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I. GENERAL PROVISIONS

See Article 8.2 / Law / SLV / 1492 / 02 / (19)(1)

Article 1

Delegates to the national assembly are elected on the basis of universal and equal suffrage in free and direct elections by secret ballot.

Article 2

Delegates are elected in constituencies.

Delegates are elected according to the principle that each delegate is elected by an approximately equal number of inhabitants, and according to the principle that different political interests are proportionally represented in the national assembly.

The Italian and Hungarian minorities have the right to elect one delegate each to the national assembly.

Article 3

Except where specific provisions are made by this Law, the election of delegates of the Italian and Hungarian minorities, is regulated for these elections by the provisions of this Law which apply to other delegates.

Article 4

According to this Law, due terms are irrespective of Sundays, state and other holidays.

Applications, due in term according to this Law, should be submitted directly to the authorized bodies.

Article 5

A public election campaign should finish at least 24 hours prior to the day of election.

Article 6

Costs for the holding of elections are funded by the budget of the Republic of Slovenia.

II. VOTING RIGHTS

Article 7

All citizens of the Republic of Slovenia who have reached the age of eighteen years on the day of the election and whose eligibility for work has not been revoked have the right to elect and be elected a delegate.

A voter enjoys the right to vote in the constituency in which he/she has resident status.

A voter without permanent resident status in the Republic of Slovenia, has the right to vote in the constituency where he/she or one of his/her parents last had permanent resident status.

In the event that this is not possible to ascertain, the voter

has the right to decide in which constituency and electoral district (unit of a constituency) he/she will vote.

Article 8

Members of the Italian and Hungarian minorities who are granted the right to vote have the right to elect and be elected as delegate of the Italian or Hungarian minorities.

Article 9

Voters vote in person. Nobody is allowed to vote through an authorized person.

Votes are given by secret ballot.

A person listed on the electoral register cannot be denied the right to vote, or prevented from voting.

Article 10

Freedom of choice and secrecy of voting must be granted to the voter.

Nobody can be called to account for his vote, or be requested to answer whether he/she voted, whom he/she voted for, or why he/she did not vote.

Article 11

The records of the right to vote are regulated by this Law.

III. GENERAL ELECTIONS

Article 12

General elections to the national assembly are regular and irregular.

Regular elections take place every fourth year.

Irregular elections take place in the case that the national assembly is dissolved prior to the end of its four-year mandate.

Article 13

Regular elections are conducted not more than two months and at least fifteen days prior to the expiry of the four-year term from the first session of the former national assembly. In the case of a prolonged term of mandate the due term is the day on which the prolonged term of mandate expires.

Irregular elections are conducted no later than two months after the national assembly has been dissolved.

The term of mandate of the former assembly ends with the first session of the new national assembly. The first session of the new national assembly is the session at which more than half the delegate mandates are confirmed.

Article 14

General elections are called by the president of the republic.

Irregular elections are called by the president of the republic through the act on dissolving of the national assembly.

The act on the calling of elections is published in the Official Gazette of the Republic of Slovenia.

Article 15

Regular elections are called not more than 135 days and at least 75 days prior to the expiry of the four-year term from the first session of the former national assembly.

The period from the day when elections are called to the election day should not last more than 90 days and not less than 60 days.

Irregular elections can be conducted at the earliest 40 days after the day when the elections were called.

Article 16

The day of calling an election and the election day are regulated by the act on the calling of the election.

Terms for activities related to elections start on the day stated as the day of calling an election.

Sunday or any other non-working day is defined as the election day.

IV. BY-ELECTIONS

Article 17

If the mandate of a delegate ceases, unless he/she resigns within six months of the confirmation of the mandate, he/she is replaced for the rest of the mandate by the candidate from the same list of candidates who would have been elected if the replaced delegate had not been elected.

If the mandate of a delegate of a national minority ceases, he/she is replaced for the rest of the term by the candidate from the list of candidates, who would have been elected if the replaced delegate had not been elected.

If the candidates from the first or second paragraph of this article fail to accept the mandate within eight days, the right is transferred to the next candidate on the list.

Article 18

If there are no candidates on the candidacy list from the previous article, a by-election is conducted.

By-elections are also conducted in the event of the mandate of a delegate from the first paragraph of the previous article ceasing within six months of the confirmation of the mandate.

The provision from the previous article is not applied if a delegate's mandate ceases less than six months prior to the

expiry of the mandate term of the national assembly, unless the assembly decides otherwise.

The delegate elected at the by-election is elected for the period until the expiry of the national assembly mandate.

Article 19

By-elections are called by the president of the republic at least fifteen days after the national assembly learns of the expiry of a mandate.

By-elections are conducted in the constituency to which the delegate had been elected before the cessation of his/her mandate.

At the by-election, the candidate with a majority of votes is elected.

If there are two or more candidates at the by-election in a constituency, then voting is carried out on all the candidates from the lists of candidates in all electoral districts. The voter can only vote for as many candidates as there are delegates elected at the by-election in the constituency. The candidates who receive the majority of votes are elected at by-elections.

By-elections are conducted in accordance with the law governing general elections, unless otherwise provided for by this article.

V. CONSTITUENCIES

Article 20

Eight constituencies are formed for the election of delegates to the national assembly. Each constituency elects eleven delegates.

Constituencies are formed according to the principle that each delegate should be elected by an approximately equal number of inhabitants.

In the forming of the constituencies and electoral districts, geographical, cultural and other features are taken into account. Electoral districts can cover the area of a single community, two or three communities or part of a community.

Each constituency is divided into eleven electoral districts, each with an approximately equal number of voters. Each electoral district elects one candidate.

Special constituencies are formed in the territories inhabited by the Italian and Hungarian minorities for the election of minority delegates.

Article 21

Constituencies and electoral districts are defined by law.

VI. ELECTORAL BODIES

Article 22

Elections of delegates are conducted by electoral committees and

polling boards (hereinafter: electoral bodies).
Electoral committees are appointed for a period of four years,
and polling boards for each elections separately.

Article 23

Electoral commissions are:

- 1) republican electoral commission,
- 2) constituency electoral commissions,
- 3) district electoral commissions.

Electoral boards for special constituencies are formed for the election of delegates of the Italian and Hungarian national minorities.

Article 24

An electoral body has a president, members and their deputies (hereinafter members).

Only a person enjoying the right to vote can be a member of an electoral body.

No-one can be a member of more than one electoral body.

Article 25

A member of an electoral body cannot be a candidate at the election.

If a member of an electoral body accepts a candidacy, his/her function as member of the electoral body ceases.

Trustees or representatives of candidates from the candidacy list cannot be members of electoral bodies.

Article 26

The functions of an electoral body are honorary.

Members of electoral bodies must perform their functions thoroughly and responsibly, and must abide by laws and other regulations, irrespective of any other instructions.

Members of electoral bodies and their deputies have the right to adequate compensation in respect of the work carried out in the electoral body.

Article 27

An electoral body forms a quorum if all its members or their deputies are present.

If in this way an electoral body lacks a quorum, deputies may be present in place of the absent members. The president can only be deputized by his deputy.

Article 28

An electoral body reaches decisions by majority vote of its members.

In case a decision is not reached due to an equal number of votes

being cast in favor of and against a particular resolution, the vote of the president of the electoral body is decisive.

If an electoral body fails, in due time, to reach a decision vital for the holding of elections, the president of the electoral body should make the decision.

Article 29

State bodies and local authority bodies must assist electoral bodies in their work and provide them, where necessary, with the information needed for their work.

Article 30

Representatives of lists of candidates have the right to be present at the work of constituency electoral commissions and the republican electoral commission.

Representatives and trustees of lists of candidates can attend the work of polling committees and district electoral commissions.

Representatives of lists of candidates have the right to warn the president of an electoral body of any irregularities.

Article 31

Representatives of a list of candidates are appointed by the proposer of the list when he/she proposes the names of candidates to the constituency electoral commission.

Names of the trustees of a list of candidates are reported by representatives of the list to the district electoral commission no later than five days before the election day.

A representative or trustee of a list of candidates cannot also be a candidate.

The trustee of a list of candidates can only be a person whose right to vote is registered in the constituency.

Article 32

The republican electoral commission is appointed by the national assembly.

A president and five members and their deputies constitute the republican electoral commission.

Judges of the Supreme Court are appointed as the president and deputy president of the republican electoral commission.

Two members and two deputies of members of the republican electoral commission are legal experts. Three members and deputies of members of the electoral board are appointed at the proposal of the delegate groups whereby proportional representation of political parties must be taken into account.

Article 33

Constituency electoral commissions are appointed by the republican electoral commission.

A president and three members constitute a constituency electoral commission.

The president and deputy president of a constituency electoral commission are appointed by a judges.

One member and one deputy of a member of a constituency electoral commission are legal experts. Two members and two deputies of members of a constituency electoral commission are appointed at the proposal of the delegate groups whereby proportional representation of political parties must be taken into account.

At least one minority member must take part in a constituency electoral commission for the election of minority delegates.

Article 34

District electoral commissions are appointed by the republican electoral commission.

A district electoral commission is appointed for each electoral district.

A president and three members and their deputies constitute a district electoral commission. A judge is appointed as president of a district electoral commission; another qualified legal expert is appointed as his deputy.

Other members of the district electoral commission and their deputies are appointed at the proposal of the political parties, in accordance with proportional representation of said parties. Representative bodies of the local communities in an electoral district can also propose the appointment of members of district electoral commissions and their deputies.

Article 35

If the mandate of the electoral commission members expires in the period after the calling of elections, it should be prolonged until the end of the elections.

Article 36

An electoral commission has a secretary, appointed from the state administration sector.

The secretary of the republican electoral commission heads the work of the commission.

Article 37

The republican electoral commission:

- 1) monitors the lawful conduct of elections, lays down uniform application of the provisions of this Law, which regulate the procedure,
- 2) coordinates the work of constituency electoral commissions and district electoral commissions, provides them with expert advice on the application of this Law and supervises their work,
- 3) regulates the forms for the application of this Law,
- 4) regulates uniform standards for voting materials and other physical conditions of election proceedings.

- 5) declares the results of elections to the national assembly,
- 6) issues electoral returns,
- 7) performs other duties regulated by this Law.

The republican electoral commission determines which official electoral papers should be sent to it by the constituency electoral commissions and district electoral commissions, and stipulates the due term and manner of sending.

The republican electoral commission may transfer, from its own jurisdiction, authority to a constituency electoral commission for the election of minority delegates.

Article 38

A constituency electoral commission:

- 1) monitors the lawful conduct of elections of delegates in a constituency,
- 2) states whether individual nominations and lists of candidates are in accordance with the Law,
- 3) determines election results and declares which delegates were elected in a constituency under article 90 of this Law, and issues reports on the outcome of the elections,
- 4) performs direct technical work related to elections
- 5) performs other duties regulated by this Law.

Article 39

A district electoral commission:

- 1) designates polling stations,
- 2) appoints polling committees,
- 3) determines results in electoral districts,
- 4) supervises technical work related to elections,
- 5) performs other duties regulated by this Law.

The duties from the previous paragraph can be performed by a special constituency electoral commission for the election of delegates of the Italian or Hungarian minorities.

Article 40

Polling committees directly supervise the voting at polling stations.

At least one polling committee is appointed for each polling station.

Article 41

A polling committee consists of a president and an even number of members, each of whom has a deputy.

The president and members of the polling committee must have resident status in the territory of the district electoral commission.

Political parties should submit their nominations for president and members of a polling committee to the district electoral commission not later than ten days after the calling of elections.

VII. NOMINATION

Article 42

Candidates can be proposed by political parties and voters.

Article 43

Political parties nominate candidates according to the procedure governed by their regulations. The list of candidates is compiled by secret ballot.

Political parties can propose a list of candidates in every constituency, provided that these lists are supported by the signatures of at least three delegates to the national assembly. Signatures of delegates must be submitted to the republican electoral commission.

A political party is entitled to submit a list of candidates in a constituency, provided that the list was nominated by party members who have resident status in the constituency, and that it is supported by at least fifty voters who have resident status in the constituency.

A political party can submit a list of candidates for a constituency in a manner other than that described in the previous paragraph, provided that the list is supported by at least one hundred voters who have resident status in the constituency.

Two or more political parties can submit a joint list of candidates.

Article 44

Voters nominate a list of candidates by signature..

A list of candidates in an individual constituency must be nominated by at least one hundred voters who have resident status in the constituency.

Article 45

A candidate for the Italian or Hungarian minority delegacy must be nominated by at least thirty voters - members of the Italian or Hungarian minority.

Article 46

Support by signature can be given from the day determined for the beginning of electoral activities until the day determined for the submitting of lists of candidates.

A voter or a delegate can give his support by signature only once.

Article 47

A voter gives his/her support by signature on the prescribed form. The form is signed in person, before the authorized body keeping the records of the right to vote, or at the authorized local office.

The body from the previous paragraph keeps a special record of issued forms. The list of forms and data on whom they were issued to, are an official secret. Only the authorized electoral commission or court have the right of access to these data.

A voter gives his/her support by signature on the prescribed form, provided by the authorized service of the national assembly.

Article 48

The number of candidates on the list must not exceed the number of delegates to be elected in the constituency.

Each individual may be a candidate in one constituency and on one list only.

Article 49

In determining a list of candidates it must also be decided in which electoral district each individual candidate from the list of candidates will stand.

Only one candidate from a list of candidates may stand in an individual electoral district.

If there are not as many candidates as there are delegates to be elected in a constituency, then one candidate may stand in at most two electoral districts.

If there is only one candidate on the list submitted by the voters, then he/she may stand in all electoral districts.

Article 50

Written consent of the candidate, confirming that he/she agrees to the candidacy, is necessary. The consent of the candidate is irrevocable.

Article 51

A list of candidates is submitted to the constituency electoral commission. The proposal for the list of candidates must bear the designation of the constituency, the name of the proposer, the name of the list, personal data of candidates - name, surname, date of birth, profession and occupation and permanent address, as well as the name and permanent address of the representative of the list. Enclosed with the list must be the written consent of candidates, confirming that they agree to their nomination, and the minimum of forms with signatures of voters, as stipulated by this Law.

The allocation of candidates from the list of candidates in electoral districts must also be added to the proposal for the lists.

A list of candidates submitted by a political party must also enclose the minutes of the meeting at which the list of candidates was determined, as well as a copy of the rules of the

political party.

Article 52

The name of the list of candidates proposed by a political party is the name of the political party. Part of the name can also include an abbreviation or initials of a party's name. The party's symbol may also be added.

If two or more political parties submit a joint list of candidates, then they determine the name of the joint list which has to show clearly, that it is a joint list of two or more political parties.

Article 53

A list of candidates lodged by voters is named by the voters themselves. If a name is not determined, then the name and surname of the first candidate on the list becomes the name of the list.

VIII. CONFIRMATION OF LISTS OF CANDIDATES

Article 54

Lists of candidates are submitted to the constituency electoral commissions not later than twenty-five days prior to the election day.

Upon receipt of the lists of candidates, the constituency electoral commission determines whether the lists of candidates were compiled in accordance with this Law, and whether they were submitted in due time.

Article 55

The constituency electoral commission rejects a list of candidates if it determines that the list was not submitted in due time.

Article 56

The constituency electoral commission rejects a list of candidates if it determines that the list is not in accordance with this Law.

If the constituency electoral commission ascertains formal shortcomings in an individual list of candidates, it immediately requires the proposer to make corrections within three days. If the formal shortcomings are not corrected in due time, the electoral commission rejects the list of candidates.

In cases from the previous two paragraphs the electoral commission can reject a list of candidates entirely or with regard to individual candidates.

Article 57

If the constituency electoral commission discovers that a candidate appears on two or more lists of candidates, then it confirms as valid the candidacy that was first lodged, and informs the candidate and the representatives of the list of candidates of this

The constituency electoral commissions send the information on the lodged lists of candidates to the republican electoral commission. If the republican electoral commission discovers that a candidate appears on more than one list of candidates, then it accepts as valid the one that was confirmed first, and informs the constituency electoral commissions, the candidate and the representatives of the list of candidates of its decision.

Article 58

If the submitted list of candidates is in accordance with the Law and was lodged in due time, it is confirmed by the constituency electoral commission.

Article 59

The constituency electoral commission issues a certificate of confirmation or rejection of a list of candidates at least eighteen days prior to the election day. The certificate is sent by the electoral commission to the representative of the list of candidates.

Article 60

The constituency electoral commission compiles a register of confirmed lists of candidates in a constituency in an order decided by a draw.

The constituency electoral commission also compiles a register of confirmed candidates to be elected in individual electoral districts. The order of the lists of candidates is the same as the order on the register of confirmed candidates.

Article 61

The registers of confirmed lists of candidates and registers of candidates for elections in individual electoral districts are published in the public media at least fifteen days prior to the election day. The republican electoral commission is in charge of their publication.

Article 62

Public media are obliged to publish lists of candidates with data stipulated by this Law.

The republican electoral commission determines the public media which should publish lists of candidates. Costs of publication are covered by the funds for the holding of elections.

IX. VOTING AT POLLING STATIONS

1. ORGANIZATION AND WORK AT POLLING STATIONS

Article 63

Polling stations are determined by the district electoral commission.

Polling stations have serial numbers.

Article 64

A special room is designated as the polling station. The room has to be arranged in such a way as to ensure secrecy of voting. The polling stations must be equipped in such a way as to prevent any observation of the voter completing a ballot paper.

A polling station is the building in which elections are conducted, the courtyard of that building and a specified space around the building.

Electoral commissions obtain in due time for all the polling stations designated by them, the appropriate number of ballot boxes, printed ballot papers and other voting materials.

Public notices with registers of lists of candidates or individual candidates in the election must be posted in the polling station.

Article 65

All forms of electioneering are prohibited on the premises of a polling station on the election day.

Article 66

The president and members of a polling committee gather one day prior to elections on the premises where elections will be conducted and ensure that the room is adequately arranged for the holding of elections and take receipt of the necessary number of ballot boxes and ballot papers, the verified electoral register for the district of the polling station, public notices and anything else needed for the facilitation of voting at the polling station.

The president and members of a polling committee must receive the voting materials from the previous paragraph at least half an hour prior to the beginning of voting.

The polling committee draws up minutes on the equipping of the polling station and the receipt of materials from the first paragraph of this article. The minutes must be signed by the president and all members of the polling committee.

Article 67

The president and members of a polling committee gather in the room where elections will be conducted at least half an hour prior to the beginning of voting, and check whether the room and voting materials are in the same condition as they were the day prior to elections. They check whether the ballot box is empty. Minutes on this are drawn up and signed by the president and members of the polling committee.

2. VOTING

Article 68

Voting is conducted without interruption from 7 a.m. to 7 p.m. A polling station at which all voters enrolled on the electoral register have already voted can close prior to 7 p.m.

Electoral boards can, in agreement with the district electoral

commission, stipulate that the voting is to begin before 7 a.m. or to end after 7 p.m., if this is needed to accommodate voters who could not otherwise vote.

Irrespective of the provision from the second paragraph of this Article, voting cannot begin before 4 a.m. nor end after 11 p.m.

Article 69

Voters who are absent on the election day can vote prior to that day, but not more than five days prior to the election day and not later than two days prior to the election day. Voting is conducted at a special polling station at the headquarters of the district electoral commission.

Article 70

The district electoral commission informs voters of the election day, and of the polling station at which they are enrolled on the electoral register.

Article 71

A voter votes in person at the polling station at which he/she is enrolled on the electoral register.

A voter first gives his/her surname and given name and also, if necessary, his/her address.

If necessary, the president or a member of the polling committee can establish the identity of an individual by his/her personal document or in any other way. Identity can be established on the basis of any personal document which provides personal data of a voter.

Thereupon the president or a member of the polling committee encircles the serial number alongside the name of the voter on the electoral register, and explains to the voter the manner of voting and hands him/her a ballot paper.

If, by mistake, somebody is not enrolled on the electoral register; he/she votes on the basis of a certificate issued by the authorized body, stating that the voter is enrolled as a voter in the district of the polling committee in which he/she wishes to vote. This should be entered into the minutes and the certificate is added to the minutes.

Article 72

The polling committee cannot deny the right to vote to anybody who is enrolled on the electoral register for that polling station, or to persons who have proven their eligibility with a certificate.

If a member of the polling committee wishes to record a comment related to individual voters who want to vote, then the comment should be entered in the minutes.

If a person whose name has already been encircled on the electoral register wishes to vote, then his/her surname, given name, occupation and address are entered in the minutes, along with any statement the person wishes to make. The person is not entitled to vote.

Article 73

Voting is conducted with a ballot paper.

A ballot paper for voting on candidates in an electoral district comprises:

- the designation of the constituency,
- the designation of the electoral district,
- serial numbers, surnames and names of candidates, and names of lists of candidates for which candidates are nominated, in the order from the register of lists of candidates,
- instructions on how to vote.

A voter votes by encircling the serial number alongside the name of the list for which he/she wishes to vote.

Article 74

A ballot paper for voting on candidates for delegate of the

Italian or Hungarian minorities comprises:

- the designation of the constituency,
- surnames and names of candidates in the order from the list of candidates,
- instructions on how to vote.

A voter can give his/her preferential vote to one of the candidates from the list for which he/she has voted. In this case a voter writes in the space on the ballot paper provided for this purpose, numbers, starting with the number 1.

Article 75

When a voter casts his/her vote, he/she puts the ballot paper into the ballot box and leaves the polling station.

Article 76

Incomplete ballot papers and ballot papers on which it cannot be clearly determined which candidate the voter has selected, are declared invalid.

A ballot paper may be valid if the voter voted in a manner other than that specified by the regulations in articles 73 and 74, provided it is clear which candidate he/she voted for.

Article 77

All the members of the polling committee and their deputies have to be present during the complete period of voting.

Trustees of individual lists have the right to be present for the whole period of voting.

Each list of candidates can have only one trustee in the polling station. The district electoral commission issues a certificate to the trustee by which he/she identifies him/herself to the polling committee.

Article 78

The president of the polling committee, helped by the members of the committee, keeps the peace and order in the polling station. If necessary, he can ask police to help him/her. When police officers are in the polling station, they are under his/her authority, and the voting is interrupted.

The president of the polling committee has the right to remove from the polling station anybody who disturbs the peace and order. This is entered into the minutes. The polling committee decides whether to remove a trustee.

No-one is allowed enter the polling station carrying arms or dangerous implements, with the exception of policemen in the case from the first paragraph of this Article.

The president of the polling committee can order voters to be allowed in only one by one or in small numbers, if this is deemed necessary to provide uninterrupted voting.

Article 79

A voter is entitled to be accompanied by a person who helps him/her to cast the vote and deliver the ballot, if he/she is not able to vote due to a physical disability or illiteracy. The decision on this is made by the electoral board and recorded in the minutes.

Article 80

Minutes should be taken on voting, and all important events taking place in the polling station should be written in them.

At the request of any member of the polling committee or any trustee, his/her opinion and remarks on particular circumstances must be written in the minutes. The minutes are signed by the president and members of the polling committee.

Article 81

Voters cannot be called up for military exercises on the election day.

Voters who are not in the area where they have resident status because they are doing military service, can vote by mail in the constituency in which they have resident status.

People in care in retirement homes, who do not have resident status there, and people who are hospitalized, may also vote by mail, provided they have notified the district electoral commission no later than seven days prior to the day of elections.

Voting by mail is conducted one day prior to the election day.

Article 82

Voters who live abroad, where they have temporary or permanent resident status, can vote by mail or through an authorized consular representative body of the Republic of Slovenia, provided that they have notified the republican electoral commission no later than thirty days before the election day, that the country where they are living approves of such voting

The ballot paper is accepted if a voter casting his/her vote by mail also encloses in the envelope a voting card, verified by a diplomatic consular representative body of the Republic of Slovenia or organs of the state where he/she temporarily or permanently resides.

The provisions that are valid for elections in Slovenia should be applied appropriately for voting by post or through diplomatic representative bodies of the Republic of Slovenia.

Article 83

Voters who for reasons of illness cannot go to the polling station where they are enrolled on the electoral register, can vote in their home in front of a polling committee. In order to do this they must notify the district electoral body no later than three days before the elections.

DETERMINATION OF ELECTION RESULTS IN THE POLLING STATIONS

Article 84

When voting is completed, the polling committee immediately begins to determine the election results. First, unused ballot papers are counted; they are put in a special box which is then sealed. Thereupon the committee ascertains, using the electoral register and certificates, the total number of voters. It opens the ballot box, ascertains the number of delivered ballots, the number of invalid ballots, the number of votes given to each list and how many votes were given to each individual candidate.

The electoral board ascertains the preferential order of the candidates for elections to the national assembly.

Article 85

Minutes are taken on the determining of election results by the polling committee. The minutes comprise: the number of voters enrolled on the electoral register, the number of voters who voted with a certificate, the total number of voters who voted by ballot paper, the number of invalid ballot papers, the number of votes given to each list, and the number of votes given to individual candidates.

With regard to the second paragraph of the previous article, the preferential order is written down in the minutes.

Any special opinions and remarks by members of the polling committee and the trustees of lists of candidates should also be written in the minutes.

The minutes are signed by the president and members of the polling committee.

Article 86

The president of the polling committee declares the results of the elections at the polling station, no earlier than 7 p.m.

The polling committee sends the minutes on its work and other electoral material to the district electoral commission.

X. DETERMINATION OF ELECTION RESULTS IN A CONSTITUENCY

Article 87

The district electoral commission determines for its district: the number of voters enrolled on the electoral register, the number of voters from the electoral register who cast their vote, the number of voters who voted with certificates, the number of voters who voted by mail, the number of invalid ballot papers, the number of votes given to each list of candidates, the number of votes given to individual candidates and the share of the individual candidates in the overall number of votes cast in an individual constituency. The electoral commission determines the results of voting by mail, whereby it takes into account ballot papers received by mail up until 12 noon on the day after the election day.

Article 88

The district electoral commission keeps minutes on the determining of election results for the electoral district. The minutes are signed by the president and members of the electoral commission.

The minutes and other material are sent to the constituency electoral commission by the district electoral commission in due time, determined by the republican electoral commission.

Article 89

The constituency electoral commission determines, for each list of candidates, the total number of votes cast for a list in the constituency, the share of individual candidates in the overall number of votes cast in a constituency, and the total number of votes given to all lists of candidates in a constituency.

If a candidate from a list of candidates has received votes in two electoral districts, then the constituency electoral commission determines the share of votes in the overall number of votes in both electoral districts.

The constituency electoral commission establishes the total number of votes cast for all candidates in a constituency.

Article 90

The number of mandates given to an individual list is determined by a quotient calculated by dividing the total number of votes given to all lists of candidates in a constituency by the number of delegates elected in the constituency. The number of votes given to a list is divided by this quotient. The list is given the number of mandates equal to the number of times the quotient divides into the number of votes for the list.

Article 91

For each list of candidates, the number of candidates elected is equal to the number of mandates received.

Candidates from a list of candidates are elected according to their share in the overall number of votes in an electoral district or two electoral districts.

If two candidates received the same number of votes then the choice is made by draw.

Article 92

Mandates not distributed to the constituencies in the manner described in the previous article, are distributed at the state level on the basis of remaining votes submitted for lists with the same name in two or more constituencies.

In the distribution of these mandates it should be first determined how many of all 88 mandates would be assigned to lists with the same name, in proportion to the number of votes given in all constituencies. This is determined on the basis of the quotients, which are calculated by dividing the sums of votes, given to lists with the same name in all constituencies, by all numbers from one to 88 (d'Hondt system).

Lists with the same name, which, according to these quotients, would not be assigned at least three mandates, are not taken into account at the state level of mandate distribution.

The remainder of the same name lists, accounted for in the distribution of the mandates at the state level, are added up and divided by all quotients from one to the number of undistributed mandates (d'Hondt system). Mandates are given to the same name lists with the highest quotients.

Article 93

Mandates given to lists of the same name in the distribution at the state level are assigned to lists in constituencies, which are left with the highest remainder of votes in proportion to the quotient in a constituency under Article 90. If all mandates in a constituency are distributed, the mandate is assigned to the list in a constituency in which the list has the next highest remainder of votes in proportion to the quotient in a constituency. Candidates from the lists of candidates are elected in accordance with Article 91 of this Law.

Regardless of the provisions from the previous paragraph, not more than half the mandates received by the same name lists through distribution at state level are distributed to the candidates from the lists of candidates. This distribution is carried out in the order determined by the proposer in accordance with the first paragraph of Article 43 and are submitted to the republican electoral commission in due term as determined in Article 54 of this Law.

Article 94

The results of the elections in the constituencies are determined by the constituency electoral commission, which records them in its minutes along with its other work. The minutes are signed by the president and the members of the commission. The minutes and other election material are sent to the republican electoral commission.

The results of the elections at state level are determined by the republican electoral commission, which records them in its minutes, which are signed by the president and the members of the commission.

Article 95

The electoral commission of a special constituency for elections of delegates of the Italian and Hungarian minorities ascertains the number of voters enrolled on the electoral register, the number of voters who voted, the number of voters who voted by mail, the number of votes given to each candidate, and the number of invalid ballot papers.

The preferential order of candidates is given points. For each first position the candidate receives as many points as there were candidates on the ballot paper. For each successive position a point less. The points of each candidate are totalled.

Article 96

The candidate who receives the majority of votes in a constituency is elected as the delegate of the Italian or Hungarian national minority. If two or more candidates are given an equal number of votes, a draw decides on their election. The draw is performed by the special constituency electoral commission in the presence of the candidates or their representatives.

The election results from the previous paragraph are determined by the special constituency electoral commission, which keeps the minutes on that and on the work from the previous Article. The minutes are signed by the president and members of the commission. The minutes and other electoral material are sent to the republican electoral commission by the special constituency electoral commission.

Article 97

The results of the elections to the national assembly are published in the Official Gazette of the Republic of Slovenia.

Article 98

The republican electoral commission issues a certificate of election to the elected delegate.

XI. ADDITIONAL AND REPEAT ELECTIONS

Article 99

Additional elections are conducted if the voting was not carried out in a constituency or at an individual polling station on the day determined as the election day. Additional elections are called by the constituency electoral commission. The provisions of this Law on General Elections apply also to the additional elections. The latter must be conducted within 30 days of the day determined as the election day of general elections.

Article 100

If the electoral commission ascertains that there were irregularities in voting at polling stations which could affect the outcome of elections in a constituency, then the voting at individual or all polling stations may be nullified, and repeat elections called in the extent of the nullified voting.

Repeat elections are called by the constituency electoral commission unless the republican electoral commission has nullified the voting, in which case the elections are called by the republican electoral commission.

Article 101

Repeat elections are also called when the national assembly or the Constitutional Court does not confirm a delegate's mandate and the republican electoral commission stipulates that new elections must be called for this reason.

Repeat elections from the previous paragraph are called by the republican electoral commission.

Article 102

The voting day for the repeat elections must be stipulated in the act on the calling of elections.

Repeat elections with existing candidacies must be conducted within 15 days of the day of calling the elections. Repeat elections with new candidacies must be conducted no later than two months after the day of calling the elections.

XII. PROTECTION OF VOTING RIGHTS

Article 103

Each candidate or representative of lists of candidates has the right, in the case of irregularities in the nomination procedure, to lodge a complaint with the constituency electoral commission. The complaint must be lodged within the term due for the submission of lists of candidates.

The constituency electoral commission must reach a decision on the complaint, in accordance with the procedure of determining the lawfulness of a list of candidates, within 48 hours of the term due for the submission of lists of candidates.

Article 104

The republican electoral commission may nullify or change the resolution of the constituency electoral commission, issued in accordance with the procedure of determining the lawfulness of a list of candidates, if it ascertains that the resolution is irregular or contrary to the Law. This should be done at the latest by the day determined for the publication of lists of candidates.

Article 105

An appeal against a decision of an electoral commission with regard to the second paragraph of Article 103 or against a decision of the republican electoral commission with regard to the previous Article, must be lodged at the court authorized to deal with contentious administrative matters within 48 hours of its announcement.

The court must reach a decision on the appeal within 48 hours of its lodging.

The court reaches a decision through a senate of three judges.

The court reaches a decision on the basis of appropriate application of the provisions of the Law on Contentious Administrative Matters.

Article 106

With regard to irregularities in the work of the polling committee and district electoral commissions in elections, each candidate, representative of a list of candidates and voter has the right to lodge a complaint with the constituency electoral commission.

A complaint must be lodged within three days of the election day. The constituency electoral commission must reach a decision on the complaint within 48 hours.

Article 107

If a constituency electoral commission establishes, on the basis of a complaint, such irregularities in the work of a polling committee which considerably affect, or could affect, the election results, then it nullifies the voting at the polling station at which the voting was supervised by the polling committee in question, and calls repeat elections to the extent in which the voting was nullified.

If a constituency electoral commission establishes, on the basis of a complaint, such irregularities in the work of the district electoral commission which considerably affect, or could affect, the election results, then it determines the election results in the electoral district itself.

Article 108

If the republican electoral commission establishes such irregularities in the work of a constituency electoral commission which considerably affect, or could affect, the election results, then it determines the election results in the constituency itself.

Article 109

Each candidate or representative of a list of candidates has the right to lodge a complaint with the national assembly against the decision of an electoral commission, which could affect the confirmation of delegates' mandates. The complaint must be lodged at the latest by the first session of the national assembly. A complaint related to additional or repeat elections must be lodged at the latest 15 days after the election day of additional or repeat elections. The national assembly decides on the complaint when confirming delegates' mandates.

XIII. SANCTIONS

Article 110

The following are punishable by a fine of at least SIT 10,000 :

1. anyone acting contrary to Article 5 of this Law,
2. anyone soliciting for votes at the polling station (Article 65),

3. anyone who refuses to leave the polling station after having voted and after repeated requests by the president to leave (Article 75),

4. anyone disturbing the peace at polling stations (Article 78).

The following are punishable by a fine of at least SIT 20,000 or up to 30 days imprisonment:

anyone who, contrary to Article 78, arrives at the polling station carrying arms or dangerous implements and anyone who, without the authorization of the president of the polling committee, orders the armed forces to be present at the polling station, or brings them with him/her.

XIV. TEMPORARY AND FINAL REGULATIONS

Article 111

In the first elections to the national assembly the political parties can lodge lists of candidates in every constituency, provided they are supported by the signatures of at least three delegates to the chambers of the Assembly of the Republic of Slovenia.

Article 112

On the day that this Law comes into effect, the Law on Elections to the Assembly (Official Gazette SRS 42/89 and 5/90, Official Gazette RS 10/90 and 45/90) ceases to apply, apart from the provisions on supplementary elections of delegates to the chambers of communities and special socio-political communities.

Article 113

This Law will come into effect on the fifteenth day after its publication in the Official Gazette of the Republic of Slovenia.

No.004-01/92-3/2

Ljubljana, September 10th, 1992.

National Assembly of the Republic
of Slovenia

President
Dr. France Bučar