

Date Printed: 01/05/2009

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JTS Box Number: IFES\_16

Tab Number: 16

Document Title: REGULATIONS OF THE NATIONAL ELECTORAL  
COMMISSION

Document Date: 1995

Document Country: POL

Document Language: ENG

IFES ID: EL00338



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**KRAJOWE BIURO WYBORCZE**  
**The National Electoral Office**

**R E S O L U T I O N**  
**UCHWAŁA**  
**of the NATIONAL ELECTORAL COMMISSION**  
**PAŃSTWOWEJ KOMISJI WYBORCZEJ**  
**of 13th December, 1993**  
**z dnia 13 grudnia 1993**  
**on REGULATIONS**  
**w sprawie regulaminu**  
**of the National Electoral Commission**  
**Państwowej Komisji Wyborczej**

**Warszawa**  
**April, 1995**

According to the provisions of the Act of 27th September, 1990 – Law on Election of the President of the Republic of Poland (Journal of Laws No 67, item 398, and No 79 item 465, and of 1993 No 45, item 205); of the Act of 28th May, 1993 – Law on Election to the Sejm of the Republic of Poland (Journal of Laws No 45, item 205), and of the Act of 10th May, 1991 – Law on Election to the Senate of the Republic of Poland (Journal of Laws No 72, item 319), and of the Act of March 8th, 1990 – Law on Election to Councils of Communes (Journal of Laws No 16, item 96 and of 1991, No 53, item 227 and of 1993, No 45, item 205) the National Electoral Commission states as follows:

§ 1. The National Electoral Commission determines its own Regulations enclosed to this resolution.

§ 2. The Resolution of the National Electoral Commission of 18th June, 1993 on Regulations of the National Electoral Commission (Monitor Polski No 31, item 326) – shall expire.

§ 3. This Resolution shall enter into force on the day it is resolved.

Chairman of the National Electoral  
Commission : *A. Zoll*

Appendix to the Resolution  
of the National Electoral Commission  
of the 13th of December, 1993

## REGULATIONS of the NATIONAL ELECTORAL COMMISSION

### CHAPTER 1

#### General principles

§ 1. 1. The Regulations shall determine the rules and procedure of the work of the National Electoral Commission, shortly named "Commission" and the method of performing its respective duties.

2. Whenever in this Regulations references are made to the subordinate electoral organs, this shall be understood as:

1) voivodeship electoral commissions, setting up in compliance with election of the President of the Republic of Poland,

2) constituency electoral commissions, setting up in compliance with elections to the Sejm and the Senate \*)

3) voivodeship electoral commissioners, appointed in compliance with election to the Councils of Communes.

\*)with amendments made in the Act of 10th March 1994 – On Election to the Senate of the Republic of Poland.

§ 2. 1. The Commission shall consider and determine on its meetings all the problems within its statutory competencies.

2. The Commission shall establish the rules pursuant to the Acts of law and shall publish such rules in the Official Gazette of the Republic of Poland "Monitor Polski"

§ 3. 1. The Commission fulfils its work following the periodic plans of action and the appropriate timetables describing the specific duties to fulfil.

2. The Secretary of the Commission prepares the projects of the plans of action, referred to in subpara. 1. and presents them to the Commission.

## CHAPTER 2

### Organization of the Commission's work

§ 4. 1. The work of the Commission shall be conducted under direction of the Chairman of the Commission, who is entitled, in particular, to:

- 1) represent the Commission,
- 2) call and preside the meetings of the Commission,
- 3) sign, in the name of the Commission, resolutions, guidelines and interpretations, as well as submissions of the Commission, certificates issued to the elected deputies and senators, acts of appointment of the voivodeship electoral commissioners, so as the correspondence being sent outside, with the exception of the acts referred to in para. 13,
- 4) supervise the implementation of the resolutions and guidelines of the Commission,
- 5) order the National Electoral Office to execute specified duties and supervise their implementation,
- 6) perform other duties bestowed by the Commission.

2. In the event of absence of the Chairman of the Commission, his duties shall be performed by the Deputy Chairman.

§ 5. The Commission may implement its statutory duties by commissioned deputies of the Chairman, members of the Commission and the Secretary of the Commission or by teams created from among the members of the Commission.

§ 6. The duties of the Secretary of the Commission shall include in particular:

- 1) submission of the projected resolutions, guidelines and interpretations and other documents, prepared for Commission's meetings by the National Electoral Office,

2) submission of the protests lodged against validity of resolutions, issued by subordinated electoral organs, so as the complaints against the actions of such commissions, for reconsideration by the Commission,

3) guidelines for the National Electoral Commission's inspection works,

4) initial coordination, taken in compliance with the respective chief organs of the State administration, of the tenor of necessary electoral law acts for publishing,

5) entering into correspondence with the voivodes, heads of communes and heads of the voivodeship electoral offices, in connection with organization of election,

6) organization, on the motion of the Commission, of conferences and lectures for the staff of subordinated electoral organs and heads of the voivodeship electoral offices.

### CHAPTER 3

#### **The meetings of the Commission**

§ 7. The Commission gathers on its meetings on the days specified in the plan of actions; the Secretary of the Commission shall ensure, within the period of time that enables the Commission members to examine the submitted documents and to prepare themselves to participate in the meeting, the delivery of invitations, together with order of the day and amended documents – excluding the meetings called in a special manner.

§ 8. 1. Members of the Commission shall actively participate in the meetings and other acts of the Commission.

2. In the event of absence of the Commission's members at the meeting, the Chairman or the Secretary of the Commission should be informed, if possible – before such meeting.

3. Secretary of the Commission and designated by him members of the staff of the National Electoral Office shall always take part in the Commission's meetings.

§ 9. 1. Other persons may attend meetings of the Commission when invited by the Chairman of the Commission.

2. Upon the motion of a member of the Commission, the meeting or its part is held as a closed meeting.

§ 10. 1. The Commission may act by at least 5 members, including the Chairman or his Deputy.

2. The resolutions, decisions and other conclusions of the Commission are taken by majority of votes in an open voting. In the case of identical numbers of votes, the vote of the Chairman decides.

§ 11. 1. Election of the Chairman and separate elections of his Deputies are held in an open ballot, unless the Commission takes another decision.  
In the case of identical number of votes, the voting is repeated.

2. Upon the motion of a member of the Commission, election shall be held by secret ballot.

§ 12. 1. A record shall be made from the proceeding of the Commission, that shall specify as follows:

- 1) order of the day,
- 2) forenames and names of the participants,
- 3) topics discussed at the meeting (shortly),
- 4) decisions of the Commission.

2. The resolutions, decisions, guidelines and comments are amended to the report.

3. The resolutions, guidelines and comments shall be signed by the Chairman of the meeting.

4. The record shall be signed by the Chairman of the meeting and by the Secretary of the Commission.

5. After the meeting, the Secretary of the Commission prepares press communique and submits it to the Chairman's approval.

§ 13. All the members of the Commission, who were present at the meeting, shall sign the following documents:

1) In election of the President:

- a) records of registration of candidates for the Presidency, the electoral list of the candidates, the record of voting and the record of results of the election,
- b) decisions concerning submission and registration of candidates,
- c) announcement of results of voting and of the result of election,
- d) report of election;

2) In the election to the Sejm and Senate:

- a) records of registration of national lists of candidates, record of aggregated results of voting for constituency lists and record of election of the deputies to the Sejm from the national lists of candidates,
- b) decisions taken after examination of protests lodged against the decisions of constituency and district electoral commissions,

- c) resolutions concerning submission and registration of the national lists of candidates,
- d) resolutions concerning repeat establishment of results of voting in the constituencies,
- e) announcement of results of election,
- f) report of the election;

3) In the election to the Councils of Communes:

- a) announcement of the aggregate results of election in the whole country,
- b) information concerning the course and results of election.

§ 14. The documents, referred to in para. 13 as well as certificates confirming election of deputies and senators, the nominations of voivodeship electoral commissioners and – according to the decision of the Chairman – other documents shall be sealed with the Commission's seal.

## CHAPTER 4

### **The supervision of observance of electoral law**

§ 15. 1. In the process of supervision of observance of electoral law, the Commission shall issue guidelines and interpretations, as well as appropriate informations concerning rules of the electoral law.

2. The Commission shall inspect actions of subordinated electoral organs and organs of State and Local administration that execute duties connected with performing election, and shall undertake decisions on validity of resolutions and other decisions issued by electoral organs in violation of the law or on the contrary to the Commission's guidelines, and shall submit such case to reconsideration; the Commission shall examine complaints lodged against the actions of electoral organs.

3. The subordinate electoral organs shall, at the request of the Commission, send on periodic reports of their work.

4. The Commission shall examine any problems connected with implementation of electoral law and submit its conclusion to the proper State organs.

§ 16. 1. In execution of duties, referred to in para. 15, subpara. 2, the Commission may order control to be exercised by the staff of the National Electoral Office and accessorially, by clerks of the chief State organs, designated to the Commission's disposal for the period of election, and may create the inspectorate of the National Electoral Commission.

2. The Commission shall decide on creation of its inspectorate immediately after the election is ordered.

§ 17. 1. Persons performing duties as inspectors shall act within the domain specified by the order of the Commission and shall have appropriate authorization document signed by the Chairman of the Commission and bearing its seal.

2. Members of inspectorate shall have the right to examine the working documents of subordinated electoral organs and of district electoral commissions, as well as of voivodeship electoral offices, and the election documentation in possession of the organs of State and Local administration and their subordinated bodies.

Members of inspectorate are authorized to participate in the meetings of electoral organs, excluding meetings connected with establishment of results of voting. Members of inspectorate are authorized to submit current interpretations to such organs.

3. Reports describing actions of inspectorate are submitted to the Commission immediately.

## CHAPTER 5

### Special and final provisions

§ 18. For the period between elections, Commission performs its duties in compliance with special timetable. The Commission shall have their meetings according to the needs, but at least once a month.

§ 19. 1. If there is a necessity to make any changes of members of the Commission, the Chairman of the Commission informs the President of the Republic immediately.

2. If the changes in the membership shall apply to the Chairman of the Commission or his Deputy, the Commission, after become complete, elects its new Chairman or Deputy immediately. The regulations of para. 11 are observed respectively.

3. Information about changes of the Chairman of the Commission or his deputy is announced in a press communique of the Commission's meeting.

§ 20. The Chairman issues appropriate membership cards for the members of the Commission, that state the function in the Commission, as well as appropriate identity cards to the voivodeship electoral commissioners.

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