the voter card was issued to this voter.

(2) The voter card shall authorize for a record to the plebiscite list in any plebiscite precinct; the record shall be effective only during the plebiscite.

(3) In cells of police detention, in custodial facilities or places for serving summary punishment, and in facilities for serving infamous punishment where no special plebiscite precinct has been established, the precinct plebiscite commission within whose territory such a facility is located and in cooperation with the Head of the respective facility shall provide the qualified voters with a chance to vote by means of a voter card. In this case the size of the plebiscite precinct does not have to be observed. If a qualified voter is brought in and it is possible, the respective unit of the Police Force or Military Police shall enable such a voter to exercise his/her right to vote.

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<sup>4)</sup> Art 5.1 of the law No. 381/1997 on Travel Papers.

Article 37  
Plebiscite Bodies

- (1) For the purpose of the plebiscite the following bodies shall be created:
  - a) Central Commission for the Plebiscite (hereinafter referred to as „Central Plebiscite Commission“ only),
  - b) District Commissions for the Plebiscite (hereinafter referred to as „the District Plebiscite Commission“ only),
  - c) Precinct Commissions for the Plebiscite (hereinafter referred to as „the Precinct Plebiscite Commission“ only).
- (2) Only a qualified voter may become a member of the plebiscite commission.
- (3) The member of the plebiscite commission shall commence office by signing the following pledge: „On my honor I pledge to perform my duties in a faithful and non-partisan manner and observe laws and other legal regulations.“.
- (4) The plebiscite commission has a quorum provided a simple majority of all its members is present. Any resolution shall be deemed passed after a simple majority of the present members voted for it. In case the votes equal, the proposal shall be deemed voted down.
- (5) At its first meeting the plebiscite commission shall choose two of the members to become the chairman and vice-chairman. In case no agreement can be reached, both chairman and vice-chairman shall be determined by drawing lots. The draw shall be conducted by the recorder of the plebiscite commission.
- (6) In case the position of the plebiscite commission member terminated, the chairman shall summon a substitute. The position of the plebiscite commission member shall terminate as of the day of delivery of the written announcement by the political party or political movement, or coalition of political parties and political movements that appointed him/her, or the announcement of the commission member about the resignation to the chairman.
- (7) For the purpose of processing the results of the plebiscite the Statistical Office of the Slovak Republic shall create expert (summarizing) units for the Central Plebiscite Commission and District Plebiscite Commissions. Persons delegated to the expert (summarizing) units shall commit the pledge pursuant to clause (3).

Article 38  
Central Plebiscite Commission

- (1) Each political party and political movement represented in the National Council of the Slovak Republic shall no later than 35 days before the plebiscite day announce the name and second name and the permanent address of one CPC member and one substitute to the Prime Minister of the Slovak Republic.
- (2) The first meeting of the Central Plebiscite Commission shall take place no later than 30 days before the plebiscite day; the meeting shall be called by the Prime Minister of the Slovak Republic.

- (3) The Central Plebiscite Commission shall
- a) oversee the state of readiness of the lower plebiscite commissions to perform their duties pursuant to this law,
  - b) decide on complaints of the work of District Plebiscite Commissions,
  - c) discuss the information of the Ministry of Interior of the Slovak Republic on organizational and technical preparation of the plebiscite and recommend proposals for taking measures,
  - d) discuss the information of the Statistical Office of the Slovak Republic on the preparation of the processing of the plebiscite results,
  - e) find out the plebiscite results,
  - f) prepare the minutes on the result of the plebiscite and announce the result of the plebiscite,
  - g) give permission for other persons to be present at the count in the Precinct Plebiscite Commission and District Plebiscite Commission.
- (3) The Ministry of Interior of the Slovak Republic shall create the expert and administrative unit to assist the Central Plebiscite Commission.

Article 39  
District Plebiscite Commission

- (1) Each political party and political movement stated in Article 38.1 shall no later than 30 days before the plebiscite day announce the name and second name and the permanent address of one DPC member and one substitute to the Head of the District Office.
- (2) The District Plebiscite Commission must have no less than 5 members. Should the DPC fail to have the determined number of members or should their number fall under five and there is no substitute, the Head of the District Office shall appoint the missing members.
- (3) The first meeting of the District Plebiscite Commission shall be held no later than 25 days before the plebiscite day; the meeting shall be called by the Head of the District Office.
- (4) The District Plebiscite Commission shall
- a) oversee the state of readiness of the Precinct Plebiscite Commissions to perform their duties pursuant to this law,
  - b) decide on complaints of the work of Precinct Plebiscite Commissions,
  - c) discuss the information on activity of its expert (summarizing) unit,
  - d) oversee the process of finding the plebiscite results in plebiscite precincts; it is authorized to require explanations or other information from the precinct plebiscite commissions and can correct the found errors after agreement with the precinct plebiscite commission, or ask the precinct plebiscite commission to correct the found errors,
  - e) find out the plebiscite results in the District,
  - f) prepare the minutes on the result of the plebiscite in the District and submit it to the Central Plebiscite Commission.

Article 40  
Precinct Plebiscite Commission

- (1) Each political party, political movement stated in Article 38.1 shall no later than 30 days before the plebiscite day announce the name and second name and the permanent address of one PPC member and one substitute to the Mayor of the Municipality.
- (2) The Precinct Plebiscite Commission must have no less than 5 members. Should the PEC fail to have the determined number of members or should their number fall under five and there is no substitute, the Mayor of the Municipality shall appoint the missing member.
- (3) The first meeting of the District Plebiscite Commission shall be held no later than 23 days before the plebiscite day; the meeting shall be called by Mayor of the Municipality.
- (4) The Precinct Plebiscite Commission shall
  - a) provide for the proper course of the plebiscite, mainly it shall oversee the ballots are cast in a proper way and it shall control order in the polling station and its immediate surroundings,
  - b) count the ballots and votes,
  - c) prepare the minutes on the course and result of the plebiscite in the plebiscite precinct and submit it to the respective District Plebiscite Commission,
  - d) perform other tasks ordered by the respective District Plebiscite Commission or the Central Plebiscite Commission.

Article 41  
Plebiscite Commission Recorder

- (1) The Recorder of the Plebiscite Commission shall provide for organizational and administrative matters concerning the preparation and course of the meeting of the plebiscite commission. He/she is present at the meetings of the commission and has the right to be an advisor to the commission.
- (2) The Recorder
  - a) of the Central Plebiscite Commission is appointed and removed by the Government of the Slovak Republic,
  - b) of the District Plebiscite Commission is appointed and removed by the Head of the District Office from among employees of the District Office,
  - c) of the Precinct Plebiscite Commission is appointed and removed by the Mayor of the Municipality usually from employees of the Municipality.
- (3) The Recorder of the Central Plebiscite Commission shall be appointed by the Government of the Slovak Republic no less than 45 days before the plebiscite day, the Recorder of the District Plebiscite Commission shall be appointed by the Head of the District Office 40 days before the plebiscite day and the Recorder of the Precinct Plebiscite Commission shall be appointed by the Mayor of the Municipality 40 days

before the plebiscite day. The Recorder shall commit the pledge subject to Article 37.3.

#### Article 42 Ballot

- (1) On the ballot the following shall be stated
  - a) the day, or days when the plebiscite is being held,
  - b) text  
“ I vote for removal of the President of the Slovak Republic from office  
 I vote against removal of the President of the Slovak Republic from office”,
  - c) instruction on how to vote.
- (2) Each ballot must be marked with a print of the Central Plebiscite Commission stamp and print of the official stamp of the Municipality.
- (3) The Ministry of Interior of the Slovak Republic shall provide for production of the ballots and delivery of their necessary amount to the Municipalities.
- (4) The Municipality shall provide for delivery of the ballots to all Precinct Plebiscite Commissions on the plebiscite day no later than 2 hours before the start of the plebiscite.

#### Article 43 Informing Qualified Voters

- (1) The Municipality shall inform on the established plebiscite precincts, polling station and the plebiscite hours in a way usual in the Municipality and no later than 40 days before the plebiscite day.
- (2) No later than 20 days before the plebiscite day the Municipality shall send to each voter registered in the permanent list of voters<sup>3)</sup> a notification stating the plebiscite hours, plebiscite precinct and the place where the qualified voter can go to vote; the notification shall also warn of the voter's pre-voting duty to establish identity by ID card and give a brief explanation how to mark the ballot.

#### Article 44 Voting

- (1) The qualified voter shall vote in person; representation shall not be allowed. The qualified voter shall receive a ballot paper in the polling station.
- (2) The qualified voter shall vote by marking the “x” in the respective box on the ballot and place the marked ballot into the ballot box. The ballot is secret.
- (3) Provisions of Article 15.12 and 13, Article 21 and 22 shall be applied on the ban of any canvassing, and preparation of the polling station, areas for marking the ballots, start of the poll, voting, order in the polling station, interrupting the poll and closing the poll, with the exception that no envelope will be used for the voting.



Article 45  
Examining the Ballots

- (1) The ballot shall be invalid if any written document other than a ballot paper (Art. 42) was cast. The ballot is also invalid if it has been torn in two or more pieces or if it has been marked in any way other than stated in Article 44.2, or it has not been marked at all.
- (2) In case of any doubt about the ballot, the final decision whether such a ballot is valid or not shall be made by the precinct plebiscite commission.

Article 46  
Count of Votes at Precinct Plebiscite Commission

- (1) After close of the vote the chairman of the precinct plebiscite commission shall give order to seal the remaining unused ballots and open the ballot box. If the precinct plebiscite commission used also the mobile ballot box upon requests of citizens, the contents of both boxes shall be mixed after they both were opened.
- (2) The precinct plebiscite commission shall take the ballots out of the ballot box, count them and compare their number with the number of records made in the plebiscite list.
- (3) The plebiscite commission shall separately count invalid ballots and valid ballots and find out the number of the votes agreeing with the removal of the President from office and the number of the votes disagreeing with the removal of the President from office.
- (4) Each member of the precinct plebiscite commission can look into the ballots. The chairman of the precinct plebiscite commission shall check whether the count is correct.
- (5) Apart from the commission members, the plebiscite commission's recorder, members of higher plebiscite commissions and members of their expert (summarizing) units and persons with permission granted by the Central Plebiscite Commission shall have a right to be present in the room where the precinct plebiscite commission counts the votes.

Article 47  
Minutes on Course and Result of Vote in Plebiscite Precinct

- (1) The precinct plebiscite commission shall prepare the minutes on the course and result of the vote in the plebiscite precinct in two copies, signed by the chairman, vice-chairman and other members of the commission. If any of the members of the precinct plebiscite commission refused to sign the minutes, the reason of refusal shall be recorded into the minutes.
- (2) The minutes on the course and result of the vote in the plebiscite precinct shall include
  - a) what time the plebiscite started and closed, or was interrupted,

- b) number of qualified voters recorded in the plebiscite list in the plebiscite precinct,
- c) number of qualified voters who were issued ballots,
- d) number of ballots cast,
- e) number of valid ballots cast and number of invalid ballots cast,
- f) number of votes for the removal of the President from office and the number of votes against the removal of the President from office.

(3) After signing both copies of the minutes on the course and result of the vote in the plebiscite precinct the chairman of the precinct plebiscite commission shall with no undue delay deliver one copy of the minutes to the District Plebiscite Commission and wait for its instruction to close work.

(4) If the chairman failed to fulfil the duty pursuant to clause (3) upon request of the District Plebiscite Commission within 24 hours after the close of the vote, the District plebiscite commission shall deliver the results of voting in other plebiscite precincts to the Central Plebiscite Commission.

(5) The precinct plebiscite commission shall seal the ballots cast and plebiscite lists and deliver them along with other election documents into custody of the municipality.

#### Article 48 Minutes of District Plebiscite Commission

(1) The district plebiscite commission shall prepare the minutes on the result of the plebiscite in the District in two copies, signed by the chairman, vice-chairman and other members of the commission. If any of the members of the district election commission refused to sign the minutes, the reason of refusal shall be recorded into the minutes.

(2) On the basis of the minutes on the course and result of the plebiscite delivered by the precinct plebiscite commissions the District Plebiscite Commission shall find out the result of the plebiscite in the District.

- (1) The minutes of the District plebiscite commission shall include
- a) the number of plebiscite precincts in the District and number of precinct plebiscite commissions that delivered the minutes on the course and result of the plebiscite,
  - b) number of qualified voters recorded in plebiscite lists in the District,
  - c) number of qualified voters who were issued ballots in the District,
  - d) number of ballots cast in the District,
  - e) number of valid ballots cast and number of invalid ballots cast in the District,
  - f) number of votes agreeing with the removal of the President from office and number of votes disagreeing with the removal of the President from office.

(4) After signing both copies of the minutes on the result of the plebiscite in the District the chairman of the District plebiscite commission shall with no undue delay deliver one copy of the minutes to the Central Plebiscite Commission and wait for its instruction to close down the District Plebiscite Commission. The chairman shall deliver other plebiscite documents into custody of the District Office.

Article 29  
Minutes of Central Plebiscite Commission

- (1) The Central Plebiscite Commission shall examine the minutes of District Plebiscite Commissions and on the basis of those minutes it shall find out the results of the plebiscite.
- (2) The Central Plebiscite Commission shall prepare the minutes on the result of the plebiscite in two copies, signed by the chairman, vice-chairman and other members of the Central Plebiscite Commission. If any of the members of the Central Plebiscite Commission refused to sign the minutes, the reason of refusal shall be recorded into the minutes.
- (2) The minutes of the Central Plebiscite Commission on the result of the plebiscite shall include
- a) number of plebiscite precincts and number of precinct plebiscite commissions that delivered the minutes,
  - b) number of Districts and number of District Plebiscite Commissions that delivered the minutes on the result of the plebiscite,
  - c) number of qualified voters registered in plebiscite lists,
  - d) number of qualified voters who were issued ballots,
  - e) number of ballots cast,
  - f) number of valid votes cast and number of invalid ballots cast,
  - g) number of votes agreeing with the removal of the President from office and number of votes disagreeing with the removal of the President from office.
- (4) After signing both copies of the minutes on the result of the plebiscite the Central Plebiscite Commission shall announce the result of the plebiscite and deliver with no undue delay one copy of the minutes to the chairman of the National Council of the Slovak Republic; it shall submit other plebiscite documents into custody of the Ministry of Interior of the Slovak Republic.

**THIRD PART**

**COMMON PROVISIONS**

Article 50  
Auxiliary Supplies

- (1) All auxiliary supplies, polling stations, plebiscite stations and their supplies shall be provided for precinct election commissions and precinct plebiscite commissions by Municipalities they are located within.
- (2) All auxiliary supplies for District Election Commissions and District Plebiscite Commissions and Central Election Commission and Central Plebiscite Commission shall be provided for by the Ministry of Interior of the Slovak Republic.

Article 51  
Cooperation of State Organs and Municipalities

State Organs and Municipalities are obliged to cooperate in execution of this Law.

Article 52  
Rights of Commission Members

(1) The office of the election commission member and plebiscite commission member is the office of honor. Performing the office of the election commission member and plebiscite commission member is considered to be other performance in public interest. In serving the office, the rights and claims of the election commission member and plebiscite commission member resulting from their labor relation or similar labor relation mustn't be restricted; above all they are entitled to a leave with reimbursement of their wage<sup>22)</sup>, or in the case of an independent gainfully employed person to the reimbursement equal to the proportional part of the average monthly salary of employees in the national economy.

(2) The employer who paid the salary reimbursement subject to clause (1) has the right to get the sum reimbursed. The member of the precinct election commission and precinct plebiscite commission has the right of reward for serving the office during the time when he had no right-of-wage reimbursement subject to clause (1). The rate of the reward and the way of payment shall be defined by a generally binding provision.<sup>23)</sup>

Article 53  
Claims of Candidates

The Candidate for the President shall have a right to receive an unpaid leave of 40 days from the person the Candidate is in labor relation with or a similar labor relation, for the purpose of preparing and performing his/her campaign.

Article 54  
Reimbursement of Election Expenses

(1) Expenses connected with the election and expenses connected with the plebiscite including the expenses of municipalities shall be paid from the State Budget.

(2) Expenses subject to clause (1) are not meant to be expenses connected with the campaign, except for reimbursement of the expenses to be paid to Slovak Radio and Slovak Television for using of telecommunication facilities.

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<sup>22)</sup> Regulation of the Federal Ministry of Labor and Social Affairs No. 18/1991 on other performances in public interest.

<sup>23)</sup> Regulation of the Ministry of Finance of the Slovak Republic No. 122/1994 on the rate of reward, way of reimbursement and payment of reward and compensation to election commission members.

Article 55  
Special Provisions

- (1) The Ministry of Interior of the Slovak Republic shall govern the municipalities and local organs of state administration in
  - a) creating election precincts and plebiscite precincts,
  - b) providing and equipping polling stations and plebiscite stations,
  - c) safekeeping election documents and plebiscite documents.
- (2) The Statistical Office of the Slovak Republic after agreement with the Ministry of Interior of the Slovak Republic shall issue the methodology of processing the election results and plebiscite results.

Title II

Law. No. 99/1963 Civil Court Rule in the wording of following laws: the law No. 36/1967, law No. 158/1969, law No. 49/1973, law No. 20/1975, law No. 133/1982, law No. 180/1990, law No. 328/1991, law No. 519/1991, law No. 263/1992, law of the National Council of the Slovak Republic No. 5/1993, law of the National Council of the Slovak Republic No. 46/1994, law of the National Council of the Slovak Republic No. 190/1995, law of the National Council of the Slovak Republic No. 232/1995, law of the National Council of the Slovak Republic No. 233/1995, law of the National Council of the Slovak Republic No. 22/1996, law of the National Council of the Slovak Republic No. 58/1996, finding of the Constitutional Court of the Slovak Republic No. 281/1996, law No. 211/1997, finding of the Constitutional Court of the Slovak Republic No. 359/1997, law No. 124/1998, law No. 144/1998, law No. 169/1998, law No. 187/1998, law No. 225/1998, law No. 233/1998, law No. 235/1998, finding of the Constitutional Court of the Slovak Republic No. 318/1998 and law No. 331/1998, shall be supplemented as follows:

Article 200gb shall be inserted after Article 200ga in the following wording:

“Article 200gb

Proceeding on matters of accepting the proposal for Candidate for the President of the  
Slovak Republic

- (1) If the chairman of the National Council of the Slovak Republic decided to reject the proposal for a Candidate for the President, the respective Candidate can file a motion with the Supreme Court of the Slovak Republic to issue a ruling that his/her proposal for the Candidate for the President be accepted.
- (2) Parties to the proceeding shall be the respective Candidate and Chairman of the National Council of the Slovak Republic.
- (3) The court shall decide by a resolution within five days after the motion was filed.”

### Title III

Law No. 81/1966 on periodical press and other mass media in the wording of the law No. 84/1968, law No. 127/1968, law No. 99/1969, law No. 131/1970, law No. 86/1990, law No. 186/1997 and law No. 187/1998 shall be supplemented as follows:

In Article 9a.1 the words "of the campaign before the election of the President of the Slovak Republic," shall be inserted after the words "of organs of municipal government,".

### Title IV

Law No. 468/1991 on operating of radio and TV broadcasting in the wording of the law No. 597/1992, law of the National Council of the Slovak Republic No. 166/1993, law of the National Council of the Slovak Republic No. 325/1993, law of the National Council of the Slovak Republic No. 212/1995, law of the National Council of the Slovak Republic No. 220/1996, law No. 160/1997, law No. 283/1997, law No. 160/1997, law No. 283/1997, law No. 187/1998 and law No. 233/1998 shall be supplemented as follows:

In Article 5.g) the words "rules of the election of the President of the Slovak Republic," shall be inserted after the words "of organs of municipal government,".

### Title V

This law shall come into effect as of the day of its promulgation.

Jozef Migaš  
Mikuláš Dzurinda

**COLLECTION OF LAWS**  
of the Slovak Republic

**Item 21**      **Published on March 19, 1999**

Ruling of the Chairman of the National Council of the Slovak Republic on promulgation of the election of the President of the Slovak Republic

**RULING**  
of the Chairman of the National Council of the Slovak Republic

as of March 19, 1999

on promulgation of the election of the President of the Slovak Republic

Pursuant to Title 89.2.e of the Constitution of the Slovak Republic a Article 2.1 of the Law No. 46/1999 on Procedure of the election of the President of the Slovak Republic, on Plebiscite and Removal of the President and on Supplementation of several other laws

**I promulgate**

the election of the President of the Slovak Republic and

**I determine**

the date of the election to be **Saturday May 15, 1999**.

In case none of the candidates for the President of the Slovak Republic receives a simple majority of valid votes of qualified voters,

**I determine**

the date of the second round of the election of the President of the Slovak Republic to be **Saturday May 29, 1999**.

Jozef Migaš