

## LAW OF UKRAINE

On Elections of Members of the Verkhovna Rada of the Autonomous Republic of Crimea, Local Councils and Village, Settlement, city Mayors

*{ as amended pursuant to the Law N 2491-VI*

*( [2491-17](#) ) dd. 30.08.2010 }*

This Law defines the fundamental principles, organization and procedures for the conduct of elections of Members of the Verkhovna Rada of the Autonomous Republic of Crimea, oblast, raion, city, city raions, village and settlement councils (hereinafter referred to as local council deputies) and village, settlement, city mayors.

### Section I. GENERAL PROVISIONS

**Article 1.** Legislation on Elections of Local Council Deputies and Village, Settlement, city Mayors

1. Organization and procedure for the conduct of elections of Members of the Verkhovna Rada of the Autonomous Republic of Crimea, deputies of local councils and village, settlement, city mayors (hereinafter – the local elections) are regulated by the Constitution of Ukraine ( [254к/96-BP](#) ), this Law and other Laws of Ukraine as well as other legislative acts that were adopted on the basis of such Laws.

**Article 2.** Fundamental Principles of Local Elections

1. Local elections are free and held on the basis of universal, equal and direct suffrage by secret voting as guaranteed by the Constitution of Ukraine ( [254к/96-BP](#) ) and this Law.

2. Elections of the deputies of village and settlement councils are held on the basis of a majoritarian system with a simple majority in single mandate election districts into which the territory of a respective village (several villages whose citizens united voluntary into a village community) or a settlement is divided.

3. Election of Members of the Verkhovna Rada of the Autonomous Republic of Crimea, oblast, raion, city, and city raion councils are based on a mixed (majoritarian-proportional) system when:

1) one half (of the total number) of the local council deputies of a respective council is elected using the electoral lists of candidates for local councils deputies nominated by the local chapters of political parties in a multiple mandate election district, the boundaries of which coincide with the boundaries of the Autonomous Republic of Crimea, oblast, raion, city or city raion, respectively;

2) one half (of the total number) of the local council deputies of a respective council is elected on the basis of a majoritarian system with a simple majority in single mandate election districts (hereinafter – the single mandate majoritarian election districts), into which the territory of the Autonomous Republic of Crimea, oblast, raion, city or city raion, respectively, is divided.

4. Village, settlement, city mayors are elected on the basis of a majoritarian system with a simple majority in single mandate election districts, the boundaries of which coincide with the boundaries of a village (several villages whose citizens united voluntary into a village community), a settlement or a city according to the current administrative territorial system.

5. Participation of Ukrainian citizens in local elections is voluntary. No one can be forced to participate or not to participate in elections.

**Article 3.** Universal Suffrage

1. The right to vote at the elections of deputies of village, settlement, city councils, and village, settlement, city mayors may be exercised by legally capable citizens of Ukraine who are members of respective territorial communities and have attained the age of eighteen years as of the election day.

The right to vote at the elections of deputies of raion and oblast councils may be exercised by citizens of Ukraine who are members of respective territorial communities within the raion or oblast and have attained the age of eighteen years as of the election day.

The right to vote at the elections of deputies of city raion councils may be exercised by citizens of Ukraine who are members of respective territorial communities of respective cities whose place of residence is registered within the respective city raion and who have attained the age of eighteen years as of the election day { Paragraph 3 Part 1 Article 3 as amended pursuant to the Law N 2491-VI ( [2491-17](#) ) dd. 30.08.2010 }

The right to vote at the elections of Members of the Verkhovna Rada of the Autonomous Republic of Crimea may be exercised by citizens of Ukraine whose place of residence is registered within the boundaries of the Autonomous Republic of Crimea and who have attained the age of eighteen years as of the election day. { Paragraph 4 Part 1 Article 3 as amended pursuant to the Law N 2491-VI ( [2491-17](#) ) dd. 30.08.2010 }

Ukrainian citizens who have a right to vote at the respective local elections are voters.

2. A document evidencing the voter's identity, Ukrainian citizenship and the place of residence at the local election is:

- 1) a passport of the Ukrainian citizen;
- 2) a temporary ID of the Ukrainian citizen (for the persons who were recently granted the status of a Ukrainian citizen).
3. The citizen's belonging to a respective territorial community is defined as his place of residence in the territory thereof according to the Law of Ukraine "On Freedom of Movement and Freedom of Choosing a Place of Residence in Ukraine" ( [1382-15](#) ).
4. Voters have a right to participate in activities of election commissions as members thereof, in election campaigns, election observation and other activities related to organization and conduct of elections, which they exercise in accordance with the procedure provided for in this Law and other Laws of Ukraine.
5. Any direct or indirect privileges or restrictions related to the Ukrainian citizens' electoral rights and based on race, skin color, political, religious and other beliefs, gender, ethnic and social origin, property status, place of residence, language or other features are prohibited. The restrictions related to participation of Ukrainian citizens in the election process except for those envisaged by the Constitution of Ukraine ( [254к/96-BP](#) ) and this Law are disallowed.
6. Military service conscripts, Ukrainian citizens residing abroad, persons recognized legally incapable by a court, and Ukrainian citizens serving their sentence in detention institutions are deemed as not belonging to any territorial community and have to right to vote at the local elections.

#### **Article 4. Equal Suffrage**

1. Local elections are equal. Ukrainian citizens participate in the respective local elections on an equal basis.
2. Every voter at the elections of Members of the Verkhovna Rada of the Autonomous Republic of Crimea, oblast, raion, city, and city raion councils in which he/she participates has one vote in a multiple mandate election district and one vote in a single mandate majoritarian district at the elections of respective council deputies.

Every voter at the elections of deputies of village and settlement councils in which he/she participates has one vote in a single mandate majoritarian election district at the elections of respective village and settlement council deputies.

Every voter at the elections of village, settlement, city mayors in which he/she participates has one vote in the respective national single mandate election district.

A voter may use his/her vote at the respective local elections only in one precinct, in which he/she is included in a voter list.

3. Equal rights and opportunities for participation in the election process are ensured through:

- 1) prohibition of privileges or restrictions for deputy candidates, candidates for the position of village, settlement, city mayors based on race, skin color, political, religious and other beliefs, gender, ethnic and social origin, property status, place of residence, language or other features;

- 2) prohibition of interference of the state authorities, government bodies of the Autonomous Republic of Crimea and local self-government bodies with the election process except for the cases provided for in this Law { Clause 2 Part 3 Article 4 as amended pursuant to the Law N 2491-VI ( [2491-17](#) ) dd. 30.08.2010 }

- 3) prohibition of using the funds other than provided for in Part 6 Article 47 of this Law for election campaign financing.

#### **Article 5. Direct Suffrage**

1. Local elections are direct. Voters directly elect deputy candidates, and village, settlement, city mayors by voting for deputy candidates and candidates for the position of village, settlement, city mayors nominated and registered pursuant to the procedure provided for by this Law.

#### **Article 6. Free Elections**

1. Local elections are free. Conditions are to be created for the voters to ensure free formation of their will and its free expression during the voting.

2. The use of violence, threats, deceit, bribery or any other actions preventing free formation and free expression of voter's will is prohibited.

#### **Article 7. Secret Voting**

1. Voting at the local elections is secret. Any form of control of the expression of voters' will is prohibited.

#### **Article 8. Personal Voting**

1. Every voter votes at the local elections in person. Voting for other persons or a transfer of the right to vote by the voter to any other person is prohibited.

#### **Article 9. Right to Be Elected**

1. A citizen of Ukraine who has the right to vote as provided for in Article 70 of the Constitution of Ukraine ( [254к/96-BP](#) ) may be elected a local council deputy, or a village, settlement or city mayor.

2. A person who was convicted for committing a deliberate offence may not be elected a local council deputy, or a village, settlement or city mayor if his/her criminal record has not been discharged or cancelled pursuant to the procedure established by law.

**Article 10.** Right to Nominate Deputy Candidates and Candidates for the Position of Village, Settlement, City Mayors

1. The right to nominate deputy candidates and candidates for the position of village, settlement, city mayors may be exercised by citizens of Ukraine who have the right to vote. Ukrainian citizens exercise this right through republican in the Autonomous Republic of Crimea, oblast, raion, city chapters of political parties (hereinafter – the local chapters of political parties) or by means of self-nomination in accordance with this Law.

**Article 11.** Fundamental Principles of Election Process

1. The election process is performance by the subjects provided for in Article 12 of this Law of the procedures set forth in this Law.

The election process is based on the following principles:

- 1) legitimacy and prohibition of unlawful interference of anyone with this process;
- 2) political pluralism and a multi-party system;
- 3) publicity and openness;
- 4) equality of all subjects of the election process before the law;
- 5) equal rights of all deputy candidates, and candidates for the position of village, settlement, city mayors;
- 6) freedom of election campaigning, equal access to the mass media regardless of ownership;
- 7) impartiality of the state authorities, government bodies of the Autonomous Republic of Crimea, local self-government bodies, officers and officials thereof, heads of enterprises, institutions and organizations with regard to local chapters of political parties, deputy candidates and candidates for the position of village, settlement, city mayors.

*{ Paragraph 9 Part 1 Article 11 as amended pursuant to the Law N 2491-VI ( [2491-17](#) ) dd. 30.08.2010 }*

2. The start of the election process is announced by a respective election commission within the timelines and pursuant to the procedure provided for in this Law.

3. The election process consists of the following stages:

- 1) creation of election districts;
- 2) creation of election precincts;
- 3) formation of membership of territorial election commissions, creation of precinct election commissions;
- 4) compilation of voter lists, their examination and correction thereof;
- 5) nomination and registration of deputy candidates and candidates for the position of village, settlement, city mayors;
- 6) conduct of election campaigns;
- 7) voting on the election day;
- 8) calculation of votes cast by the voters, establishment of the results of voting and the results of local elections.

4. In the cases provided for in this Law, the election process also includes the following stages:

- 1) repeat voting;
- 2) calculation of votes cast by the voters, establishment of the results of repeat voting and the results of local elections.

5. The election process ends with the official announcement of the results of local elections in accordance with the procedure provided for in this Law.

**Article 12.** Subjects of Election Process

1. Subjects of the election process are:

- 1) voters;
- 2) the Central Election Commission, election commissions established (created) pursuant to the Law, the Law of Ukraine "On Central Election Commission" ( [1932-15](#) ) and other Laws of Ukraine;

3) deputy candidates and candidates for the position of village, settlement, city mayors;

4) local chapters of political parties that nominated deputy candidates in a multiple mandate election district, in a single mandate election district, or in a single mandate majoritarian district, or candidates for the position of village, settlement, city mayors;

5) official observers from local chapters of political parties that nominated local council deputies in a multiple mandate election district, from deputy candidates in a single mandate election district or single mandate majoritarian district, and from candidates for the position of village, settlement, city mayors.

**Article 13. Publicity and Openness of Election Process**

1. Organization and conduct of local elections are to be public and open.

2. Election commissions inform Ukrainian citizens about their membership, local and working hours, about creation of election districts and precincts, about the fundamental voters' rights (including the right to lodge a complaint concerning a decision, action or inaction of election commission, state authorities, government bodies of the Autonomous Republic of Crimea and local self-government bodies, officers and officials thereof that restrict or violate electoral rights), about the procedure for filling out the ballot papers, provide access for the voters to the voter lists, information about the deputy candidates and (or) candidates for the position of village, settlement, city mayors, announce the results of voting and the results of local elections, and provide other information in cases provided for in this Law.

*{ Part 2 Article 13 in the wording of the Law N 2491-VI ( [2491-17](#) ) dd. 30.08.2010 }*

3. Decisions of the state authorities, government bodies of the Autonomous Republic of Crimea, local self-government bodies, officers and officials thereof related to local elections and influencing the citizens' legitimate rights, and decisions of election commissions are made public through the print media or announced by other means within three days from the day of their adoption if otherwise is not provided for by law.

*{ Part 3 Article 13 as amended pursuant to the Law N 2491-VI ( [2491-17](#) ) dd. 30.08.2010 }*

4. All mass media regardless of ownership are obliged to cover the preparation for and conduct of the local elections in a fair, balanced and unbiased way in the news programs, newscasts talk shows, discussion and other programs. Mass media representatives should have an unimpeded access to all public events related to the local elections, and on the election day – to the meetings of election commissions and polling stations on the terms provided for in this Law except for the cases set forth in the Laws of Ukraine. Election commissions, state authorities, government bodies of the Autonomous Republic of Crimea and local self-government bodies, officers and officials thereof within their terms of reference are obliged to provide information to the mass media representatives about the process of preparation for and conduct of local elections.

*{ Part 4 Article 13 as amended pursuant to the Law N 2491-VI ( [2491-17](#) ) dd. 30.08.2010 }*

**Section II. TYPES OF LOCAL ELECTIONS, PROCEDURES AND TERMS FOR THEIR CONDUCT**

**Article 14. Types of Local Election and Procedure for Their Calling**

1. Local elections may be regular, extraordinary (early), repeat, midterm or the first elections conducted in the event of creation of new local councils (hereinafter – the first local elections).

2. Regular elections of local council deputies, village, settlement, city mayors are conducted simultaneously in the entire territory of Ukraine except for the cases provided for in the Constitution ( [254к/96-BP](#) ) and Laws of Ukraine.

Regular elections of deputies of oblast, raion, city, city raion, village and settlement councils, and elections of village, settlement, city mayors are conducted after the expiration of the term of office of deputies of respective councils, village, settlement, city mayors defined in the Constitution of Ukraine ( [254к/96-BP](#) ).

Regular elections of Members of the Verkhovna Rada of the Autonomous Republic of Crimea are conducted after the expiration of the term of office of Members of the Verkhovna Rada of the Autonomous Republic of Crimea defined in the Constitution of the Autonomous Republic of Crimea ( rb239k002-98 ).

A decision on calling the regular elections of deputies of oblast, raion, city, city raion, village and settlement councils, and elections of village, settlement, city mayors is adopted by the Verkhovna Rada of Ukraine.

A decision on calling the regular elections of Members of the Verkhovna Rada of the Autonomous Republic of Crimea is adopted by the Verkhovna Rada of the Autonomous Republic of Crimea as provided for in the Constitution of Ukraine ( [254к/96-BP](#) ).

3. Extraordinary local elections are called by the Verkhovna Rada of Ukraine in the event of early termination of authorities of Members of the Verkhovna Rada of the Autonomous Republic of Crimea, a local council, a village, settlement or city mayor, and in other cases provided for in the Law of Ukraine "On Local self-Government in Ukraine" ( [280/97-BP](#) ).

4. Repeat elections of a local council deputy (members) in a respective multiple mandate, single mandate, or single mandate majoritarian district are called by a respective territorial election commission pursuant to the procedure provided for in this Law if the respective election in such district were recognized invalid or when a person was recognized as refusing from a local council deputy mandate in a respective single mandate or single mandate majoritarian district.

Repeat elections of a village, settlement, city mayor are called by a respective territorial election commission pursuant to the procedure provided for in this Law when the respective elections were recognized invalid or when a person was recognized as refusing from the office of a village, settlement or city mayor, respectively.

5. Midterm elections of local council deputies are called by a territorial election commission pursuant to the procedure provided for in this Law in the event of early termination of authorities of a local council deputy elected in a single mandate election district or a single mandate majoritarian district.

6. The first local elections are called by the Verkhovna Rada of the Autonomous Republic of Crimea, oblast, Kyiv or Sevastopol city councils if the law does not provides otherwise.

**Article 15. Terms for Calling of Local Elections and Announcement of Election Process**

1. Regular and extraordinary local elections are called not later than sixty days before the election day, and the election process starts 50 days before the day of regular or extraordinary local elections.

2. Repeat local elections are called on the last Sunday of the sixty-day period from the day of adoption of the decision on calling thereof, and the election process starts 50 days before the day of repeat local elections.

A territorial election commission is to adopt the decision on calling of repeat elections of a local council deputy (members) in the respective multiple mandate, single mandate or single mandate majoritarian district not later than within ten days after adoption of the decision on recognizing elections invalid in such election district, or when a person is recognized as refusing from a local council deputy mandate in a respective single mandate or single mandate majoritarian district.

A territorial election commission is to adopt the decision on calling of repeat elections of a village, settlement or city mayor not later than ten days after adoption of the decision on recognizing the respective elections invalid or when a person was recognized as refusing from the office of a village, settlement or city mayor, respectively.

3. Midterm elections of a local council deputy are called on the last Sunday of the sixty-day period from the day of adoption of the decision on calling thereof. { Paragraph 1 Part 3 Article 15 as amended pursuant to the Law N 2491-VI ( [2491-17](#) ) dd. 30.08.2010 }

A territorial election commission is to adopt the decision on calling of midterm elections of a local council deputy not later than ten days after the day of early termination of authorities of a local council deputy elected in a respective single mandate or single mandate majoritarian district.

4. The first local elections are called not later than sixty days before the election day, and the election process starts 50 days before the day of the first local elections.

5. Local elections are held on Sunday.

6. The body that pursuant to Article 14 of this Law adopted the decision on calling of repeat, midterms or the first local elections is to publish its decision not later than on the third day after its adoption in the print media or, when it is impossible, makes it public by other means at its discretion, and notifies the Central Election Commission on the said decision within the same period.

*{ Part 6 Article 15 as amended pursuant to the Law N 2491-VI ( [2491-17](#) ) dd. 30.08.2010 }*

7. The Central Election Commission announces the start of the election process for regular and the first local elections, and a territorial election commission – the start of the election process for extraordinary, repeat and midterm elections at its meeting, which fact is to be entered in the commission meeting minutes. Official announcement means an announcement by the person presiding over the commission meeting of the start of the election process for the respective type of local elections. The excerpt from the minutes of the meeting of a respective election commission on the announcement of the start of the election process for the respective type of local elections is to be published on the day following the day of announcement respectively in the national or local mass media or by other means at its discretion. { Paragraph 1 Part 7 Article 15 as amended pursuant to the Law N 2491-VI ( [2491-17](#) ) dd. 30.08.2010 }

The start of the election process is announced by the Central Election Commission not later than five days before the day of the beginning of the election process for local elections, and by the territorial election commission – within five days after the day of adoption of the decision on calling of extraordinary local elections; when the territorial election commission calls repeat or midterm local elections, the respective announcement is made simultaneously with the adoption of such decision.

8. If the territorial election commission fails to follow the provisions of this Law (inaction of the election commission) on calling of repeat or midterm local elections, such elections are called by the Central Election Commission within five days after the day of establishment of the fact of inaction of the respective territorial election commission. In this case, the Central Election Commission also announces the start of the election process.

{ Part 8 Article 15 as amended pursuant to the Law N 2491-VI ( [2491-17](#) ) dd. 30.08.2010 }

9. All terms provided for in this Law are calculated in calendar days and hours.

10. The first day of the period that, pursuant to his Law, is to start with regard to the occurrence of a certain event is the day following the day of the occurrence of such event.

11. The last day of the period that, pursuant to his Law, is to end with regard to the occurrence of a certain event is the day preceding the day of the occurrence of such event.

12. The day of commitment of inaction is the last day of the period, on which the action provided for in this Law or other Law of Ukraine has to be committed.

**Article 16.** Determination of General Membership of the Verkhovna Rada of the Autonomous Republic of Crimea, Local Councils

1. The decision on the general composition (number of members) of an oblast, raion and city (without city raions, cities in the Autonomous Republic of Crimea, cities of Kyiv and Sevastopol) council is adopted by a respective oblast council of the current convocation not later than 50 days before the local elections day { Paragraph 1 Part 1 Article 16 in the wording of the Law N 2491-VI ( [2491-17](#) ) dd. 30.08.2010 }

The decision on the general composition (number of members) of a raion and city (raions and cities in the Autonomous Republic of Crimea) council is adopted by the Verkhovna Rada of the Autonomous Republic of Crimea of the current convocation not later than 50 days before the local elections day { Paragraph 2 Part 1 Article 16 in the wording of the Law N 2491-VI ( [2491-17](#) ) dd. 30.08.2010 }

The decision on the general composition (number of members) of Kyiv and Sevastopol City Councils is adopted by Kyiv and Sevastopol City Council, respectively, of the current convocation not later than 50 days before the local elections day. { Paragraph 3 Part 1 Article in the wording of the Law N 2491-VI ( [2491-17](#) ) dd. 30.08.2010 }

The decision on the general composition (number of members) of a city raion, village, and settlement council is adopted by a respective city raion, village, and settlement council of the current convocation not later than 50 days before the local elections day.

2. When a local council that has to adopt a decision on the general composition (number of members) of a respective local council that is to be elected within the period provided for in Part 1 of this Article fails to adopt the said decision, the general composition of the respective local council that is to be elected remains the same as in the current convocation; when the general composition of the respective local council of the current convocation is an odd number, the general composition of such local council that is to be elected is to be the minimum number of local council deputies depending on the size of population as provided for in Part 4 of this Article.

3. A decision of the general composition (number of members) of a local council in the event of calling of the first local elections is made as provided for in Article 84 of this Law.

4. The general composition (number of members) of a village, settlement, city, and city raion council is to be for the population:

- 1) up to 1, 000 citizens - from 12 to 16 local council deputies including;
- 2) from 1,000 to 3,000 citizens – from 16 to 20 local council deputies including;
- 3) from 3,000 to 5,000 citizens – from 20 to 30 local council deputies including;
- 4) from 5,000 to 20,000 citizens – from 30 to 36 local council deputies including;
- 5) from 20,000 to 50, 00 citizens – from 36 to 46 local council deputies including;
- 6) from 50,000 to 100,000 citizens – from 36 to 50 local council deputies including;
- 7) from 100,000 to 250,000 citizens – from 40 to 60 local council deputies including;
- 8) from 250,000 to 500,000 citizens – from 50 to 76 local council deputies including;
- 9) from 500,000 to 1,000,000 citizens – from 60 to 90 local council deputies including;
- 10) from 1,000,000 to 2,000,000 citizens - from 76 to 120 local council deputies including;
- 11) more than 2,000,000 citizens - from 76 to 150 local council deputies including.

The general composition (number of members) of a raion council is determined with regard to the number of villages (several villages whose citizens united voluntary into a village community), settlements, cities of raion significance belonging to the respective raion in order to ensure equal representation of each territorial community in the respective raion council depending on the size of population of such territorial community.

The general composition (number of members) of an oblast council is determined with regard to the number of raions, cities of oblast significance belonging to the respective oblast in order to ensure their equal representation in the respective oblast council depending on the size of population of a raion or a city of oblast significance.

The general composition (number of members) of a city, city raion, raion and oblast council is to be an even number of local council deputies { Paragraph 15 Part 4 Article 16 as amended pursuant to the Law N 2491-VI ( [2491-17](#) ) dd. 30.08.2010 }

The size of population of a respective administrative territorial unit is determined on the basis of the data provided by the respective territorial state statistics bodies as of January 1 of the year, in which the election process for local elections starts. { Paragraph 16 Part 4 Article 16 as amended pursuant to the Law N 2491-VI ( [2491-17](#) ) dd. 30.08.2010 }

5. The general composition (number of members) of the Verkhovna Rada of the Autonomous Republic of Crimea is determined in the Constitution of the Autonomous Republic of Crimea ( rb239k002-98 ).

6. The information about the general composition of a respective council is to be published by the respective council in the print media within three days after the day of adoption of a respective decision pursuant to Part 1 of this Article.

### **Section III. ELECTION DISTRICTS AND ELECTION PRECINCTS**

#### **Article 17. Election Districts**

1. In order to conduct elections of deputies of a village or a settlement council, a respective village or settlement territorial election commission not later than 37 days before the elections day creates single mandate election districts with an approximately equal number of voters in each.

The number of single mandate election districts is equal to the number of members (the general composition) of a respective council determined as provided for in Article 16 of this Law.

A tentative average number of voters in single mandate election districts within the boundaries of a village (several villages whose citizens united voluntary into a village community) or a settlement is defined by a respective territorial election commission on the basis of data of the State Voter Register on the number of voters residing in the territory of the respective village (several villages whose citizens united voluntary into a village community) or a settlement submitted by the Register maintenance bodies to the respective territorial election commission not later than 39 days before the election day.

2. Elections of Members of the Verkhovna Rada of the Autonomous Republic of Crimea, oblast, raion, city, and city raion councils are held in respective multiple mandate and single mandate majoritarian districts.

3. A multiple mandate election district for elections of Members of the Verkhovna Rada of the Autonomous Republic of Crimea is divided in territorial election districts, the boundaries of which coincide with the boundaries of raions belonging to the Autonomous Republic of Crimea, and with the boundaries of cities of republican significance in the Autonomous Republic of Crimea. No decision is made on creation of such election districts.

A multiple mandate election district for elections of deputies of an oblast council is divided in territorial election districts, the boundaries of which coincide with the boundaries of raions and cities of oblast significance belonging to the respective oblast. No decision is made on creation of such election districts.

A multiple mandate election district for elections of deputies of raion councils is divided in territorial election districts, the boundaries of which coincide with the boundaries of villages (several villages whose citizens united voluntary into a village community), settlements, cities of raion significance belonging to the respective raion. No decision is made on creation of such election districts.

A multiple mandate election district for elections of deputies of a city or city raion council has the boundaries that coincide with the boundaries of a respective city of city raion. A multiple mandate election district for election of deputies of a city council in a city divided into raions is divided in territorial election districts, the boundaries of which coincide with the boundaries of city raions. When there is another city, village or settlement belonging to the city, it constitutes a territorial election district for elections of deputies of a city council of the city to which it belongs. No decision is made on creation of such election districts.

4. Single mandate majoritarian districts for elections of Members of the Verkhovna Rada of the Autonomous Republic of Crimea, oblast, raion, city, and city raion council are created by a respective territorial election commission with an approximately equal number of voters in each district pursuant to the procedure and within the timelines provided for in Part 5 of this Article based on the data of the State Voter Register about the number of voters residing in the territory of the respective administrative territorial unit submitted by the Register maintenance bodies to the respective territorial election commission not later than 35 days before the election day.

5. Single mandate majoritarian districts for elections of Members of the Verkhovna Rada of the Autonomous Republic of Crimea, a city and city raion council are created respectively by an election commission of the Autonomous Republic of Crimea, a city or city raion territorial election commission in the territory of the Autonomous Republic of Crimea, a city or city raion not later than 32 days before the election day.

Single mandate election districts for elections of deputies of oblast councils are created by a respective oblast territorial oblast election commission within the boundaries of each raion, and city of oblast significance belonging to the oblast not later than 32 days before the election day taking into consideration representation (the number of

council deputies) of each raion or city of oblast significance in a respective oblast council defined as provided for in Part 4 Article 16 of this Law.

Single mandate majoritarian election districts for elections of deputies of raion councils are created by a respective territorial raion election commission within each village (several villages whose citizens united voluntary in a territorial community) settlement, and a city of raion significance not later than 32 days before the election day taking into consideration representation (the number of council deputies) of each territorial community in a respective territorial community in the relevant raion council defined as provided for in Part 4 Article 16 of this Law.

The number of single mandate majoritarian election districts for elections of Members of the Verkhovna Rada of the Autonomous Republic of Crimea, an oblast, raion, city and city raion council totals one half of the number of members (the general composition) of a respective council defined as provided for in Article 16 of this Law.

6. For elections of a village, settlement or city mayor, the respective single mandate election district has the boundaries that coincide with the boundaries of the village (several villages whose citizens united voluntary in a village community), settlement or city, respectively. A single mandate election district for elections of a city mayor in cities divided into city raions is divided into election districts the boundaries of which coincide with the boundaries of city raions. When there is another city, village or settlement belonging to the city, it constitutes an election district for the elections of a city mayor of a city, to which it belongs. No decision is made on creation of such election districts.

7. A respective territorial election commission makes an announcement on creation of single mandate and single mandate majoritarian districts stating their numbers, boundaries, tentative number of voters in each election district in the local print media or by other means at the discretion of the election commission on the day following the day of adoption of a decision on creation of respective election districts.

*{ Part 7 Article 17 as amended pursuant to the Law N 2491-VI ( [2491-17](#) ) dd. 30.08.2010 }*

#### **Article 18. Election Precincts**

1. For preparation for and conduct of voting and votes counting, raion, city (cities of oblast, republican in the Autonomous Republic of Crimea significance) and district in the cities of Kyiv and Sevastopol territorial election commissions have to create election precincts not later than 30 days before the election day.

Election precincts are common for elections of local council deputies and village, settlement, city mayors in the event when respective local elections are held simultaneously.

Every election precinct has only one room for voting.

2. An election precinct may be regular or special.

Regular election precincts are created for preparation and conduct of voting and vote counting for mobile voting.

Special election precincts are created in the cases provided for in this Law, in the places of temporary stay of voters with limited movement ability.

3. Election precincts are created with the number of voters from 20 to 2,500. Election precincts are divided in:

- 1) small – with the number of voters under 500;
- 2) medium – with the number of voters from 500 to 1,500;
- 3) large –with the number of voters from 1,500 to 2,500.

When in a respective territory or a respective institution has a lower or a higher number of voters than indicated and they (or their excessive number) can not be added to another election precinct or when it is impossible to create an additional election precinct in such district or institution, an election precinct may be created with a lower or a higher number of voters without observing the respective limiting values.

4. Regular election precincts are created upon requests of the executive committees of village, settlement city (the cities that have no city raion councils), and city raion councils on the basis of data of the State Voter Register about the number of voters residing in the territory of the respective administrative territorial unit. The said data are submitted to the respective bodies that file a request provided for in Paragraph 2 hereof not later than 45 days before the election day.

The request provided for in Paragraph 1 hereof is to be submitted not later than 35 days before the election day by the executive committee of a village, settlement, city (the cities that have no city raion councils), and city raion council, and in the event of the absence of the executive committees of such councils the said requests are submitted by a respective village, settlement, or city mayor, or the head of a city raion council or an official who pursuant to the law performs the functions of a village, settlement or city mayor.

The aforementioned requests should contain:

- 1) an accurate description of the boundaries of an election precinct stating the name of the population center, streets, and – if necessary – the list of houses;
- 2) a tentative number of voters according to the data provided by a respective Register maintenance body;



3) address (location) of the precinct election commission and the premises for voting.

When the respective territorial commission did not receive the said requests within the timelines provided for herein, the requests on creation of election precincts are to be submitted by the Council of Ministers of the Autonomous Republic of Crimea, oblast, raion, Kyiv and Sevastopol city state administrations, respectively. { Paragraph 7 Part 4 Article 18 as amended pursuant to the Law N 2491-VI ( [2491-17](#) ) dd. 30.08.2010 }

5. Special election precincts are created by a territorial election commission provided for in Part 1 of this Article upon request of a respective raion, Kyiv and Sevastopol city state administrations or an executive committee of a city (cities of republican significance in the Autonomous Republic of Crimea, cities of oblast significance) council at the location of respective institutions. In the event of the absence of executive committee of respective councils, such requests are submitted by a respective city mayor or an official who pursuant to the law performs his functions.

Special election precincts are created for voting of voters with limited movement ability at in-patient care establishments.

Creation of one special election precinct for two or more institutions is disallowed.

The premises of the precinct election commission of the special election precinct and the premises for voting should allow unimpeded access for persons who pursuant to this Law have a right to be present at the meetings of the precinct election commission, and during the voting and vote counting.

6. A request on creation of a special election precinct is to be submitted to the respective territorial election commission not later than 35 days before the local election day.

7. In military units (commands) election precincts are not created. Servicemen who have a right to vote at the respective local elections as provided for in Article 3 of this Law vote in regular election precincts located outside military units (commands).

8. A territorial election commission in its decision on creation of election precincts determined the boundaries of each election precinct and location of a precinct election commission, and establishes the uniform numbering of election precincts in the respective territory.

During the conduct of regular local elections, the election commission of the Autonomous Republic of Crimea, an oblast, city (the cities of Kyiv and Sevastopol) territorial election commission not later than 28 days before the election day adopts a decision on the uniform numbering of election precincts in the respective territory on the basis of notifications received from the raion, city (cities of oblast or republican in the Autonomous Republic of Crimea significance), and city raion in the cities of Kyiv and Sevastopol territorial election commissions about the number of election precincts that they created, which data are to be submitted these commission immediately after adoption of the respective decision. { Paragraph 2 Part 8 Article 18 in the wording of the Law N 2491-VI ( [2491-17](#) ) dd. 30.08.2010 }

9. The decision of a respective territorial election commission on creation of election precincts stating their boundaries, location of respective precinct election commissions and the numbers of election precincts is forwarded to the respective Register maintenance bodies and published in the mass media or by other means at the discretion of the territorial election commission not later than 27 days before the election day.

*{ Part 9 Article 18 in the wording of the Law N 2491-VI ( [2491-17](#) ) dd. 30.08.2010 }*

10. When local elections are held simultaneously with the all-Ukrainian referendum, the election precincts created for local elections are used for preparation and conduct of voting and, and for vote counting.

## **Section IV. ELECTION COMMISSIONS**

### **Article 19. System of Election Commissions**

1. The system of election commissions responsible for preparation and conduct of local elections consists of:

1) the Central Election Commission that is the highest level for election commissions at all local elections;

2) territorial election commissions:

the election commission of the Autonomous Republic of Crimea;

oblast election commissions;

raion election commissions;

city election commissions (including the cities of Kyiv and Sevastopol);

city raion election commissions (in the cities with city raion councils);

village and settlement election commissions;

3) precinct election commissions.

2. Authorities of election commissions regarding preparation and conduct the local council deputies are exercised:

- 1) for the Central Election Commission – in the entire territory of Ukraine;
- 2) for a territorial election commission – in the territory of a respective election district within the boundaries of an administrative territorial unit at the respective local elections;
- 3) a precinct election commission – in the territory of a respective election precinct.

3. Election commissions are formed (created) and must operate in accordance with the Constitution of Ukraine ([254к/96-ВР](#)), this Law and other Laws of Ukraine.

4. Decisions of the Central Election Commission are mandatory for compliance for all subjects of the election process, including territorial and precinct election commissions, executive bodies as well as the state authorities, government bodies of the Autonomous Republic of Crimea, local self-government bodies, officers and officials thereof, associations of citizens, enterprises, institutions, and organizations. { Part 4 Article 19 as amended pursuant to the Law N 2491-VI ( [2491-17](#) ) dd. 30.08.2010 }

#### **Article 20.** Status of Election Commissions

1. Elections commissions for local elections are special collective bodies authorized to organize preparation, conduct the respective local elections, and ensure compliance and equal application of the Ukrainian legislation on local elections.

2. The status of the Central Election Commission is defined by the Constitution of Ukraine ( [254к/96-ВР](#) ), the Law of Ukraine “On Central Election Commission” ( [1932-15](#) ), this Law and other Laws of Ukraine. The Central Election Commission is created and operates according to the Constitution of Ukraine ( [254к/96-ВР](#) ) and the Law of Ukraine “On Central Election Commission” ( [1932-15](#) ).

3. A territorial election commission is a standing collective body that within its terms of reference is responsible for organization and conduct of local elections. Members of a territorial election commission exercise their authorities until the new composition of a respective territorial election commission is formed at the regular local elections pursuant to the procedure provided for in this Law.

4. A village, settlement, city raion, city, and raion territorial election commission is subordinate to a respective city, raion, and oblast territorial election commission that establishes the results of respective local elections.

*{ Part 4 Article 20 in the wording of the Law N 2491-VI ( [2491-17](#) ) dd. 30.08.2010 }*

5. A territorial election commission is a legal entity. A territorial election commission has its own seal, the sample of which is to be approved by the Central Election Commission.

6. Powers and authorities of a precinct election commission start from the day of adoption of a decision on its creation and end fourteen days after the voting day except for the cases provided for in this Law.

Precinct election commissions are subordinate to the territorial election commissions for the respective local elections.

7. A precinct election commission is not a legal entity. A precinct election commission has its own seal, the sample of which is to be approved by the Central Election Commission.

#### **Article 21.** Requirements for Members of Precinct Election Commissions

1. Members of an election commission responsible for preparation and conduct of respective local elections may be citizens of Ukraine that have a right to vote at such local elections.

2. At a time, a person may be a member of only one election commission responsible for preparation and conduct of local elections or any other elections or referenda that are held simultaneously.

3. Members of an election commission may not be deputy candidates, candidates for the position of village, settlement, city mayors, their proxies, representatives, authorized persons of local chapters of political parties that nominated deputy candidates in a multiple mandate election district, official observers, officers and officials of government bodies, government bodies of the Autonomous Republic of Crimea and local self-government bodies, servicemen, judges and officers of the law-enforcement bodies as well as citizens detained in penitentiary institutions, investigatory isolation ward or have criminal records that were not discharged or cancelled pursuant to the procedure established by law.

*{ Part 3 Article 21 as amended pursuant to the Law N 2491-VI ( [2491-17](#) ) dd. 30.08.2010 }*

4. Members of a precinct election commission of a special election precinct may not be heads of the respective institution.

5. The chair, deputy chair, and secretary of the election commission of the Autonomous Republic of Crimea as well as minimum one third of members of this commission must have higher legal education.

#### **Article 22.** Procedure for Formation of Membership of Territorial Election Commissions

1. Membership of territorial election commissions is formed upon requests of the local chapters of political parties registered pursuant to the procedure established by law and is to consist not fewer than 9 and not more than 18 persons. The subjects of the nomination process provided for in Clauses 1 and 2 Part 2 of this Article have a right have not more than 15 candidates appointed the territorial election commission members, and the subjects of the nomination process provided for in Clause 3 Part 2 of this article – not more than three candidates pursuant to the procedure provided for in this Article. Respective local chapters of political parties that united into one faction in the Verkhovna Rada of Ukraine of the current convocation or a local chapter of a political party that created its own faction in the Verkhovna Rada of the current convocation may nominate not more than three delegated candidates for members of a respective territorial election commission.

2. The right to nominate candidates for members of territorial election commissions may be exercised by:

1) a local chapter of a political party whose faction is registered in the Secretariat of the Verkhovna Rada of Ukraine of the current convocation;

2) local chapters of political parties registered pursuant to the procedure provided for by law in a respective administrative territorial unit that are members of an election bloc whose faction is registered in the Secretariat of the Verkhovna Rada of Ukraine of the current convocation;

3) all local chapters of all political parties registered pursuant to the procedure provided for by law in a respective administrative territorial unit that have an intention to nominate candidates during the respective local elections.

3. Subjects of the nomination process provided for in Clauses 1 and 2 Part 2 of this Article may nominate not more than three candidates for members of a respective territorial election commission, and other local chapters of political parties – not more than one candidate.

Membership of a territorial election commission consists of maximum 15 candidates nominated by the subjects of the nomination process provided for in Clauses 1 and 2 Part 2 of this Article. When forming the membership of a territorial election commission, the election commission in a respective decision identifies the persons appointed members of a territorial election commission from among the candidates nominated by the aforementioned subjects of the nomination process. The persons are appointed members of a territorial election commission taking into consideration their experience of work in election commissions and referendum commissions.

The candidates nominated by local chapters of political parties (one candidate from each local chapter of a political party) provided for in Clause 3 Part 2 of this Article are appointed members of territorial election commissions on the basis of the results of drawing lots carried out by the election commission that forms the membership of the respective territorial election commission not later than on the second day after the end of the period for submission of nominations on candidates for members of such commission as provided for in Parts 1-8 of this Article, respectively. The mechanism of drawing lots is used to determine not more than three candidates that are to be appointed members of a territorial election commission from among the candidates nominated by the subjects of the nomination process provided for in Clause 3 Part 2 of this Article. The procedure for drawing lots is determined by the Central Election Commission not later than the day of the start of the election process.

4. The Central Election Commission forms the membership of oblast, raion (except for raions in the Autonomous Republic of Crimea), city (cities of oblast significance, cities of Kyiv and Sevastopol), and city raion in the cities of Kyiv and Sevastopol territorial election commissions not later than 45 days before the election day. The candidates for members of respective territorial election commissions may be nominated by oblast, raion, city (cities of oblast significance, cities of Kyiv and Sevastopol), and city raion in the cities of Kyiv and Sevastopol local chapters of political parties provided for in Part 2 of this Article. Such nominations are to be submitted next day after the day of announcement of the start of the election process but not later than 49 days before the election day.

5. The election commission of the Autonomous Republic of Crimea forms the membership of raion (raions in the Autonomous Republic of Crimea), and city (cities of republican significance in the Autonomous Republic of Crimea) territorial election commissions not later than 45 days before the election day. Candidates for respective territorial election commissions may be nominated raion (raions in the Autonomous Republic of Crimea), and city (cities of republican significance in the Autonomous Republic of Crimea) chapters of political parties provided for in Part 2 of this Article. Such nominations are to be submitted not later than 49 days before the election day.

6. Raion territorial election commissions form the membership of city (except for cities provided for in Parts 4, 5, and 8 of this Article), village, and settlement territorial election commissions in the respective raion not later than 41 days before the election day. Candidates for members of respective territorial election commissions may be submitted by raion chapters of political parties provided for in Part 2 of this Article. Such nominations are to be submitted not later than 43 days before the election day.

7. City territorial election commissions (in cities with city raion councils, except for the cities of Kyiv and Sevastopol) form the membership of city raion territorial election commissions not later than 36 days before the election day. Candidates for members of respective territorial election commissions may be nominated by local chapters of political parties provided for in Part 2 of this Article. Such nominations are submitted not later than 38 days before the election day.

8. City territorial election commissions of the cities to which another city, village or settlement belongs, form the membership of respective city, village, and settlement election commissions not later than 36 days before the election day. Candidates for members of respective territorial election commissions may be nominated by local chapters of

political parties provided for in Part 2 of this Article, and in the absence thereof –higher level chapters of such political parties. Such nominations are submitted not later than 38 days before the election day.

9. Membership of the election commission of the Autonomous Republic of Crimea is approved by the Verkhovna Rada of the Autonomous Republic of Crimea not later than 53 days before the election day pursuant to the procedure provided for in Parts 1-3, 10-17 of this Article.

10. Nominations of candidates for members of a territorial election commission are submitted in the form approved by the Central Election Commission not later than the day of the start of the election process on paper and in an electronic form.

Nominations of candidates for members of a territorial election commission are submitted to a respective election commission with a signature of the head of the local chapter of a political party and stamped with the seal of the local chapter of a political party or the seal of a local chapter of the same political party of a higher level.

Nominations of candidates that do not meet the requirements of this Article are to be rejected; the candidates nominated thereby are not appointed members of the election commission; no decision is made on rejecting the nomination.

The nomination is to be accompanied by statements of the persons nominated for members of the territorial election commission on their consent to participate in the operations of the respective election commission with a mandatory indication of contact information (contact phone number) as well as a copy of a certificate on registration of the local chapter a political party legalized pursuant to the procedure provided for by law.

Nominations of candidates for members of a territorial election commission must contain the following data:

- 1) surname, first name (all first names) and patronymic (if available) of the person;
- 2) date, month and year of birth;
- 3) person's nationality;
- 4) place of residence (address) of the person and contact phone numbers;
- 5) education;
- 6) place of work (occupation), position;
- 7) availability of experience of work in election commissions, referendum commissions (stating the year of elections, referendum, and position in the commission).

11. . Clerical errors or technical inaccuracies in the nomination documents do not constitute the grounds for rejection of the nominated candidates. A respective territorial election commission is to immediately notify the respective subject of the nomination process on the found clerical errors or technical inaccuracies. Such errors and inaccuracies may be corrected by submitting a corrected nomination of the respective candidates not later than on the day following the day of forwarding such nomination to the subject but not later than the day preceding the day of drawing lots as provided for in Part 3 of this Article. If a corrected nomination was not submitted within the established period, the election commission does not take the respective nomination into consideration when forming the membership of the territorial election commission.

12. Members of the territorial election commission may be citizens of Ukraine who meet the requirements of Article 21 of this Law. When circumstances appear or are found that prevent the person from being an election commission member, authorities of such commission member may be early terminated by the election commission that formed the membership of the respective territorial election commission.

13. Election commissions provided for in Parts 4-9 of this Article simultaneously with formation of the membership of a territorial election commission appoint the chair, deputy chair and secretary of such election commission.

14. The chair, deputy chair and secretary of the election commission are to represent different subjects of the nomination process provided for respectively in Clauses 1 - 3 Part 2 of this Article.

15. The election commission that formed the membership of a territorial election commission is to publish its decision on formation of the membership of a territorial election commission in respective local print media or by other means at its discretion not later than on the day following the day of adoption of such decision.

16. When the nominations of candidates for members of a territorial election commission were not submitted within the timelines provided for in this Article or fewer than 9 persons are nominated for members of a territorial election commission, the composition of such territorial election commission is formed within the timelines provided for in Parts 4-9 of this Article upon nomination of the chair of the election commission that forms the membership of the respective territorial election commission, and when such nomination is absent or rejected – upon nomination of the Chair of the Central Election Commission based on the proposals submitted by the members of the Central Election Commission.

17. If a person refuses to perform functions of the chair, deputy chair or secretary of a territorial election commission or in the event of systematic failure to perform such duties, which fact has been established by the commission

decision, the election commission that formed the membership of such territorial election commission appoints another person from among the members of this territorial election commission to the respective position.

{ Article 22 in the wording of the Law N 2491-VI ( [2491-17](#) ) dd. 30.08.2010 }

**Article 23.** Procedure for Creation of Precinct Election Commission

1. A precinct election commission is created by a respective raion, city (cities of oblast or republican in the Autonomous Republic of Crimea significance), and city raion in the cities of Kyiv and Sevastopol territorial election commission not later than 15 days before the election day and consists of the chair, deputy chair, secretary and other commission members nominated by local chapters of political parties that nominated deputy candidates in multiple mandate or single mandate majoritarian districts, by local council deputies in single mandate election districts, candidates for the position of village, settlement, and city mayors provided for in Part 4 of this Article.

When creating a precinct election commission, the respective territorial election commission by its decision identifies the persons who shall be included in the respective precinct election commission from among the candidates nominated by the subjects of the nomination process. The persons are appointed members of a precinct election commission taking into consideration their experience of work in election commissions and referendum commissions.

2. Members of a precinct election commission may be citizens of Ukraine who meet the requirements of Article 21 of this Law.

3. A precinct election commission has the following number of members:

- 1) for small precincts – 10-16 persons;
- 2) for medium precincts – 14-20 persons; and
- 3) for large precincts – 18-24 persons.

In the election precincts with the number of voters not exceeding fifty persons precinct election commissions may consist of the chair, deputy chair, secretary and two-four commission members.

4. A local chapter of a political party whose deputy candidates are organized in a multiple mandate or a single mandate majoritarian district for the respective local elections submit nominations of candidates for members of precinct election commissions (not more than one person for each precinct election commission) to a respective territorial election commission. The nomination is to be signed respectively by the head of the local chapter of a political party and stamped with the seal of the respective local chapter of a political party or the seal of the local chapter of this political party of a higher level. { Paragraph 1 Part 4 Article 23 as amended pursuant to the Law N 2491-VI ( [2491-17](#) ) dd. 30.08.2010 }

A deputy candidate in a single mandate election district, a candidate for village, settlement, city council submits to the territorial election commission nominations of candidates for members of respective precinct election commissions (not more than one person for each precinct election commission) with his/her signature.

The aforementioned nominations of candidates for members of precinct election commissions are to be submitted in the form determined by the Central Election Commission not later than 20 days before the election day.

The nominations of candidates for members of a precinct election commission are to be accompanied by statements of persons included in the list of candidates for members of respective precinct election commissions (stating whether such person agrees to perform the functions of the chair, deputy chair or secretary of the election commission) as well as contact information (contact phone number, e-mail address) of the subject of the nomination process.

Nominations of candidates for members of a precinct election commission must contain the following data:

- 1) surname, first name (all first names) and patronymic (if available) of the person;
- 2) date, month and year of birth;
- 3) person's nationality;
- 4) place of residence (address) of the person and contact phone numbers;
- 5) education;
- 6) place of work (occupation), position;
- 7) availability of experience of work in election commissions, referendum commissions (stating the year of elections, referendum, and position in the commission).

5. Clerical errors or technical inaccuracies in the nomination documents do not constitute the grounds for rejection of the nominated candidates. A respective territorial election commission is to immediately notify the subject that nominated candidates for members of a precinct election commission on the found clerical errors and (or) technical inaccuracies. Such errors and inaccuracies may be corrected by submitting a corrected nomination of the respective candidates not later than on the day following the day of the receipt of such notification by the subject that nominated candidates for members of a precinct election commission. If a corrected nomination was not submitted within the

established period, the respective territorial election commission does not take the respective nomination into consideration when forming the membership of the precinct election commission

6. Simultaneously with creation of a respective precinct election commission, territorial election commissions appoint the chair, deputy chair, and secretary of such precinct election commission taking into consideration the experience of work in election commissions and referendum commissions upon nomination of the chair of the territorial election commission that creates the precinct election commission based on the submitted proposals.

7. The territorial election commission that created a respective precinct election commission immediately notifies the subject of the nomination process on appointment of the candidate a member of the respective precinct election commission.

The territorial election commission that created a precinct election commission is to publish its decision on creation of a precinct election commission together with the information about its membership in local mass media or by other means at its discretion not later than on the day following the day of creation of the precinct election commission.

8. When nominations of candidates for members of a precinct election commission were not submitted within the timelines provided for in Part 4 of this Article, or when a lower number of persons than provided for in Part 3 of this Article was nominated, a precinct election commission is created within the timelines provided for in Part 1 of this Article by a respective territorial election commission upon nomination of the chair of this territorial election commission with the minimum number of members provided for in Part 3 of this Article with mandatory inclusion candidates from local chapters of political parties that nominated deputy candidates in a multiple mandate or a single mandate majoritarian district, and from deputy candidates in a single mandate election district, candidates for the position of village, settlement, and city mayors whose were nominated pursuant to the procedure provided for by this Law.

9. When local elections are held simultaneously with the all-Ukrainian referendum, authorities of precinct referendum commissions of regular precinct election commission and special referendum precincts created at in-patient care establishments are exercised by respective precinct election commissions for local elections.

10. When a member of precinct election commission refuses to perform the functions of the chair, deputy chair or secretary of this election commission, the territorial election commission that created the respective precinct election commission by its decision appoints another person from among the members of this precinct election commission to the respective position.

#### **Article 24.** Powers and Authorities of the Central Election Commission

1. The Central Election Commission along with the powers and authorities provided for in the Law of Ukraine "On Central Election Commission" ([1932-15](#)):

1) exercises control of adherence and equal application of legislation on local elections in the entire territory of Ukraine;

2) adopts decisions that are mandatory for compliance for all subjects of the election process, institutions, enterprises and organizations as well as state authorities, government bodies of the Autonomous Republic of Crimea and local self-government bodies, officers and officials thereof concerning explanation of the issues pertaining to implementation of this Law;

*{ Clause 2 Part 1 Article 24 as amended pursuant to the Law N 2491-VI ([2491-17](#)) dd. 30.08.2010 }*

3) defines the norms and list of equipment and furniture for the premises of election commissions and premises for voting as well as types of services and works that may be provided to election commissions;

4) establishes the forms and samples of election documents and seals;

5) upon its own initiative, in the event of adoption of an illegal decision by a territorial election commission or its inaction, may cancel such decision and (or) adopt a decision on merits of the issue (on the election day, such issues are considered without delay);

6) establishes the results of local elections in the event of a failure of a territorial election commission to comply with the requirements of this Law concerning the establishment of the results of the respective local elections pursuant to the procedure and within the timelines provided for in this Law;

7) exercises other authorities provided for in this Law and in other Laws of Ukraine.

#### **Article 25.** Powers and Authorities of Territorial Election Commissions

1. A territorial election commission for the period of the exercise of its authorities is to ensure organization and conduct of local elections within the terms of reference and pursuant to the procedure provided for in this Law and in other Laws of Ukraine.

2. The election commission of the Autonomous Republic of Crimea, an oblast or raion territorial election commission:

1) ensures preparation and conduct of elections of Members of the Verkhovna Rada of the Autonomous Republic of Crimea, a respective oblast, or raion council;

- 2) creates single mandate majoritarian districts pursuant to this Law, and defines their boundaries and uniform numeration;
- 3) within the boundaries of the Autonomous Republic of Crimea, an oblast, or raion exercises control of adherence to and equal application of legislation on local elections in the part related to the elections of Members of the Verkhovna Rada of the Autonomous Republic of Crimea, oblast, or raion council by voters, election commissions, local executive bodies and local self-government bodies, officers and officials thereof, enterprises, institutions and organizations (regardless of ownership), their officials, local chapters of political parties, their representatives and authorized persons, candidates for deputies of a respective council, their proxies, and official observers;
- 4) provides legal, organizational, methodological, and technical support to election commissions in their activities related to elections of deputies of the respective council, organizes training for members of such commissions on organization of the election process;
- 5) registers the election lists of deputy candidates, candidates in single mandate majoritarian districts nominated by local chapters of political parties for Members of the Verkhovna Rada of the Autonomous Republic of Crimea, a respective oblast, or raion council, their representatives, authorized persons and proxies, and issues respective identification documents for them;
- 6) considers the issues related to cancellation of a decision on registration of candidates in the cases provided for in this Law;
- 7) informs the population about the registered deputy candidates, and electoral lists of deputy candidates;
- 8) approves the text of a ballot paper for elections of Members of the Verkhovna Rada of the Autonomous Republic of Crimea, organizes production of ballot papers, and forwards them to the respective election commissions;
- 9) establishes the procedure for the use of funds for conduct of elections of Members of the Verkhovna Rada of the Autonomous Republic of Crimea, a respective oblast, or raion council, and organizes meetings of voters with candidates for the deputies of a respective council;
- 10) organizes production of the election documentation forms for elections of Members of the Verkhovna Rada of the Autonomous Republic of Crimea, a respective oblast, or raion council, if necessary – seals and stamps, and forwards them to the respective precinct election commissions;
- 11) hears the reports of elections commissions, local executive bodies and local self-government bodies on the issues related to preparation and conduct of elections to the respective council;
- 12) registers official observers from the subjects of the election process for elections of Members of the Verkhovna Rada of the Autonomous Republic of Crimea, a respective oblast, or raion council as provided for in this Law, registers official observers within the respective administrative territorial unit from all-Ukrainian non-governmental organizations, foreign states, and international organizations registered by the Central Election Commission;
- 13) exercises control of the use of resources of the electoral funds of subjects of the election process for elections of Members of the Verkhovna Rada of the Autonomous Republic of Crimea, a respective oblast, or raion council;
- 14) exercises control of adherence to the procedure for election campaigning provided for in this Law;
- 15) recognizes voting in an election precinct invalid in the cases provided for in this Law;
- 16) establishes results of elections of Members of the Verkhovna Rada of the Autonomous Republic of Crimea, a respective oblast, or raion council, organizes official publication of the results of elections to the respective council;
- 17) registers candidates elected Members of the Verkhovna Rada of the Autonomous Republic of Crimea, a respective oblast, or raion council, and informs the population about the registered local council deputies and basic information about them;
- 18) organizes conduct of repeat voting and repeat local elections in the cases provided for in this Law;
- 19) considers appeals, statements and complaints concerning preparation and conduct of local elections of deputies of a respective council, and makes decisions thereon;
- 20) ensures a transfer of election documents and other documents to the state archive body for storage pursuant to the procedure determined by the Central Election Commission;
- 21) exercises other authorities provided for in this Law and other Laws of Ukraine.

3. A raion territorial election commission in addition to powers and authorities provided for in Part 2 of this Article also:

- 1) establishes the results of voting for candidates for Members of the Verkhovna Rada of the Autonomous Republic of Crimea included in the electoral lists of candidates from local chapters of political parties in a respective territorial election district, the results of voting for candidates for Members of the Verkhovna Rada of the Autonomous Republic of Crimea in each single mandate majoritarian district within the boundaries of a respective raion;
- 2) establishes the results of voting for candidates for oblast council deputies included in the electoral lists of candidates from local chapters of political parties in a respective territorial election district;

- 3) establishes the results of voting for candidates for oblast council deputies in every single mandate majoritarian district within the boundaries of a respective raion;
  - 4) forwards the results of voting respectively to the election commission of the Autonomous Republic of Crimea, or an oblast territorial election commission.
4. A village or settlement territorial election commission:
- 1) organizes preparation and conduct of respective local elections;
  - 2) creates single mandate election districts for elections of deputies of a village, or settlement council, determines their boundaries and the uniform numeration;
- { Clause 3 Part 4 Article 25 eliminated as provided for in the Law N 2491-VI ( [2491-17](#) ) dd. 30.08.2010 }*
- { Clause 4 Part 4 Article 25 eliminated as provided for in the Law N 2491-VI ( [2491-17](#) ) dd. 30.08.2010 }*
- 5) registers deputy candidates for a respective village, or settlement council in respective single mandate election districts, and their proxies, and issues respective identification documents for them;
  - 6) registers respectively candidates for a village, or settlement mayors, and their proxies, and issues respective identification documents for them;
  - 7) informs the population about the registered deputy candidates of a village or settlement council, and candidates for the position of village or settlement mayors, respectively;
  - 8) approves the text of ballot papers for elections of a respective local council, and a village or a settlement mayor, organizes production of ballot papers, and forwards them to precinct election commissions;
  - 9) convenes meetings of a precinct election commission if necessary upon its own initiative;
  - 10) determines the procedure for the use of funds for conduct of local elections, distributes the funds among precinct election commissions, and exercises control of their earmarked use;
  - 11) facilitates organization of meetings of candidates respectively for deputies of a village or settlement council, for village or settlement mayor, respectively, with voters;
  - 12) organizes preparation of the forms of election documents, and if necessary – seals and stamps, and forwards them to the respective precinct election commissions;
  - 13) organizes production of information posters pursuant to this Law;
  - 14) exercises control of compilation of respective voter lists and provision of a general access to them by the precinct election commissions for information and correction;
  - 15) registers official observers from deputy candidates of a respective village or settlement council, and candidates for the position of village or settlement mayors, and registers official observers from all-Ukrainian non-governmental organizations, foreign states, and international organizations registered by the Central Election Commission;
  - 16) exercises control of the candidates' using their own electoral funds in accordance with this Law;
  - 17) establishes the results of voting and the results of elections of deputies of a village or settlement council, and a village or settlement mayor, respectively;
  - 18) registers the elected deputies of a village or settlement council;
  - 19) registers the elected city or settlement mayor;
  - 20) organizes repeat voting and repeat elections in the cases provided for in this Law;
  - 21) establishes the results of voting for candidates for deputies of a raion council included in the electoral lists of candidates from local chapters of political parties, in a respective territorial election district, candidates for deputies of a raion council in a single mandate election district (single mandate election districts) within the boundaries of a respective village or settlement, and forwards these results to the raion election commission;
- { Clause 21 Part 2 Article 25 as amended pursuant to the Law N 2491-VI ( [2491-17](#) ) dd. 30.08.2010 }*
- 22) produces copies of voter lists used for the voting in election precincts located within the boundaries of a respective village (villages whose citizens united into one territorial community) or settlement, and, after establishment of the results of respective local elections, forwards them to the respective body of the State Voter Register;
  - 23) exercise other authorities provided for in this Law and other Laws of Ukraine.
5. A city or city raion territorial election commission:
- 1) organizes preparation and conduct of elections to a respective council;



2) creates single mandate majoritarian districts pursuant to this Law, establishes their boundaries and uniform numeration;

*{ Clause 3 Part 5 Article 25 eliminated as provided for in the Law N 2491-VI ( [2491-17](#) ) dd. 30.08.2010 }*

*{ Clause 4 Part 5 Article 25 eliminated as provided for in the Law N 2491-VI ( [2491-17](#) ) dd. 30.08.2010 }*

5) provides legal, organizational, methodological, and technical support to precinct election commissions in their activities related to elections of deputies of a city or city raion councils, organizes training for members of such commission on organization of the election process;

6) registers candidates, electoral lists of deputy candidates nominated by local chapters of political parties for deputies of a respective council, their authorized person, and issues respective identification documents for them;

7) considers issues on cancelling decisions on registration of candidates in the cases provided for in this Law;

8) informs the population about the registered deputy candidates, and electoral lists of deputy candidates;

9) approves the text of a ballot paper for elections of deputies of a respective local council, organizes production of ballot papers, and forwards them to the precinct election commissions;

10) determines the procedure for the use of funds for conducting the respective local elections, distributes funds among precinct election commissions, and exercises control of their earmarked use;

11) organizes meetings of deputy candidates for a city or city raion council with voters;

12) organizes preparation of the forms of election documents, and if necessary – seals and stamps, and forwards them to the respective precinct election commissions;

13) organizes production of information posters pursuant to this Law;

14) hears reports of the precinct election commissions, local executive bodies and local self-government bodies on issues related to preparation and conduct of elections to the respective local council;

15) exercises control of compilation of respective voter lists and provision of a general access to them by the precinct election commissions for information and correction;

16) registers official observers from local chapters of political parties – subjects of the election process in the elections of members of a city or city raion council pursuant to this Law, and registers official observers from all-Ukrainian non-governmental organizations, foreign states, and international organizations registered by the Central Election Commission;

17) exercises control of the use of resources of electoral funds of the subjects of the election process during the elections to a respective local council;

*{ Clause 18 Part 5 Article 25 eliminated as provided for in the Law N 2491-VI ( [2491-17](#) ) dd. 30.08.2010 }*

19) exercises control of adherence to the procedure provided for in this Law for election campaigning;

20) recognizes voting in the election precinct invalid in the cases provided for in this Law;

21) establishes the results of voting for candidates for members of respective councils, the results of elections of deputies of a city or city raion council, ensures official publication of the results of such elections;

22) registers the elected deputies of a city or city raion council, and informs the population about the registered deputies of the respective local council and the basic information about them;

23) organizes repeat voting and repeat elections in the cases provided for in this Law;

24) considers appeals, statements and complaints concerning preparation and conduct of local elections of deputies of a respective council, and makes decisions thereon;

25) ensures a transfer of election documents and other documents to the respective state archive body for storage pursuant to the procedure determined by the Central Election Commission;

26) within the boundaries of a respective administrative-territorial unit, exercises control of adherence to and equal application of legislation on local elections in the part related to elections of deputies of a city or city raion council by voters, precinct election commissions, local executive bodies and local self-government bodies, officers and officials thereof, enterprises, institutions and organizations (regardless of ownership), their officials, local chapters of political parties – subjects of the election process, their representatives and authorized persons, deputy candidates for a respective council, their proxies, and official observers;

27) prepares copies of voter lists that were used for voting in the election precincts located within the boundaries of the respective city or city raion, and after establishment of the results of respective local elections forwards them to a respective body of the State Register of Voters;

28) exercises other authorities provided for in this Law and other Laws of Ukraine.

6. A city territorial election commission in addition to the powers and authorities provided for in Part 5 of this Article performs the following functions related to the elections of city mayors:

- 1) ensures organization and conduct of elections of city mayors;
- 2) registers candidates for city mayors and their proxies, and issues the respective identification documents to them;
- 3) informs the population about the registered candidates for city mayors;
- 4) hears reports of precinct election commissions, local executive bodies and local self-government bodies on issues related to the preparation and conduct of elections;
- 5) approves the text of a ballot paper for elections of city mayors, ensures production of ballot papers, and forwards them to the precinct election commissions;
- 6) facilitates organization of meeting of candidates for city mayors with voters;
- 7) ensures production of information posters for elections of city mayors;
- 8) registers official observers from the candidates for city mayors;
- 9) exercises control of the use by the candidates for city mayors of their own electoral funds in accordance with this Law;
- 10) establishes the results of voting, the results of elections of a city mayor and recognizes the city mayor elected;
- 11) registers the elected city mayor;
- 12) exercises other authorities related to elections of city mayors provided for in this Law.

7. A city raion election commission in addition to powers and authorities provided for in Part 5 of this Article during the elections of city mayors establishes the results of voting at the elections of city mayors in a respective territorial election district and forwards these results to the respective city territorial election commission.

8. A city (cities of republic significance in the Autonomous Republic of Crimea) territorial election commission in addition to powers and authorities provided for in Part 5 of this Article also establishes the results of voting on the electoral lists of deputy candidates in a single mandate majoritarian election district, deputy candidates in a single mandate majoritarian district at the elections of Members of the Verkhovna Rada of the Autonomous Republic of Crimea in a respective territorial election district, and forwards these results of the election commission of the Autonomous Republic of Crimea.

9. A city (cities of oblast, raion significance) territorial election commission in addition to powers and authorities provided for in Part 5 of this Article exercises the following authorities during the elections of members of an oblast or raion council, respectively:

- 1) establishes the results of voting for candidates for raion or oblast council deputies, respectively, included in the electoral lists of deputy candidates from local party chapters in a respective territorial election district;
- 2) establishes the results of voting for raion or oblast council deputies, respectively, in each single mandate majoritarian districts within the boundaries of a respective city;
- 3) forwards the results of voting respectively to an oblast or raion territorial election commission.

10. A village, settlement, city election commission of villages, settlements, cities located within the boundaries of a raion (belonging to a city according to the existing administrative territorial structure) also establishes the results of voting for candidates for raion or city council, or a city mayor, respectively, in a respective territorial election district and forwards these results to the respective raion or city territorial election commission.

11. The election commission of the Autonomous Republic of Crimea, oblast, city raion, city, village, and settlement territorial election commissions notify the Verkhovna Rada of Ukraine, respective local councils, and the Central Election Commission about the course of the election process and the election results.

*{ Part 11 Article 25 in the wording of the Law N 2491-VI ( [2491-17](#) ) dd. 30.08.2010 }*

#### **Article 26. Powers and Authorities of Precinct Election Commission**

1. A precinct election commission during the term of its authorities ensures organization and conduct of local elections within the terms of reference and pursuant to the procedure provided for in this Law and other Laws of Ukraine.

2. A precinct election commission:

- 1) within the boundaries of a respective election precinct, exercises control of adherence to and equal application of legislation on local elections;
- 2) updates the voter list and provides a general access to it for information, and amends it in the cases provided for in this Law;

- 3) provides access for the voters to information about the deputy candidates registered in a respective election district, and candidates for the position of a village, settlement, city mayor as well as to the decisions published by the Central Election Commission, its own decisions and notifications;
- 4) hands in or sends personal invitations for each voter in good time stating the date of local elections, address of the premises for voting, time of the start and end of voting;
- 5) ensures preparation of the premises for voting and ballot boxes;
- 6) in the cases provided for in this Law, amends the ballot paper;
- 7) organizes voting in the election precinct;
- 8) calculates the votes cast in the election precinct;
- 9) draws the protocols on the results of counting of votes cast in the election precinct;
- 10) recognizes the voting in the election precinct invalid in the cases provided for in this Law;
- 11) considers appeals on the issues related to preparation for local elections, organization of voting in the election precinct, and makes decisions thereon within its terms of reference;
- 12) exercises other authorities provided for in this Law and other Laws of Ukraine.

**Article 27.** Organization of Work of Election Commission

1. The Central Election Commission organizes its work as provided for in the Law of Ukraine "On Central Election Commission" ( [1932-15](#) ) and the Rules of Procedures of the Central Election Commission ( [v0072359-05](#) ). Territorial and precinct election commissions organize their work according to the requirements of this Law pursuant to the procedure determined by the Central Election Commission in the form of open meetings.

*{ Part 1 Article 27 in the wording of the Law N 2491-VI ( [2491-17](#) ) dd. 30.08.2010 }*

2. Meetings of an election commission are convened by the chair of the election commission, and in his/her absence – by the deputy chair. If necessary – a meeting of an election commission may be convened by a decision of a higher-level election commission.

3. The first meeting of an election commission is convened not later than on the second day after formation of its composition (creation), and the following – as and when necessary.

*{ Part 3 Article 27 in the wording of the Law N 2491-VI ( [2491-17](#) ) dd. 30.08.2010 }*

4. A meeting of an election commission is legitimate when more than one half of its members are present.

On the day of voting, during the vote counting and establishment of the results of voting and the results of local elections, a decision of the election commission is adopted by the majority of votes of the commission members present at the meeting regardless of the number of commission members present at the meeting but not fewer than three commission members.

Protocols of election commissions on vote counting, on establishment of the results of voting and the results of local elections are drawn within adoption of a decision by respective election commissions.

5. A meeting of an election commission is convened with mandatory notification of all commission members about the time and venue of the meeting and its agenda.

6. Members of an election commission receive draft decisions of the commission and the necessary materials, usually – on the day of the commission meeting.

7. The commission chair or deputy chair presides over the meeting of an election commission. When they are not present at a commission meeting or fail to perform this function, the commission identifies one of its members to preside over the meeting.

8. A territorial or a precinct election commission upon demand of its three members or upon a decision of a higher-level election commission for the respective local elections must consider the issues falling within its terms of reference at its meeting within three days but not later than the day of local elections except for the cases provided for in this Law.

A territorial election commission on the day of voting upon demand of its three members or upon a decision of a higher-level election commission for the respective local elections must consider the issues falling within its terms of reference at its meeting without delay.

9. At the meetings of an election commission, the following persons have a right to be present in the premises of the election precinct where the voting is held:

- 1) members of the Central Election Commissions, staff of the Secretariat of the Central Election Commission and the Service of the State Voter Register Administrator;

- 2) members of a higher-level election commission for the respective local elections;

3) local council deputies, their proxies, representatives, authorized persons of local chapters of political parties, official observers from local chapters of political parties that nominated candidates in a multiple mandate election district, from deputy candidates in a single mandate and single mandate majoritarian district (together, not more than two persons from a respective local chapter of a political party or a deputy candidate);

4) candidates for the position of a village, settlement, city mayor, their proxies, and official observers (not more than one person from one candidate);

5) official observers from all-Ukrainian non-governmental organizations, foreign states and international organizations (not more than two persons from a respective organization);

6) mass media representatives (not more than two persons from one mass media outlet).

Other persons may be present at a commission meeting only upon consent or upon an invitation of this commission pursuant to the decision that it adopts. The presence of other persons in the election precinct during the voting and at an election commission meeting during the counting of votes and establishment of the results of voting is disallowed.

10. An election commission may adopt a justified decision on depriving the persons provided for in Part 9 of this Article of the right to be present at the meeting if they create obstacles for the conduct thereof.

11. Minutes are maintained at the meeting of a commission meeting that are to be signed by the person presiding over the meeting and by the commission secretary (or the secretary of the meeting when the commission secretary is absent).

12. The commission may adopt protocol decisions on the issues related to its current operations.

13. An election commission draws acts and protocols. An act of the commission certifies some fact or a certain event that was established and recognized by the commission. A protocol of the commission summarizes the results of some actions performed by the commission. Acts and protocols of the commission are drawn in the cases provided for in this Law in the forms approved by the Central Election Commission and in the number of copies set forth in this Law. An act or a protocol of the commission is to be signed by all commission members present at the meeting, whose signatures are to be stamped with the seal of the election commission. The candidates registered for the participation in respective elections, their proxies, and official observers have a right to sign the first copy of an act or a protocol.

14. A decision of an election commission is adopted by open ballot by the majority of votes of the commission members present at the meeting. A decision of an election commission enters into force on the moment of its adoption. When an election commission fails to comply with the provisions of this Law (inaction of an election commission), a higher-level election commission for the respective local elections may adopt a decision on merits of the issues falling within the terms of reference of an election commission of a lower level. On the election day, such issues are considered immediately.

15. A decision of an election commission on the considered issue should contain: name of the commission, date and place of its adoption and the ordinal number, motivational part with references to the circumstances that necessitated consideration of the issue at the commission meeting, references to the provisions of normative legal acts or the decision (decisions of the Central Election Commission or a territorial election commission or court decisions that the commission used to justify the adopted decisions, and resolute part.

A decision of an election commission is to be signed by the person presiding over the meeting.

16. A member of the election commission who takes part in its meeting and disagrees with the decision adopted by the commission has a right to present a written dissenting opinion that is attached to the respective minutes of the election commission meeting.

17. A decision of an election commission adopted within the scope of its terms of reference is mandatory for compliance for all subjects and other participants of the election process.

No one has a right to interfere with the activities of an election commission except for the cases provided for in this Law.

18. A decision of an election commission that violates the Ukrainian legislation or adopted with the commission's going beyond the scope of its terms of reference may be cancelled pursuant to the procedure provided for by law by a respective territorial election commission or a court. In this case, the respective territorial election commission has a right to adopt a decision on merits of the issue.

19. A decision of a territorial election commission that violates the Ukrainian legislation or adopted with the commission's going beyond the scope of its terms of reference may be cancelled pursuant to the procedure provided for by law by a higher-level territorial election commission for respective local elections, the Central Election Commission, or a court. A higher-level territorial election commission or the Central Election Commission in this case have a right to adopt a decision on merits of the issue.

20. Documents and appeals submitted to an election commission may be received by the commission chair, deputy chair, secretary or another commission member identified by the commission.

21. Records maintenance in election commissions is organized pursuant to the procedure determined by the Central Election Commission.

22. An election commission may not adopt a decision on early termination of its authorities.

23. The Central Election Commission and territorial election commissions may involve respective specialists, and technical staff for provision of organizational, legal, and technical support for the authorities provided for in this Law whose work is remunerated as provided for in Part 13 Article 28 of this Law.

24. The Election Commission of the Autonomous Republic of Crimea has an election commission secretariat that ensures its functioning. The work conditions of the staff of the election commission secretariat are determined by the Cabinet of Ministers of Ukraine. The work of the staff of the secretariat of the election commission of the Autonomous Republic of Crimea is remunerated at the expense of the resources of the budget of the Autonomous Republic of Crimea.

25. After the end of the election process, activities of an election commission related to the exercise of its functions are financed at the expense of the resources of the local budget.

**Article 28. Status and Remuneration of Work of Election Commission Member**

1. The status of a member of the Central Election Commission is defined in the Law of Ukraine “On Central Election Commission” ( [1932-15](#) ).

2. The status of a member of a territorial or precinct election commission is defined in this Law.

3. Based on a decision of an election commission, the chair, deputy chair, and secretary or – when refuse to do so – other members of a territorial election commission (the total number of whom should not exceed three persons) or a precinct election commission (the total number of whom should not exceed two persons) during the election process may perform their functions in the election commission on a paid basis. During this period, such persons are released from the performance of their official duties at the principal place of employment with the preservation of the record of their length of service.

The chair, deputy chair, and secretary of the election commission of the Autonomous Republic of Crimea, perform their functions on an ongoing basis. The terms of their work remuneration are defined by the Cabinet of Ministers of Ukraine, and the remuneration is paid at the expense of the resources of the budget of the Autonomous Republic of Crimea.

4. A member of a territorial or precinct election commission till the end of his/her term of office may not be dismissed from work or transferred to a lower position on the grounds related to performance of his/her duties in an election commission.

5. A member of a territorial election commission has a right to:

1) take part in preparation of issues submitted for consideration of the election commission;

2) have floor at the election commission meetings, ask questions to participants of the meetings concerning the agenda, and submit proposals on the issues falling within the terms of reference of the commission;

3) on behalf of the commission, examine activities of precinct election commissions in the respective territory;

4) have access to the documents of the election commission, of which he/she is a member, and of the precinct election commissions in the respective territory;

5) be released from the performance of his/her production or official duties at the principal place of employment for the time of meetings of the election commission and acting on behalf of the election commission (for a member of the election commission who is not working on a paid basis – with preservation of the salary);

6) receive a compensation for damage for his/her life, health or property as a result of the performance of duties of an election commission member in the amount and pursuant to the procedure defined by the Cabinet of Ministers of Ukraine;

7) represent the territorial election commission upon the decision of the latter in the state authorities, government bodies of the Autonomous Republic of Crimea, and local self-government bodies;

*{ Clause 7 Part 5 Article 28 as amended pursuant to the Law N 2491-VI ( [2491-17](#) ) dd. 30.08.2010 }*

8) exercise other authorities as provided for in this Law.

6. A member of a precinct election commission has a right to:

1) take part in preparation of issues submitted for consideration of the election commission;

2) have floor at the election commission meetings, ask questions to participants of the meetings concerning the agenda, and submit proposals on the issues falling within the terms of reference of the commission;

3) have access to the documents of the election commission, of which he/she is a member;

4) be released from the performance of his/her production or official duties at the principal place of employment for the time of meetings of the election commission and acting on behalf of the election commission (for a member of the election commission who is not working on a paid basis – with preservation of the salary);

5) receive a compensation for damage for his/her life, health or property as a result of the performance of duties of an election commission member in the amount and pursuant to the procedure defined by the Cabinet of Ministers of Ukraine.

7. A member of an election commission is obliged to:

1) act in accordance with the Constitution of Ukraine ( [254к/96-BP](#) ) and Laws of Ukraine, including those on preparation and conduct of local elections;

2) take part in election commission meetings;

3) implement election commission decisions and perform his/her duties according to the distribution of duties in the commission;

4) implement decisions of a higher-level election commission.

8. A member of an election commission has other rights and responsibilities provided for in this Law and other Laws of Ukraine.

9. The work of a members of a territorial or precinct election commission who performs his/her duties on a paid basis as provided for in Part 3 of this Article is remunerated in the amount and pursuant to the procedure defined by the Cabinet of Ministers of Ukraine at the expense of resources of the budget of the Autonomous Republic of Crimea or a respective local budget (hereinafter – respective local budget funds) received as an earmarked subsidy from the State Budget of Ukraine.

10. The size of a salary of election commission members is determined by the Cabinet of Ministers of Ukraine. For members of election commissions released from the performance of their production or official duties at the place of their primary employment, the size of a salary may not be lower than an average salary at the place of their primary employment, and may not exceed the size of a salary of a respective village, settlement city mayor or the head of a respective council. The size of a salary of an election commission member who is a pensioner or a temporarily unemployed person may not be lower than the minimum salary established as of the day of its calculation.

11. Members of election commissions within the framework of general saving of salary fund resources provided for in the budget of the respective election commission for preparation and conduct of local elections may receive a lump sum as a bonus pursuant to the procedure defined by the Cabinet of Ministers of Ukraine.

12. The work of an election commission members (including pensioners and temporarily unemployed persons) on the election day and the days of establishment of the results of voting and the results of elections is remunerated in the amount and pursuant to the procedure defined by the Cabinet of Ministers of Ukraine.

13. The work of persons provided for in Part 23 Article 27 of this Law during the preparation and conduct of local elections is remunerated from the State budget and the respective local budget, respectively, received as an earmarked subsidy from the State Budget of Ukraine and the approved estimate.

14. Performance of works related to the preparation and conduct of local elections by the persons recognized unemployed pursuant to the procedure established by law does not constitute the grounds for cancelling the registration of such persons in the state unemployment bodies as persons seeking employment or for cancelling the unemployment allowance or other allowances.

15. Remuneration of the work of election commission members, including the work on the election day and the days of establishment of the results of voting and the results of elections does not constitute the grounds for cancelling, restricting or reducing any types of social benefits, subsidies for payment for the housing and utilities services, etc.

#### **Article 29.** Termination of Powers of the Election Commission and the Election Commission Member

1. Powers of the Territorial Election Commission member shall be terminated from the moment of formation of a new composition of the Territorial Election Commission in the manner prescribed by the present Law.

2. Powers of the Precinct Election Commission member shall be terminated simultaneously with the termination of powers of the Precinct Election Commission.

3. Powers of the entire Territorial, Precinct Election Commission shall be terminated early in the manner prescribed by law by the Election Commission which formed (created) the respective Territorial, Precinct Election Commission, by a decision of the Election Commission of the higher level in force for the respective local election or by the court decision in case of one-time gross violation or systematic violation by the commission of the Constitution of Ukraine ( [254к/96-BP](#) ), this and other Laws of Ukraine.

4. Powers of the member of the respective Territorial, Precinct Election Commission shall be terminated early on the ground of:

1) a personal application request on abdication of the Commission member's powers;

- 2) recalling him or her by a subject of the nomination of the Election Commission candidate;
  - 3) termination of his or her citizenship of Ukraine;
  - 4) his or her departure for the period till the election day beyond the boundaries of the respective administrative-territorial unit which makes the fulfillment of the commission member's duties impossible;
  - 5) his or her registration as a deputy candidate, a candidate for the position of a village, settlement, city mayor, MP candidate to the Verkhovna Rada of the Autonomous Republic of Crimea, MP candidate to the Verkhovna Rada of Ukraine, or a candidate for the post of the President of Ukraine;
  - 6) his or her registration as a proxy of a deputy candidate or a candidate for the position of a village, settlement, city mayor, a MP candidate, a candidate for the post of the President of Ukraine, a representative of a political party, an authorized person of the party's local organization, an authorized person of the initiative group of the all-Ukrainian referendum, a representative of the initiative group in the Central Election Commission, or an official observer;
  - 7) systematic failure to fulfill the duties imposed on him or her as attested by no less than two decisions on the aforementioned matter of the Election Commission to which he or she belongs, or by a decision of the Election Commission which created the respective commission (formed its composition);
- {Clause 7 of Part four of Article 29 with changes made pursuant to the Law N 2491-VI ( [2491-17](#) ) as of 30.08.2010}*
- 8) one-time gross violation by him or her of the legislation of Ukraine on the local election as determined by the court decision of by a decision of the Election Commission which created the respective commission (formed its composition);
- {Clause 8 of Part four of Article 29 with changes made pursuant to the Law N 2491-VI ( [2491-17](#) ) as of 30.08.2010 }*
- 9) violation by him or her of the legislation of Ukraine on the local election as determined by the court decision;
  - 10) effectiveness of an incriminating court verdict in relation to him or her for committing a deliberate crime, or a court verdict which entails punishment in a form of imprisonment;
  - 11) his or her registration as a member of any Election Commission of any level which carries out the preparation and conduct of the local election, election of the MPs of Ukraine, election of the President of Ukraine, and the all-Ukrainian referendum;
  - 12) approval by the court of the decision on his or her legal incompetence;
  - 13) his or her death.

5. In case of occurrence of circumstances envisaged by the Clauses 3-6, 10-13 of Part four of this Article, the Election Commission member's powers shall be terminated from the moment of arising of such circumstances or their reveal, whereas, in case of occurrence of circumstances envisaged by Clauses 1, 2, 7-9 of Part four of this Article, the Election Commission member's powers shall be terminated from the moment of making a decision on early termination of his or her powers by the commission which formed (created) the respective Territorial or Precinct Election Commission.

An individual, who filed a personal application request on abdication of the Election Commission Member's powers, shall continue fulfilling the duties of the Commission head, deputy head, secretary or the Election Commission member until the moment of decision making on early termination of his or her powers by the Commission which created the respective commission (formed its composition). { Paragraph two of Part five of Article 29 with changes made pursuant to the Law N 2491-VI ( [2491-17](#) ) as of 30.08.2010 }

6. In the event of early termination of powers of the entire composition of the Election Commission or reduction of the quantitative composition of the Election Commission to the level under the minimal limits established, respectively, by Articles 22 and 23 of this Law, the respective Election Commission which formed (created) this Election Commission within two days but no later than on the eve of the election day shall approve a new composition of the Election Commission or include other individuals in it instead of such individuals whose powers were terminated in the manner prescribed by this Law, so that the quantitative composition of such Election Commission corresponds to its minimal limit. { Paragraph one of Part six of Article 29 with changes made pursuant to the Law N 2491-VI ( [2491-17](#) ) as of 30.08.2010 }

The subject of nomination of the Election Commission candidate whose powers were terminated early shall be entitled to the priority right for nomination of a candidate for their inclusion in the Election Commission instead of the one who quitted it. In case of no-filing of such nomination another individual shall be included in such Election Commission from the number of candidates nominated earlier by the respective subjects of the nomination of candidates to the Election Commission, whereas in case of no-filing of the latter another individual shall be included in such Election Commission upon the nomination of the head of the Election Commission which formed (created) the respective Election Commission, upon the proposals of the members of such Election Commission.

7. In the event of early cessation of powers of the Election Commission member on the eve of the election day or on the election day, a decision on early termination of powers of the Election Commission member shall be made simultaneously with the decision about inclusion of another individual in the respective Election Commission upon the nomination by the subject of nomination, whose Election Commission member had his or her powers terminated

early, whereas in case of no-filing of such nomination a decision on inclusion of the Election Commission member in the commission shall be made upon the nomination made by the head of the Election Commission which formed (created) the respective Election Commission, upon the proposals of the members of such Election Commission.

8. In the event if the Election Commission head, deputy head or secretary do not fulfill systematically the duties imposed onto them, the respective Territorial, Precinct Election Commission may address the Election Commission which created it, with a motivated submission on their replacement. Such submission shall be subject to obligatory consideration within the time periods specified in Part six of this Article. A decision on replacement of the Election Commission head, deputy head, secretary shall not lead to termination of powers of such individuals as members of the respective election commission.

9. The appointment of a new Election Commission head, deputy head or secretary shall be conducted under procedure established by this Law.

## **Chapter V. VOTER LISTS**

### **Article 30. Compiling Preliminary Voter Lists**

1. Following the creation of the Election Precincts, the State Voter Register maintenance bodies compile preliminary voter lists for regular election precincts pursuant to the Law of Ukraine "On State Voter Register" ( [698-16](#) ). Compiling preliminary voter lists for regular Election Precincts shall be organized under the procedure established by the Central Election Commission.

No later than in 25 days prior to the election day for the purpose of compiling the preliminary voter list the management of the bodies, establishments and institutions specified in Article 22 of the Law of Ukraine "On State Voter Register" ( [698-16](#) ), shall submit the data to the State Voter Register maintenance bodies under the form elaborated by the Central Election Commission. The data are submitted for the period from the day of the last submission of the periodically renewable data till the day of submission of such data. The management of the respective raion (city, city raion) bodies of the Ministry of Internal Affairs of Ukraine shall submit to the State Voter Register maintenance bodies the data on the citizens of Ukraine which attain eighteen years of age in the period from the day of the previous data submission till the day of the local election. { Paragraph two of Part one of Article 30 with changes made pursuant to the Law N 2491-VI ( [2491-17](#) ) as of 30.08.2010 }

2. Citizens of Ukraine, which attained eighteen or attain eighteen years of age on the day of voting and which pertain to this election precinct as per their place of residence in accordance with the data of the State Voter Register, are entered in the preliminary voter list. The voter shall be entered in the voter list only at one polling station.

3. In the preliminary voter list the voter's last name, first name (all first names), patronymic (if available), date of birth, place of residence are indicated in accordance with the State Voter Register data. The voters are entered in the preliminary list so that the data on voters with the same housing address are placed next to each other. The list shall have continuous numbering of voters and numbering of pages.

The form of the preliminary voter list shall be established by the Central Election Commission on the basis of consideration of the provisions of this Law.

4. In the preliminary voter list a respective mark shall be made under the column "Notes" opposite the last names of the voters which are not capable of moving independently.

5. No later than in 19 days prior to the local election day the State Voter Register maintenance body shall pass over in their premises the preliminary voter lists in two copies on paper carriers to the village, settlement, city (in cities where city raion councils were not created), city raion Territorial Election Commission.

On behalf of the Territorial Election Commission the preliminary voter lists shall be received by no less than three members of such Commission, one out of which shall be the Commission head, or, if impossible, the deputy head or the secretary of the Commission.

An act on transfer of the aforementioned voter lists shall be drafted under the form established by the Central Election Commission, in two copies. One copy of the act shall be kept by the State Voter Register maintenance body and another copy shall be kept by the Territorial Election Commission.

6. No later than in 13 days prior to the local election day, the Territorial Election Commission shall pass one copy of the preliminary voter list over to the respective Precinct Election Commission. The second copy shall be kept by the respective Territorial Election Commission. An act on transfer of the preliminary voter list to the Precinct Election Commission shall be drafted under the form approved by the Central Election Commission, in two copies. One copy of the act shall be kept by the Territorial Election Commission whereas another copy of the act shall be kept by the Precinct Election Commission.

7. A voter, who stays on the election day outside of the boundaries of the settlement in which he or she resides, shall not take part in the local election, except cases envisaged by Part sixteen of Article 34 of this Law.

8. In the event of simultaneous conduct of the local election and the all-Ukrainian referendum, the order of making, verifying, amending the voter lists shall be established by the Central Election Commission.



**Article 31.** Procedure of Familiarization of Voters with Preliminary Voter List on Regular Election Precinct and Appealing Against Improperities in Preliminary Voter List

1. On the next day after receiving the preliminary voter lists the Precinct Election Commission of the regular election precinct provides it for the general familiarization in premises of the Precinct Election Commission.

2. The Precinct Election Commission of the regular election precinct shall send or deliver in another way a personal invitation to every voter in which it informs on his or her inclusion in the preliminary voter list of the respective election precinct, names of all local elections in which he or she is proposed to vote, the address of the Precinct Election Commission, its telephone number and business hours as well as the time and place of voting. The voters, whose entries in the voter list contain notes signifying their permanent incapacity to move independently, shall be notified at the same time that they will be given the possibility to vote at the place of their stay. Such personal invitations shall be sent (delivered) to the voters no later than in 10 days prior to the election day.

In the event of holding the local election simultaneously with the all-Ukrainian referendum every voter shall be sent a personal invitation with indication of the all-Ukrainian referendum in which he or she is proposed to vote.

A form of the personal invitation shall be approved by the Central Election Commission.

3. Every voter may address the Precinct Election Commission or the State Voter Register maintenance body directly with the application request on verifying the preliminary voter list, including the application request concerning notes on permanent incapacity of the voter to move independently.

Every voter has the right to file an administrative complaint concerning such issues in the manner prescribed by the Code of Administrative Judicial Proceedings of Ukraine ( [2747-15](#) ).

4. A voter files an application request in person to the Precinct Election Commission or to the State Voter Register maintenance body directly concerning circumstances envisaged by Part three of this Article. In case if the voter is unfit to file the application request in person, the respective Precinct Election Commission, following the address from such a voter, shall be obliged to provide for receiving the application request from such a voter in another way.

5. The application request specified in Part three of this Article shall be filed no later than in three days prior to the election day and shall be considered by the Election Commission within one day. The application request filed after the end of the aforementioned time period shall be left without consideration.

*{ Part five of Article 31 with changes made pursuant to the Law N 2491-VI ( [2491-17](#) ) as of 30.08.2010 }*

6. Based on the results of consideration of the application request, the Election Commission shall make a decision on addressing the State Voter Register maintenance body concerning making changes to the voter list or on refusal in settling of the application request. The Election Commission decision shall be presented to an individual who filed the application request no later than on the next day following the day of making such decision, and shall be sent immediately, along with the voter application request and the appended documents (copies of the documents), to the respective State Voter Register maintenance body. On the basis of obtained decisions of the Precinct Election Commissions and the voters' application requests the State Voter Register maintenance body shall make respective changes to the voters' personal entries. { Paragraph one of Part six of Article 31 in the revision of the Law N 2491-VI ( [2491-17](#) ) as of 30.08.2010 }

In case of making decision on settling of the voter's application request and making changes to the voter list later than in three days prior to the election day, the respective changes shall be made by the Precinct Election Commission to the verified voter list under procedure established by Part three of Article 33 of this Law.

7. The State Voter Register maintenance body provides for consideration of the voters' application requests under procedure established by the Law of Ukraine "On State Voter Register" ( [698-16](#) ).

8. A complaint concerning verification of the preliminary voter list shall be filed to the court in the manner prescribed by the Code of Administrative Judicial Proceedings of Ukraine ( [2747-15](#) ). The court decision on making changes to the preliminary voter list shall be submitted by the voter to the respective State Voter Register maintenance body or to the respective Precinct Election Commission for delivering thereof to such a body.

*{ Part eight of Article 31 in the revision of the Law N 2491-VI ( [2491-17](#) ) as of 30.08.2010 }*

9. The respective State Voter Register maintenance body shall make corresponding changes to the personal entries in the State Voter Register pursuant to the Law of Ukraine "On State Voter Register" ( [698-16](#) ).

**Article 32.** Procedure for the Preliminary Voter List Verification at the Regular Election Precinct

1. No later than in ten days prior to the election day the managers of bodies, establishments and institutions specified in Article 22 of the Law of Ukraine "On State Voter Register" ( [698-16](#) ), shall submit the data envisaged by Article 22 of the Law of Ukraine "On State Voter Register" ( [698-16](#) ) to the State Voter Register maintenance bodies, under the form established by the Central Election Commission.

*{ Part one of Article 32 with changes made pursuant to the Law N 2491-VI ( [2491-17](#) ) as of 30.08.2010 }*

2. Data envisaged by Part one of this Article shall be submitted in the electronic form and on paper carrier in a form of a list which has continuous numbering of entries and numbering of pages. Data authenticity shall be verified on each

page by a signature of the manager of the respective body, establishment or institution, or by signature of the officer of the military unit (command) as well as attested by the respective seal.

3. The State Voter Register maintenance body shall make the verified voter list on the basis of the data submitted in compliance with Part one of this Article, decisions of the respective Territorial Election Commissions concerning creation of Election Commissions of the special Election Precincts (in part of including of the Precinct Election Commission members in the voter lists in the respective special Election Precinct), on the basis of the results of consideration of the voters' application requests, notices of the Election Commissions of special Election Precincts on inclusion of voters in the voter list at the special Election Precinct, on the basis of decisions of the Precinct Election Commissions made subsequent to the results of the application requests' consideration as well as on the basis of court decisions received no later than in three days prior to the election day.

4. Verified voter lists shall be made in two copies pursuant to provisions of Part three and four of Article 30 of this Law and contain a column for the voters' signatures on receipt of the ballot papers for all respective local elections which are conducted, and shall be transferred to the respective Territorial Election Commissions under the procedure stipulated by Part five of Article 30 of this Law no later than in two days prior to the election day.

In the column "Notes" of the verified voter list, opposite the last name of the voter, who received the ballot papers not for all local elections that are being conducted, an entry shall be made in relation to that for which elections the voter did not receive the ballot paper (concerning voters which vote at the place of their stay, such entry shall be made opposite their last names in an excerpt from the voter list).

Verified voter lists shall be passed over to the Territorial Election Commissions in the manner prescribed by Part five of Article 30 of this Law. { Part four of Article 32 was supplemented with a paragraph three pursuant to the Law N 2491-VI ( [2491-17](#) ) as of 30.08.2010 }

5. The respective Territorial Election Commission immediately, but no later than on the day prior to the election day, shall pass over the verified voter lists to the respective Precinct Election Commissions of the regular Election Precincts under procedure established by Part six of Article 30 of this Law.

#### **Article 33. Making Changes and Updates to the Verified Voter List by the Precinct Election Commission**

1. Changes and updates to the verified voter list shall be made by the head or the deputy head and the secretary of the Precinct Election Commission on the ground of the court decision, notices of the State Voter Register maintenance body, decisions of the Precinct Election Commission subsequent to the results of consideration of the voters' application requests submitted under procedure established by Article 31 of this Law.

The Precinct Election Commission, when making changes and updates to the verified voter list, shall notify immediately the respective State Voter Register maintenance body on inclusion of him or her in the voter list or exclusion from the voter list.

2. On the day of voting changes and updates to the verified voter list shall be made exclusively on the basis of the court decision. The Precinct Election Commission shall notify immediately the respective State Voter Register maintenance body on changes made to the voter list subsequent to the court decision.

3. When including the voter in the voter list in the Election Precinct, in compliance with the order of making changes to the verified voter list, the data on him or her envisaged by the form of the voter list, shall be entered in the end of the voter list. At that in the column "Notes" the date and number of the court decision or the Election Commission decision or the notice from the State Voter Register maintenance body shall be indicated.

4. Exclusion of individuals, which were unlawfully included in the voter list, from the latter shall be conducted by means of crossing out their names, which shall be authenticated by the record "Excluded" and by signatures of the head and the secretary of the Precinct Election Commission in the column "Notes". At that in the aforementioned column next to the voter's last name the date and number of the court decision or the Election Commission decision or the notice from the State Voter Register maintenance body shall be entered.

5. In case of revealing of the multiple inclusion of a voter in the verified voter list at another Election Precinct, the State Voter Register maintenance body, which received such notice, shall immediately notify on the above the respective Precinct Election Commission, which serves the grounds for exclusion of such a voter from the voter list at this Election Precinct.

6. On the day of voting the head, the deputy head and the secretary of the Precinct Election Commission shall correct improprieties and technical slips of pen in the verified voter list, such as incorrect spelling of a last name, first name (all first names), patronymic (if available), date of birth, building number, apartment of the place of residence, in the event if it appears that, in spite of such technical slips of pen, the voter list contains an entry on exactly the same voter who arrived at the Election Precinct for voting. Such correction shall be authenticated by the signature of the head or the deputy head or the secretary of the Precinct Election Commission in the column "Notes".

#### **Article 34. Procedure for Compiling and Verification of the Voter Lists at Special Election Precincts**

1. Citizens of Ukraine which stay in inpatient care establishments shall be included in the voter lists in the respective special Election Precinct and vote at the local election under condition that they have the right of voting at the respective local elections pursuant to Article 3 of this Law.

Voter lists at the special Election Precincts shall be compiled no later than in ten days prior to the election day by the respective Precinct Election Commissions under the form developed by the Central Election Commission on the basis of the data submitted no later than in twelve days prior to the election day by the managers of inpatient care establishments.

The aforementioned submission shall contain the data on the citizens of Ukraine, which, pursuant to Article 3 of this Law, have the right to vote at the respective local elections and on the day of conduct of this election will be staying in the respective institution. The submission shall be filed in accordance with the template elaborated by the Central Election Commission, in a form of the general voter list, on paper carrier and in the electronic form, and shall contain the data on every voter as follows:

- 1) last name, first name (all first names), patronymic (if available);
- 2) date of birth (day, month, year);
- 3) address of the place of residence;
- 4) if applicable, a mark shall be made in the column "Notes" on permanent incapacity of a voter to move independently.

2. The data indicated in part one of this Article shall be submitted in one copy and shall be signed by the manager of the respective establishment and sealed by the respective establishment's seal. The manager of the respective establishment shall provide for submission of the said data to the Precinct Election Commission in due course pursuant to Part one of this Article and shall guarantee their authenticity.

3. The Precinct Election Commission of the special Election Precinct shall include the voter in the voter list with the mention in the column "Notes" of his or her right to receive the ballot paper for each respective local election pursuant to Part sixteen of this Article.

*{ Paragraph two of Part three of Article 34 is taken out on the basis of the Law N 2491-VI ( [2491-17](#) ) as of 30.08.2010 }*

4. On the day of voting the head, the deputy head and the secretary of the Precinct Election Commission shall correct improprieties and technical slips of pen in the verified voter list, such as incorrect spelling of a last name, first name (all first names), patronymic (if available), date of birth, building number, apartment of the place of residence, in the event if it appears that, in spite of such technical slips of pen, the voter list of the special Election Precinct contains an entry on exactly the same voter, who arrived at the Election Precinct for voting. Such correction shall be authenticated by the signature of the head or the deputy head or the secretary of the Precinct Election Commission in the column "Notes".

5. On the following day after compiling the voter list the Precinct Election Commission of the special Election Precinct shall provide it for general familiarization in the premises of the Precinct Election Commission.

6. The voter shall have the right to address the Precinct Election Commission of the special Election Precinct or the court located in the area of the Election Precinct directly with the application request concerning circumstances envisaged by Part three of Article 31 of this Law.

7. The voter shall file the application request to the Precinct Election Commission of the special Election Precinct, which shall be considered at the next Commission meeting.

8. The application request specified in Part six of this Article shall be filed to the respective Precinct Election Commission of the special Election Precinct no later than in two days prior to the election day. Such application request shall be considered by the Election Commission no later than within one day following the day of the receipt of the application request. Subsequent to the results of consideration of the application request, the Precinct Election Commission shall be obliged to make a decision on making changes to the voter list or motivated decision on refusal in settling of the application request. The application request filed after the end of the aforementioned time period shall be left without consideration.

9. The complaint concerning verification of the voter list shall be filed to the court in the manner stipulated by the Code of Administrative Judicial Proceedings of Ukraine ( [2747-15](#) ).

10. After the voter list of the special Election Precinct has been compiled, the Precinct Election Commission shall immediately transfer the data on the voters entered in the voter list to the respective State Voter Register maintenance body.

11. In the event if the voter arrived at the inpatient care establishment later than in ten days prior to the election day, but earlier than in two days prior to the election day, the respective Precinct Election Commission of the special Election Precinct shall verify the voter list by including the voter in it on the basis of the data submitted immediately by the manager of the respective institution, whose signature shall be attested by the seal of the said institution.

12. The voter, who arrived at the inpatient care establishment in the same settlement where he or she resides, may address the Election Commission of the regular Election Precinct where he or she is entered in the voter list, concerning the possibility to vote at the place of his or her residence, under the procedure and time frame envisaged by this Law. In the latter case he or she shall not be not included in the voter list at the special Election Precinct.

13. The Precinct Election Commission of the special Election Precinct, in case of making changes to the voter list, shall notify immediately the respective State Voter Register maintenance body on inclusion of the voter in the voter list or exclusion of the voter from the voter list.

14. Members of the Precinct Election Commission of the special Election Precinct shall be included in the voter list at such Election Precinct pursuant to the decision of the respective Territorial Election Commission on creation of the Precinct Election Commission of the special Election Precinct.

*{ Part fourteen of Article 34 with changes made pursuant to the Law N 2491-VI ( [2491-17](#) ) as of 30.08.2010 }*

15. The verified voter list of the special Election Precinct shall be produced by the respective Precinct Election Commission no later than in two days prior to the election day. On the day of voting changes and updates to the verified voter list shall be made exclusively on the basis of the court decision.

16. A voter included in the voter list at the special Election Precinct shall receive the ballot papers for voting in the elections in which he or she is entitled to vote.

A voter included in the voter list at the special Election Precinct shall receive the ballot papers for voting in the following elections:

the election of deputies of the Verkhovna Rada of the Autonomous Republic of Crimea if he or she resides on the territory of the Autonomous Republic of Crimea and the establishment where he or she stays is located on the territory of the Autonomous Republic of Crimea;

the election of deputies of the oblast council if he or she resides on the territory of this oblast and if the establishment where he or she stays is located on the territory of this oblast;

the election of deputies of the raion council if he or she resides on the territory of this raion and if the establishment where he or she stays is located on the territory of this raion;

the election of deputies of the village, settlement, city councils, village, settlement and city mayor, if he or she resides on the territory of the respective village (one of the few villages the inhabitants of which have voluntarily united into the village community), settlement, city, in compliance with the existing administrative-territorial organization, and if the establishment where he or she stays is located on the territory of this village (one of the few villages the inhabitants of which have voluntarily united into the village community), settlement, city;

the election of deputies of the city raion council in cities with raion subdivisions if he or she resides on the territory of this city raion and if the establishment where he or she stays is located on the territory of this city raion.

17. In the event if the local election is conducted simultaneously with the all-Ukrainian referendum, at the special Election Precincts in the establishments of the penal executive system, pre-trial prisons, military units the voter lists for the local elections shall not be compiled.

*{ Part seventeen of Article 34 with changes made pursuant to the Law N 2491-VI ( [2491-17](#) ) as of 30.08.2010 }*

## **Chapter VI. NOMINATION OF DEPUTY CANDIDATES, CANDIDATES FOR THE POSITION OF A VILLAGE, SETTLEMENT, CITY MAYOR**

**Article 35.** General Procedure for Nomination of Deputy Candidates, Candidates for the Position of a Village, Settlement, City Mayor

1. The nomination of deputy candidates in a multiple mandate, single mandate election district, candidates for the position of a village, settlement, city mayor shall commence in 34 days and end in 28 days prior to the local election day whereas the nomination of deputy candidates in a single mandate majoritarian election district shall commence in 30 days and end in 26 days prior to the election day.

2. The right to nominate deputy candidates to the Verkhovna Rada of the Autonomous Republic of Crimea, oblast, raion, city, including in Kyiv and Sevastopol, city raion council shall be realized by the voters in the respective multiple mandate, single mandate majoritarian election districts through the local party organizations under procedure established by this Law.

The right to nominate deputy candidates for the village, settlement council shall be realized by the voters in single mandate election districts through the local party organizations or by means of self-nomination under procedure established by this Law.

The right to nominate village, settlement mayor candidates shall be realized by the voters in the respective sole single mandate election districts through the local party organizations or by means of self-nomination under procedure established by this Law.

The right to nominate city mayor candidates shall be realized by the voters in the respective sole single mandate election districts through the local party organizations under procedure established by this Law.

3. The local party organization shall be entitled to nominate candidates for the local elections under condition that the respective local (republican in the Autonomous Republic of Crimea, oblast, raion, city, city raion) party organization is registered in the manner prescribed by law.

*{ Part three of Article 35 with changes made pursuant to the Law N 2491-VI ( [2491-17](#) ) as of 30.08.2010 }*

4. An individual, who is nominated as a deputy candidate in a multiple mandate election district, may be simultaneously nominated only as a deputy candidate for the respective council in a single mandate majoritarian election district or as a candidate for the position of a village, settlement, city mayor.

5. An individual, who is nominated as a deputy candidate in a single mandate or single mandate majoritarian election district, a candidate for the position of a village, settlement or city mayor, may not be simultaneously nominated in any other single mandate, single mandate majoritarian election districts for any local elections.

*{ Part five of Article 35 in the revision of the Law N 2491-VI ( [2491-17](#) ) as of 30.08.2010 }*

6. An individual may be nominated a deputy candidate, a candidate for the position of a village, settlement, city mayor by means of the nomination through the local organization (local organizations) of only one political party.

**Article 36. Nomination of Candidates by the Local Party Organization**

1. The nomination of deputy candidates and candidates for the position of a village, settlement, city mayor by the local party organization shall be carried out pursuant to this Law and the Charter of the political party.

2. The local party organization shall be entitled to nominate an individual who is a member thereof, or a nonpartisan citizen.

3. The raion party organization shall be entitled to nominate:

the election list of deputy candidates to the respective raion council, city council in the city of the raion subordination, which belongs to such raion under the existing administrative-territorial organization, in the number that shall not exceed the number of elected officials of such council (total composition);

one candidate to each single mandate majoritarian election district for the election of deputies to the respective raion council, city council in the city of the raion subordination which belongs to such raion under the existing administrative-territorial organization;

one candidate to each single mandate election district for the election of deputies of the respective village, settlement councils and one candidate for the position of the respective village, settlement mayors, city mayors in cities of the raion subordination which belongs to such raion under the existing administrative-territorial organization (except villages, settlements which are parts of the city under the existing administrative-territorial organization).

The city party organization in the city of raion subordination which belongs to such raion under the existing administrative-territorial organization may not nominate deputy candidates in a single mandate majoritarian election district, the election list of deputy candidates to the respective city council in the city of the raion subordination, a candidate for the position of a city mayor in the city of the raion subordination if the respective raion organization of such political party did not give their consent for such an action or approved a decision on the nomination of the deputy candidates in a single mandate majoritarian election district, the election list of candidates to the respective city council in the city of the raion subordination, and a candidate for the position of the city mayor in the city of the raion subordination.

*{ Part three of Article 36 in the revision of the Law N 2491-VI ( [2491-17](#) ) as of 30.08.2010 }*

4. The city party organization shall be entitled to nominate: { Paragraph one of Part four of Article 36 with changes made pursuant to the Law N 2491-VI ( [2491-17](#) ) as of 30.08.2010 }

one candidate for the position of a city mayor;

the election list of candidates to the respective city council in the number which shall not exceed the number of the elected officials of such council (total composition);

one candidate to each single mandate majoritarian election district for the election to the respective city council;

one candidate for the position of a village, settlement, city mayor (villages, settlements, cities which are parts of the city, under the existing administrative-territorial organization);

the election list of candidates to the city council (in the city which does not belong to this city, under the existing administrative-territorial organization) in the number which shall not exceed the number of the elected officials of such council (total composition);

one candidate to each single mandate majoritarian election district for the election of the city council (in the city which belongs to this city, under the existing administrative-territorial organization);

one candidate to each single mandate election district for the election of deputies to the respective village, settlement councils (villages, settlements which are parts of this city, under the existing administrative-territorial organization).

The city party organization in the cities with raion subdivision, where the city raion councils were created, shall be also entitled to nominate the election list of candidates to each multiple mandate election district for the election of deputies of the respective city raion councils in the number that corresponds to the number of elected officials (total composition) to each single mandate majoritarian election district for the election of such city raion councils.

5. The city raion party organization shall be entitled to nominate:

the election list of candidates to the respective city raion council in the number which shall not exceed the number of the elected officials (total composition) of the respective city raion council;

one candidate to each single mandate majoritarian election district for the election to the respective city raion council;

The city raion party organization may not nominate deputy candidates to the city raion council if the city organization of such political party did not give their consent for such an action or approved a decision on the nomination of the deputy candidates to the city raion council in the manner prescribed by this Law.

6. The oblast party organization shall be entitled to nominate:

the election list of candidates to the respective oblast council in the number which shall not exceed the number of the elected officials (total composition) of the council;

one candidate to each single mandate majoritarian election district for the election to the oblast council;

7. The republican in the Autonomous Republic of Crimea party organization shall be entitled to nominate:

the election list of deputy candidates to the Verkhovna Rada of the Autonomous Republic of Crimea in the number which shall not exceed the number of deputies (total composition) of the Verkhovna Rada of the Autonomous Republic of Crimea;

one deputy candidate to each single mandate majoritarian election district for the election to the Verkhovna Rada of the Autonomous Republic of Crimea.

8. The nomination of candidates by the local party organization shall be carried out at the meeting (conference) of such organization.

9. The minutes of the meeting (conference) of the local party organization shall indicate the time and place of the meeting, the total number of members of the local party organization, the number of participants of the meeting (conference), agenda, data on each candidate: last name, first name (all first names) and patronymic (if available), day, month and year of birth, citizenship, party affiliation, position, place of work (occupation), address of the place of residence, data on the results of voting in relation to the candidates.

A decision on the nomination by the local party organization of the election list of deputy candidates, the candidates for the position of a village, settlement, city mayor may not be overruled or revised by the higher level organization (body, official) of such political party.

The minutes of the meeting (conference) are signed by the local party organization head and attested by the local party organization seal or by the seal of the higher level organization of such political party.

10. The local party organization shall notify the respective Territorial Election Commission in writing on the time and place of holding the meeting (conference) for the purpose of the nomination of deputy candidates no later than in one day prior to holding such a meeting (conference). The members of the respective Territorial Election Commission shall have the right to be present at such a meeting (conference).

The local party organization shall also notify mass media on the time and place of holding the meeting (conference) for the purpose of the nomination of deputy candidates. The event organizer shall determine a procedure of accreditation of the mass media representatives for such a meeting (conference).

11. No later than in 35 days prior to the election day the bodies of the Ministry of Justice of Ukraine in the Autonomous Republic of Crimea, oblasts, raions, cities, city raions shall transfer the data on the registered local party organizations with indication of heads of such organizations as well as the dates of their registration to the Central Election Commission and to the respective Territorial Election Commissions.

#### **Article 37.** Conditions for Registration of Deputy Candidates in Multiple Election District

1. The respective Territorial Election Commission shall register deputy candidates in a multiple mandate election district for the election of the deputies to the Verkhovna Rada of the Autonomous Republic of Crimea, election to the oblast, raion, city, including in Kyiv and Sevastopol, city raion councils, which are included in the election list of deputy candidates of the local party organization, under condition of receipt of the following documents:

1) application request on registration of deputy candidates signed by the local party organization head and attested by the local party organization seal or by the seal of the higher level organization of such political party;

2) a copy of the local party organization's registration certificate;

3) an excerpt from the minutes of the meeting (conference) of the local party organization on the nomination of deputy candidates from such local party organization. The excerpt from the minutes shall be signed by the local party organization head and attested by the local party organization seal or by the seal of the higher level organization of such political party;

4) the election list of deputy candidates from the local party organization drafted under the form approved by the Central Election Commission no later than in 48 days prior to the election day, signed by the local party organization

head and attested by the local party organization seal or by the seal of the higher level organization of such political party;

5) statements of consent of individuals included in the election list of deputy candidates from such local party organization expressing their consent to be deputy candidates from such local party organization and their consent on publicizing of their biographical data in connection with participation in the local election;

6) autobiographies of individuals included in the election list of deputy candidates from the local party organization which shall obligatory contain: last name, first name (all first names) and patronymic (if available), day, month, year and place of birth, citizenship, data on education, professional experience, position, place of work (occupation), community work (including also the work on elected positions), party affiliation, family composition, address of the place of residence, contact telephone number, prior convictions if applicable;

7) a property and income statement of every person included in the election list of deputy candidates from the respective local party organization for the previous year subject to reporting under the form approved by the Ministry of Finances of Ukraine;

8) four photographs of each individual included in the election list of deputy candidates of the local party organization, sized 4 x 6 centimeters;

*{ Clause 8 of Part one of Article 37 in the revision of the Law N 2491-VI ( [2491-17](#) ) as of 30.08.2010 }*

The documents specified in this Part shall be accompanied by the copies of the documents envisaged by Part two of Article 3 of this Law, for every individual included in the election list of deputy candidates of the respective local party organization.

2. The excerpt from the minutes of the meeting (conference) of the local party organization as envisaged by Clause 3 of Part 1 of this Article shall contain: date of such meeting (conference), agenda, data on individuals nominated as candidates (last name, first name (all first names) and patronymic (if available), day, month and year of birth, citizenship, party affiliation, position, place of work (occupation), address of the place of residence) as well as the results of voting concerning the election list of deputy candidates which are nominated in a multiple mandate election district.

3. The documents envisaged by Part one of this Article submitted to the respective Election Commission may not be re-submitted, except cases envisaged by this Law.

**Article 38.** Conditions for Registration of Deputy Candidates in Single Mandate, Single Mandate Majoritarian Election District

1. The respective Territorial Election Commission shall register a deputy candidate nominated by the local party organization in a single mandate, single mandate majoritarian election district, under condition of submission by him or her of the document envisaged by Part two of Article 3 of this Law and receipt by the Commission of the following documents:

1) application request on registration of the deputy candidate signed by the local party organization head and attested by the local party organization seal or by the seal of the higher level organization of such political party;

2) a copy of the local party organization's registration certificate;

3) an excerpt from the minutes of the meeting (conference) of the local party organization on the candidate nomination. The excerpt from the minutes shall be signed by the local party organization head and attested by the local party organization seal or by the seal of the higher level organization of such political party;

4) an individual's statement of consent to be a deputy candidate from such local party organization and his or her consent on publicizing of his or her biographical data in connection with participation in the local election;

5) a deputy candidate's autobiography which shall obligatory contain: last name, first name (all first names) and patronymic (if available), day, month, year and place of birth, citizenship, data on education, professional experience, position, place of work (occupation), community activity (including also the activity on elected positions), party affiliation, family composition, address of the place of residence, contact telephone number, prior convictions if applicable;

6) a property and income statement of each candidate for the previous year subject to reporting under the form approved by the Ministry of Finances of Ukraine;

7) four photographs of a deputy candidate sized 4 x 6 centimeters;

*{ Clause 7 of Part one of Article 38 in the revision of the Law N 2491-VI ( [2491-17](#) ) as of 30.08.2010 }*

2. The excerpt from the minutes of the meeting (conference) of the local party organization as envisaged by Clause 3 of Part 1 of this Article shall contain: date of such meeting (conference), agenda, data on the individual nominated as a candidate: last name, first name (all first names) and patronymic (if available), day, month and year of birth, citizenship, party affiliation, position, place of work (occupation), address of the place of residence) as well as the results of voting at the meeting (conference) in relation to such candidate.

3. The respective Territorial Election Commission shall register the deputy candidate nominated by means of self-nomination in a single mandate election district for the election of the village, settlement councils, under condition of submission by him or her of the document envisaged by Part two of Article 3 of this Law and receipt by the Commission of the documents envisaged by Clauses 5 through 7 of Part one of this Article along with an application request on self-nomination signed by him or her in person and his or her statement of consent on publicizing of his or her biographical data in connection with participation in the local election.

4. The documents envisaged by Parts one, three of this Article submitted to the respective Territorial Election Commission may not be re-submitted, except cases envisaged by this Law.

**Article 39.** Conditions for Registration of Candidates for the Position of a Village, Settlement, City Mayor

1. The respective Territorial Election Commission shall register a candidate for the position of a village, settlement, city mayor nominated by the local party organization under condition of submission by him or her of the document envisaged by Part two of Article 3 of this Law and receipt by the Commission of the following documents:

1) an application request on registration of a candidate for the position of a village, settlement, city mayor signed by the local party organization head and attested by the local party organization seal or by the seal of the higher level organization of such political party;

2) a copy of the local party organization's registration certificate;

3) an excerpt from the minutes of the meeting (conference) of the local party organization on the nomination of the candidate for the position of a village, settlement, city mayor. The excerpt from the minutes shall be signed by the local party organization head and attested by the local party organization seal or by the seal of the higher level organization of such political party;

4) an individual's statement of consent to be a candidate for the position of a village, settlement, city mayor from such local party organization and his or her consent on publicizing of his or her biographical data in connection with participation in the local election;

5) an autobiography of a candidate for the position of a village, settlement, city mayor which shall obligatory contain: last name, first name (all first names) and patronymic (if available), day, month, year and place of birth, citizenship, data on education, professional experience, position, place of work (occupation), community activity (including also the activity on elected positions), party affiliation, family composition, address of the place of residence, contact telephone number, prior convictions if applicable;

6) a property and income statement of a candidate for the position of a village, settlement, city mayor for the previous year subject to reporting, under the form approved by the Ministry of Finances of Ukraine;

7) four photographs of a candidate sized 4 x 6 centimeters;

*{ Clause 7 of Part one of Article 39 in the revision of the Law N 2491-VI ( [2491-17](#) ) as of 30.08.2010 }*

2. The respective Territorial Election Commission shall register a candidate for the position of a village, settlement mayor nominated by means of self-nomination under condition of submission by him or her of the document envisaged by Part two of Article 3 of this Law and receipt by the Commission of the documents envisaged by Clauses 5 through 7 of Part one of this Article along with the application request on self-nomination for the position of a village, settlement mayor, respectively, signed by him or her in person, along with his or her statement of consent on publicizing his or her biographical data in connection with participation in the local election.

**Article 40.** Procedure for Registration of Deputy Candidates in Multiple Mandate Election District

1. Deputy candidates in a multiple mandate election district included in the election list of deputy candidates from the local party organization shall be registered by the respective Territorial Election Commission under observance of conditions stipulated by Article 37 of this Law.

2. The submission of documents to the Territorial Election Commission for the registration of deputy candidates shall commence in 32 days and end in 24 days prior to the election day.

3. The head, the deputy head, the secretary or other member of the Election Commission appointed by the Commission shall accept the documents.

4. The local party organization representative shall submit the documents stipulated by Part one of Article 37 of this Law for the registration of deputy candidates in a multiple mandate election district.

5. The local party organization representative who submitted the documents envisaged by Part one of Article 37 of this Law shall be issued a notice on acceptance of documents by the Territorial Election Commission with indication of the date and time of the acceptance of documents along with the list thereof.

6. An individual included by the local party organization in the election list of deputy candidates, which, on the day of submission of an application request by the local party organization to the Territorial Election Commission on the registration of deputy candidates, has not given his or her consent to be a deputy candidate from such local party organization, shall be deemed excluded from such election list from the day of submission of the aforementioned application request by the local party organization to the Territorial Election Commission. A statement of consent from



such individual to be a candidate submitted after the submission of the respective local party organization's application request on the registration of candidates may not be accepted.

7. An individual included by the local party organization in the election list of deputy candidates shall have the right, till the day of registration, to withdraw his or her statement of consent to be a deputy candidate. From the moment of receipt by the Territorial Election Commission of the application of an individual on withdrawal of his or her statement of consent to be a deputy candidate such person shall be deemed excluded from the election list of deputy candidates from the local party organization. The Territorial Election Commission shall notify the local party organization representative on receipt of such application no later than in three days time period from the day of receipt of such application. A repeat statement of consent of such an individual to be a candidate from the local party organization may not be accepted.

8. In case of inclusion of an individual on the basis of his or her written consent in the election list of deputy candidates from the local organization of another political party and (or) the nomination of such an individual on the basis of his or her written consent a deputy candidate, a candidate for the position of a village, settlement, city mayor from the local organization of another political party, the respective Territorial Election Commission shall exclude such individual from all election lists in which he or she has been included, cancel his or her registration as a deputy candidate in a single mandate, single mandate majoritarian election district, a candidate for the position of a village, settlement, city mayor and shall notify the respective local party organizations thereof.

9. No later than on the third day from the day of receipt of the documents indicated in Part one of Article 37 of this Law, but no later than in 23 days prior to the election day, the Territorial Election Commission shall make a decision on the registration of the election list of deputy candidates or on refusal in registration of a deputy candidate (deputy candidates) included in the election list of deputy candidates.

A copy of such decision shall be sent (issued) to the representative of the local party organization from which deputy candidates were nominated, no later than on the following day after adoption of such decision.

10. Order of priority of the deputy candidates in the election list defined by the local party organization may not be changed after submission of the documents to the Territorial Election Commission.

11. In the event of the registration of deputy candidates in a multiple mandate election district, the respective Territorial Election Commission shall issue to the local party organization representative the candidate's identification documents under the form established by the Central Election Commission in three days time period from the day of making a decision on the registration.

12. The refusal in registration in a multiple mandate election district of deputy candidates included in the election list from the local party organization, on the ground of improper execution of the documents submitted by the local party organization pursuant to Part one of Article 37 of this Law, shall not exclude the re-submission by the local party organization of an application request on the registration of deputy candidates included in the election list of deputy candidates from the local party organization. Such application request along with the documents amended in compliance with the requirements of this Law shall be submitted to the Territorial Election Commission no later than in 23 days prior to the election day.

No later than in 22 days prior to the election day the Territorial Election Commission shall make the final decision on the registration of deputy candidates included in the election list from the local party organization.

13. After the end of the registration, but no later than in 21 days prior to the election day, the Territorial Election Commission shall transfer to the Central Election Commission, under the form and under procedure established by the Central Election Commission, the election list of deputy candidates from the local party organization and the data on the registration of deputy candidates included in such election list with indication of the name of the political party and the last name, first name (all first names), patronymic (if available), date of birth, citizenship, party affiliation, position, place of work (occupation), place of residence of every deputy candidate.

The data on the registration of deputy candidates included in the election list of the local party organization with indication of the name of the political party and the last name, first name (all first names), patronymic (if available), date of birth, citizenship, party affiliation, position, place of work (occupation), place of residence of every deputy candidate, shall be publicized by the Territorial Election Commission in the same time period in the manner prescribed hereunder.

**Article 41.** Procedure for Registration of Deputy Candidates in Single Mandate, Single Mandate Majoritarian Election District

1. Deputy candidates in a single mandate, single mandate majoritarian election district shall be registered by the respective Territorial Election Commission under observance of conditions stipulated by Article 38 of this Law.

2. The submission of documents to the Territorial Election Commission for the registration of deputy candidates in a single mandate election district shall commence in 32 days and end in 24 days prior to the election day whereas in a single mandate majoritarian election district it shall commence in 29 days and end in 24 days prior to the election day.

The head, the deputy head, the secretary or other member of the Election Commission appointed by the Commission shall accept the documents.

3. An individual who submitted the documents envisaged by Part one, three of Article 38 of this Law shall be issued a notice on acceptance of documents by the Territorial Election Commission with indication of the date and time of the acceptance of documents along with the list thereof.

4. No later than on the third day from the day of receipt of the application request on the registration of a deputy candidate in a single mandate, single mandate majoritarian election district, along with the appended necessary documents, but no later than in 23 days prior to the election day, the Territorial Election Commission shall make a decision on the registration of a deputy candidate or on refusal in his or her registration. After the end of the said time period making such decisions may not be allowed.

A copy of such decision shall be sent (issued) to the respective deputy candidate or to his or her proxy no later than on the following day after adoption of the aforementioned decision.

5. In the event of the registration of a deputy candidate in a single mandate, single mandate majoritarian election district the respective Territorial Election Commission shall issue a candidate's identification document under the form established by the Central Election Commission to the deputy candidate or to his or her proxy in three days time period following the day of adoption of the aforementioned decision on the registration.

6. The refusal to register a deputy candidate in a single mandate, single mandate majoritarian election district on the ground of improper execution of the documents envisaged by Part one, three of Article 38 of this Law shall not exclude re-submission by the candidate of an application request on registration. Such application request along with the documents amended in accordance with the requirements of this Law shall be submitted to the Territorial Election Commission no later than in 23 days prior to the election day.

No later than in 22 days prior to the election day the Territorial Election Commission shall make the final decision on the registration of deputy candidates in a single mandate, single mandate majoritarian election district.

7. In the event of inclusion of an individual subsequent to his or her written consent in the election list of deputy candidates from the local organization of another political party and (or) the nomination of such an individual subsequent to his or her written consent a deputy candidate, a candidate for the position of a village, settlement, city mayor from the local organization of another political party, the respective Territorial Election Commission shall exclude such individual from all election lists in which he or she has been included, cancel his or her registration as a deputy candidate in a single mandate, single mandate majoritarian election district, a candidate for the position of a village, settlement, city mayor and shall notify the respective local party organizations thereof.

**Article 42. Procedure for Registration of Candidates for the Position of a Village, Settlement, City Mayor**

1. A candidate for the position of a village, settlement, city mayor shall be registered by the respective Territorial Election Commission in case of observance of conditions stipulated by Article 39 of this Law.

2. The submission of documents to the respective Territorial Election Commission for the registration of candidates for the position of a village, settlement, city mayor shall commence in 32 days and end in 24 days prior to the election day.

The head, deputy head, secretary or other member of the Election Commission appointed by the Commission shall accept the documents.

3. An individual, who submitted the documents specified in Part one, two of Article 39 of this Law to the respective Territorial Election Commission, shall be issued a notice on acceptance of documents with indication of the date and time of the acceptance of documents along with the list thereof.

4. No later than on the third day from the day of receipt of the application request on the registration of a candidate for the position of a village, settlement, city mayor along with the appended necessary documents, but no later than in 23 days prior to the election day, the Territorial Election Commission shall make a decision on the candidate registration or on refusal in his or her registration.

A copy of the aforementioned decision shall be sent (issued) to the respective candidate for the position of a village, settlement, city mayor or to his or her proxy no later than on the following day after adoption of the aforementioned decision.

5. In the event of the registration of a candidate for the position of a village, settlement, city mayor the respective Territorial Election Commission shall issue to a candidate for the position of a village, settlement, city mayor or to his or her proxy a candidate's identification document under the form established by the Central Election Commission in three days time period following the day of adoption of the aforementioned decision on the registration.

6. In the event of inclusion of an individual subsequent to his or her written consent in the election list of deputy candidates from the local organization of another political party and (or) the nomination of such an individual subsequent to his or her written consent a deputy candidate, a candidate for the position of a village, settlement, city mayor from the local organization of another political party, the respective Territorial Election Commission shall exclude such individual from all election lists in which he or she has been included, cancel his or her registration as a deputy candidate in a single mandate, single mandate majoritarian election district, a candidate for the position of a village, settlement, city mayor and shall notify the respective local party organizations thereof.

7. The refusal to register a candidate for the position of a village, settlement, city mayor on the ground of improper execution of the documents envisaged by Part one, two of Article 39 of this Law shall not exclude the re-submission

by the candidate of an application request on registration. Such application request along with the documents amended in accordance with the requirements of this Law shall be submitted to the Territorial Election Commission no later than in 23 days prior to the election day.

No later than in 22 days prior to the election day the Territorial Election Commission shall make the final decision on the registration of a candidate for the position of a village, settlement, city mayor.

**Article 43.** Property and Income Statement of the Deputy Candidate, Candidate for the Position of a Village, Settlement, City Mayor

1. A property and income statement of the deputy candidate, candidate for the position of a village, settlement, city mayor for the previous year subject to reporting, shall be filled in by a candidate by his or her own hand under the form established by the Ministry of Finances of Ukraine.

2. Data authenticity shall be verified on each page by a signature of the manager of the respective body, establishment or institution, or military unit (command) officer as well as attested by a seal.

Data authenticity shall be verified on each page by a signature of the manager of the respective body, establishment or institution, or by signature of the officer of the military unit (command) as well as attested by the respective seal.

The authenticity of the data entered in the statement specified in Part one of this Article shall be verified by the State Tax Administration of Ukraine bodies upon the address of the Territorial Election Commission on the following day after the receipt of such address of the Territorial Election Commission. The State Tax Administration of Ukraine shall notify the respective Territorial Election Commission on the revealed falsity of the data entered in the statement.

3. Mistakes and discrepancies revealed in the statement shall not be the ground for the refusal in the registration or cancellation of the registration of the deputy candidate, the candidate for the position of a village, settlement, city mayor and are subject to correction.

**Article 44.** Refusal to Register Deputy Candidate, Candidate for the Position of a Village, Settlement, City Mayor

1. The Territorial Election Commission shall refuse the registration of the deputy candidate, the candidate for the position of a village, settlement, city mayor in the following instances:

1) violation of the procedure for the candidate nomination established by this Law, including exceeding the number of the deputy candidates which may be nominated in the respective election district, as determined by Parts three through seven of Article 36 of this Law;

2) no data envisaged by this Law in the documents specified, correspondingly, in Articles 37-39 of this Law, or improper execution of such documents;

3) termination of the candidate's citizenship of Ukraine;

4) approval by the court of the decision on legal incompetence of the candidate, effectiveness of an incriminating court verdict in relation to him or her for committing a deliberate crime;

5) revealing by the Territorial Election Commission of circumstances under which an individual may not be elected a local council deputy or a village, settlement, city mayor pursuant to Article 9 of this Law.

2. A decision on refusal of the candidate registration shall contain exhaustive grounds of the refusal. A copy of such decision shall be sent (issued), respectively, to the representative of the local party organization, the deputy candidates from which were nominated, the deputy candidate for the village, settlement council or the candidate for the position of a village, settlement, city mayor or his or her proxy in the time period defined by Part 9 of Article 40, Part four of Article 41, Part four of Article 42 of this Law.

3. In the event if none of the deputy candidates nominated by the local party organization in a multiple mandate election district is registered by the Territorial Election Commission in the time period defined by this Law, the local party organization loses its the status of the election process subject for the election to the Verkhovna Rada of the Autonomous Republic of Crimea, respective local council in case if no candidate to the same council was registered from such party organization in a single mandate majoritarian election district.

*{Part three of Article 44 with changes made pursuant to the Law N 2491-VI ( [2491-17](#) ) as of 30.08.2010 }*

**Article 45.** Cancellation of the Decision on Registration of Deputy Candidate, Candidate for the Position of a Village, Settlement, City Mayor

1. The Territorial Election Commission shall cancel a decision on the registration of the deputy candidate in a single mandate, single mandate majoritarian election district, the candidate for the position of a village, settlement, city mayor in the event of:

1) address of the respective candidate received at any time after his or her registration, but no later than in five days prior to the election day, with a written application request on his or her refusal to be a candidate. Such application request may not be a subject to withdrawal;

2) address of the local party organization which nominated the respective deputy candidate, the candidate for the position of a village, settlement, city mayor, received any time after his or her registration, but no later than in five

days prior to the election day, on cancellation of the decision on his or her registration in accordance with the respective decision of such local organization. Such application request may not be a subject to withdrawal;

3) termination of the candidate's citizenship of Ukraine;

4) approval by the court of the decision on legal incompetence of the candidate or effectiveness of an incriminating court verdict in relation to him or her for committing a deliberate crime;

5) violation by the candidate of the requirements of Parts three through six of Article 35 of this Law;

6) revealing by the Territorial Election Commission of circumstances under which an individual may not be elected a local council deputy or a village, settlement, city mayor pursuant to Article 9 of this Law;

7) if the candidate, after the Territorial Election Commission has announced a warning to him or her, under procedure established by Part six of this Article, has repeatedly violated the provisions of this Law;

8) the liquidation of the local party organization which nominated the candidate.

2. The Territorial Election Commission shall cancel a decision in the part of the registration of an individual deputy candidate included in the election list from the local party organization in a multiple mandate election district, with his or her exclusion from the election list, in case of:

1) address of the deputy candidate received any time after his or her registration, but no later than in two days prior to the election day, with a written application request on his or refusal to be a candidate. Such application request may not be a subject to withdrawal;

2) address of the local party organization received any time after his or her registration, but no later than in two days prior to the election day, on cancellation of the decision on his or her registration in accordance with the respective decision of such local organization. Such application request may not be a subject to withdrawal;

3) termination of the candidate's citizenship of Ukraine;

4) approval by the court of the decision on legal incompetence of the candidate or effectiveness of an incriminating court verdict in relation to him or her for committing a deliberate crime;

5) violation by the candidate of the requirements of Parts three through six of Article 35 of this Law;

6) revealing by the Territorial Election Commission of circumstances under which an individual may not be elected a local council deputy or a village, settlement, city mayor pursuant to Article 9 of this Law;

7) if the candidate, after the Territorial Election Commission has announced a warning to him or her, under procedure established by Part six of this Article, has repeatedly violated the provisions of this Law;

3. The Territorial Election Commission shall be entitled to cancel the decision on registration of the deputy candidate, the candidate for the position of a village, settlement, city mayor no later than at 22 hours of the day preceding the day of voting.

*{ Part three of Article 45 with changes made pursuant to the Law N 2491-VI ( [2491-17](#) ) as of 30.08.2010 }*

4. The Territorial Election Commission shall cancel the decision on the registration in a multiple mandate election district of all deputy candidates included in the election list from the local party organization, in the event of the liquidation of such local party organization.

5. Territorial Election Commission shall send (issue) a copy of the decision on cancellation of the registration to the representative of the local party organization which nominated the deputy candidates, deputy candidates in a single mandate, single mandate majoritarian election district, candidates for a position of a village, settlement, city mayor no later than on the second day following the day of making the aforementioned decision.

6. In the event of violation by the local party organization acting as a subject of the election process, by a candidate of the requirements of this Law, except violations indicated in Clause 5 of Part one and Clause 5 of Part two of this Article, the Territorial Election Commission may announce a warning to the respective local party organization acting as a subject of the election process or a deputy candidate, a candidate for the position of a village, settlement, city mayor. The information on announcing a warning shall be publicized by the respective Election Commission in the national or local mass media or, if not applicable, in another way.

*{ Part six of Article 45 in the revision of the Law N 2491-VI ( [2491-17](#) ) as of 30.08.2010 }*

7. In the event of death of a candidate the respective election commission shall make a decision on elimination of such candidate from being a candidate, on exclusion of him or her from the election list of the local party organization.

#### **Article 46. Peculiarities of Voting for One Candidate**

1. If after the end of the period of registration of the deputy candidates, the candidates for the position of a village, settlement, city mayor one candidate and (or) one election list of the local party organizations was left, the voting shall be held for one candidate (one election list of deputy candidates).

2. In the event if in the respective election district after the end of the period of the registration of candidates no candidate, no election list of the local party organizations was left, the election in such election district shall be deemed as such which has not been held.

## **Chapter VII. ELECTION CAMPAIGN**

### **Article 47. Timeframe, Forms and Conditions of Election Campaign**

1. Election campaign shall comprise carrying out of any activity for the purpose of stimulation of the voters to vote or not to vote for the deputy candidates, the candidates for the position of a village, settlement, city mayor. The local party organizations, the deputy candidates from which are registered in a multiple mandate election district as well as the deputy candidates in a single, single majoritarian election district, the candidates for the position of a village, settlement, city mayor registered by the respective Territorial Election Commission shall have the right to hold the election campaign. The citizens of Ukraine have the right to freely and multi-laterally discuss the political, business and personal qualities of the candidates for the position of a village, settlement, city mayor, those of the deputy candidates.

*{ Part one of Article 47 with changes made pursuant to Law N 2491-VI ( [2491-17](#) ) as of 30.08.2010 }*

2. The local party organization, the deputy candidates in a single mandate, single mandate majoritarian election district, the candidates for the position of a village, settlement, city mayor shall have the right to commence their election campaign from the day following the day of making by the respective Territorial Election Commission of the decision on the registration of the deputy candidates, the candidates for the position of a village, settlement, city mayor. The election campaign shall end at 24.00 hours of the last Friday prior to the election day. Campaigning prior to commencement and after the end of the terms specified in this Article shall be prohibited.

On the eve of and on the election day it shall be prohibited to hold mass events (meetings, rallies, marches, demonstrations etc.) on behalf of the deputy candidates, candidates for the village, settlement, city mayor, local party organizations acting as the election process subjects as well as the political parties the local organizations of which are acting as the election process subjects.

At the same time it shall be prohibited to hold concerts, performances, sporting competitions, film shows and TV broadcast or other types of public events intended to support the local party organization, the deputy candidate, the candidate for the position of a village, settlement, city mayor as well as to announce on behalf of the local party organization, deputy candidate, the candidate for the position of a village, settlement, city mayor on the support of such public events.

3. Election campaign shall be performed in any forms and by any means which do not contradict the Constitution of Ukraine ( [254k/96-BP](#) ) and the Laws of Ukraine. Official announcements during the election process of the actions of the deputy candidates, the candidates for the position of a village, settlement, city mayor associated with fulfillment by them of their official duties envisaged by the Constitution of Ukraine ( [254k/96-BP](#) ) and the Laws of Ukraine, which are prepared pursuant to the procedure prescribed by the Law of Ukraine "On Procedure for Covering the Activities of the State Authorities and Bodies of Self-Governance in Ukraine by Mass Media" ( [539/97-BP](#) ) shall not be deemed the election campaigning. Such official announcements may not contain comments of a campaigning nature as well as video and audio tracks, motion pictures, illustrative photos concerning the actions of the said individuals in the capacity of the deputy candidates, the candidates for the position of a village, settlement, city mayor.

4. In the event of the repeated voting the election campaign shall be renewed from the day following the day of official publication of the decision of the respective Territorial Election Commission on calling the repeated election and shall be terminated in the time period prescribed by Part two of this Article.

5. Election campaign may run in the following forms:

- 1) holding meetings of citizens, meetings with voters, rallies, demonstrations, walks, public debates, discussions and other mass events;
- 2) distributing printed campaigning materials;
- 3) through the mass media;
- 4) in other forms not contravening the Constitution ( [254k/96-BP](#) ) and the Laws of Ukraine.

6. Election campaign shall be carried out at the expense and within the limits of funds of the respective local budget allocated as a special subvention from the State Budget of Ukraine as well as at the expense of resources of the electoral funds of the candidates, the local party organizations, which nominated the deputy candidates in a multiple mandate election district. Use of funds from other sources for the election campaigning shall be prohibited.

7. Election campaign at the expense and within the limits of funds of the respective local budget allocated as a special subvention from the State Budget of Ukraine shall be carried out with due observance of the principle of equal conditions and opportunities which entails providing to the candidates, their proxies, the local party organizations, which nominated the deputy candidates in a multiple mandate election district, and their authorized persons the same premises for holding mass events at the same fee, production of the same quantity and quality printed information

materials, granting the same printable area space and air time on radio and television. { Part seven of Article 47 with changes made pursuant to the Law N 2491-VI ( [2491-17](#) ) as of 30.08.2010 }

**Article 48.** Conducting of Public Election Campaigning Events

1. Conduct of the public events for the purpose of election campaigning shall be carried out in compliance with the effective legislation.

2. The local party organization, deputy candidate in a single mandate, single mandate majoritarian election district, the candidate for the position of a village, settlement, city mayor shall notify in advance the respective Territorial Election Commission on the time and place of conduct of the planned election campaigning events.

3. Following the address of the respective Territorial Election Commission, the executive power bodies, authorities of the Autonomous Republic of Crimea, local self-governance bodies provide premises suitable for the conduct of the public election campaigning events which shall be organized by the Territorial Election Commission. At that the Territorial Election Commission shall duly secure equal opportunities for all local party organizations, deputy candidates from which are registered in a multiple mandate election district, all deputy candidates, all candidates for the position of a village, settlement, city mayor. Payment for the use of provided premises shall be carried out under procedure established by Article 65 of this Law.

*{ Part three of Article 48 with changes made pursuant to the Law N 2491-VI ( [2491-17](#) ) as of 30.08.2010 }*

4. The local party organization, the deputy candidate in a single mandate, single mandate majoritarian election district, the candidate for the position of a village, settlement, city mayor shall have the right to rent buildings and premises of all types of ownership on a contractual basis at the expense of the resources of their own electoral funds for the purpose of holding meetings, rallies, debates, discussions and other public election campaigning events.

5. In the event if a building (premises), irrespective of the form of ownership, was provided to one candidate or the local party organization for the conduct of the public election campaigning event or election campaigning, the owner (proprietor, user) of such building (premises) shall have no right to refuse providing it under the same conditions to other candidate or the local party organization which nominated deputy candidates in a multiple mandate election district for the respective local election. The aforementioned requirement shall not be applicable to the premises which are owned or permanently used by the deputy candidate, the local party organization acting as a subject of the election process or the organization of the higher or lower level of such party.

**Article 49.** Production and Procedure for Distribution of Printed Information and Campaigning Materials

1. No later than in 16 days prior to the election day the respective Territorial Election Commission at the expense of the funds of the respective local budget allocated as a special subvention from the State Budget of Ukraine, shall provide for the production of the information posters for the local party organizations acting as subjects of the election process, as well as for the deputy candidates, the candidates for the position of a village, settlement, city mayor, on the basis of two copies for each Election Commission.

2. Information posters shall be made identical in terms of their form, size, polygraphic execution within the same election district. The form, size and polygraphic execution of the information posters shall be established by the respective Territorial Election Commission. The text and polygraphic execution of the posters shall be accorded by the respective Territorial Election Commission with the representative of the local party, the deputy candidates from which are registered in a multiple mandate election district, the candidate or his or her proxy.

*{ Part two of Article 49 with changes made pursuant to the Law N 2491-VI ( [2491-17](#) ) as of 30.08.2010 }*

3. Information poster of the local party organization shall contain the election list of deputy candidates with indication of the last name, first name (all first names) and patronymic (if available), year of birth, position (occupation), place of work and place of residence, party affiliation of every candidate included therein.

4. Information poster of the deputy candidate in a single mandate majoritarian election district, of the candidate for the position of a village, settlement, city mayor shall contain biographical data and a photograph submitted by him or her at the registration.

5. Information posters shall be delivered to the Precinct Election Commissions no later than in 14 days prior to the local election day.

6. Information posters for the candidates to the village, settlement, city (for cities of raion subordination) councils shall not be produced.

7. The local party organizations, the deputy candidates from which are registered in a multiple mandate election districts, deputy candidates in a single mandate, single mandate majoritarian election district, the candidate for the position of a village, settlement, city mayor shall have the right to produce posters, leaflets, booklets, other printed campaigning materials at the expense of the resources of their own electoral funds.

The local party organizations, the deputy candidates from which are registered in a multiple mandate election districts, deputy candidates in a single mandate, single mandate majoritarian election district, the candidates for the position of a village, settlement, city mayor shall have the right to produce printed campaigning materials with the use of their own equipment. The data contained in such materials shall correspond to the requirements of the Law.

*{ Part seven of Article 49 with changes made pursuant to the Law N 2491-VI ( [2491-17](#) ) as of 30.08.2010 }*

8. A printed campaigning material shall contain the data about the establishment which carried out its printing, its circulation, the information about individuals responsible for the issue thereof. The distribution of the printed campaigning materials without the aforementioned data shall be prohibited.

*{ Part eight of Article 49 with changes made pursuant to the Law N 2491-VI ( [2491-17](#) ) as of 30.08.2010 }*

9. The local party organizations, the deputy candidates from which are registered in a multiple mandate election districts, deputy candidates in a single mandate, single mandate majoritarian election district, the candidate for the position of a village, settlement, city mayor shall be obliged to submit one copy of each printed campaigning material produced at the expense of their own electoral funds to the respective Territorial Election Commission no later than in two days after the production thereof.

*{ Part nine of Article 49 with changes made pursuant to the Law N 2491-VI ( [2491-17](#) ) as of 30.08.2010 }*

10. The printed and other campaigning materials shall be placed only in the areas determined and equipped by the local executive power bodies or local self-governance bodies. The respective areas shall be determined and equipped no later than in 45 days prior to the election day.

#### **Article 50. General Procedure for Using Mass Media**

1. Election campaign in mass media of all types of ownership shall be conducted with due observance of the principle of equal conditions and opportunities under procedure established by this Law. Highlighting the election process in mass media of all types of ownership, including that through interviews, discussions and debates as well as informational announcements, news programs and programs covering the current events, shall be carried out on the basis of principles of objective, unbiased and balance information.

2. The local party organizations, the deputy candidates from which are registered in a multiple mandate election districts, deputy candidates in a single mandate, single mandate majoritarian election district, the candidates for the position of a village, settlement, city mayor shall have the right to use the state and communal mass media at the expense and within the limits of funds of the respective local budget allocated as a special subvention from the State Budget of Ukraine, under the procedure and within the limits established by the Central Election Commission.

*{ Part two of Article 50 with changes made pursuant to the Law N 2491-VI ( [2491-17](#) ) as of 30.08.2010 }*

3. Election campaign in mass media of all types of ownership at the expense of the resources of the electoral funds shall be conducted on conditions of equal pay per one unit of air time and printable area.

4. Rates per one unit of printable area and air time for conducting the election campaign shall be established by the corresponding mass media no later than in 40 days prior to the election day in the amount that may not exceed the amount of average arithmetic value of price for commercial advertising (i.e., advertising that is distributed with the purpose of obtaining profit) during the first three quarters of a year preceding the year of holding the regular local election. At that mass media may calculate such rates per unit of printable area or air time on a separate basis for business days and the weekend and public holidays as well as separately for different periods of air time and printable area in terms of the potential audience quantity. The said rates per unit of printable area and air time may not be changed in the course of the election process. A mass media outlet may not grant discounts or impose extra charges for subjects of the election process when paying for the printable area or air time.

Mass media registered in the time period which does not give an opportunity to determine an average arithmetic value of price for commercial advertising in compliance with Paragraph one of this Part shall establish rates per unit of printable area or air time on the basis of the data collected over the entire period of their activity following the procedure established by Paragraph one of this Part. The amounts of rates established by such mass media may not exceed the amounts of rates applied by the newspaper "Holos Ukrainy" (for printed mass media) and the amounts of rates applied by the National Television Company of Ukraine and the National Radio Company of Ukraine (for tele- and radio broadcasting organizations), respectively.

5. A mass media outlet which provided air time or printable area for one candidate or local party organization, the deputy candidates from which are registered in a multiple mandate election districts, may not refuse to provide air time or printable area on the same conditions to another candidate or local party organization which nominated deputy candidates in a multiple election district, for the respective local election. A mass media outlet may refuse to provide air time or printable area to a candidate, local party organization only in the event if the materials provided for dissemination contain data specified in Parts three and five of Article 53 of this Law.

*{ Part five of Article 50 with changes made pursuant to the Law N 2491-VI ( [2491-17](#) ) as of 30.08.2010 }*

6. Mass media, in the event of publicizing the results of the opinion poll relating to the local election, shall be obliged to specify the organization that conducted such poll, time of conducting thereof, number of respondents, method of information collection, exact phrasing of questions and statistical assessment of a margin of error.

7. Political advertising shall be deemed as one of the forms of the election campaigning placed with the help of advertising media, which stimulate voter to vote or not to vote for a certain subject of the election process.

The political advertising also includes use of symbols or logotypes of the political party, local party organization acting as a election process subject as well as announcements on support of the local party organization, deputy candidate,

candidates for the position of a village, settlement, city mayor by means of holding of entertainment or other public events or attraction of attention to participation of the local party organizations or certain individuals as candidates in such entertainment events.

8. Political advertising shall be financed at the expense of the resources of the own electoral funds of the local party organization which nominated the deputy candidates in a multiple mandate election district, those of the candidate for the position of a village, settlement, city mayor, or of the deputy candidate.

9. Broadcasting time allocated for the political advertising on radio and television may not exceed 20 per cent of the actual broadcasting time of the tele- and radio company of any form of ownership within the astronomic day.

Printable area allocated for the political advertising in the course of the election process in the printed mass media, including advertising media, may not exceed 20 per cent of the volume of printable area of each issue of the publication or that of the addendum thereto.

10. Requirements established by Parts three through five of this Article shall not be applicable to the mass media, the founders (owners) of which are the local party organizations acting as subjects of the respective local elections, as well as higher or lower level organizations of such political parties, deputy candidates in a single mandate, single mandate majoritarian election district, candidates for the position of a village, settlement, city mayor.

#### **Article 51. Procedure for Using Printed Mass Media**

1. The local party organizations, whose deputy candidates are registered in a multiple mandate election districts, the deputy candidates in a single mandate, single mandate majoritarian election district, the candidates for the position of a village, settlement, city mayor shall have the right to publicize the campaigning materials, including the election programs, in the printed mass media of all types of ownership, except foreign mass media acting on the territory of Ukraine.

*{ Part one of Article 51 with changes made pursuant to the Law N 2491-VI ( [2491-17](#) ) as of 30.08.2010 }*

2. The election campaign materials indicated in Part one of this Article shall be publicized on the basis of the agreement concluded by the respective electoral fund administrator on behalf of the local party organization, the deputy candidate in a single mandate, single mandate majoritarian election district, the candidate for the position of a village, settlement, city mayor, and the editorial board (publisher) of the printed mass media. It shall be prohibited to publish such materials without concluding the said agreement and crediting funds to the account of the editorial board (publisher) of the printed mass media.

3. Editorial boards of printed mass media of all types of ownership, upon receipt of inquiries in writing from the Territorial Election Commission, shall be obliged to provide thereto the information on use of printable areas and in case of necessity send thereto copies of all respective agreements, payment documents as well as publications.

#### **Article 52. Procedure for Using Electronic (Audiovisual) Mass Media**

1. Air time for conducting the election campaign at the expense and within the limits of funds of the respective local budget allocated as a special subvention from the State Budget of Ukraine shall be provided by the state owned and communal tele- and radio broadcasting companies between nineteen and twenty three hours of Kyiv time.

Air time for conducting the election campaign by the deputy candidates to the village, settlement, city (for cities of raion subordination) councils at the expense of the budget funds allocated for the preparation and conduct of the election shall not be provided.

2. Order of priority in providing air time to the candidates, their proxies, authorized persons of the local party organizations at the expense of and within the limits of funds of the respective budget allocated as a special subvention from the State Budget of Ukraine shall be determined by means of drawing lots in the manner prescribed by the Central Election Commission no later than in 30 days prior to the election day. Drawing lots procedure shall be performed by the Territorial Election Commission no later than in 16 days prior to the election day with the participation of the authorized persons of the local party organizations, deputy candidates in a single mandate majoritarian election district, candidates for the position of a village, settlement, city mayor or their proxies.

*{ Part two of Article 52 with changes made pursuant to the Law N 2491-VI ( [2491-17](#) ) as of 30.08.2010 }*

3. The results of drawing lots performed in accordance with Part two of this Article and the air time schedule prepared on the basis of such results with indication of the election campaign television and radio programs as well as the date and time of their broadcasting at the expense of funds of the respective local budget allocated as a special subvention from the State Budget of Ukraine, shall be published on the next day following the day of drawing lots in the local mass media founded on the basis of the state or communal type of ownership.

4. Payment for the provided air time shall be effected by the Territorial Election Commissions in accordance with the approved cost estimates within the scope of funds of the respective local budget allocated as a special subvention from the State Budget of Ukraine and on the basis of the respective agreements concluded between the Territorial Election Commissions and the regional state-owned or communal tele- and radio organizations.

5. Air time at the expense of resources of the electoral funds shall be provided on the basis of the agreement concluded by the administrator of the respective electoral fund on behalf of the local party organization, the deputy candidate in a single mandate, single mandate majoritarian election district, the candidate for the position of a village,



settlement, city mayor and a television and radio broadcasting organization of any type of ownership. It shall be prohibited to provide air time without concluding the said agreement and (or) in case of non-receipt of funds at the account of the television and radio broadcasting organization.

6. The local party organizations, the deputy candidates in a single mandate, single mandate majoritarian election district, candidates for the position of a village, settlement, city mayor, their proxies, for the purpose of election campaigning at the expense of funds of the respective local budget allocated as a special subvention from the State Budget of Ukraine as well as at the expense of their own electoral funds, shall coordinate with the respective television and radio broadcasting organization the time schedule of the program containing the election campaign materials (live broadcast or audio-, video recording).

7. Television and radio broadcasting organizations shall make audio and video records of all programs containing the election campaigning and shall keep such records within 30 days from the day of the official promulgation of the local election results.

8. Television and radio broadcasting organizations of all types of ownership shall, upon receipt of inquires in writing from the National Television and Radio Broadcasting Council of Ukraine, the Central Election Commission, Territorial Election Commissions or the court, submit thereto the information on allocation of air time for conducting the election campaigning and, in case of necessity, copies of the respective agreements, payment documents and programs recorded on tape or other media.

*{ Part eight of Article 52 with changes made pursuant to the Law N 2491-VI ( [2491-17](#) ) as of 30.08.2010 }*

**Article 53.** Restrictions in Relation to Conducting Election Campaigning

1. The participation in the election campaigning shall be prohibited for the following:

- 1) foreigners, individuals holding dual citizenship and individuals without citizenship;
- 2) state power authorities, power authorities of the Autonomous Republic of Crimea, local self-governance bodies, law enforcement bodies and courts;

*{ Paragraph 2 of Part one of Article 53 with changes made pursuant to the Law N 2491-VI ( [2491-17](#) ) as of 30.08.2010 }*

3) officials of the state power authorities, power authorities of the Autonomous Republic of Crimea, local self-governance bodies during their business hours, except cases when the respective official is a deputy candidate or a candidate for the position of a village, settlement, city mayor;

*{ Paragraph 3 of Part one of Article 53 with changes made pursuant to the Law N 2491-VI ( [2491-17](#) ) as of 30.08.2010 }*

4) military unit commanders and their deputies campaigning among their subordinates, except cases when the respective individual is a deputy candidate or a candidate for the position of a village, settlement, city mayor;

5) Election Commission members during term of powers of the respective Election Commissions.

2. It shall be prohibited for the deputy candidates, the candidates for the position of a village, settlement, city mayor which occupy positions, including second jobs, in the state power bodies, power authorities of the Autonomous Republic of Crimea, local self-governance bodies, at the state-owned, communal enterprises, in the institutions, establishments, organizations, military units (commands), to involve during business hours in the election campaigning or to engage to perform any work relating to the conduct of the election campaign the individuals being subordinate to them at their place of work as well as office vehicles, means of communication, equipment, premises, other facilities and resources at the place of work as well as use business or production meetings, staff meetings for conduct of the election campaign.

*{ Part two of Article 53 with changes made pursuant to the Law N 2491-VI ( [2491-17](#) ) as of 30.08.2010 }*

3. Distribution in any form of the election campaigning materials which contain the appeals to liquidate the independence of Ukraine, change its Constitutional order by use of force, violation of sovereignty and territorial integrity of Ukraine, undermining its security, illegal takeover of the state power, propaganda of war and violence, kindling of interethnic, national, religious and racial hostility, encroachment on the rights and freedoms of a human being, health of the population may not be allowed.

4. It shall be prohibited to conduct the election campaign along with giving voters, without charge or on a preferential basis, the money or securities, loans, lotteries, goods (except goods which contain the visual images of the name, symbols, flag of the political party, the local organization of which is acting as a subject of the election process, or any other campaigning materials, under condition that the value of such goods shall not exceed five per cent of the minimal wage) and other tangible assets or works or services.

5. It shall be prohibited to disseminate deliberately known false information on the deputy candidate, the candidate for the position of a candidate for the position of a village, settlement, city mayor, the political party or its local organization acting as a subject of the election process.

6. The local party organization, the deputy candidate, the candidate for the position of a village, settlement, city mayor shall have the right to address the mass media, which publicized the information found untrustworthy by the

local party organization or the candidate, with a demand to publicize their response. The mass media, which publicized the respective information shall, no later than in two days following the day from the receipt of the address with the requirement on such response, but no later than on the last day prior to the election day, shall be obliged to provide to the local party organization, the candidate in relation to which the unreliable information was disseminated, the opportunity to publicize their response as follows: to provide air time of the same duration on the television or radio, respectively, or to publish in the printed mass media the material provided by the local party organization or by the candidate, which shall be printed in the same font and placed under the column "Response" at the same place in the newspaper in the volume not smaller than the volume of the information that is being refuted.

7. The response shall contain the reference to the respective publication in the printed mass media, program on the television, radio and to the information that is being refuted. The response publicized on the last day prior to the election day may not contain direct appeals to vote or not to vote for a certain local party organization or a candidate. The response shall be publicized without addenda, commentaries and cutoffs, at the expense of the mass media. A response to the response shall not be provided.

8. Mass media of all types of ownership acting on the territory of Ukraine may not disseminate information either on the results of the opinion polls relating to the local party organizations acting as the election process subjects or candidates along with comments on ratings of the candidates and the local party organizations within seven days prior to the election day.

9. Broadcasting of the election campaigning of the local party organizations acting as subjects of the election process, the deputy candidates in a single mandate, single mandate majoritarian election district, candidates for the position of a village, settlement, city mayor on the regional television channels shall not coincide in time with the broadcasting of the same election campaigning on the regional radio channels if the air time in both instances is provided at the expense of funds of the respective local budget allocated as a special subvention from the State Budget of Ukraine.

10. Inclusion in the informational television and radio programs of the election campaign materials of the local party organizations which nominated deputy candidates in a multiple mandate election districts, the deputy candidates, candidates for the position of a village, settlement, city mayor may not be allowed.

11. It shall be prohibited:

1) to interrupt programs covering the election programs of the local party organizations, the deputy candidates, the candidates for the position of a village, settlement, city mayor with the advertisements of goods, works, services and other notices;

2) to conduct the election campaigning in foreign mass media acting on the territory of Ukraine;

3) to conduct the election campaign with violation of terms established by Part two of Article 47 of this Law, in any form (dissemination of printed campaign materials, holding mass events, use of mass media etc.);

4) to publicize the results of the voters' opinion polling regarding expressing their will in the course of the voting prior to closing the polling stations on the day of voting;

5) to place printed election campaign materials, political advertising and notices about the election process on monuments of architecture as well as in places where they impede with the road safety.

12. Mass media shall not be held liable for the content of the election campaign materials which were placed pursuant to the agreements with the ordering customers, except cases envisaged by Parts three, five and eight of this Article.

13. The election campaign materials shall be taken off starting from 24 hours of the last Friday preceding the election day, by the respective services of the local executive power bodies and local self-governance bodies.

### **Section VIII. GUARANTEES OF THE ACTIVITIES OF SUBJECTS OF THE ELECTORAL PROCESS, OFFICIAL OBSERVERS**

**Article 54** Guarantees of the activities of parties' local organizations whose deputy candidates have been registered in a multiple mandate election district, their representatives, [and]<sup>1</sup> authorized persons

*{Name of Article 54 as amended by Law No. 2491-VI ( 2491-17 ) dated 30.08.2010 }*

1. As of the day following the day of registration by the territorial election commission of their electoral lists, local organizations of parties shall enjoy equal rights during the election process for making public statements by their deputy candidates, representatives, [and] authorized persons in election campaign and other meetings, conferences, sessions, [and] rallies immediately related to the elections, [as well as] in mass media.

2. The local organization of the party whose deputy candidates have been registered in a multiple mandate election district shall have the right to delegate one representative to the territorial election commission that registered electoral lists of deputy candidates for relevant local elections, with the right of a deliberative vote, who shall be authorized to represent the interests of the local organization of such party in the territorial election commission

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<sup>1</sup> *Translator's note:* Any conjunction in square brackets used in the text hereinafter has been added by the translator as per English grammar rules

during the election process. The candidacy for such representative shall be approved by the governing body of the local organization of the party.

*{Part two of Article 54 as amended by Law No. 2491-VI ( 2491-17 ) dated 30.08.2010 }*

3. A citizen of Ukraine with the right to vote in relevant local elections may be a representative of the local organization of the party whose deputy candidates have been registered in a multiple mandate election district. {Paragraph one of part three of Article 54 as amended by Law No. 2491-VI ( 2491-17 ) dated 30.08.2010 }

An election commission member, a proxy of the deputy candidate in a single mandate majoritarian election district, a proxy of the candidate for the position of a village, settlement, city mayor, an official of the state government body, of the government body of the Autonomous Republic of Crimea or of a local self-governance body, a serviceman, a private and a commanding officer of the bodies of interior of Ukraine, of the State Criminal Law Enforcement Service of Ukraine, an employee of the Security Service of Ukraine, a person performing an alternative (non-military) service, a person with a conviction for committing a premeditated crime, if such conviction has not been expunged or liquidated according to the procedure established by the law, may not be a representative of the local organization of the party. {Paragraph two of part three of Article 54 as amended by Law No. 2491-VI ( 2491-17 ) dated 30.08.2010 }

4. A request to register a representative of the party's local organization signed by the head of the party's local organization and authenticated with the seal of the party's local organization or the seal of a higher-level organization of the political party, as well as a copy of the decision of the governing body of the party's local organization to approve the representative's candidacy, shall be submitted to the territorial election commission along with the request to register deputy candidates in a multi mandate election district. The request to register a representative from the party's local organization shall include the family name, the first name (all forenames) and the patronymic name (if applicable) of the representative, his or her citizenship, day, month and year of birth, place of employment (occupation), position, place of residence, [and] if applicable – contact telephone number. A written consent of the person to represent interests of the local organization of the party in the territorial election commission shall be attached to the request.

5. No later than three days following delivery of the documents mentioned in part four of this Article, the territorial election commission shall register the representative of the local organization of the party in the territorial election commission with the right for a deliberative vote and shall issue him or her a certificate according to the form established by the Central Election Commission. Should the deputy candidates included in the electoral lists of the local organization of the party be denied registration (revocation of registration), or should the local organization of the party lose the status of a subject of the election process otherwise, the powers of the representative of the party's local organization in the territorial election commission shall be deemed terminated upon the occurrence of the said circumstances.

6. The local organization of the party whose deputy candidates have been registered in a multiple mandate election district may have no more than three authorized persons in a multiple mandate election district.

*{Part six of Article 54 as amended by Law No. 2491-VI ( 2491-17 ) dated 30.08.2010 }*

7. A citizen of Ukraine with the right to vote in relevant local elections may be an authorized person of the local organization of the party.

An election commission member, a proxy of the candidate, an official observer – subject of the election process, an official of the state government body, of the government body of the Autonomous Republic of Crimea or of a local self-governance body, a serviceman, a private and a commanding officer of the bodies of interior of Ukraine, of the State Criminal Law Enforcement Service of Ukraine, an employee of the Security Service of Ukraine, a person performing an alternative (non-military) service, a person with a conviction for committing a premeditated crime, if such conviction has not been expunged or liquidated according to the procedure established by the law, may not be an authorized person. {Paragraph two of part seven of Article 54 as amended by Law No. 2491-VI ( 2491-17 ) dated 30.08.2010 }

The list of authorized persons shall be approved by the governing body of the local organization of the party.

8. The request to register authorized persons from the local organization of the party signed by the head of the local organization of the party and authenticated with a seal of the local organization of the party or a higher-level organization of the political party, as well as a copy of the decision of the governing body of the local organization of the party to approve the list of authorized persons of the party's local organization, shall be submitted to the territorial election commission at any time following registration of deputy candidates included in the electoral list of the local organization of the party. The request to register authorized persons shall include the family name, the first name (all forenames) and the patronymic name (if applicable), relevant election district, citizenship, day, month and year of birth, place of employment (occupation), position, place of residence, [and] if applicable – contact telephone number of every authorized person. A written consent of such persons to represent interests of the local organization of the party in a relevant election district shall be attached to the request.

9. No later than three days following delivery of the documents mentioned in part eight of this Article, the territorial election commission shall register the authorized persons of the local organization of the party whose deputy candidates have been registered in a multiple mandate election district and shall issue a certificate to the representative of the local organization of the party, according to the form established by the Central Election Commission. Should the local organization of the party lose the status of a subject of the election process, the

powers of the authorized persons of the local organization of the party shall be deemed terminated upon the occurrence of the said circumstances.

*{Part nine of Article 54 as amended by Law No. 2491-VI ( 2491-17 ) dated 30.08.2010}*

10. As of the day of registration by the territorial election commission and until termination of his or her authorities or expiration of the election process, the authorized person of the local organization of the party shall have the right to be released from their industrial or office duties, without pay, as agreed with the owner of the business, institution, organization or a body authorized by such owner.

11. A representative, an authorized person of the local organization of the party shall have the right to submit a request that their powers be renounced to the territorial election commission at any time prior to the election day.

12. At any time prior to the election day, the governing body of the local organization of the party that resolved to approve a representative, [or] an authorized person of such local organization of the party may decide to recall a representative or an authorized person and to approve another candidate to replace the withdrawn one. A relevant request along with a copy of the decision and other documents shall be submitted to the territorial election commission according to the procedure established by parts four and eight of this Article.

13. On the basis of the request submitted according to part eleven or twelve of this Article, no later than three days following the delivery of such request and immediately if on the eve of the election day, the territorial election commission shall render a decision to revoke registration of a representative or an authorized person of the local organization of the party whose deputy candidates have been registered in a multiple mandate election district and, in the event of documents submission, shall render a decision to register another person as a representative, [or] an authorized person. A copy of the decision shall be granted to a representative of the local organization of the party or sent to the address of the governing body of the relevant local organization of the party.

*{Part thirteen of Article 54 as amended by Law No. 2491-VI ( 2491-17 ) dated 30.08.2010}*

14. The certificate of a representative, [or] an authorized person of the local organization of the party whose authorities have been terminated prior to the expiration of the election process shall immediately be returned by the local organization of the party to a relevant territorial election commission.

15. A representative of the local organization of the party in a territorial election commission with the right for a deliberative vote shall have the right:

1) to attend all meetings of such territorial election commission during discussion of issues related to local elections and to participate in the discussion of such issues;

2) to review the minutes of meetings of the territorial election commission and its decisions, to receive copies of such decisions;

3) to immediately review protocols, phoned telegrams and other official messages received by the territorial election commission from relevant precinct election commissions with regard to vote counting at a polling station;

4) should violations of the Law be detected, to execute a relevant act signed by him or her and no less than two voters attesting to the violation and submitted to a relevant election commission;

4-1) to receive certificates of official observers from a relevant local organization of the party at the territorial election commission;

*{Part fifteen of Article 54 supplemented with clause 4-1 according to Law No. 2491-VI ( 2491-17 ) dated 30.08.2010 }*

5) to exercise other rights envisaged by the Law.

16. The authorized person of the local organization of the party whose deputy candidates have been registered in a multiple mandate election district:

1) shall facilitate participation of the local organization of the party in the election process, including in election campaign implementation;

2) shall represent the local organization of the party in relations with election commissions (other than the Central Election Commission), state government bodies, government bodies of the Autonomous Republic of Crimea, local self-governance bodies, voters, other subjects of the election process within the territory of a relevant election district;

*{Paragraph two of part sixteen of Article 54 as amended by law No.2491-VI ( 2491-17 ) dated 30.08.2010}*

3) may participate, with a deliberative vote, in the meetings of election commissions within the boundaries of a relevant election district's territory;

4) shall have the right to be present at the polling station at the time of voting and at the meeting of the precinct election commission during vote counting, taking due account of the limitations introduced by part nine of Article 27 hereof;

5) should violation of the Law be ascertained, shall have the right to execute a relevant act that shall be signed by him or her and no less than two voters attesting to the violation and submitted to a relevant election commission;

6) shall<sup>2</sup> exercise other rights envisaged by this Law.

17. In the event of local elections held simultaneously with an all-Ukrainian referendum, a member of the referendum commission may not be a representative or an authorized person of the local organization of the party.

**Article 55** Guarantees of the activities of deputy candidates in single mandate, single mandate majoritarian election districts, candidates for the position of a village, settlement, city mayor

1. As of the day following the day of registration by the territorial election commission, deputy candidates in single mandate and single mandate majoritarian election districts, candidates for the position of a village, settlement, [or] city mayor shall enjoy equal rights during the election process for making public addresses personally and via relevant proxies in election campaign and other meetings, conferences, sessions, [and] rallies immediately related to elections, [as well as] in mass media.

2. Deputy candidates, candidates for the position of a village, settlement, [or] city mayor may not be denied release from performance of their industrial or office duties at their place of employment for the election campaign period, with provision of a leave without pay.

3. During the election campaign, a deputy candidate, a candidate for the position of a village, settlement, city mayor shall not be dismissed from work on the initiative of the owner of the business, institution, organization or a body authorized by such owner (other than in the event of dissolution), of the commander of a military unit (formation). Without their consent, a deputy candidate, a candidate for the position of a village, settlement, city mayor may not be transferred to another job, sent on a business trip or called up for military or alternative (non-military) service, summoned for training (checking) and special meetings of persons liable for service.

**Article 56** Proxies of deputy candidates in single mandate, single mandate majoritarian election districts, of candidates for the position of a village, settlement, city mayor

1. The candidate for the position of a village, settlement, city mayor (other than cities mentioned in paragraph two of this part) may have no more than three proxies.

The candidate for the position of a city mayor (the cities of oblast subordination, republican subordination in the Autonomous Republic of Crimea, the cities of Kyiv and Sevastopol) may have no more than five proxies.

The deputy candidate in a single mandate majoritarian election district may have no more than five proxies.

The deputy candidate in a single mandate election district may have no more than two proxies.

2. A citizen of Ukraine with the right to vote in relevant local elections may be the candidate's proxy.

The following may not be the candidate's proxy: an election commission member, a representative, an authorized person of the local organization of the party, an official of the state government body, of the government body of the Autonomous Republic of Crimea or of a local self-governance body, a serviceman, a private and a commanding officer of the bodies of interior of Ukraine, of the State Criminal Law Enforcement Service of Ukraine, an employee of the Security Service of Ukraine, a person performing an alternative (non-military) service, a person held in penitentiary facilities, detention facilities<sup>3</sup> or with a conviction for committing a premeditated crime if such conviction has not been expunged or liquidated according to the procedure established by the law. {Paragraph two of part two of Article 56 as amended by Law No. 2491-VI ( 2491-17 ) dated 30.08.2010}

3. Proxies of the deputy candidate, candidate for the position of a village, settlement, city mayor shall be registered by a relevant territorial election commission on the basis of the candidate's submission subject to a written consent of such persons.

The submission shall include: the last name, the first name (all forenames) and the patronymic name (if applicable) of the proxy, citizenship, date, month and year of birth, place of employment (occupation), position, place of residence, if applicable – contact telephone number. A written consent of the person to represent interests of the candidate shall be attached to the request.

The mentioned submissions shall be done no later than three days prior to the election day.

No later than three days following the delivery of submission, the territorial election commission shall register proxies of the deputy candidate in a single mandate, single mandate majoritarian election district, of the candidate for the position of a village, settlement, city mayor and shall issue a certificate to them according to the form established by the Central Election Commission.

4. The candidate's proxies shall assist candidates during the election process, represent the candidate's interests in relations with election commissions, state government bodies, government bodies of the Autonomous Republic of Crimea and self-governance bodies, citizens associations, voters.

*{Part four of Article 56 as amended by Law No. 2491-VI ( 2491-17 ) dated 30.08.2010 }*

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<sup>2</sup> *Translator's note:* in the Ukrainian text the words "have the right" are missing, but are required by the grammar

<sup>3</sup> *Translator's note:* literally "investigatory isolation wards"

5. The candidate's proxies shall be vested with authority as of the day of their registration by the territorial election commission. Authorities of such persons shall terminate on the day a decision to register a relevant candidate has been revoked, the candidate leaves the balloting or on the day such candidate has been registered as a deputy, a village, settlement, city mayor.

6. Proxies of the candidate shall have the right to be released from their industrial or office duties as of the day of their registration for the election process period, without pay, as agreed with the owner of the business, institution, organization or a body authorized by such owner.

7. The deputy candidate in a single mandate, single mandate majoritarian election district, a candidate for the position of a village, settlement, city mayor shall have the right to request at any time prior to the election day that the territorial election commission terminate the powers of his or her proxies and to submit documents for registration of other persons according to the procedure established by this Law.

8. The candidate's proxies shall have the right to submit a request that their powers be renounced to the territorial election commission at any time.

9. On the basis of the request submitted pursuant to part seven or eight of this Article, no later than within three days following such requests delivery and immediately if on the eve of the election day, a relevant territorial election commission shall without delay render a decision on revocation of registration of the candidate's proxy and, if relevant documents envisaged by part three of this Article have been provided, shall render a decision on registration of another person as a proxy. A copy of the decision shall be sent (issued) to the candidate and to the proxy whom the decision rendered concerns.

10. The certificate of the candidate's proxy whose registration has been revoked shall be immediately returned to the territorial election commission that issued such certificate.

11. The proxy of the deputy candidate in a single mandate, single mandate majoritarian election district, the candidate for the position of a village, settlement, city mayor shall have the right:

1) to attend meetings of election commissions and to participate in such meetings with a deliberative vote;

2) to be present at the polling station at the time of voting and at the election commission meeting during vote counting in compliance with requirements set forth in this Law;

3) to receive from the territorial election commission certificates of official observers from the candidate whose interests he or she represents;

4) as instructed by the candidate, to administer the candidate's own electoral fund;

5) to receive the candidate's produced election campaign posters from the territorial election commission;

6) to receive copies of the protocols of the precinct, territorial election commission with voting results;

7) to execute acts signed by persons who detected violations and voters who witnessed the violation and to submit them to a relevant election commission within the timeframes established by the law;

8) to submit a request to a relevant election commission to eliminate detected violations;

9) as instructed by the candidate, to appeal on his or her behalf against a decision, actions or inaction of the territorial, precinct election commission that violate(s) legitimate rights of the candidate, pursuant to the procedure envisaged by the Law;

10) to exercise other rights envisaged by this Law for proxies.

12. Intervention of the candidate's proxy in the work of election commissions shall not be tolerated.

13. The candidate's proxies shall perform their functions pro bono.

#### **Article 57** Official observers

1. Official observers from local organizations of parties whose candidates for deputies in multiple mandate election districts have been registered, from deputy candidates for single mandate, single mandate majoritarian election districts, from candidates for the position of a village, settlement, city mayor may participate in the election process. {Paragraph one of part one of Article 57 as amended by Law No. 2491-VI ( 2491-17 ) dated 30.08.2010}

Official observers from all-Ukrainian civil organizations, foreign states and international organizations registered according to the procedure established by this Law may observe the progress of the election process.

2. Authorities of official observers shall commence on the day following the day of registration by a relevant election commission and shall terminate following tabulation of protocols for the election of deputies, village, settlement, and city mayors by the territorial election commission.

3. The election commission that registered the official observer may preliminarily terminate his or her authorities in the event of ascertained violation of the Law by him or her by virtue of a decision rendered by a relevant precinct, territorial election commission or the Central Election Commission. A decision with justification for termination of the official observer's powers shall be adopted.

**Article 58** Official observers from local organizations of parties whose deputy candidates have been registered in multiple mandate election districts, from deputy candidates for single mandate, single mandate majoritarian election districts, from candidates for the position of a village, settlement, city mayor

*{Name of Article 58 as amended by Law No.2491-VI ( 2491-17 ) dated 30.08.2010 }*

1. A citizen of Ukraine with the right to vote in relevant local elections may be an official observer from the local organization of the party whose deputy candidate has been registered in a multiple mandate election district, from a deputy candidate in a single mandate, single mandate majoritarian election district, from candidate for the position of a village, settlement, city mayor.

*{Part one of Article 58 as amended by Law No.2491-VI ( 2491-17 ) dated 30.08.2010 }*

2. Official observers shall be registered by a relevant territorial election commission following submission by the governing body of the local organization of the party whose deputy candidate has been registered in a multiple mandate election district, following submission by a deputy candidate in a single mandate, single mandate majoritarian election district, by a candidate for the position of a village, settlement, city mayor.

*{Part two of Article 58 as amended by Law No.2491-VI ( 2491-17 ) dated 30.08.2010 }*

3. The submission for official observer registration shall include his or her family name, first name (all forenames) and patronymic name (if applicable), citizenship, day, month and year of birth, place of employment (occupation), position, place of residence, if applicable – contact telephone number. A statement of such person's consent to be an official observer from a relevant local organization of the party, from a deputy candidate in a single mandate, single mandate majoritarian election district, from a candidate for the position of a village, settlement, city mayor shall be attached to the submission.

4. The request for registration of an official observer from the local organization of the party shall be submitted to a relevant territorial election commission and signed by the head of the local organization of the party, which shall be certified with a seal of the relevant local organization of the party or a higher-level organization of the political party, while the request for registration of an official observer from a deputy candidate in a single mandate, single mandate majoritarian election district, from a candidate for the position of a village, settlement, city mayor shall be signed by the candidate and submitted no later than five days prior to the election day. The decision to register an official observer or to deny such registration shall be rendered by a relevant territorial election commission within three days following submission of the documents mentioned in part three of this Article.

5. The official observer registration may be denied on the basis of incompliance with requirements of parts one, three, and four of this Article.

6. A relevant territorial election commission shall issue certificates to the official observers according to the form established by the Central Election Commission.

7. The official observer from the local organization of the party, from a deputy candidate in a single mandate, single mandate majoritarian election district, from a candidate for the position of a village, settlement, city mayor may:

1) be present in the premises for voting before the beginning of voting as the ballot boxes are inspected, stamped and sealed and during the election;

2) observe actions of the precinct election commission members, including during issuance of ballots to the voter and during vote counting, without obstructing commission members to exercise their authority;

3) to photograph, to film, to make audio and video recordings;

4) be present during the issuance of ballots to members of the precinct election commission for arranging voting beyond the boundaries of the voting premises and during the implementation of such voting;

5) attend meetings of precinct, territorial election commissions in compliance with requirements of the Law, including during vote counting at the polling station, tabulation of protocols by the territorial election commission and establishment of results of the local elections;

6) receive a copy of the relevant election commission's protocol with vote counting results at a polling station, a copy of the protocol with voting results in a relevant election district immediately upon signing thereof;

7) submit a written request to a relevant election commission to eliminate violations of this Law should such be detected;

8) execute an act on a detected violation of the Law signed by him or her and no less than two voters who attest to the violation that will include their family names, first names (all forenames) and patronymic names (if applicable), place of residence, and submitted to a relevant election commission within the timeframes envisaged by the Law;

9) exercise other rights envisaged by this Law for official observers from the local organization of the party, from a deputy candidate in a single mandate, single mandate majoritarian election district, from a candidate for the position of a village, settlement, city mayor.

8. The official observer from the local organization of the party, from a deputy candidate in a single mandate, single mandate majoritarian election district, from a candidate for the position of a village, settlement, city mayor shall have no right:

- 1) to interfere in the work of the election commission, to take actions that infringe the course of the election process or hinder election commission members from exercising their authority;
- 2) to fill in the ballot paper instead of the voter (including upon the voter's request);
- 3) to be present when the voter fills in his or her ballot paper in the cabin for secret voting.

9. Should the official observe violate requirements of part eight of this Article, the election commission may deprive him or her of the right to be present at the polling station premises during the voting and at the meetings of the territorial, precinct election commission.

10. The governing body of the local organization of the party whose deputy candidates have been registered in a multiple mandate election district, a deputy candidate in a single mandate, single mandate majoritarian election district, a candidate for the position of a village, settlement, city mayor shall have the right to recall their official observer by submitting a written request to terminate his or her powers to a relevant territorial election commission and to submit documents for registration of another person according to the procedure established by the Law.

*{Part ten of Article 58 as amended by Law No. 2491-VI ( 2491-17 ) dated 30.08.2010 }*

11. The official observer shall have the right to submit a request to renounce his or her powers to the territorial election commission at any time. On the basis of such a request, the territorial election commission shall render a decision on revocation of the official observer's registration, a copy of which shall be provided to the authorized person of the local organization of the party, the deputy candidate in a single mandate, single mandate majoritarian election district, the candidate for the position of a village, settlement, city mayor.

12. Should the local organization of the party, the candidate lose the status of a subject of the election process, powers of official observers shall be deemed terminated upon the occurrence of the said circumstances.

**Article 59** Official observers from all-Ukrainian civil organizations, foreign states, international organizations

1. Official observers from all-Ukrainian civil organizations, foreign states, [and] international organizations shall be registered by the Central Election Commission. The registration procedure for official observers from all-Ukrainian civil organizations, foreign states, [and] international organizations shall be laid down by the Central Election Commission. Election observation may be done by all-Ukrainian civil organizations that have been registered pursuant to the procedure established by the law not less than 365 days prior to the election day and whose statutory activities include the issues of election process and observation thereof.

The request to register official observers from all-Ukrainian civil organizations, bearing the signature of the organization's head and its seal, shall be submitted by relevant organizations along with a copy of the charter (regulations) of such organization certified by the Ministry of Justice of Ukraine no later than ten days prior to the election day.

Proposals regarding registration of official observers from foreign states, [and] international organizations shall be submitted by foreign states, international organizations directly to the Central Election Commission or via the Ministry of Foreign Affairs of Ukraine no later than ten days prior to the election day, according to the procedure established by the Central Election Commission.

2. The decision to register or deny registration of official observers from all-Ukrainian civil organizations, foreign states, [and] international organizations shall be rendered by the Central Election Commission no later than five days prior to the election day.

3. Citizens of Ukraine may not be registered as official observers from foreign states or international organizations. Citizens of Ukraine or foreigners or persons with no citizenship who speak Ukrainian (no more than one person with ever official observer) may accompany registered official observers from foreign states and international organizations within the limits of polling stations and in election commission meetings solely for interpreting purposes.

*{Part three of Article 59 as amended by Law No. 2491-VI ( 2491-17 ) dated 30.08.2010 }*

4. The Central Election Commission shall issue a certificate according to the form that it established to the official observers from all-Ukrainian civil organizations, foreign states, [and] international organizations that the Central Election Commission registered.

5. Official observers from all-Ukrainian civil organizations, foreign states, [and] international organizations shall exercise their authority within the territory of Ukraine.

6. The official observer from an all-Ukrainian civil organization, foreign state, [or] international organization shall observe the election process and shall have the right:

- 1) to attend meetings of a deputy candidate, a candidate for the position of a village, settlement, city mayor, [as well as] election campaign meetings, rallies, [and] sessions of election commissions;
- 2) to review election campaign materials;



- 3) to be present at the polling stations during the voting, as well as in the meetings of precinct election commissions during vote counting and of territorial election commissions during tabulation of protocols;
  - 4) to photograph, to film, to make audio and video recordings, without breaching secrecy of the ballot;
  - 5) following completion of the elections, to publicly voice his or her proposals how to organize the implementation of local elections and to improve the legislation of Ukraine, including taking into consideration international experience, to hold press-conferences in compliance with requirements of the law of Ukraine;
  - 6) to form temporary groups of official observers jointly with other official observers from all-Ukrainian civil organizations, foreign states, international organizations, subject to approval by the Central Election Commission, to coordinate their activities without exceeding the authorities envisaged by this Law.
7. Official observers from all-Ukrainian civil organizations, foreign states, [and] international organizations shall make observations autonomously and independently.
8. The Ministry of Foreign Affairs of Ukraine, other executive authorities, government bodies of the Autonomous Republic of Crimea, local self-governance bodies and election commissions shall facilitate official observers from foreign states, [and] international organizations to exercise their authorities.

*{Part eight of Article 59 as amended by Law No. 2491-VI ( 2491-17 ) dated 30.08.2010 }*

9. Financial and material provision of activities of official observers from all-Ukrainian civil organizations shall be done at the expense of funds of relevant organizations.

Financial and material provision of activities of official observers from foreign states, [and] international organizations shall be done at the expense of funds of the states or organizations that delegated such observers to Ukraine or at the expense of own funds of such observers.

10. Official observers from all-Ukrainian civil organizations, foreign states [and] international organizations shall have no right to interfere with the election commission work, take actions that infringe the election process or hinder election commission members from exercising their authority; to fill in the ballot paper instead of the voter (including upon the voter's request) or otherwise breach upon secrecy of the ballot and use their status in activities not related to election observation. Such restrictions shall be applied to persons who, according to part three of this Article, accompany official observers, during immediate work with official observers from a foreign state, [or] an international organization.

## **Section IX FINANCIAL AND TECHNICAL-MATERIAL PROVISION TO PREPARE AND IMPLEMENT ELECTIONS**

### **Article 60** Financing of local elections

1. The expenses to prepare and implement regular, extraordinary and initial local elections shall be covered with funds from the State Budget of Ukraine envisaged for management and administration by the Central Election Commission in the sphere of elections and referenda implementation, with funds of a relevant local budget allocated as a targeted subvention from the State Budget of Ukraine, as well as with personal electoral funds of local organizations of parties whose deputy candidates have been registered in multiple mandate election districts, deputy candidates in single mandate, single mandate majoritarian election districts, candidates for the position of a village, settlement, city mayor.

All other types of local elections shall be implemented at the expense of relevant local budgets and personal electoral funds of local organizations of parties, deputy candidates in single mandate, single mandate majoritarian election districts, candidates for the position of a village, settlement, city mayor.

2. To finance their election campaign, the local organization of the party whose deputy candidates have been registered in a multiple mandate election district, deputy candidates in single mandate, single mandate majoritarian election districts, candidates for the position of a village, settlement, city mayor may create their personal electoral fund according to the procedure established by this Law.

*{Part two of Article 60 as amended by Law No. 2491-VI ( 2491-17 ) dated 30.08.2010 }*

### **Article 61** Financial provision to prepare and conduct elections of deputies, village, settlement, city mayors

1. Financial support to prepare and conduct regular, extraordinary and initial local elections at the expense of funds from a relevant local budget allocated as a targeted subvention from the State Budget of Ukraine shall be provided by the territorial election commission, which is the administrator of such funds, according to the estimate of costs and income approved by it, which must include costs, specifically costs associated with lease (rent) of relevant premises within the limits of the funds envisaged in the State Budget of Ukraine to prepare and conduct local elections. *{Paragraph one of part one of Article 61 as amended by Law No. 2491-VI ( 2491-17 ) dated 30.08.2010 }*

Financial provision for the activities of the Central Election Commission related to the preparation and implementation of elections of deputies, village, settlement, city mayors shall be made with funds of the State Budget of Ukraine.

2. The Law of Ukraine on the State Budget of Ukraine specifically provides for a targeted subvention from the state budget to local budgets for preparation and implementation of regular local elections and a targeted subvention from the state budget to local budgets for preparation and implementation of extraordinary and initial local elections.

3. Distribution of subventions from the state budget to local budgets for preparation and implementation of regular local elections shall be done by the Central Election Commission by agreement with the Ministry of Finance of Ukraine.

4. The Central Election Commission shall distribute subventions from the state budget to local budgets for preparation and implementation of extraordinary and initial local elections by agreement with the Ministry of Finance of Ukraine on the basis of resolutions to call extraordinary local elections adopted by the Verkhovna Rada of Ukraine, as well as decisions to call initial local elections rendered according to the established procedure.

Within average norms approved by the Central Election Commission, the territorial election commission shall develop a cost estimate for preparation and implementation of extraordinary and initial local elections with due account taken of expenditures of precinct election commissions.

*{Part four of Article 61 as revised by Law No. 2491-VI ( 2491-17 ) dated 30.08.2010 }*

5. The Central Election Commission shall approve average expenditure norms for territorial and precinct election commissions associated with preparation and implementation of local elections.

6. Within three days following formation, the territorial election commission shall draft a unified cost and income estimate for preparation and implementation of regular local elections, in line with average expenditure norms, incorporating its own expenditures and expenditures of precinct election commissions.

*{Part six of Article 61 as revised by Law No. 2491-VI ( 2491-17 ) dated 30.08.2010 }*

7. Financing of election commissions shall be subject to procedure established by the Cabinet of Ministers of Ukraine. Funds for preparation and implementation of local elections shall be transferred to the Central Election Commission no later than the day the election process commences, and to the territorial election commissions no earlier than the third day following formation of a relevant territorial election commission.

*{Part seven of Article 61 as revised by Law No. 2491-VI ( 2491-17 ) dated 30.08.2010 }*

8. The territorial election commission is obliged to return the funds of the State Budget of Ukraine not utilized by it for election preparation and implementation, according to the procedure established by the Cabinet of Ministers of Ukraine, no later than within one week following official publication of local elections results.

9. Within ten days following official publication of relevant local council election results, the territorial election commission shall draft a financial report on receipt and disbursement of the funds of a relevant local budget that were allocated as a target subvention from the State Budget of Ukraine and submit such report to a relevant local council.

10. Control over targeted disbursement of the funds of a relevant local budget allocated as a targeted subvention from the State Budget of Ukraine shall be exercised by relevant authorities of the Ministry of Finance of Ukraine and the Accounting Chamber.

11. Settlement<sup>4</sup> of accounts payable of territorial election commissions shall be done by the Cabinet of Ministers of Ukraine prior to the end of the fiscal year, following drafting of the financial report, conditional upon uncompleted financing of local elections within the limits of the funds of a relevant local budget received as a targeted subvention from the State Budget of Ukraine.

*{Part eleven of Article 61 as amended by Law No. 2491-VI ( 2491-17 ) dated 30.08.2010 }*

**Article 62** The electoral fund of the local organization of the party, deputy candidate in a single mandate, single mandate majoritarian election district, candidate for the position of a village, settlement, city mayor

1. The local organization of the party whose deputy candidates have been registered in multiple mandate election districts, deputy candidate in a single mandate, single mandate majoritarian election district, candidate for the position of a village, settlement, city mayor may open an account of their personal electoral funds no later than 18 days prior to the local elections day. The account of electoral funds may be opened on the basis of a copy of the territorial election commission's decision to register candidate deputies included in the electoral list of a local organization of a party, a deputy candidate respectively in a single mandate, single mandate majoritarian election district, a candidate for the position of a village, settlement, city mayor.

*{Part one of Article 62 as amended by Law No. 2491-VI ( 2491-17 ) dated 30.08.2010 }*

2. The procedure for opening and closing an electoral fund account of a local organization of a party, a deputy candidate, a candidate for the position of a village, settlement, city mayor shall be established by the National Bank of Ukraine by agreement with the Central Election Commission no later than 40 days prior to the local elections day.

3. The account of electoral funds shall be opened in a banking institution of Ukraine determined by the territorial election commission based upon location of a relevant election commission. A local organization of a party, a deputy

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<sup>4</sup> *Translator's note: literally "reimbursement"*

candidate, a candidate for the position of a village, settlement, city mayor shall have the right to open only one account, solely in the national currency.

4. Disbursement of funds from the electoral fund account shall be done via non-cash transactions.

5. The services of the banking institution associated with the opening and closing of an electoral fund account shall be delivered free of charge. The banking institution shall not award or pay any interests for the use of funds deposited on the electoral fund account.

6. The banking institution shall inform the territorial election commission of the opening of an account and its banking details no later than the business day following the day of opening the electoral fund account.

7. Information on the opening of an electoral fund account and its banking details may be published in printed mass media at the expense of the electoral fund.

8. The disbursement of funds from the electoral fund account shall be terminated one day prior to the local elections day. Until this date, the account may not be closed and disbursement of funds may not be terminated or restricted unless by virtue of a court decision.

9. The electoral fund account shall be closed by the banking institution on the sixteenth day following the day of official publication of relevant local elections results.

**Article 63** Administrators of the electoral fund of the local organization of the party, deputy candidates, candidates for the position of a village, settlement, city mayor

*{Name of Article 63 as amended by Law No. 2491-VI ( 2491-17 ) dated 30.08.2010}*

1. The local organization of the party whose deputy candidates have been registered in multiple mandate election districts, deputy candidates in a single mandate, single mandate majoritarian election district, candidates for the position of a village, settlement, city mayor shall appoint administrators of the electoral fund among their duly authorized persons and proxies who, along with the head of the local organization of the party, deputy candidate, candidate for the position of a village, settlement, city mayor, shall bear responsibility for disbursement of relevant electoral funds according to the laws of Ukraine. {Paragraph one of part one of Article 63 as amended by Law No. 2491-VI ( 2491-17 ) dated 30.08.2010}

The following may be administrators of relevant electoral funds:

two authorized persons of the local organization of the party by virtue of a decision of the governing body of the local organization of the party,

one proxy of the deputy candidate in a single mandate, single mandate majoritarian election district,

one proxy of the candidate for the position of a village, settlement, city mayor.

2. Administrators of electoral funds are obliged to maintain records of incomings and disbursements of personal electoral funds.

3. The banking institution where the electoral fund account has been opened shall provide the electoral funds administrator, on a weekly basis or upon request, with data regarding the amount and sources of contributions made to the electoral fund account.

4. No later than the fifth day following the local elections day, electoral fund administrators must submit a financial report to the relevant territorial election commission according to the form established by the Central Election Commission no later than 40 days prior to the local elections day.

**Article 64** Formation of the electoral fund and control over receipts, accounting and disbursement of its funds

1. The electoral fund of the local organization of the party whose deputy candidates have been registered in multiple mandate election districts shall be formed at the expense of its personal funds, as well as voluntary contributions made by physical entities. {Paragraph one of part one of Article 64 as amended by Law No. 2491-VI ( 2491-17 ) dated 30.08.2010}

The electoral fund of a deputy candidate in a single mandate, single mandate majoritarian election district, candidate for the position of a village, settlement, city mayor nominated by the local organization of the party shall be formed at the expense of their personal funds, voluntary contributions of physical entities, as well as at the expense of funds of the relevant local organization of the party.

The electoral fund of a deputy candidate in a single mandate election district, a candidate for the position of a village, settlement mayor nominated via self-nomination shall be formed at the expense of their personal funds and voluntary contributions of physical entities.

Personal funds of a party's local organization, a deputy candidate, a candidate for the position of a village, settlement, city mayor that shall be transferred to the electoral fund account shall not be limited by amount and number of transfers.

2. The amount of a voluntary contribution made by one physical entity to one electoral fund shall not exceed ten minimum wages.

3. Making voluntary contributions to the electoral fund shall be prohibited for the following:

- 1) foreigners, persons with dual citizenship and persons with no citizenship;
- 2) anonymous donors (not providing the information envisaged by part four of this Article in the payment document).

4. A voluntary contribution of a citizen of Ukraine to the electoral fund shall be accepted by the banking institution or post office providing the citizen submits the document envisaged by part two of Article 3 of this Law. The payment document must include the family name, the first name (all forenames) and the patronymic name (if applicable), date of birth and place of residence of the citizen.

5. The voluntary contribution shall be transferred by the banking institution or remitted by the post office to the electoral fund account no later than the business day following the day of a relevant payment document receipt. The period of the non-cash transfer of the contribution to the electoral fund account shall not exceed one banking day.

6. The electoral fund administrator shall have the right to refuse from a physical entity's contribution, which he or she shall document in a relevant request submitted, along with a payment document, to the banking institution where the electoral fund account has been opened. The contribution shall be returned to the physical entity at the expense of his or her own voluntary contribution and, if such a return is not possible, shall be credited to the budget of the Autonomous Republic of Crimea or a relevant local budget.

7. Should a voluntary contribution from a physical entity be received in the amount exceeding the amount established by part two of this Article, the difference between the contribution and the established contribution amount shall be returned by the banking institution where the electoral funds account has been opened, on the basis of a relevant request and payment document submitted by the electoral fund administrator. The contribution shall be returned to the physical entity at the expense of his or her own voluntary contribution and, if such a return is not possible, shall be credited to the budget of the Autonomous Republic of Crimea or a relevant local budget.

8. The electoral fund administrator must refuse from a contribution by a physical entity that has no right to make such contribution pursuant to this Law. On the basis of a request submitted by the electoral fund administrator to refuse from contribution for the above reason, the banking institution where the electoral fund account has been opened shall transfer such contribution to the budget of the Autonomous Republic of Crimea or a relevant local budget at the expense of such contribution funds.

9. Selective control over the receipt, accounting and disbursement of electoral funds shall be exercised by a relevant territorial election commission and the banking institution where the electoral fund account has been opened.

10. On the basis of a decision rendered by the supreme governing body of the party's local organization within a five-day period following official publication of local elections results, the electoral funds not utilized by the party's local organization shall be transferred by the electoral fund administrator to the current bank account of the party's local organization within three days following the day the governing body of the party's local organization has adopted a relevant decision. Should no such decision be adopted within the mentioned period, the unutilized electoral funds shall be indisputably transferred by the banking institution to the budget of the Autonomous Republic of Crimea or a relevant local budget on the tenth day following official publication of relevant local elections results by the territorial election commission.

Unutilized electoral funds of deputy candidates, candidates for the position of a village, settlement, city mayor shall not be returned and shall be indisputably transferred by the banking institution to the budget of the Autonomous Republic of Crimea or a relevant local budget within a ten-day period following official publication of results of relevant elections by the territorial election commission.

*{Part ten of Article 64 as revised by Law No. 2491-VI ( 2491-17 ) dated 30.08.2010}*

11. Should the decision on candidate registration be revoked, should the candidate leave the balloting, the remaining balance of their personal electoral funds shall be transferred to the budget of the Autonomous Republic of Crimea or a relevant local budget, by virtue of a decision of the territorial election commission.

12. Local elections voluntary contributions transferred to the electoral account after the deadline mentioned in part eight of Article 62 of this Law shall be transferred by the banking institution to the budget of the Autonomous Republic of Crimea or a relevant local budget.

*{Part twelve of Article 64 as amended by Law No. 2491-VI ( 2491-17 ) dated 30.08.2010}*

13. Financial reports on receipt and disbursement of electoral funds of a party's local organization, deputy candidate, candidate for the position of a village, settlement, city mayor shall be published by the territorial election commission in local printed mass media within five days following delivery of such reports to the election commission.

**Article 65** Material-technical provision to prepare and conduct elections of deputies, [and] village, settlement, [and] city mayors

1. State government bodies, government bodies of the Autonomous Republic of Crimea and local self-governance bodies, their officials and employees must facilitate election commissions to exercise their authorities: {Paragraph one of part one of Article 65 as amended by law No. 2491-VI ( 2491-17 ) dated 30.08.2010}

1) provide necessary premises to election commissions and inform of their location (addresses) the election commission that forms (creates) a relevant election commission no later than one day prior to its formation (creation), ensure protection of such premises;

2) ensure protection of ballot papers and other election documents;

3) provide means of transportation and communication according to the norms and the list introduced by the Central Election Commission (with payment of relevant connection fees), equipment, stock, office equipment that shall be returned following termination of election commission authorities.

*{Paragraph 3 of part one of Article 65 as amended by Law No. 2491-VI ( 2491-17 ) dated 30.08.2010 }*

The payment or reimbursement procedure for the above services shall be laid down by the Cabinet of Ministers of Ukraine.

2. The procurement of goods, payment for works, services to prepare and conduct regular, extraordinary and initial local elections shall be done by the Central Election Commission at the expense of the State Budget of Ukraine, by territorial election commissions at the expense of relevant local budget funds allocated as a targeted subvention from the State Budget of Ukraine, and with regard to repeated and interim local elections – at the expense of local budget funds, without application of bidding (competition) procedures, according to the procedure established by the Cabinet of Ministers of Ukraine.

## **Section X VOTING AND ESTABLISHMENT OF DEPUTY, VILLAGE, SETTLEMENT, CITY MAYOR ELECTION RESULTS**

### **Article 66** Ballot papers

1. The form and colour of ballot papers for every local elections (election of Members of Parliament of the Autonomous Republic of Crimea, deputies of oblast, raion, city, city raion (in a multiple mandate and single mandate majoritarian district), village, settlement councils, village, settlement, city mayors) shall be approved by the Central Election Commission no later than 30 days prior to the regular local elections day and shall not be modified until succeeding regular elections commence.

*{Part one of Article 66 as amended by Law No. 2491-VI ( 2491-17 ) dated 30.08.2010 }*

2. Ballot papers are registered high-security documents.

3. The text of ballots for voting in relevant election districts shall be approved by relevant territorial election commissions no later than 17 days prior to the local elections day.

4. The ballot paper shall include the name and the date of local elections, election district denomination (single mandate or multiple mandate), election district number (if applicable), as well as designated space for the polling station number, precinct election commission's seal, family name and signature of the precinct election commission member who will be issuing the ballot paper. Providing technical capabilities are confirmed by a relevant printing company, the territorial election commission may resolve to produce ballot papers referencing polling station numbers.

5. The ballot paper shall have a voucher separated by a tear-off line. The voucher shall include the name and date of local elections, election district denomination (single mandate or multiple mandate), election district number (if applicable), as well as designated space for the polling station number, voter number in the voter list, signature of the voter receiving the ballot paper, family name and signature of the precinct election commission member who handed out the ballot paper. *{Paragraph one of part five of Article 66 as amended by Law No. 2491-VI ( 2491-17 ) dated 30.08.2010 }*

Vouchers of the ballot papers produced with a reference to the polling station number shall reference the polling station number.

6. The number of ballot papers for voting shall be determined by relevant territorial election commissions no later than 15 days prior to the local elections day based on the number of voters included in preliminary voter lists at polling stations within the boundaries of a relevant election district, with due account taken of the ballot paper reserve amounting to 0.5 per cent of the number of voters per every polling station in such election district.

The number of voters included in voter lists at polling stations within the boundaries of a relevant election district shall be determined based on the data provided by bodies of the State Voter Register regarding the number of voters included in preliminary voter lists at the polling stations submitted by territorial election commissions as envisaged by part one of Article 67 of this Law no later than 19 days prior to the local elections day.

7. The names of local organizations of parties whose deputy candidates have been registered by a relevant territorial election commission in a multiple mandate election district shall be arranged in the ballot paper in the order they submitted documents to a relevant territorial election commission for registration thereof.

The ballot paper for voting in a multiple mandate election district shall include the sequence number of every party's local organization, full name of a relevant party's local organization, family names, first names (all forenames) and patronymic names (if applicable) of the first five deputy candidates included in the electoral list of the party's local

organization. A blank box is recommended to be placed between the sequence number of every party's local organization and the name of such party's local organization. Beneath the list of all parties' local organizations, the ballot paper shall read as follows: "Do not support deputy candidates from any local organization of the political party". A blank box shall be placed to the left of such words.

The ballot paper for voting in a single mandate, single mandate majoritarian election district shall contain alphabetically listed family names, first names (all forenames) and patronymic names (if applicable) of the candidates registered in this election district (deputy candidates, candidates for the position of a village, settlement, city mayor), information on the year of birth, education, place of residence, primary place of employment (occupation), party membership, as well as the entity nominating every candidate (in the event of self-nomination by the candidate, a relevant note "self-nomination" is provided). A blank box shall be placed to the left of the family name of every candidate. The ballot paper shall read "Do not support any candidate" beneath the family names of all candidates. A blank box shall be placed to the left of such words.

8. The ballot paper shall contain clarifications regarding the procedure for filling in such ballot paper by the voter during the voting.

9. The ballot papers shall be printed in the official language.

10. Ballot papers for voting in a relevant election district shall be printed on identical paper and shall be identical in size, colour, and contents.

11. The degree of protection of the ballot paper for relevant local elections shall be determined by the election commission of the Autonomous Republic of Crimea, a relevant territorial election commission.

12. The ballot paper shall be printed on one sheet of paper with the text part only on one side.

**Article 67** The procedure for ballot paper production and transfer to election commissions

1. On the basis of an agreement signed with a printing company, the territorial election commission shall ensure production of ballot papers for voting in local elections respectively: {Paragraph one of part one of Article 67 as revised by law No. 2491-VI ( 2491-17 ) dated 30.08.2010 }

The election commission of the Autonomous Republic of Crimea, oblast, raion, city raion, city (the cities of republican subordination in the Autonomous Republic of Crimea, cities of oblast subordination, the cities of Kyiv and Sevastopol) territorial election commission – no later than ten days prior to the election day; as well as shall receive produced ballot papers no later than nine days prior to the election day, in the enterprise-producer's package, on the basis of a statement on delivery and acceptance according to the form established by the Central Election Commission; {Paragraph two of part one of Article 67 as amended by Law No. 2491-VI ( 2491-17 ) dated 30.08.2010 }

The village, settlement, city (cities of raion subordination) territorial election commission – no later than five days prior to the election day; as well as shall receive produced ballot papers no later than four days prior to the election day, in the enterprise-producer's package, on the basis of a statement on delivery and acceptance according to the form established by the Central Election Commission. {Paragraph three of part one of Article 67 as amended by Law No. 2491-VI ( 2491-17 ) dated 30.08.2010 }

2. Enterprises producing ballot papers shall be determined by territorial election commissions mentioned in part one of this Article.

3. Industrial waste, defective printing produce, as well as printing forms shall be destroyed by the printing company in the presence of three members of a relevant territorial election commission who shall represent different entities that nominated candidates for membership in a relevant territorial election commission, according to the procedure and within the timeframes laid down in the agreement for ballot paper production, which shall be documented in an act executed in two counterparts.

*{Part three of Article 67 as amended by Law No. 2491-VI ( 2491-17 ) dated 30.08.2010 }*

4. No later than the day following the day of ballot papers receipt, in a meeting, the territorial election commission shall transfer the ballot papers in a package of the enterprise-producer to the following territorial election commissions for relevant local elections:

The election commission of the Autonomous Republic of Crimea, oblast territorial election commission shall transfer the ballot papers for election of members of parliament of the Autonomous Republic of Crimea, [and] oblast council members to relevant raion, city (the cities of republican subordination in the Autonomous Republic of Crimea, cities of oblast subordination) territorial election commissions;

The raion territorial election commission shall transfer the ballot papers for the election of raion council members to relevant village, settlement, city (the cities of raion subordination) territorial election commissions; {Paragraph three of part four of Article 67 as amended by Law No. 2491-VI ( 2491-17 ) dated 30.08.2010 }

The city (for cities where city raion councils have been established) territorial election commission shall transfer the ballot papers for the election of city council members, [and] city mayor to relevant city raion territorial election commissions;

The city (the city of Sevastopol, cities of republican subordination in the Autonomous Republic of Crimea, cities of oblast subordination) territorial election commission shall transfer the ballot papers for the election of city council members, [and] city mayor to a relevant village, settlement, city (village, settlement city that is part of a relevant city) territorial election commission.

On behalf of the territorial election commission, ballot papers shall be received by no less than three members of such commission who shall represent different entities that nominated candidates for membership in a relevant territorial election commission. {Paragraph six of part four of Article 67 as amended by Law No. 2491-VI ( 2491-17 ) dated 30.08.2010}

5. No earlier than three days prior to the election day, in a meeting, the raion, city (for cities where no city raion councils were established), city raion, village, settlement territorial election commission shall transfer ballot papers for voting in every local elections to relevant precinct election commissions. On behalf of a relevant precinct election commission, the ballot papers shall be received by no less than three members of such commission who must represent different entities that nominated candidates for membership in a relevant precinct election commission.

*{Part five of Article 67 as amended by Law No. 2491-VI ( 2491-17 ) dated 30.08.2010 }*

6. The transfer of ballot papers for voting in relevant local elections to relevant territorial election commissions shall be documented by the territorial election commission transferring the ballot papers in a protocol executed in three counterparts, according to the form established by the Central Election Commission, which shall include:

name of local elections,

denomination and/or number of the election district,

number of transferred ballot papers,

family names and signatures of the territorial election commission members who received the ballot papers.

The transfer of ballot papers for voting in relevant local elections to the precinct election commission shall be documented by the territorial election commission transferring the ballot papers in a protocol executed in three counterparts, according to the form established by the Central Election Commission, which shall include for every local election:

name of local elections,

denomination and/or number of the election district,

polling station number,

number of voters at the polling station according to the preliminary voter list,

number of relevant ballot papers transferred to the polling station,

family names and signatures of the precinct election commission members who received the ballot papers.

The first counterpart of such protocol shall remain with the territorial election commission transferring ballot papers, the second one shall be granted to a relevant election commission receiving ballot papers, the third one shall be immediately posted in the premises of the territorial election commission that has transferred ballot papers for review by the public.

7. The election commission of the Autonomous Republic of Crimea, oblast, raion, city (for cities with no city raion councils established), city raion territorial election commission shall transfer all ballot papers produced for a relevant election district to relevant territorial election commissions. Ballot papers shall be transferred to the precinct election commission in the amount equal to the number of citizens included in the voter list for the precinct with a ballot paper reserve amounting to 0.5 percent of the number of voters included in preliminary voter lists in such precinct.

8. Every member of the territorial election commission, deputy candidates in a single mandate, single mandate majoritarian election district, candidates for the position of a village, settlement, city mayor or their proxies, an authorized person of parties' local organizations shall have the right to receive copies of protocols on the transfer of ballot papers to territorial, precinct election commissions, certified by signatures of the head and the secretary of the election commission transferring ballot papers and a seal of such commission, however no more than one copy of each protocol.

9. Members of the territorial, precinct election commission shall transport ballot papers to the premises of a relevant territorial, precinct election commission accompanied by an employee of the internal affairs bodies.

10. Acceptance of ballot papers by the territorial, precinct election commission shall take place in a meeting of a relevant election commission immediately following arrival of the election commission members who received the ballot papers.

During ballot paper acceptance by the precinct election commission, the secretary of the precinct election commission, and should he or she be absent – a commission member selected by virtue of the commission's decision, shall affix the precinct election commission's seal to designated places of every ballot paper. A member of the precinct election commission selected by virtue of a decision of the precinct election commission, if required, shall

put the polling station number in the designated area of every ballot paper; another member of the precinct election commission selected by virtue of a decision of the precinct election commission shall count the received ballot papers for every local elections separately and for every election district, verifying correspondence of the numbers (denominations) of the election district that the precinct which received the ballot papers belongs to. During the ballot paper counting, the commission member selected by the election commission shall be counting the ballot papers aloud. The other commission members shall observe the counting. During the ballot paper counting, splitting of the commission in several groups, with each counting a portion of the ballot papers, shall be prohibited.

11. In the event of identified discrepancy between the counted number of ballot papers and the number mentioned in an excerpt from the ballot paper transfer protocol of the territorial election commission, the precinct election commission shall execute a discrepancy act in two counterparts, according to the form approved by the Central Election Commission, indicating the reason for such discrepancy ascertained in a decision of the precinct election commission. One counterpart of the act shall be forwarded to the territorial election commission; the second one shall remain with the precinct election commission. In the event of the mentioned discrepancy, the number ascertained in the meeting of the precinct election commission and documented in the discrepancy act and in the minutes of the commission meeting shall be deemed to constitute the number of ballot papers received by the precinct election commission.

12. The territorial, precinct election commission shall ensure preservation and protection of the received ballot papers. Ballot papers shall be preserved in the premises of the election commission in a safe (in a metal case or a separate room) sealed with a tape that shall have signatures of all present at the commission meeting and the commission's seal. The safe (a metal case or a separate room) shall be constantly (until the transfer of ballot papers to precinct election commissions or until the election day) guarded by an employee of the interior affairs bodies.

13. Election commission members who receive, transfer and preserve ballot papers shall be responsible for arranging preservation of ballot papers.

14. Should the decision to register a deputy candidate in a single mandate, single mandate majoritarian election district, candidate for the position of a village, settlement, city mayor be revoked following production of ballot papers, a relevant territorial election commission shall render a decision to amend the ballot paper. A copy of such decision shall immediately be delivered by the territorial election commission to the Central Election Commission.

Such amendments by virtue of a decision adopted by the territorial election commission shall be made to the ballot papers by members of precinct election commissions with application of the "Withdrawn" stamp. The precinct election commissions shall immediately, in writing, notify the territorial election commission that resolved to amend the ballot paper of placing the "Withdrawn" stamp on the ballot paper, which certifies amendments made to the ballot paper, and the relevant territorial election commission shall immediately notify the Central Election Commission thereof. When handing out the ballot paper, the precinct election commission member shall notify each voter of the amendments made to the ballot paper.

The "Withdrawn" stamp shall be delivered to precinct election commissions along with the territorial election commission's decision to revoke a decision on registration of a deputy candidate in a single mandate, single mandate majoritarian election district, a candidate for the position of a village, settlement, city mayor.

The application of the "Withdrawn" stamp by the precinct election commission without receipt of a relevant decision of the territorial election commission shall be prohibited. {Paragraph four of part fourteen of Article 67 as revised by Law No. 2491-VI ( [2491-17](#) ) dated 30.08.2010}

15. Should the decision on registration of all deputy candidates included in the electoral list of a party's local organization be revoked following production of ballot papers for voting in a multiple mandate election district, pursuant to Article 45 of this Law, a relevant territorial election commission shall adopt a decision to amend the ballot paper. A copy of such decision shall immediately be delivered by the territorial election commission to the Central Election Commission. {Paragraph one of part fifteen of Article 67 as amended by Law No. 2491-VI ( [2491-17](#) ) dated 30.08.2010}

Such amendments by virtue of a decision adopted by the territorial election commission shall be made to the ballot papers by members of precinct election commissions with application of the relevant "Withdrawn" stamp. The precinct election commissions shall immediately, in writing, notify the territorial election commission that resolved to amend the ballot paper of placing the "Withdrawn" stamp on the ballot paper, which certifies amendments made to the ballot paper, and the relevant territorial election commission shall immediately notify the Central Election Commission thereof. When handing out the ballot paper, the precinct election commission member shall notify each voter of the amendments made to the ballot paper. {Paragraph two of part fifteen of Article 67 as amended by Law No. 2491-VI ( [2491-17](#) ) dated 30.08.2010}

The "Withdrawn" stamp shall be delivered to precinct election commissions simultaneously with the territorial election commission's decision to revoke a decision on registration of all deputy candidates included in the electoral list of the party's local organization.

The application of the "Withdrawn" stamp by the precinct election commission without receipt of a relevant decision of the territorial election commission shall be prohibited.

**Article 68** Premises for voting



1. Voting shall take place in specifically designated premises sufficiently equipped with cabins for secret voting and with places designated for issuance of ballot papers. For small polling stations the number of such cabins shall not be less than two, for medium – not less than four, for large – not less than six.
2. Ballot boxes for voting shall be installed in such a way that will allow voters to go through the cabins for secret voting, when accessing such ballot boxes.
3. Ballot boxes produced from transparent material shall be used for voting. Every polling station shall be provided with the required number of ballot boxes, both large (stationary) and small (mobile). The small polling station shall have no less than two large and two small ballot boxes, the medium polling station shall have no less than three large and two small ballot boxes, the large polling station shall have no less than four large and three small ballot boxes. For voting in precincts with an insignificant number of voters, precinct election commissions may use small ballot boxes.

*{Part three of Article 67 as amended by Law No. 2491-VI ( 2491-17 ) dated 30.08.2010 }*

4. The premises for voting must be equipped in such a way that will allow precinct election commission members and persons who have the right to be present in the premises for voting pursuant to this Law to see the places of ballot paper issuance, cabins for secret voting, ballot boxes for voting.
5. In the premises for voting or immediately in front of such premises, the precinct election commission shall place posters explaining the voting procedure and the liability for infringing election legislation as envisaged by this and other laws of Ukraine, information posters of parties' local organizations whose deputy candidates have been registered in a multiple mandate election district, deputy candidates in a single mandate majoritarian election district, candidates for the position of a village, settlement, city mayor, which shall be produced at the expense of funds of a relevant local budget allocated as a targeted subvention from the State Budget of Ukraine.

Information posters shall be placed in the order identical to the one in which parties' local organizations, deputy candidates in a single mandate majoritarian election district, candidates for the position of a village, settlement, city mayor are placed in ballot papers.

*{Part five of Article 67 as amended by Law No. 2491-VI ( 2491-17 ) dated 30.08.2010 }*

#### **Article 69** Voting organization and procedure

1. Voting on the local elections day shall be held from 8 a.m. until 10 p.m.
2. No later than ten days prior to the election day, the precinct election commission shall send (deliver) a personal notice to every voter, as envisaged by part two of Article 31 of this Law, thus notifying him or her of the voting time and venue.

*{Part two of Article 69 as amended by Law No. 2491-VI ( 2491-17 ) dated 30.08.2010 }*

3. The precinct election commission shall be entrusted with organizing the voting, equipping the premises for voting and maintaining due order in such premises, ensuring the secrecy of expression of the voters' will during the voting.
4. No earlier than an hour prior to the beginning of voting, the precinct election commission shall hold a meeting when the safe (metal case, room) with ballot papers shall be unlocked. On the basis of an excerpt from the protocol of every territorial election commission on the transfer of ballot papers to the precinct election commission, the head of the precinct election commission shall announce the number of ballot papers received by the precinct election commission for voting in every local elections and separately for every election district where voting takes place at the polling station. Such data shall be incorporated in relevant precinct vote counting protocols of the precinct election commission.
5. If damage to the band that the safe (metal case, room) was sealed with has been ascertained, the precinct election commission shall immediately notify interior affairs bodies and the territorial election commission and recount ballot papers, which shall be documented in an act signed by all precinct commission members present at the time and certified by the seal of the precinct election commission. The number of ballot papers indicated in the above mentioned act shall be deemed to be the number of ballot papers received by the precinct election commission.
6. Before the voting begins, the head of the precinct election commission shall provide all available ballot boxes for inspection to the precinct election commission members, persons who have the right to attend the meeting of the precinct election commission according to this Law. Following the inspection, the ballot boxes shall be stamped or sealed with the precinct election commission's seal. A check list shall be inserted in every ballot box used for voting at the polling station, which shall include the polling station number, time of insertion in the ballot box, family names of the head, deputy head, secretary and the other members of the precinct election commission, persons who are present and entitled to attend the meeting of the precinct election commission pursuant to part nine of Article 27 of this Law. The check list shall be signed by the mentioned persons. Their signatures shall be certified by the seal of such precinct election commission. The check list may reference refusal by a person present at the meeting of the precinct election commission to sign the check list.
7. During voting at the polling station, two members of the precinct election commission shall provide the voter with an opportunity to vote: on condition that the voter produces one of the documents mentioned in part two of Article 3 of this Law, the voter has been included in the voter list of a relevant precinct and has the right to vote in relevant local elections (taking due account of the mark in the "Note" field regarding permanent inability to move around unassisted

or the "Voting at the place of stay" note), one member of the precinct election commission shall hand out the voter list to the voter for signing thereof; the second member of the precinct election commission must affix his or her family name and signature to the ballot paper for relevant local elections in designated area, as well as to the voucher of the ballot papers, and affix the voter's number, as assigned in the voter list of such precinct, to the vouchers in designated area. The voter shall put his signature in the voter list certifying receipt of ballot papers to vote in local elections and shall sign the voucher of each ballot paper in designated area. Following that, the election commission member shall separate the voucher from every ballot paper handed out to the voter and shall hand out the ballot papers to the voter for voting. Marking the ballot papers otherwise shall be prohibited. The election commission member shall inform the voter of the number of ballot papers he or she have received. The vouchers of handed out ballot papers shall remain with the commission member who handed out the ballot papers until the end of voting.

8. The voter may stay in the premises for voting as long as the voting requires.

9. The ballot paper shall be filled in by the voter personally in the cabin for secret voting. No other people shall be present as the voter fills in the ballot paper. A voter physically challenged and thus unable of filling in a ballot paper independently shall have the right to be assisted by another person, with the head or other member of the precinct election commission informed thereof, other than a member of the election commission, deputy candidate, candidate for the position of a village, settlement, city mayor, authorized person of the party's local organization, candidate's proxy, official observer.

10. The voter shall have no right to hand their ballot papers to other people. Receiving a ballot paper from other people (other than the election commission member handing out the ballot paper), encouraging or forcing voters to hand their ballot paper to other people by way of bribery, threats or otherwise shall be prohibited.

11. On the ballot paper for voting in a multiple mandate district, the voter shall place a "plus" (+) mark or another mark that certifies the voter's expression of will in the square box next to the name of the party's local organization for whose deputy candidates he or she votes. If the voter does not support deputy candidates from any party's local organization in a multiple mandate district, the voter shall place a "plus" (+) mark or another mark that certifies the voter's expression of will in the square box next to the words "Do not support deputy candidates from any political party's local organization".

On the ballot papers for voting in a single mandate majoritarian election district, the voter shall place a "plus" (+) mark or another mark that certifies the voter's expression of will in the square box next to the family name of the deputy candidate for whom he or she votes.

On the ballot papers for voting in a single mandate district, the voter shall place a "plus" (+) mark or another mark that certifies the voter's expression of will in the square box next to the family name of the deputy candidate for whom he or she votes.

On the ballot papers for voting in the election of a village, settlement, city mayor, the voter shall make a "plus" (+) mark or another mark that certifies the voter's expression of will in the square box next to the family name of the candidate for the position of a village, settlement, city mayor for whom he or she votes.

If the voter does not support any deputy candidate in a single mandate, single mandate majoritarian district, candidate for the position of a village, settlement, city mayor, he or she shall make a "plus" (+) mark or another mark that certifies the voter's expression of will in the square box next to the words "Do not support any candidate" on a relevant ballot paper.

12. The voter may vote for only one list of deputy candidates from a party's local organization in a relevant multiple mandate district, one deputy candidate in a relevant single mandate majoritarian district, one deputy candidate in a relevant single mandate district, one candidate for the position of a village, settlement, city mayor accordingly.

13. If in the process of filling in the ballot paper the voter made a mistake, the voter shall have the right to immediately submit a request in writing for a new ballot paper to the election commission members who handed him or her the ballot paper. Precinct election commission members shall hand out another ballot paper only once, according to the procedure established by part seven of this Article, only in exchange for the spoilt ballot paper, which shall be documented by a relevant mark in the voter list next to the family name of the voter and by the signature of the precinct election commission member. The spoilt ballot paper shall immediately be invalidated as an unused one and a relevant act shall be executed. During vote counting, the spoilt and invalidated ballot paper shall be counted as an unused ballot paper and packed along with the voucher in the package with unused ballot papers.

14. The voter shall put filled-in ballot papers in a ballot box. Should the voter produce a relevant certificate or have physical disabilities that do not require documentary evidence, the voter shall have the right, with the head or other precinct election commission member informed thereof, to delegate another person to do so, other than an election commission member, deputy candidate, candidate for the position of a village, settlement, city mayor, authorized person of parties' local organizations, candidate's proxy, official observer.

15. Should the ballot box be damaged at the time of voting, it shall be sealed by the head of the precinct election commission and no less than three members of the precinct election commission in a way that will make it impossible to insert ballot papers in such ballot box. The ballot box shall remain in the premises for voting and shall not be used till the end of voting.

16. At 10 p.m. the head of the precinct election commission shall announce the end of voting. Access of other voters to the premises for voting shall be terminated, then only the voters remaining in the premises for voting shall have the

right to vote. After the last voter has left the premises for voting, such premises shall be closed and only election commission members and persons entitled to attend the precinct election commission meeting pursuant to this Law shall remain in the premises for voting.

17. During voting, the following shall not be tolerated: closing the premises for voting, terminating voting, opening ballot boxes, vote counting prior to the expiration of voting time as established by the Law.

**Article 70** Procedure for arranging voting beyond the premises for voting

1. The voter who due to health condition cannot arrive at the voting premises of a regular polling station to whose voter list he or she have been included, as well as the voter who has been included in the voter list of a special polling station established in an inpatient health care facility according to part five of Article 18 of this Law and who cannot arrive at the voting premises in view of the bed regime shall have the right to submit a written request to the precinct election commission for an opportunity to vote beyond the premises for voting. The request signed by the voter personally and indicating the place of stay may be submitted to the precinct election commission by the voter personally or via other persons no later than the twelfth hour of the last Saturday preceding the election day.

*{Paragraph two of part one of Article 70 has been deleted according to Law No. 2491-VI ( 2491-17 ) dated 30.08.2010}*

2. The voter's request for voting beyond the premises for voting shall be registered by the precinct election commission in a separate journal, which documents the day and time of request submission, family name, first name (all forenames) and patronymic name (if applicable), place of residence (place of stay) of the voter.

3. On the basis of the requests mentioned in part one of this Article, as well as notes in the voter lists regarding the voter's permanent inability to move around independently, the precinct election commission shall develop an excerpt from the voter list, during a meeting held on the last Saturday preceding the election day, according to the form established by the Central Election Commission. In the voter list, instead of the voter's signature, the secretary or another precinct election commission member selected by the election commission shall make a "Voting at the place of stay" note. The excerpt from the voter list shall also include voters who have a note regarding inability to move around independently next to their name in the voter list, providing such voter does not inform the relevant precinct election commission in writing of his or her will to vote in the premises for voting by the twelfth hour of the last Saturday preceding the election day.

4. Voting beyond the premises for voting shall be arranged by no less than three precinct election commission members selected by virtue of a decision rendered by such commission who shall represent different entities that nominated candidates for membership in the relevant precinct election commission.

*{Part four of Article 70 as revised by Law No. 2491-VI ( 2491-17 ) dated 30.08.2010}*

5. Voting beyond the premises for voting shall be arranged in a way that will allow the election commission members arranging such voting to return to the premises for voting no later than an hour prior to the end of voting.

6. The head of the precinct election commission must announce that precinct election commission members leave to arrange voting beyond the premises for voting. The head of the precinct election commission shall hand out ballot papers for voting in every relevant local elections in the amount equaling the number of voters in the excerpt from the voter list, the excerpt from the voter list and a mobile ballot box stamped and sealed, inserting the check list in such mobile ballot box, to the precinct election commission members. The check list shall indicate the time of departure (hour and minutes) of the precinct election commission members to arrange voting beyond the premises for voting, the number of received ballot papers for voting in relevant local elections, family names and initials of the precinct election commission members who were issued the ballot papers for voting. The check list shall be signed by the present precinct election commission members, official observers; their signatures shall be certified by a seal of such precinct election commission. The check list may reference refusal of a person present at the election commission meeting to sign the check list.

7. Deputy candidates, candidates for the position of a village, settlement, city mayor, authorized persons of parties' local organizations, candidates' proxies, official observers shall have the right to be present during voting beyond the premises for voting.

8. When arranging voting beyond the premises for voting, on the basis of the excerpt from the voter list, providing the voter produces one of the documents mentioned in part two of Article 3 of this Law and has the right to vote in relevant local elections, a member of the precinct election commission shall hand out one ballot paper for voting in every local elections to the voter. The precinct election commission member shall affix his or her family name and initials and signature in designated area on the ballot paper and on the voucher, and shall put the voter's number, as in the voter list, on the voucher of the ballot paper. The voter shall sign the voucher of the ballot paper and the excerpt from the voter list, fill in the ballot paper according to the procedure envisaged by part eleven of Article 69 of this Law and put it in the mobile ballot box.

9. If the voter included in the excerpt from the voter list for voting beyond the premises for voting has arrived at the premises for voting after the precinct election commission members have left to arrange voting beyond the premises for voting, no ballot paper may be handed out to such voter, until the commission members arranging voting beyond the premises for voting return and it is ascertained whether the voter has already voted beyond the premises for voting or not.

10. Following voting beyond the premises for voting, the precinct election commission member who handed out a ballot paper to the voter shall make a "Voted at the place of stay" note in the voter list next to the voter's family name, write down his or her family name and initials and affix his or her signature thereto.

11. The excerpt from the voter list by virtue of which voting beyond the premises for voting was implemented shall be attached to the voter list and shall constitute an integral part thereof. Voters' requests, that such voting was based upon, shall be attached to the voter list.

**Article 71** Procedure for vote counting at the polling station

1. Vote counting at the polling station shall be done in an open and transparent manner by members of the precinct election commission at a meeting held in the same premises where the voting took place.

2. The meeting of the precinct election commission shall commence immediately following the end of voting, be without a break and finish following the drafting and signing of relevant protocols of vote counting at the polling station for every local elections and for all election districts where voting took place at the polling station, pursuant to the requirements set forth in this Law. For the time of the meeting, the precinct election commission shall delegate the deputy head or other precinct election commission member to take minutes of the election commission meeting. At this meeting, the secretary of the precinct election commission shall be entering data in the vote counting protocol.

3. On the basis of the voter list for local elections, the precinct election commission shall ascertain the number of voters in the precinct. Such number shall be announced and entered into relevant protocols of vote counting at the polling station for every local elections.

4. The precinct election commission shall count the unused ballot papers, including the ballot papers mentioned in part thirteen of Article 69 of this Law, separately for every local elections and in every election district where voting took place at the polling station. The number of such ballot papers for every local elections and in every district shall be announced and entered into relevant vote counting protocols of the polling station.

5. Unused ballot papers for every local elections shall be invalidated by separating the right bottom corner of the ballot paper. Invalidated unused ballot papers along with the ballot papers mentioned in part thirteen of Article 69 of this Law shall be packed separately for every local elections and for every election district. The packages shall have the "Unused ballot papers" inscription, the name of local elections, election district denomination and/or number, polling station number, number of packed ballot papers for a relevant election district, packing date and time, as well as signatures of the present precinct election commission members and the commission's seal affixed thereto.

6. The precinct election commission shall count the number of voters who received ballot papers for relevant local elections, in a relevant election district signed by voters from the voter list and from the excerpt from the voter list, as envisaged by part three of Article 70 of this Law. Such number shall be announced.

7. The precinct election commission shall count the number of ballot paper vouchers signed by voters and precinct election commission members who handed them out, separately for every local elections and for every election district where voting took place at the polling station. The number of such voucher for every election district shall be announced.

8. Should the number of vouchers determined according to part seven of this Article correspond to the number of voters who received ballot papers determined according to part six of this Article, such number shall be announced and entered into a relevant vote counting protocol of the precinct in the "Number of voters who received ballot papers" column.

9. If the number of vouchers mentioned in part seven of this Article does not correspond to the number of voters' signatures in the list of voters who received ballot papers, an act shall be executed that shall state the reason for such discrepancy as ascertained by a decision of the precinct election commission and shall be signed by the present members of the precinct election commission. The present deputy candidates, candidates for the position of a village, settlement, city mayor, candidates' proxies, authorized persons of the party's local organization, official observers shall also have the right to sign such act. The signatures shall be certified by the seal of such precinct election commission. Following that, the commission shall adopt a decision on determining the number of voters who received ballot papers for voting in a relevant election district. Such number shall be announced and entered into relevant vote counting protocols of the polling station.

10. The voter list, the excerpt from the voter list attached thereto, as envisaged by part three of Article 70 of this Law, voters' requests for providing an opportunity to vote beyond the premises for voting, on the basis of which the excerpt from the voter list was executed, shall be packed in a separate package. The package shall bear the inscription "The voter list for local elections", have the name of the territorial community, number of the polling station, packing date and time, shall be signed by the present precinct election commission members and bear the seal of such election commission.

11. Ballot paper vouchers for voting in every local elections shall be packed in separate packages. The packages shall bear relevant inscriptions "Ballot paper vouchers", local elections name, denomination and/or number of the election district, precinct number, number of packed vouchers for relevant local elections in a relevant election district, packing date and time, signatures of the present precinct election commission members and the seal of such election commission.

12. Vote counting at the polling station shall be done by the precinct election commission separately for every local elections in the following order:

1) vote counting for an all-Ukrainian referendum (should local elections be held simultaneously with an all-Ukrainian referendum);

2) vote counting for the election of the members of the Verkhovna Rada of the Autonomous Republic of Crimea in:

a multiple mandate election district,

a single mandate majoritarian election district;

3) vote counting for the election of oblast council deputies in:

a multiple mandate election district,

a single mandate majoritarian election district;

4) vote counting for the election of raion council deputies in:

a multiple mandate election district,

a single mandate majoritarian election district;

5) vote counting for city mayor elections;

6) vote counting for city council elections in:

a multiple mandate election district,

a single mandate majoritarian election district;

7) vote counting for city raion council elections in:

a multiple mandate election district,

a single mandate majoritarian election district;

8) vote counting for city, settlement mayor elections;

9) vote counting for village, settlement council elections.

During vote counting for every local elections, ballot papers for the local elections for which vote counting has not yet been done shall be piled up in ballot boxes that shall constantly remain within eyesight of precinct election commission members.

13. Before opening ballot boxes, the precinct election commission must verify, separately for every local elections and for every election district where voting took place at the polling station, that the number of unused ballot papers in this election district along with the number of voters who received ballot papers corresponds to the number of ballot papers in this election district received by the precinct election commission. If the data does not correspond, the precinct election commission shall execute an act and indicate the reason for such discrepancy as ascertained in a decision of the precinct election commission that shall be signed by the present precinct election commission members. The present deputy candidates, candidates for the position of a village, settlement, city mayor, candidates' proxies, authorized persons of parties' local organizations, official observers shall have the right to sign such act. The signatures shall be certified by the seal of the precinct election commission.

14. The precinct election commission shall inspect integrity of the stamps or seals on the ballot boxes.

15. Should damage to the stamps or seals on the ballot boxes be ascertained, an act shall be executed that shall indicate the nature of the detected damage and be signed by the present precinct election commission members. The present deputy candidates, candidates for the position of a village, settlement, city mayor, candidates' proxies, authorized persons of parties' local organizations, official observers shall have the right to sign the act. Signatures shall be authenticated by the seal of the precinct election commission.

16. Ballot boxes shall be opened by the precinct election commission successively. The ballot boxes used for voting beyond the premises for voting shall be opened first, and the ballot boxes with damaged seals or stamps or other damage detected during the voting, if applicable, shall be opened last.

17. Following the opening of an undamaged ballot box, its contents shall be discharged on the table where precinct election commission members are seated, and the presence of a check list in such ballot box shall be inspected (two check lists for mobile ballot boxes). Ballot papers from a damaged ballot box shall be drawn out one by one, without mixing them up.

18. If the ballot box contains no check list (two check lists for mobile ballot boxes), according to the procedure established by this Article, the precinct election commission shall execute an act on the absence of the check list in the ballot box, which shall mention the number of ballot papers in such ballot box. Such ballot papers shall not be counted in when determining the total number of voters who took place in the voting and when counting the votes.

19. Should doubts arise with regard to authenticity of the check list contained in the ballot box, the decision whether to find the ballot papers contained in such ballot box such that shall not be counted in when determining the total number of voters who took place in the voting and when counting the votes shall be rendered by the precinct election commission by voting.

20. The ballot papers found in ballot boxes whose referenced name (number) of the election district and (or) polling station number do not correspond to the name (number) of a relevant election district and (or) number of the polling station where the vote counting takes place, as well as the ballot papers with a seal of another commission or with any other seals shall be deemed such that shall not be counted in when determining the number of voters who participated in the voting and when counting the votes.

21. The ballot papers that shall not be counted in when determining the total number of voters who participated in the voting and when counting the votes shall be packed separately for every local elections and every election district. The packages shall bear a relevant inscription – “Ballot papers that shall not be counted in”, elections name, election district denomination and/or number, polling station number, number of the packed ballot papers in a relevant election district, packing date and time, signatures of the present precinct election commission members and the commission’s seal.

22. Ballot papers for voting in every local elections and in every election district shall be set apart. The election commission shall count the total number of ballot papers separately for every local elections and for every election district.

23. During ballot paper counting, the commission member selected by the precinct election commission shall count the ballot papers aloud. All items other than ballot papers of the established form shall be piled up separately and shall not be counted. If doubts arise whether an item constitutes a ballot paper, the precinct election commission shall resolve the issue by voting. Every election commission member shall have the right to personally inspect the item. For the time of item inspection, ballot paper counting shall be suspended. Any items other than ballot papers shall be packed in a separate package. The package shall bear an “Items” inscription, the name of the territorial community, polling station number, packing date and time, signatures of the present precinct election commission members and the commission’s seal.

24. Following the counting of ballot papers in all ballot boxes, the precinct election commission shall count the total number of ballot papers in ballot boxes separately for every local elections and for every election district, except for the ballot papers that shall not be counted in according to the provisions of parts eighteen, nineteen and twenty of this Article, and thus shall determine the number of voters who participated in the voting accordingly for every election district where voting took place at the polling station. Every such number shall be announced and entered into a relevant vote counting protocol of the polling station.

25. In a multiple mandate election district, the ballot papers shall be divided and put in places marked with individual signs containing, on both sides, the name of the party’s local organization, inscriptions “Invalid”, “Against everybody”. Then, the ballot papers shall be distributed and put in places marked with individual signs containing, on both sides, deputy candidate’s family name – separately for every single mandate, single mandate majoritarian election district, deputy candidate’s family name, family name of the candidates for the position of a village, settlement, city mayor, as well as for every case of the above – with inscriptions “Invalid”, “Against everybody”.

26. When dividing and placing the ballot papers, the commission member selected by the precinct election commission shall demonstrate every ballot paper to all commission members, announcing the result of the voter’s expression of will. Should doubts arise about the contents of a ballot paper, the election commission shall resolve the issue by voting. Every election commission member shall have the right for personally examining the ballot paper. For the time of ballot paper examination, the counting of other ballots shall be suspended.

27. The following ballot papers shall be deemed invalid:

- 1) ballot papers without the seal of such precinct election commission;
- 2) ballot papers without the family name and signature of the precinct election commission member who handed out such ballot paper;
- 3) ballot paper with more than one mark;
- 4) ballot papers with no mark at all;
- 5) ballot papers whose voucher has not been torn off;
- 6) ballot papers that otherwise make it impossible to determine the voter’s expression of will;
- 7) ballot papers not amended according to parts fourteen, fifteen of Article 67 of this Law or amended without a relevant decision of amended not in line with such decision.

*{Paragraph 7 of part twenty seven of Article 71 as revised by Law No. 2491-VI ( 2491-17 ) dated 30.08.2010 }*

28. Should doubts arise about ballot paper’s validity, the precinct election commission shall resolve the issue by voting. Every member of the precinct election commission shall have the right to examine the ballot paper personally. For the time of examination of such ballot paper, the counting of other ballot papers shall be suspended.

29. Invalid ballot papers shall be counted separately for every local elections and for every election district. Every such number shall be announced and entered into a relevant vote counting protocol of the polling station. Invalid ballot papers shall be packed separately for every local elections and for every election district. The packages shall bear the inscriptions "Invalid ballot papers of a multiple mandate election district for deputy elections", "Invalid ballot papers of a single mandate election district for deputy elections" (for a single mandate, single mandate majoritarian election districts), "Invalid ballot papers for the election of a village, settlement, city mayor", local elections name, denomination and /or number of the election district, polling station number, number of packed invalid ballot papers in a relevant election district, packing date and time, signatures of the present precinct election commission members and the commission's seal.

30. The precinct election commission shall count the number of votes cast for deputy candidates in a multiple mandate district included in the electoral list of every party's local organization, as well as the number of votes cast by voters who did not support deputy candidates in a multiple election district included in the electoral list of any party's local organization. During vote counting, every commission member shall have the right to examine or recount relevant ballot papers. Vote counting results at the polling station in a multiple mandate election district shall be announced and incorporated into a vote counting protocol of a polling station in a multiple mandate district.

31. During vote counting at a polling station in a multiple mandate district, the precinct election commission shall verify whether the number of voters who participating in the voting at the polling station in this election district corresponds to the total of invalid ballot papers at the polling station in this election district and the number of ballot papers with votes cast for deputy candidates from every party's local organization, and the number of ballot papers where voters did not support deputy candidates from any party's local organization. If such data does not correspond, the precinct election commission shall execute an act indicating the reason for such discrepancy ascertained by a decision of the precinct election commission that shall be signed by the present members of the precinct election commission. The present deputy candidates for a multiple mandate election district, authorized persons of a party's local organizations, official observers from a party's local organization shall also have the right to sign the act. The signatures shall be certified by the seal of such election commission.

32. The ballot papers with votes in a multiple mandate election district cast for every party's local organization and the ballot papers where voters did not support deputy candidates from any party's local organization shall be packed separately. The packages shall bear a relevant name of the party's local organization, inscription "Did not support deputy candidates from any party's local organization", local elections name, name of the multiple mandate election district, polling station number, name of the ballot papers, number of the packed ballot papers, packing date and time, signatures of the present precinct election commission members and the commission's seal.

33. The precinct election commission shall count the number of votes cast for every deputy candidate in a single mandate, single mandate majoritarian election district, candidate for the position of a village, settlement, city mayor, as well as the number of votes of the voters who did not support any relevant candidate in this election district. During vote counting, every member of the precinct election commission shall have the right to examine or recount relevant ballot papers. Vote counting results for deputy candidates in a single mandate, single mandate majoritarian election district, candidates for the position of a village, settlement, city mayor at the polling station shall be announced and incorporated in a protocol on counting the votes at the polling station in a relevant election district.

34. When counting votes cast at the polling station for deputy candidates in a single mandate, single mandate majoritarian election district, for candidates for the position of a village, settlement, city mayor, the precinct election commission must verify whether the number of voters who participated in the voting equals the total of invalid ballot papers at the polling station in this election district, ballot papers with votes cast for candidates in a single mandate, single mandate majoritarian election district, and ballot papers where voters did not support any candidate. If the data does not correspond, the precinct election commission shall execute an act indicating the reason for such discrepancy as ascertained by a decision of the precinct election commission that shall be signed by the precinct election commission members. The present deputy candidates for a single mandate, single mandate majoritarian election district, candidates for the position of a village, settlement, city mayor, their proxies, official observers shall also have the right to sign the act. The signatures shall be certified by the commission's seal.

*{Part thirty four of Article 71 as amended by Law No. 2491-VI ( 2491-17 ) dated 30.08.2010 }*

35. Following the counting of votes cast at the polling station for deputy candidates in a single mandate, single mandate majoritarian election district, candidates for the position of a village, settlement, city mayor, the ballot papers with votes cast for every candidate and the ballot papers where voters did not support any candidate shall be packed separately. The packages shall bear relevant candidate's family name and initials, the inscriptions "Did not support any deputy candidate in a single mandate election district" (for single mandate, single mandate majoritarian election districts), and "Did not support any candidate for the position of a village mayor", or "Did not support any candidate for the position of a settlement mayor", or "Did not support any candidate for the position of a city mayor", elections name, district denomination and/or number, polling station number, number of packed ballot papers, packing date and time, signatures of the present precinct election commission members and the commission's seal.

#### **Article 72. Vote Counting Protocols of Precinct Election Commission**

1. The Precinct Election Commission at its meeting draws up a vote counting protocol at each local election for each election district, in which voting is held in the election precinct. The form of the vote counting protocol of the Precinct Election Commission is to be approved by the Central Election Commission not later than thirty days before the election day. The forms of the vote counting protocol of the Precinct Election Commission at each local election for each election district are to be produced by the respective territorial election commission for each election precinct in

the quantity, defined by the territorial election commission, pursuant to the procedure and within the terms, provided for in Article 67 hereof for the production of ballots papers. The forms of the vote counting protocol of the Precinct Election Commission are to be forwarded to the election commissions together with the ballot papers pursuant to the procedure and within the terms provided for in Article 67 hereof.

2. The following information shall be entered in words and figures to the vote counting protocol of the Precinct Election Commission at the elections of candidate for village, settlement, city council:

- 1) the number of voting ballot papers in the election district, accepted by the Precinct Election Commission;
- 2) the number of voters, included to the voters list in the election precinct;
- 3) the number of non-used ballot papers;
- 4) the number of voters who were issued ballots;
- 5) the number of voters who took part in voting;
- 6) the number of ballot papers declared void;7) the number of votes cast for each candidate;
- 8) the number of voters who did not cast any candidate.

3. The following information shall be entered in words and figures to the vote counting protocol of the Precinct Election Commission at the elections of candidate in accordingly single-mandate, single-mandate majority district:

- 1) the number of voting ballot papers in accordingly single-mandate, single-mandate majority district, accepted by the Precinct Election Commission;
- 2) the number of voters, included to the voters list in the election precinct;
- 3) the number of non-used ballot papers;
- 4) the number of voters who were issued ballots;
- 5) the number of voters who took part in voting;
- 6) the number of ballot papers declared void;
- 7) the number of votes cast for each candidate;
- 8) the number of voters who did not cast any candidate.

4. The following information shall be entered in words and figures to the vote counting protocol of the Precinct Election Commission at the elections of candidate in multiple mandate district:

- 1) the number of voting ballot papers in multiple mandate district, accepted by the Precinct Election Commission;
- 2) the number of voters, included to the voters list in the election precinct;
- 3) the number of non-used ballot papers;
- 4) the number of voters who were issued ballots;
- 5) the number of voters who took part in voting;
- 6) the number of ballot papers declared void;
- 7) the number of votes, cast for the candidates in multiple mandate district from each local party;
- 8) the number of voters who did not cast any candidate in multiple mandate district from any local party;

5. The vote counting protocol at each local election from each election district, in which voting is conducted in the election precinct is drawn by the Precinct Election Commission. The number of copies of the protocol should exceed by four the number of members of the Precinct Election Commission. Copies of the protocol are to be numbered and have equal legal force. The vote counting protocol of the Precinct Election Commission is to contain the date and time (hour and minutes) of its signing by the members of the Precinct Election Commission. Each copy of the protocol is to be signed by the Head, the Deputy Head, the Secretary and other members of the Precinct Election Commission present at the commission meeting. A member of the Precinct Election Commission present at the meeting of the Precinct Election Commission is obliged to sign the vote counting protocol of the Precinct Election Commission. In case a member disagrees with the results of votes counting, fixed in the protocol of the commission, such member signs the protocol with a note "With dissenting opinion". The written statement of the dissenting opinion of the commission member is to be attached to the vote counting protocol of the Precinct Election Commission. When there is no signature of a commission member in the vote counting protocol of the Precinct Election Commission, the reason of absence of the signature is to be indicated next to his/her name. That protocol is to be signed and stamped with the seal of the Precinct Election Commission only after it has been completed. The first and the second copy of the vote counting protocol in the election precinct may also be signed by deputy candidates, candidates for village, settlement, city mayor, candidates' proxies, authorized persons of local parties, official observers, who were present at the meeting of the Precinct Election Commission during the vote counting.



Failure or refusal by certain commission members to sign the protocol does not have any legal consequences for the protocol validity.

6. It is disallowed to use a pencil to fill out the vote counting protocol of the Precinct Election Commission or to introduce any amendments to the protocol without a respective decision of the Precinct Election Commission.

7. If after signing vote counting protocol of the Precinct Election Commission, the Precinct Election Commission discovered shortcomings (clerical error or mistake in figures), it discusses at its meeting the issue regarding making amendments thereto by way of drawing up a new protocol, marked as "Corrected".

8. Deputy candidates, candidates for village, settlement, city mayor, candidates' proxies, representatives and authorized persons of local parties, official observers, who were present at the meeting of Precinct Election Commission during the vote counting, upon their request are immediately provided with the copies of vote counting protocol at the respective local elections for the respective election district, including the one marked as "Corrected", certified with signatures of the Head and the Secretary of Precinct Election Commission and seal of the election commission, on the basis of no more than one copy of each protocol for each local party that nominated candidates in a multiple mandate district, each candidate in single-mandate and single-mandate majority district, candidate to village, settlement, city mayor. An act is drawn up regarding the issue of the copies of the vote counting protocol in the election precinct at the respective local elections for the respective election district, under the form, established by the Central Election Commission. The list of persons, who issued the copies of the respective protocol, the copy number, date and time of obtaining thereof, as well as signatures of those persons are to be specified in the act. The act is to be signed by the Head and the Secretary of the Precinct Election Commission and stamped with the commission seal.

9. The first and the second copy of the vote counting protocol of the Precinct Election Commission in the election precinct at respective local elections for the respective election district, and, if any, the respective copies of protocol marked as "Corrected", the act of the copies issuance, drawn up according to part 8 of this Article, are to be packed. An endorsement "Vote Counting Protocol" is to be made on the pack, and the name of the respective elections, sign and/or number of election district, number of election precinct, date and time of packaging are specified, signatures of all present members of the Precinct Election Commission are made and seal of the Precinct Election Commission is attached. The third copy of the vote counting protocol of the Precinct Election Commission in the election precinct, issued at the respective local elections for the respective election district, as well as protocol marked as "Corrected", is stored by the Secretary of the Precinct Election Commission, the fourth copy of the mentioned protocol (protocol marked as "Corrected") is immediately hang out for public studying at the premises of the Precinct Election Commission, and the remaining copies of the mentioned protocol (protocol marked as "Corrected") are provided to the members of the Precinct Election Commission, one copy per member.

10. After issuing protocols, pursuant to the procedure, established hereby, at each local elections for each election district, packages with vote counting protocols of the Precinct Election Commission at each local elections for each election district, packages with ballot papers, vouchers, subjects, as well as, if any, written dissenting opinions of members of the election commission, acts, statements, complaints and resolutions, taken by the election commission, are immediately delivered by the members of the Precinct Election Commission to the respective territorial election commission pursuant to the procedure, provided for in Article 74 hereof. The voter list for the local elections is attached to election documentation related to the elections of the deputies for the Verkhovna Rada of the Autonomous Republic of Crimea, oblast council, Kyiv, Sevastopol city councils.

**Article 73. Recognizing Voting in Election Precinct Invalid by Precinct Election Commission**

1. The Precinct Election Commission takes the decision of recognizing voting in the election precinct invalid when it has established violations of the requirements of this Law, due to which it is impossible to determine the true results of the expression of voters' will solely under the following circumstances:

1) discovery of the facts of illegal voting (a ballot paper cast into the ballot box for the voter by another person, except for the cases, stipulated hereby; voting by persons who have no right to vote; voting by persons, not included to the voter list in the election precinct or included thereto groundless; voting by a voter more than once) in the number, exceeding ten percent of the total number of voters, obtained ballots in the election precinct;

2) destruction or damage of a ballot box (ballot boxes) that makes it impossible to determine the contents of the ballot papers when the number of such ballot papers exceeds ten per cent of the number of voters who received ballot papers in that election precinct;

3) discovery of ballot papers in the ballot boxes in the amount exceeding by ten per cent the number of voters who received ballot papers in that election precinct.

2. In each case, when circumstances specified in part one of this Article are discovered, the Precinct Election Commission is to draw up a respective act, which is to be signed by all present members of the Precinct Election Commission and stamped with seal of the election commission. Such act (acts) shall be the basis for consideration by the Precinct Election Commission of the issue regarding recognizing voting in the election precinct invalid.

3. If the decision of recognizing voting in the election precinct invalid is taken, the vote counting protocol of the Precinct Election Commission in respect of candidates for village, settlement, city mayor, must contain only a data, provided for in clauses 1-6 part two Article 72 of this Law, and in respect of the deputy candidates in a single-mandate or single-mandate majority district – a data, provided for in clauses 1-6 part three Article 72 of this Law.

4. If the decision of recognizing voting in the election precinct invalid is taken, the vote counting protocol of the Precinct Election Commission in respect of deputy candidates in a multiple mandate district must contain only a data, specified in clauses 1-6 of part four Article 72 of this Law.

5. Ballot papers are packed into packages. An endorsement "Ballot Papers" is to be made on the package, and the name of the respective elections, sign and/or number of election district, number of the election precinct, quantity of the ballot papers packed, the date and time of packaging are specified, signatures of present members of the Precinct Election Commission are made and seal of the Precinct Election Commission is attached.

6. Decision of the Precinct Election Commission of recognizing voting in the election precinct invalid and the act (acts), based on which such decision has been taken, shall be attached to the first copy of the vote counting protocol in the election precinct for the respective election districts.

**Article 74.** Procedure for Transportation and Submitting Documents to Territorial Election Commission

1. The election documents are transported to the respective territorial election commission under the decision of the respective Precinct Election Commission, territorial election commission by three members of that election commission (if it is impossible – by two members), who are the representatives of three (or accordingly two) different parties, nominated candidates for the members of the respective territorial or Precinct Election Commission. During transportation of the election documents, the members of the Precinct Election Commission or territorial election commission must be accompanied by a representative of internal affairs authority of Ukraine, who must ensure their security during transportation. At their own discretion other members of the Precinct Election Commission or the territorial election commission, not engaged in transportation of election documents, deputy candidates, candidates for village, settlements, city mayor, candidates' proxies, representatives and authorized persons of local parties, official observers – subjects of the respective election process – may accompany transportation of the election documents. No other persons may accompany transportation of the election documents. During transportation of the election documents it is prohibited to unpack packages with the ballot papers and other election documents.

*(Part four of Article 74 with changes made in accordance with Law No. 2491-VI ( [2491-17](#) ) dated 30.08.2010 )*

2. Vote counting protocols in the election precinct, protocols of voting results for the respective election district and other documents of the Precinct Election Commission or territorial election commission are submitted to the respective territorial election commission at its meeting.

**Article 75.** Tabulation of Protocols

1. Protocols and other election documents of the precinct and territorial elections commissions are accepted and considered at the meeting of the respective territorial election commission.

2. Meeting of the territorial election commission commences from the moment of the receipt of the first vote counting protocol in election precinct or protocols of voting results for the respective election district and other election documents of the precinct or territorial election commission and lasts continuously till tabulation of protocols and (or) establishing of the results of respective local elections.

3. If the vote counting protocols of the Precinct Election Commission for the respective election district at the respective local elections, protocols of voting results of the respective territorial election commissions for the respective election district at the respective local elections comply with the requirements of this Law, information included therein is published.

4. If any corrections, mistakes, inaccuracies are found in the vote counting protocol of the Precinct Election Commission for the respective election district at the respective local elections, or protocol of voting results of the territorial election commission for the respective election district at the respective local elections, the territorial election commission may by its decision oblige accordingly the Precinct Election Commission or territorial election commission to make amendments to such protocol through drawing up a protocol marked as "Corrected". During consideration of that issue by the precinct, territorial election commission, the respective copies of the vote counting protocols, protocols of the respective territorial election commissions of the voting results for the respective election district at the respective local elections and documents attached thereto are stored in the territorial election commission, which according to part one of this Article has accepted such protocols.

5. Precinct, territorial election commission is obligated within the term, stipulated by the respective territorial election commission, to consider the issue regarding making amendments to the protocol. Thereafter the protocol marked as "Corrected" is immediately transported and submitted to the respective territorial election commission pursuant to the procedure, provided for in Article 74 of this Law.

6. If there are any duly executed acts, drawn up by authorized persons of any local party, candidates' proxies and official observers – subjects of the respective election process – of violation of the requirements of this Law during the voting and (or) the vote counting at the election precinct, which allow the territorial election commission prejudice the results of the vote counting at that precinct, the territorial election commission may take a decision of the vote re-counting.

7. If there is any act or written claim regarding violation of the requirements of this Law during transportation of the vote counting protocol and other election documents to the territorial election commission, the territorial election commission may, and in case there are any obvious evidence of unsealing of packed documents, it is obligated to take decision of the vote re-counting at that precinct.

8. Protocols and other election documents of the precinct election commission are stored in the meeting premises of the respective territorial election commission till conducting by the territorial election commission of the vote re-counting in the election precinct.

9. Vote re-counting in the election precincts for the respective election district at respective local elections is conducted by the territorial election commission that has taken a decision of vote re-counting, with mandatory participation of the members of the Precinct Election Commission, who submit election documents, after consideration and accepting of protocols and other election documents from all Precinct Election Commissions. All members of the Precinct Election Commission are entitled to participate in vote re-counting at election precinct by the territorial election commission, and authorized persons of local parties, candidates' proxies and official observers may also be present there. *(Part nine of Article 75 with changes made in accordance with Law No. 2491-VI ( [2491-17](#) ) dated 30.08.2010 )*

10. The territorial election commission in case of the vote re-counting at the election precinct, is to draw up a protocol of the re-counting of votes in the election precinct for the election district at the respective local elections in the form, established by the Central Election Commission.

11. The protocol on the re-counting of votes in the election precinct for the election district at the respective local elections is drawn up by the territorial election commission in four copies. Copies of the protocol are numbered and have equal legal force. That protocol is signed by all present members of the territorial election commission and members of the the Precinct Election Commission, who participated in the votes re-counting, and certified with a seal of the territorial election commission. Data, entered into the protocol is announced. Failure to sign the protocol by individual members of the election commission does not have any legal effect for the protocol validity.

12. If the territorial election commission during the re-counting of votes in the respective election precinct discovers circumstances, specified in the part one Article 73 of this Law, the territorial election commission may take a decision of recognizing voting in the election precinct invalid. In that case the protocol of the re-counting of votes in election precinct for the election district at the respective local elections is to be drawn up by the election commission pursuant to the procedure, established by part eleven of this Article. *(Part twelve of Article 75 with changes made in accordance with Law No. 2491-VI ( [2491-17](#) ) dated 30.08.2010 )*

13. The first copy of the protocol of the territorial election commission of the re-counting of votes in the election precinct together with the respective vote counting protocol of the Precinct Election Commission, and decision of the territorial election commission of recognizing voting at the election precinct invalid (if available) is attached to the protocol of the territorial election commission of the results of voting for the respective territorial election district. The second copy of the protocol is stored by the Secretary of the territorial election commission, the third copy is delivered to the Precinct Election Commission and the fourth one is hung out immediately in the premises of the territorial election commission for general access. The copies of each protocol are provided to the members of the territorial election commission. Data, entered into the protocol of the territorial election commission on the re-counting of votes in the election precinct for the election district at the local elections, is to be announced. *(Part fourteen of Article 75 with changes made in accordance with Law No. 2491-VI ( [2491-17](#) ) dated 30.08.2010 )*

14. After acceptance and consideration of all vote counting protocols of the precinct, territorial election commissions, including the protocols marked as "Corrected", as well as protocols of voting results for the respective election districts at the local elections, the territorial election commission based on those protocols, and in case the re-counting of votes was held – based on protocols of the territorial election commission of the re-counting of votes in the respective election precinct, establishes and enters to the protocol of the voting results for each territorial election district at the respective local elections the following information:

- 1) the number of ballot papers received by the Precinct Election Commissions;
- 2) the number of voters, included to the voters list at the election precinct;
- 3) the number of non-used ballot papers;
- 4) the number of voters who were issued ballots;
- 5) the number of voters who took part in voting;
- 6) the number of ballot papers declared void;

15. The protocol of the territorial election commission of the voting results in the respective single-mandate, single-mandate majority election district at the local elections, apart from data, specified in part eleven of this Article, shall contain in words and figures as follows:

- 1) the total number of votes cast to support of each deputy candidate in a single-mandate, single-mandate majority election district, each candidate for village, settlement, city mayor;
- 2) the total number of voters who did not cast any deputy candidate in a single-mandate, single-mandate majority election district, and any candidate for village, settlement, city mayor;

16. The protocol of the territorial election commission of the voting results in a multiple mandate election district at the local elections, apart from data, specified in part fourteen of this Article, shall contain in words and figures as follows:

1) the number of votes, cast for the deputy candidates in a multiple mandate district, registered in the electoral list from each local party;

2) the number of voters who did not cast any deputy candidate in a multiple mandate district from any local party;

17. Protocol of the territorial election commission of the voting results for the respective election territorial district is to contain data, specified in part fourteen of this Article, and data, specified accordingly in parts fifteen and sixteen of this Article.

18. The number of copies of the protocol of the voting results for the territorial election district drawn up by the territorial election commission is to exceed the number of territorial election commission members by three. Copies of the protocol are to be numbered and have equal legal force.

The protocol of the voting results shall indicate the date and time (hours and minutes) when it was signed by the members of the territorial election commission. Each copy of the protocol is to be signed by the Head, the Deputy Head, the Secretary and other members of the territorial election commission present at the commission meeting. The member of the territorial election commission present at the meeting is obliged to sign the protocol on the voting results. In case a member disagrees with the results of the votes counting, fixed in the protocol of the commission, such member signs the protocol with a note "With dissenting opinion". The written statement of the dissenting opinion is to be attached to the protocol of the voting results. When there is no signature of a member of the territorial election commission in the protocol of the voting results, the reason of the absence of the signature is to be indicated next to his/her name. The protocol is to be signed and stamped with the seal of the territorial election commission only after it has been completed. The first and the second copy of the protocol of the voting results at the respective local elections may also be signed by deputy candidates, candidates for village, settlement, city mayor, candidates' proxies, authorized persons of the local parties, official observers – subjects of the respective election process, who were present at the meeting of the territorial election commission during establishment of the voting results. Failure to sign the protocol by individual members of the election commission does not have any legal effect for the protocol validity.

19. It is disallowed to use a pencil to fill out the protocol of the voting results of the territorial election commission for respective election districts, or to introduce any amendments to the protocol without a respective decision of the commission.

20. If after signing the protocol of the voting results for the respective election district, the territorial election commission detected shortcomings (clerical error or mistake in figures), it considers at its meeting the issue regarding making amendments thereto by way of drawing up a new protocol, marked as "Corrected".

21. The first copy of the protocol of the voting results of the territorial election commission at the respective local elections for the respective election district, and, if any, the respective copy of protocol marked as "Corrected", are packed. An endorsement "Protocol of the Voting Results" is made on the pack, and the name of the respective elections, sign and/or number of election district, date and time of packaging are specified, signatures of all present members of territorial election commission are made and seal of the territorial election commission is attached. The second copy of protocol of the voting results of the territorial election commission at respective local elections for the respective election district, as well as protocol marked as "Corrected", is stored by the Secretary of the territorial election commission, the third copy of the mentioned protocol (protocol marked as "Corrected") is immediately hung out for public studying at the premises of the territorial election commission, and the remaining copies of the mentioned protocol (protocol marked as "Corrected") are provided to the members of the territorial election commission, one copy per member.

22. Establishing of the voting results for the election districts at the elections of deputies for the Autonomous Republic of Crimea, deputies for oblast, raion, city councils (in the cities, where raion councils are created), is conducted by the respective territorial election commission pursuant to the procedure and priority, provided for in part twelve Article 71 of this Law.

23. The first copy of the protocol of the voting results of the territorial election commission for the respective election district at the elections of deputies for the Autonomous Republic of Crimea, deputies for oblast, raion, city councils (in the cities, where raion councils are created), together with respective ballot papers, protocols and acts of the precinct election commissions, voter lists, decisions, taken on the basis of those acts, and, if available, protocols of the territorial election commission of re-counting of votes, cast at the respective local elections in the election precinct, written dissenting opinions of members of the territorial election commission, statements and complaints as well as decisions, taken by the election commission under the results of their consideration, are transported by the territorial election commission to the Election Commission of the Autonomous Republic of Crimea, respective oblast, raion and city territorial election commissions. The second copy of the protocol is stored by the Secretary of the territorial election commission, the third copy is immediately hung out for public studying at the premises of the territorial election commission, and the remaining copies of the protocol are provided to the members of the territorial election commission, one copy per member.

**Article 76.** Establishing of the Results of Elections of Deputies for Single-Mandate Election District, Elections of Village, Settlement, City Mayor

1. Village, settlement territorial election commission based on protocols of the voting results for the respective single-mandate election district at the elections of deputies, established results of the elections for such district, and draws

up a protocol thereof. The following information shall be entered in words and figures to the protocol of the voting results for the respective single-mandate election district at respective elections of deputies:

- 1) the number of produced ballot papers;
- 2) the number of ballot papers received by the Precinct Election Commissions;
- 3) the number of voters, included to the voters list at the election precinct;
- 4) the number of non-used ballot papers;
- 5) the number of voters who were issued ballots;
- 6) the number of voters who took part in voting;
- 7) the number of ballot papers declared void;
- 8) the number of votes cast for each candidate;
- 9) the number of voters who did not cast any candidate.
- 10) last name, first name (all names) and patronymic (if any) of the deputy candidate, collected maximum number of votes for the respective election district.

2. Village, settlement territorial election commission at its meeting based on its protocol of the voting results in single-mandate election district shall, not later than on the fifth day from the election day, take one of the decisions as follows: on election of the deputy in respective single-mandate election district, on appointment of repeat voting, on declaring the elections in the respective single-mandate district as such which have not been held.

3. Village, settlement, city territorial election commission based on the protocol of the voting results (protocols, including those marked as "Corrected") in single-mandate election district at the elections of village, settlement, city mayor, establishes the elections results for such election district, and draws up a protocol thereof. The following information shall be entered in words and figures to the protocol of the voting results for respective single-mandate election district at respective elections of village, settlement, city mayor:

- 1) the number of produced ballot papers;
- 2) the number of ballot papers received by the Precinct Election Commissions;
- 3) the number of voters, included to the voters list at the election precinct;
- 4) the number of non-used ballot papers;
- 5) the number of voters who were issued ballots;
- 6) the number of voters who took part in voting;
- 7) the number of ballot papers declared void;
- 8) the number of votes, cast for each candidate for village, settlement, city mayor;
- 9) the number of voters, who did not cast any candidate for village, settlement, city mayor;
- 10) last name, first name (all names) and patronymic (if any) of the candidate for village, settlement, city mayor, collected maximum number of votes for the respective election district.

4. Village, settlement territorial election commission at its meeting based on its protocol of the voting results at the elections of village, settlement, city mayor shall, not later than on the fifth day from the election day, take one of the decisions as follows: on election of village, settlement, city mayor, on appointment of repeat voting, on declaring the elections of village, settlement, city mayor as such which have not been held.

5. The elected deputy candidate in single-mandate election district, candidate at the elections of village, settlement, city mayor is a candidate, who collected the greatest number of votes compared to other candidates registered in the same election district.

If the voting has been conducted regarding only one deputy candidate, candidate for village, settlement, city mayor according to part one Article 46 of this Law, candidate shall be deemed elected as deputy, village, settlement, city mayor, if the number of votes to support such candidate exceeds 50 percent of the number of voters who took part in voting. *(Part five of Article 76 in the edition of the Law No. 2491-VI ( 2491-17 ) dated 30.08.2010)*

6. If two or more candidates collect the same and at the same time the greatest number of votes for the election district, repeat voting in relation to such candidates is conducted.

7. Elections for the election district are recognized as such which have not been held, in connection with circumstances provided for in part two Article 46 of this Law.

8. Notice of the results of the voting and elections, elected deputy, village, settlement, city mayor, including his/her last name, first name (all names), patronymic (if any), date of birth, citizenship, membership in a party, position, place

of employment (occupation), place of residence of the deputy, village, settlement, city mayor, name of local party organization, from which he/she has been elected, are published in the mass media or notified to public in other manner not later than on the fifth day after the election day. The territorial election commission approves the respective decision on the voting results and results of the elections. The respective territorial election commission sends immediate notice of the results of elections of deputies for village, settlement, city council, village, settlement, city mayor, to the Central Election Commission in the form, established by the Central Election Commission, and notifies the respective council – at its first plenary session, according to the Law of Ukraine "On Local Self-Government of Ukraine" ( [280/97-BP](#) ).

**Article 77.** Establishing of the Results of Elections of Deputies in a Multiple Mandate Election District, Single-Mandate Majority Election Districts

1. The election commission of the Autonomous Republic of Crimea, oblast, raion, city, city raion territorial election commission at its meeting based on protocols of the voting results at elections of deputies for the respective council not later than on the fifth day from the election day, establishes the results of elections of deputies in a multiple mandate election district, and draws up a protocol of the voting results. The following information shall be entered in words and figures to the protocol of the voting results for the respective multiple mandate election district, at the respective local elections as follows:

- 1) the number of produced ballot papers;
- 2) the number of ballot papers received by the Precinct Election Commissions;
- 3) the number of voters, included to the voters list at the election precinct;
- 4) the number of non-used ballot papers;
- 5) the number of voters who were issued ballots;
- 6) the number of voters who took part in voting;
- 7) the number of ballot papers declared void;
- 8) the number of votes, cast for the candidates in a multiple mandate district, included to electoral list from each local party;
- 9) the number of voters who did not cast any candidate in a multiple mandate district from any local party;

2. Number of votes, required for obtaining one deputy mandate in the respective multiple mandate election district (hereinafter referred to as the "electoral quotient"), is calculated through division of aggregate amount of votes, cast for candidates, registered in the electoral list of candidates from local parties, obtained three and more percent of votes who took part in the voting in the respective multiple mandate election district, by the number of mandates in that election district. (*Part two of Article 77 with changes made in accordance with Law No. 2491-VI ( [2491-17](#) ) dated 30.08.2010*)

3. The right for distribution of deputy mandates in the respective multiple election district shall be assigned to the deputy candidates, registered in the electoral lists of deputy candidates from local parties, collected three and more percent of votes, provided that the amount of those votes is equal to or exceeds the electoral quotient.

4. Deputy candidates, registered in the electoral list from local party, collected the amount of votes less than the electoral quotient, shall not have the right to participate in distribution of deputy mandates in the respective multiple election district.

5. Deputy mandates in multiple election district are distributed between deputy candidates, registered in the electoral list from local parties, who according to part three of this Article is entitled for participation in distribution of deputy mandates in that district, pro rata the number of votes cast for the respective electoral list from local party, in the order, stipulated by part six, seven of this Article.

6. Number of votes, cast for deputy candidates, registered in the electoral list from each local party, obtained the right for distribution of mandates, is divided by electoral quotient. The integer of the received number is the number of mandates, obtained by deputy candidates from that party. Remaining fractions are to be considered while distribution of other deputy mandates, remaining non-distributed thereafter.

7. The electoral lists from local parties with the largest compared to others fractions after the division described in part six of this Article shall all receive one additional deputy mandate starting with the electoral list of the party with the highest fraction. If fractions of two or more electoral lists are the same, primarily an additional deputy mandate shall be provided to the electoral list, candidates of which collected greater amount of votes. The distribution of additional deputy mandates shall be completed when all deputy mandates are distributed.

8. The result of elections in a multiple mandate election district is establishment pursuant to the order in the electoral lists from local parties, of individuals elected as deputies from local parties according to the number of deputy mandates, obtained by electoral lists from local parties.

In case of circumstances provided for in part two Article 46 of this Law, the respective territorial election commission takes a decision of recognizing elections in multiple mandate election district as such which have not been held.

9. After establishment of the number of MP mandates, obtained by electoral lists from local parties, and determination of individuals according to the requirements of paragraph 1 part eight of this Article, elected as deputy, the territorial election commission in the protocol of the voting results in the respective multiple mandate election district at the respective local elections also specifies:

- 1) number of deputy mandates, obtained by electoral lists of local parties;
- 2) last name, first name (all names) and patronymic (if any), year of birth, education, position, place of employment (occupation), address of residence, membership in a party of each elected deputy.

10. Protocol of the territorial election commission of the voting results in a multiple mandate district is drawn up in two copies, signed by the Head, the Deputy Head, the Secretary of the commission and other members of the commission, present at the meeting, and certified with a seal of the territorial election commission. The protocol is attached, if available, with written dissenting opinions of the members of territorial election commission, statements of claims and complaints against violation of the procedure for establishment of the elections results by the territorial election commission and decisions, taken by the commission as a result of their consideration. The first copy of the protocol is stored in the territorial election commission, the second copy is hung out for public studying in the premises of the territorial election commission. Upon the request of deputy candidates registered in the electoral lists, authorized persons of the local parties, official observers from the local parties, they are provided with the copies of the protocol. Failure to sign the protocol by individual members of the election commission does not have any legal effect for the protocol validity.

11. The election commission of the Autonomous Republic of Crimea, oblast, raion, city, city raion territorial election commission based on protocols of the voting results (including protocols marked as "Corrected") in a single-mandate majority election district, establishes the results of the elections in that election district, and draw up a protocol thereof. The following information shall be entered in words and figures to the protocol of the voting results for respective single-mandate majority election district at the respective local elections:

- 1) the number of produced ballot papers;
- 2) the number of ballot papers received by the Precinct Election Commissions;
- 3) the number of voters, included to the voters list at the election precinct;
- 4) the number of non-used ballot papers;
- 5) the number of voters who were issued ballots;
- 6) the number of voters who took part in voting;
- 7) the number of ballot papers declared void;
- 8) the number of votes cast for each candidate;
- 9) the number of voters who did not cast any candidate;
- 10) last name, first name (all names) and patronymic (if any) of the candidate for deputies, collected maximum number of votes for the respective election district.

12. Territorial election commission at its meeting based on its protocol of the voting results in a single-mandate majority election district shall, not later than on the fifth day from the election day, take one of the decisions as follows: on election of a deputy, on appointment of repeat voting, on declaring the local elections in the election district as such which have not been held.

The elected deputy is a candidate who collected the greatest amount of votes who took part in voting, compared to other candidates who registered in that election district.

If the voting has been conducted regarding only one candidate, according to part one Article 46 of this Law, candidate shall be deemed elected as deputy, if the number of votes to support such candidate exceeds 50 percent of the number of voters who took part in voting. (Part twelve of Article 77 is supplemented with a paragraph in accordance with Law No. 2491-VI ( [2491-17](#) ) dated 30.08.2010 )

If two or more candidates collect the same and at the same time the greatest number of votes for the election district, repeat voting in relation to such candidates is conducted.

13. Elections in a single-mandate majority election district are recognized as such that have not been held in case of circumstances provided for in part two Article 46 of this Law.

14. If a candidate, registered in the electoral list from local party has been elected as deputy in a multiple mandate district and deputy in a single-mandate majority district or village, settlement, city mayor, such candidate is deemed elected in a single-mandate majority election district or village, settlement, city mayor.

Deputy candidate, registered in the electoral list from local party in a multiple mandate election district, if elected as deputy in single-mandate majority district or village, settlement, city mayor, shall immediately after obtaining the decision of the territorial election commission of the results of respective local elections, notifies of his/her election the

territorial election commission, establishing the results of local elections in respective multiple mandate election district.

In that case the respective election commission shall within one day from the day of the receipt of such notice or respective notice from the Central Election Commission take the decision of recognizing elected the next in order deputy candidate in the electoral list of the respective local party.

15. The territorial election commission notifies the respective candidate of its decision taken according to paragraph 3 part fourteen of this Article on the next day from the day of such decision.

16. Notice of the voting results, list of elected deputies in a multiple mandate election district (in alphabetical order), elected deputy in a single-mandate majority election district, including his/her last name, first name (all names), patronymic (if any), date of birth, citizenship, membership in a party, position, place of employment (occupation), place of residence of the deputy, name of the local party organization, from which he/she has been elected, are published in the mass media or notified to public in other manner not later than on the fifth day after the election day. The territorial election commission approves the respective decision of the voting results and results of the elections. The respective territorial election commission sends immediate notice of the results of elections of deputies to the Central Election Commission in the form, established by the Central Election Commission, and notifies the respective council at its first plenary session according to the Law of Ukraine "On Local Self-Government of Ukraine" ( [280/97-BP](#) ).

#### **Article 78.** Repeat Voting

1. Territorial election commission takes the decision of repeat voting for the election district, if two of more deputy candidates, candidates for village, settlement, city mayor collected the greatest and the same number of votes in such election district.

2. Territorial election commission notifies the respective council and voters of its decision of repeat voting on the second day after establishment of the results of elections.

3. Repeat voting regarding candidates, specified in part one of this Article, is conducted not later than within two-day term after the election day pursuant to the procedure established by this Law.

4. Repeat voting is conducted by the same election commissions in the same election districts, election precinct, and the same voter lists.

#### **Article 79.** Official Publication of the Results of Elections

1. The territorial election commission not later than on the fifth day from the day of establishment of the results of elections of deputies, village, settlement, city mayor, promulgate the results of the local elections in the respective local printed mass media.

The list of elected deputies for the respective council is published through specifying in alphabetical order of the last name, first name (all names), patronymic (if any), year of birth, education, position, place of employment (occupation), address of residence, membership in a party and name of the local party, from which he/she has been elected (or note "Nominated through self-nomination").

In the notice of the results of elections and elected village, settlement, city mayor, the last name, first name (all names), patronymic (if any), year of birth, education, position, place of employment (occupation), address of residence, party membership and name of the local party, from which the respective village, settlement, city mayor has been elected (or note "Nominated through self-nomination") are specified.

2. The official publication by the territorial election commission of the results of elections of deputies, village, settlement, city mayors shall provide the grounds for dismissal from work (position) incompatible with the position of village, settlement, or city mayor and approval of decision on termination of any other representative mandate of the individual, elected as village, settlement, or city mayor.

#### **Article 80.** Registration of Elected Deputies, Village, Settlement, City Mayors

1. An individual, elected a deputy, village, settlement or city mayor, for his/her registration, when another representative mandate is available, is to submit to the territorial election commission within 20 days from the day of official promulgation of the results of local elections, a copy of registered application of termination of another representative mandate, submitted respectively to the Verkhovna Rada of Ukraine, the Verkhovna Raga of the Autonomous Republic of Crimea, or local council. An individual, elected a village, settlement or city mayor, along with a copy of application of termination of another representative mandate, shall submit a document regarding dismissal from work (position) incompatible with the position of village, settlement, or city mayor.

2. If an individual elected a deputy, village, settlement or city mayor, applies to the territorial election commission with sufficient reasons, which hinder such individual from observing part one of this Article, the territorial election commission may approve the decision on sufficiency of such reasons and appoint a different term for adhering to the aforementioned requirements or insufficiency thereof.

3. Within a five-day term from the day of the receipt of the documents, specified in part one of this Article, the territorial election commission shall take the decision of registration of a deputy, village, settlement, city mayor. *(Part three of Article 85 in the edition of Law No. 2491-VI ( [2491-17](#) ) dated 30.08.2010)*



4. If an individual elected a deputy in a multiple mandate election district fails to fulfil the requirements of part one of this Article without sufficient reasons within the terms, specified in part one and two of this Article, the territorial election commission takes a decision of recognizing him/her as such, waived from deputy mandate, and recognizes elected a deputy the next by order candidate in the electoral list of the respective party, and register him/her pursuant to the procedure established by this Law.

5. If a candidate, registered in the electoral list from local party has been elected a deputy in a multiple mandate district and deputy in a single-mandate majority district or a village, settlement, city mayor, such candidate is deemed elected in a single-mandate majority election district or a village, settlement, city mayor.

In that case the respective election commission within one day from the day of the receipt of such notice or respective notice from the Central Election Commission takes the decision of recognizing elected the next in order deputy candidate in the electoral list of the respective local party and register him/her pursuant to the procedure established by this Law.

6. The territorial election commission notifies the respective deputy candidate of its decision taken according to part four, paragraph two part five of this Article on the next day from the day of such decision.

7. If an individual elected a deputy in a single-mandate, a single-mandate majority election district fails to fulfil the requirements of part one of this Article without sufficient reasons and within the terms, specified in part one and two of this Article, the territorial election commission takes a decision of recognizing him/her as such, waived from deputy mandate, and appoints repeat voting in that election district.

If an individual elected a village, settlement, city mayor fails to fulfil the requirements of part one of this Article without sufficient reasons and within the terms, specified in part one and two of this Article, the territorial election commission takes a decision of recognizing him/her as such, waived from the position of a village, settlement, city mayor, and appoints repeat voting for that election district for election respectively village, settlement, city mayor. (Paragraph two part seven Article 80 with changes made in accordance with Law No. 2491-VI ( 2491-17 ) dated 30.08.2010 )

## **Chapter XI. REPLACEMENT OF DEPUTIES, EXTRAORDINARY, REPEAT, MID-TERM AND FIRST ELECTIONS**

### **Article 81. Replacement of Deputies for Local Councils and Mid-term Elections of Deputies for Local Councils**

1. If a deputy, elected in a multiple mandate election district, has early terminated his/her powers or his/her powers were early terminated on the grounds and pursuant to the procedure, provided for in the Constitution ( 254к/96-BP ) and Laws of Ukraine, based on the decision of the territorial election commission, the next by order deputy candidate in the electoral list of the local party shall be recognized elected a deputy. If the order for the receipt of deputy mandate is exhausted, the deputy mandate shall remain vacant till ordinary or extraordinary elections.

2. The territory election commission registers an individual, elected a deputy according to part one of this Article, and issue a temporary deputy card to such individual pursuant to the procedure, established by Article 80 of this Law.

3. Mid-term elections of deputies in a single-mandate, a single-mandate majority election district, are conducted pursuant to the procedure and within the terms, established by this Law. In case of early termination of the deputy powers less than six months before expiration of the term of powers of acting local council, elections of a deputy in place of the one, whose powers were early terminated, may not be conducted under the decision of the respective council.

### **Article 82. Repeat Voting in Local Elections of Deputies of Local Councils, Village, Settlement, City Mayors**

1. Decision of repeat voting in elections of deputy (deputies) in the respective multiple mandate, single-mandate, single-mandate majority election district, is taken by the territory election commission not later than within a ten-day term from the date of the decision of recognizing the respective elections of deputies for such election district as such which have not been held, or in case of recognizing an individual as such who waived from deputy mandate in the respective single-mandate, single-mandate majority election district.

Decision of the repeat elections of village, settlement, city mayor is taken by the territorial election commission not later than within 10-day term from the date of the decision of recognizing the respective elections as such which have not been held, or if an individual is recognized as such who refused from the position of accordingly village, settlement or city mayor.

2. Repeat voting is conducted by the same election commissions in the same election districts, election precincts, and with the same voter lists pursuant to the procedure and within the terms stipulated by this Law.

3. Citizens, in respect of whom the decision of registration them as deputy candidates, candidates for village, settlement, city mayor and in other cases stipulated by law, has been cancelled, are not allowed to register for the repeat elections.

### **Article 83. Extraordinary Elections to the Verkhovna Rada of the Autonomous Republic of Crimea, Local Councils and of Village, Settlement, City Mayor**

1. Extraordinary elections of deputies to the Verkhovna Rada of the Autonomous Republic of Crimea, local council, or of village, settlement, city mayor, are conducted pursuant to the procedure and within the terms, provided for in this Law for ordinary elections.

2. The Verkhovna Rada of the Autonomous Republic of Crimea, local council, village, settlement, city mayor, elected at the extraordinary elections, conduct their powers till election of the new council, village, settlement, city mayor in the next ordinary elections pursuant to the procedure, provided for in the Constitution ( 254k/96-BP ) and laws of Ukraine.

3. During the last six months of powers of the deputies, village, settlement, city mayor, elected at previous ordinary local elections, extraordinary elections of the deputies, village, settlement, city mayor are not appointed and not conducted. *(Article 83 was supplemented with part three in accordance with Law No. 2491-VI ( 2491-17 ) dated 30.08.2010 )*

#### **Article 84. The First Local Elections**

1. The first local elections are appointed by accordingly the Verkhovna Rada of Ukraine, the Verkhovna Rada of the Autonomous Republic of Crimea, oblast, Kyiv, Sevastopol city councils.

2. The first local elections are conducted pursuant to the procedure and within the terms, established by this Law, with the following specific features:

1) the territorial election commission is formed pursuant to the procedure, established in Article 22 of this Law;

2) the territorial election commission according to this Law creates the election districts, as well as election precincts, and precinct election commission pursuant to the procedure and within the terms, established by this Law;

3) deputies of the local council, village, settlement, city mayor are elected at the first local elections for the term up to election in ordinary elections of the deputies and village, settlement, city mayor, and formation of the respective council in its plenipotentiary membership under the results of such elections;

4) decision of formation of the new local council and total structure (number of members) of the new local council is taken by accordingly the Verkhovna Rada of the Autonomous Republic of Crimea, oblast, Kyiv, Sevastopol city council in the number, stipulated in part four Article 16 of this Law.

3. Decision of conducting the first local elections in raions is taken by the Verkhovna Rada of Ukraine.

## **Chapter XII. COMPLAINTS LODGED AGAINST ACTIONS OR INACTION RELATED TO ELECTION PROCESS**

#### **Article 85. Compliants Lodged Against Actions or Inaction Related to Election Process**

1. Deputy candidate, candidate for village, settlement, city mayor, his/her proxy, local organization of political party, candidates from which are registered at the respective local elections, its representative or authorized person, as well as voter, whose election rights or interests protected by law regarding participation in the election process were violated by the decision, action or inaction of the respondent party, may apply to the election commission with a compliant related to election process, with consideration of specific features, established by this Article and Articles 86-89 of this Law.

The compliant on behalf of deputy candidate, candidate for village, settlement, city mayor, may be lodged also by his/her proxy.

The subject of election process may apply to the court pursuant to the procedure, established by the Code of Administrative Proceedings of Ukraine ( 2747-15 ).

2. Subjects having the right to submit a compliant, specified in part one of this Article, may with consideration of the requirements of this Law, appeal in the respective election commission the decision, action or inaction related to the election process, of the following respondent parties:

1) an election commission, a member of an election commission;

2) local organization of a party, candidates from which are registered in the respective local elections, except for the decision or actions, which according to the law, its charter (regulation) are related to internal organizational activities of the local organization of a party;

3) deputy candidate, candidate for village, settlement, city mayor; 4) authorized persons, proxies, official observers on behalf of the subjects of the election process - only regarding the complaints, provided for in part six of Article 88 of this Law. *(Part two of Article 85 is supplemented with clause 4 in accordance with Law No. 2491-VI ( 2491-17 ) dated 30.08.2010 )*

3. An election commission may apply to the court regarding the decision, actions or inaction, related to the election process, of the following respondent parties: 1) state governing body, governing body of the Autonomous Republic of Crimea, self-governing body, agency, enterprise, institution or organization, or an official thereof; *(Clause 1 part three Article 85 with changes made in accordance with Law No. 2491-VI ( 2491-17 ) dated 30.08.2010 )*

2) mass media, its official or clerk or creative employee;

- 3) deputy candidate, candidate for village, settlement, city mayor;
- 4) local organization of a party, except for the decisions or actions, which according to the law, its charter (regulations) are related to internal organizational activities of the respective organization of such party;
4. Decision, actions or inaction of the precinct election commission, its member may be appealed to the territorial election commission, that formed the respective precinct election commission or to the court.
5. Decision, actions or inaction of the territorial election commission, its member may be appealed to the territorial election commission, that establishes the results of respective local elections or to the court. *(Part five of Article 85 in the edition of the Law No. 2491-VI ( 2491-17 ) dated 30.08.2010)*
6. Decision, actions or inaction of the territorial election commission, establishing the results of the respective local elections, or its member may be appealed to the court. *(Part six of Article 85 in the edition of the Law No. 2491-VI ( 2491-17 ) dated 30.08.2010)*
7. A compliant against inaction of the territorial election commission, establishing the results of the respective local elections, may also be lodged to the Central Election Commission. *(Part seven of Article 85 in the edition of Law No. 2491-VI ( 2491-17 ) dated 30.08.2010)*
8. Decision, actions or inaction of a state governing body, governing body of the Autonomous Republic of Crimea, self-governing body, agency, enterprise, institution, organization, their official, local organization of a party, except for the decision of actions, which according to the law, its charter (regulation) are related to internal organizational activities of the local organization of a party, mass media and its official, clerk or creative employee, may be appealed in the court. *(Part eight of Article 85 with changes made in accordance with Law No. 2491-VI ( 2491-17 ) dated 30.08.2010)*
9. A voter may appeal the decisions, actions or inaction of the respondent parties, if those decisions, actions or inaction have violated or are violating his/her election rights or interests protected by law regarding his/her participation in the election process.
10. Statements of claims related to appointment, preparation and conduct of local elections, are to be considered by court pursuant to the procedure, established by the Code of Administrative Proceedings of Ukraine ( 2747-15 ).
11. The court, to which the statement of claim has been lodged, promptly notifies the respective election commission and commission of higher level of the receipt thereof as well as the decision taken by the court.
12. If the election commission receives a notice from the court of initiation of a legal proceedings on an administrative complaint, such election commission, to which the same compliant (a compliant of the same contents) has been lodged, is to return such compliant to the subject having a right to submit a compliant without consideration not later than on the next day from the day of the receipt of the court notice, referring to the grounds for its return.

**Article 86.** Terms for Lodging Complaint

1. Compliant to the election commission may be lodged by the respective subject having a right to submit a compliant within a two-day term from the date of the decision, action or inaction by the respondent party.
2. A complaint against a violation committed before the election day may be lodged within the period provided for in part one of this Article but not later than 10 p.m. of the day preceding the election day. *(Part two of Article 86 with changes made in accordance with Law No. 2491-VI ( 2491-17 ) dated 30.08.2010)*
3. A compliant related to a violation committed during the voting, may be lodged to the respective precinct election commission not later than closing of the voting.
4. A complaint against a decision, actions or inaction of the election commission, a member thereof that took place on the election day, or during the counting of votes and establishment of the results of voting, may be lodged to an election commission of a higher level within a two-day term after adoption of the decision or commitment of action or inaction.
5. The day of the compliant lodging is deemed a day of actual receipt thereof by the respective election commission.
6. The term for lodging a complaint may not be extended or renewed, except for the cases of repeated lodging of the complaint after elimination of its shortcomings not later than on the next day after such complaint was returned by the subject of consideration of the complaint without consideration as provided for in part three Article 88 of this Law.
7. A change or clarification of demands by the subject having the right to submit a complaint, caused by discovery of circumstances, of which such subject was not aware before, during consideration of a compliant by the election commission, is not considered a new complaint and thus not liable to the established time restrictions.
8. The terms of court appeal of decisions, actions or inaction, related to the election process, are established in the Code of Administrative Proceedings of Ukraine ( 2747-15 ).

**Article 87.** Layout and Contents of Complaint

1. A complaint is lodged to an election commission in a written form. The complaint is to contain:
  - 1) the name of the election commission, to which the compliant is lodged;

2) last name, first name (all names), patronymic (if any) or the title of subject having the right to submit a compliant, its address of residence, local address (postal address), as well as number of telecommunication means, e-mail address, if any;

3) last name, first name (all names), patronymic (if any) or the title of the respondent party, its address of residence, local address (postal address), as well as number of telecommunication means, e-mail address, if any;

4) subject matter of the issue in question;

5) description of circumstances and evidence used by the subject having the right to submit a complaint to justify his/her claims;

6) clear formulation of demands stating the essence of the decision, adoption of which is expected from the subject of consideration of the complaint;

7) list of attached documents and materials;

8) a referral to the interested parties whom the subject having the right to submit a complaint deems necessary to involve in consideration of the complaint;

9) signature of the subject having a right to submit a compliant or its representative and the date of signing.

2. Copies of the complaint, evidence, referred to in the compliant, and copies of all other documents attached thereto are to be included in the number equal to the number of the respondent parties and the interested parties mentioned in the complaint. (Paragraph 1 part two Article 87 with changes made in accordance with Law No. 2491-VI ( 2491-17 ) dated 30.08.2010)

If a compliant on behalf of the deputy candidate, candidate for village, settlement, city mayor is lodged by its proxy, then the last name, first name and patronymic, place of residence or local address (postal address), type and number of telecommunication means of the candidate, in whose interests it is submitted, are to be specified, and a document certified according to the requirements of law, establishing the powers of a person, lodged a compliant, is to be attached.

A compliant that is lodged on behalf of a local party – subject of the election process, is to be signed by its head (leader) or other authorized person along with sealing of the signature with a seal of that local party.

3. The layout and contents, as well as requirements to the statement of claim to the court are established in the Code of Administrative Proceedings of Ukraine ( 2747-15 ).

#### **Article 88.** Procedure and Terms for Consideration of Compliant

1. The procedure for consideration of complaint by election commissions, taking into account the requirements of this Law, are established by the election commission.

2. A compliant, issued without observing the requirements of Article 87 of this Law, is to be returned by the Head of the Central Election Commission or upon his/her order by other member of the Central Election Commission or the Head or the Deputy Head of the territorial or precinct election commission to the subject having a right to submit a compliant without consideration not later than on the next day after the receipt of the compliant, or immediately if the compliant has been lodged a day before election, or on the election day or the next after the election day. If the compliant is returned without consideration, exhaustive list of shortcomings, preventing consideration of the compliant, is provided and a note regarding an alternative to lodge a compliant, duly executed according to requirements of Article 87 of this Law, within the terms, established by this Law, is made. (Part two of Article 88 with changes made in accordance with Law No. 2491-VI ( 2491-17 ) dated 30.08.2010)

3. When the compliant is lodged repeatedly with non-corrected shortcomings or new shortcomings, an election commission takes the decision to reject such complaint without consideration of its essence.

4. The compliant duly executed according to the requirements of Article 87 of this Law, is considered by the respective election commission at its meeting within two days from the day of its receipt, unless otherwise is provided for by this Law. (Part four of Article 88 with changes made in accordance with Law No. 2491-VI ( 2491-17 ) dated 30.08.2010)

5. A complaint against a violation committed before the election day is considered by the election commission within the term provided for in part four of this Article, but not later than midnight of the day preceding the election day.

6. A compliant related to the decision taken during the voting, submitted to the precinct election commission, is to be considered thereby immediately after closing of the voting.

7. A complaint against a violation committed on the election day, during the counting of votes and establishment of the results of voting in the election precinct, lodged to a territorial election commission is considered by the respective territorial election commission within a two-day term after its submission.

8. When the election commission after consideration of the complaint deems it is necessary for the law enforcement bodies to inquire into the circumstances described in the complaint, the respective law enforcement bodies upon a request of the election commission investigate the said circumstances and take the necessary measures to stop violation of legislation within a two-day term after the receipt of the election commission's request or immediately

when such request is received fewer than three days before the election day, on the election day or the following day. The respective bodies are to notify the election commission that submitted such request on the results of investigation and the measures taken within a two-day term.

9. A compliant is considered by the election commission with mandatory timely notification of the subject having the right to submit a compliant, a respondent party and other interested persons by registered telegram, by facsimile notice, by e-mail of the time and place of the compliant consideration. It is allowed to notify the subject having the right to submit a complaint, the respondent party and interested parties on the time and place of consideration of the complaint by phone provided such act is recorded by an officer of the subject of consideration of the complaint in the form of a special written certificate that is to be attached to the minutes. A failure to arrive to the meeting held by the subject of consideration of the compliant, of the persons who were duly notified thereon does not prevent the commission from considering the complaint.

10. Copies of the complaint and the documents attached are to be provided to the respondent party and the interested parties in advance, and when it is impossible – not later than the start of consideration of the complaint. The respondent party has the right to submit a written explanation on the matter of the complaint that is to be taken into account by the election commission during consideration of the complaint.

11. The election commission takes the decision to reject a compliant without consideration of its essence, if it is submitted by a subject not having the right to submit a compliant or to improper subject of consideration of the compliant, or with violation of the terms of appeal, established by this Law.

12. The courts, election commissions, law enforcement bodies (prosecutor's office, militia) organize their work during the election process, including weekends and the election day so, that ensure acceptance and consideration of statements of claim, complaints and appeals of election commissions within the term and by manner established by this Law.

#### **Article 89. Evidence**

1. The following evidence may be used by an election commission to establish the presence or absence of circumstances justifying the demands or objections of the subject having the right to submit a complaint, the respondent party or the interested parties and other circumstances important for correct consideration of the complaint:

1) written documents and materials (including electronic) containing information about the circumstances important for correct consideration of the complaint;

2) written explanations of the subjects of the election process, officials of the state bodies, governing bodies of the Autonomous Republic of Crimea, local self-governing bodies, agencies, enterprises, institutions and organizations, or respective law enforcement bodies received upon request of the subject of consideration of the complaint, including the commission members executing the powers of an election commission; *(Clause 2 part one Article 89 with changes made in accordance with Law No. 2491-VI ( 2491-17 ) dated 30.08.2010 )*

3) real evidence;

4) experts' conclusions provided in a written form upon request of the election commission – the subject of consideration of the complaint, the subject having the right to submit a complaint or the respondent party.

2. The subject having the right to submit a complaint, the respondent party and the interested parties provide evidence to the election commission. The election commission – the subject of consideration of the compliant, within the term, established by this Law for consideration of the compliant, may demand supplementary evidence upon own initiative.

3. When the subject having the right to submit a complaint, the respondent party or the interested party fails to provide evidence to confirm the circumstances he/she refers to, the election commission decides on the case using the available evidence.

4. The election commission accepts only the evidence that matters for consideration of the complaint. Evidence obtained with violation of law is not taken into account for consideration of the compliant. The election commission – the subject of consideration of the compliant - specifies regarding rejecting evidence in its decision.

5. The circumstances (facts) that according to the law require certain means of proof may not be proved using other means.

6. Written evidence is to be submitted in the original form or as a duly certified copy. When a copy of the written evidence is submitted, the election commission may require submission of the original document or demand the original written document itself. After consideration of the complaint, the election commission, upon request of the document owner, returns the original document and attaches to the case file its copy certified pursuant to the established procedure.

7. The election commission is to assess the correspondence and authenticity of each piece of evidence as well as completeness and interrelation of all pieces of evidence in their totality according to law. No evidence has the previously established force except for the circumstances and facts established by a court decision that has entered into legal force.

**Article 90. Decision Based on the Results of Complaint Consideration**

1. Decision of the election commission based on the results of the complaint consideration is to be legal and justified.
2. During consideration of a complaint against a decision of the respondent party, the election commission is to establish:
  - 1) whether the disputed decision was adopted by the respondent party;
  - 2) whether the disputed decision was adopted by the responding party on legal grounds;
  - 3) whether the disputed decision was adopted within the scope of powers and pursuant to the procedure provided for by law;
  - 4) which legal norms are to be applied to these legal relations and whether the law ascribes consideration of this complaint to the scope of powers of the subject of the complaint consideration;
  - 5) whether each demand of the subject having the right to submit a complaint is to be satisfied or rejected;
  - 6) whether violated rights or legal interests of the subject having the right to submit a complaint must be renewed through other manner;
  - 7) which decisions are to be adopted or which actions are to be performed following the cancellation of the decision.
3. During consideration of a complaint against actions (inaction) of the respondent party, the election commission is to establish:
  - 1) whether the disputed action (inaction) of the respondent party really took place;
  - 2) whether the disputed action (inaction) was performed by the respondent party on legal grounds;
  - 3) which legal norms are to be applied to these legal relations and whether the law ascribes consideration of this complaint to the scope of powers of the subject of the complaint consideration;
  - 4) whether each demand of the subject having the right to submit a complaint is to be satisfied or rejected;
  - 5) whether violated rights or legal interests of the subject having the right to submit a complaint must be renewed through other manner;
  - 6) which decisions are to be adopted or which actions are to be performed following the recognition of the disputed action or inaction as illegal.
4. When considering the essence of the complaint, the election commission may satisfy the complaint in full or in part, or reject it.
5. In case of satisfaction of the complaint, the election commission may take a decision, by which:
  - 1) the decision of the respondent party or individual provisions thereof, action or inaction are recognized as incompliant with the provisions of election legislation (as illegal), as violating citizens' electoral rights, the rights and legal interests of a subject of the election process;
  - 2) to cancel the decision of the respondent party;
  - 3) the respondent party is obliged to perform actions stipulated by law that regulates the organization and the procedure for conduct of the elections;
  - 4) the respondent party is obliged to abstain from performance of certain actions;
  - 5) the violated rights and legal interest of the subject having the right to submit a complaint must be restored in other manner;
  - 6) the respondent party is obliged to perform actions stipulated by law that regulates the organization and the procedure for conduct of the elections, actions resulting from the fact of the decision cancellation, recognizing the disputed actions or inaction as illegal.
6. The election commission rejects the complaint when it establishes that a decision, action or inaction of the respondent party is in accordance with the law, within the scope of powers stipulated by law and does not infringe the electoral rights of the subject having the right to submit a complaint. *(Part four of Article 90 with changes made in accordance with Law No. 2491-VI ( 2491-17 ) dated 30.08.2010)*
7. The copy of the decision of the election commission is to be issued or sent to the subject having the right to submit a complaint, responding party, interested parties, respective election commission not later than on the next day from the day of decision taking, or immediately if the decision has been taken a day before the election, on the election day or on the next after the election day.
8. When a court recognize a decision of the respective election commission illegal, including the decision on recognizing the voting in the election precinct invalid, or establishment of the figures and the results of voting, establishment of the election results, a decision thereon is to be adopted by the election commission, the decision of

which was recognized illegal, or an election commission of a higher level on the basis of the court decision. In this case the election commission is not entitled to take a decision, which in essence repeats the decision, recognized illegal by court, except for the case, when the decision has been cancelled based on formal grounds.

9. An election commission of higher level based on compliant, the court decision or upon own initiative may cancel the decision of an election commission of lower level and take a decision in substance of the issue or oblige the election commission of lower level to consider the respective issue repeatedly.

10. The procedure for taking decision by a court based on the results of the compliant consideration, requirements to the court decision and procedure for entering into legal force of the court decision are established by the Code of Administrative Proceedings of Ukraine ( 2747-15 ).

### **Chapter XIII. FINAL PROVISIONS**

**Article 91.** Liability for Violation of the Ukrainian Legislation Related to Elections of Deputies of Council and Village, Settlement, City Mayors

1. Persons guilty of violation of local elections-related legislation shall be brought to disciplinary, administrative or criminal liability pursuant to the procedure, established by law.

**Article 92.** Storage of Election and Other Documents and Material Valuables

1. After the official promulgation of the results of local elections, the Central Election Commission forwards the election and other documents to the respective local state archive institution.

2. The list of election and other documents subject to storage in local and other archive institutions and the procedure for their submission thereto are determined by the Central Election Commission in coordination with the special authorized executive body on management of archive business.

3. Local executive bodies and local self-governing bodies after termination of authority of election commissions are obligated to ensure storage of ballot boxes, polling booths, seals, stamps of those commissions, procedural literature, which were provided thereto for the period of election process.

4. Vote counting protocols at the election precincts, protocols of voting results for the election districts, and local election results, ballot papers, vouchers of ballot papers, voter lists, acts, statements, complaints against violation of provisions of this Law during the voting and vote counting, other protocols and decisions of election commissions are stored in the local state archive institutions for one year from the day of official promulgation of the results of local elections, after which they are destroyed pursuant to the established procedure.

5. Local state archive institutions are to provide access to the election documents on local elections as provided for in the Ukrainian legislation.

### **Section IV. TRANSITIONAL AND FINAL PROVISIONS**

1. This Law enters into legal force of the date of its publication.

2. To recognize null and void the Law of Ukraine "On Election of Members of Parliament of the Autonomous Republic of Crimea, Deputies of Local Councils and Village, Settlement and City Mayors" ( 1667-15 ) ( *Vidomosti Verkhovnoi Rady Ukrainy*, 2004, No.30-31, page 382; 2005, No. 35-37, page 446; 2006, No. 5-6, page 75, No.10-11, page 97, page 98; No. 33, page 285; 2007, No. 13, page 134; 2009, No. 19, page 260; No. 30, page 424, No. 36-37, page 511).

3. The below-mentioned Ukrainian laws shall be amended as follows:

1) in the Code of Administrative Proceedings of Ukraine ( 2747-15 ) ( *Vidomosti Verkhovnoi Rady Ukrainy*, 2005, No.35-37, page 446):

a) in part four of Article 172 the words "of oblast election commission, Kyiv or Sevastopol election commissions regarding preparation and conducting of local elections; territorial (district) election commission regarding preparation and conducting of election of Kyiv or Sevastopol city mayor" are to be replaced with the words "oblast, raion, city (including of the cities of Kyiv and Sevastopol), city raion election commissions regarding preparation and conducting of local election";

b) in Article 174:

in part one the words "(block of local parties) are to be eliminated;

the first sentence of part three is to be read as follows:

"3. Statement of claim regarding contestation of decisions, actions or inaction of executive bodies, local authorities, their official and servants is to be submitted to circuit administrative court at their location";

c) in Article 175:

the words "(block of local parties) are to be eliminated from the name;

the words "(of the block of local parties)" and "(block of local parties)" in part one are to be eliminated;

the second sentence of part three is to be read as follows: "Statement of claim regarding contestation of actions or inaction of deputy candidate for village, settlement council, candidate for village, settlement mayor, their proxies, is to be submitted to local general court as administrative court at the place of action or place, where such action has to be made";

d) in Article 177:

the words "(except for the cases, stipulated by part four of this Article)" in part three are to be eliminated;

part four is to be eliminated;

in part five the words "not later than 24.00 of the day, preceding the voting day" are to be replaced with the words "not later than four hours before commencement of voting";

e) in part two of Article 178 the words "(of the block of local parties)" are to be eliminated;

2) In the Law of Ukraine "On the Verkhovna Rada of the Autonomous Republic of Crimea" ( 90/98-BP ) ( *Vidomosti Verkhovnoi Rady Ukrainy*, 1998, No.29, page 191; 2007, No. 13, page 134):

a) part seven of Article 6 is to be eliminated;

b) Article 7 is to be read as follows:

"Basis for recall by voters of the member of parliament shall be as follows:

- 1) violation by the member of parliament of the Constitution ( 254к/96-BP ) and the Laws of Ukraine, other legislation acts of Ukraine, the Constitution ( rb239k002-98 ) and legislation acts of the Autonomous Republic of Crimea;
- 2) unsatisfactory fulfilment of its obligations, provided for in this Law and other laws of Ukraine;
- 3) use of deputy mandate in personal and lucrative purposes, systematic violation of the rules of ethics and morality.

The procedure for recall of the member of the Verkhovna Rada of the Autonomous Republic of Crimea is established by law";

c) in Article 15-1:

in part one the words "elected under election list of respective political party (election block of political parties)" are to be eliminated;

parts two and four are to be eliminated;

3) In the Law of Ukraine "On Status of Deputies of Local Councils" ( 93-15 ) ( *Vidomosti Verkhovnoi Rady Ukrainy*, 2002, No.40, page 290; 2007, No. 13, page 134):

d) in Article 5:

clause 2 of part one is to be eliminated;

parts from four to six are to be eliminated;

b) in Article 27:

in part one the words "elected under election list of respective political party (election block of political parties)" are to be eliminated;

parts three and five are to be eliminated;

c) in clause 3 part one Article 37 the words "as well as program of political party (election block of political parties), under the election list of which he/she was elected as member of local council" are to be eliminated;

4) clause 8 part one Article 21 of the Law of Ukraine "On Central Election Commission" ( 1932-15 ) ( *Vidomosti Verkhovnoi Rady Ukrainy*, 2004, No.36, page 448; 2007, No. 13, page 134) is to be eliminated;

5) to add part three of Article 2 of the Law of Ukraine dated 01 June 2010 "On Public Procurement" ( 2289-17 ) with a paragraph seven as follows:

"Goods, works and services, purchase of which is made for preparation and conducting of elections and referendums in Ukraine".

4. Members of the territorial election commissions, created for conduction local elections before coming into force of this Law, perform their powers till creation of new territorial election commissions according to this Law.

5. Ordinary elections on the 31<sup>st</sup> of October 2010 shall be conducted for election of all village, settlement, city mayors, village, settlement, city, city raion, raion and oblast councils, except for Kyiv city mayor, Kyiv city council and Ternopil



oblast council.5-1. No elections of Sevastopol city mayor shall be conducted till the Law of Ukraine, establishing the particulars of local self-governing in the city of Sevastopol is taken. *(Chapter XIV was supplemented with Article 5-1 in accordance with Law No. 2491-VI ( 2491-17 ) dated 30.08.2010 )*

5-2. At ordinary local elections on the 31<sup>st</sup> of October 2010, the new structure of Ternopil oblast and Kyiv city territorial election commissions shall be formed pursuant to the procedure and within the terms, stipulated by this Law, for ensuring thereby fulfilment of the election procedures, provided for in this Law, imposed to respective territorial election commissions (except for powers related to holding elections of Kyiv city mayor, deputies to Ternopil oblast and Kyiv city councils on the 31<sup>st</sup> of October 2010). Authority of the members of territorial election commissions, formed for organization and conducting ordinary local elections in 2006, shall cease from the moment of taking the decision pursuant to the procedure and within the terms, stipulated by this Law, of formation the respective territorial election commission for organization and conducting ordinary local elections on the 31<sup>st</sup> of October 2010. *(Chapter XIV was supplemented with Article 5-2 in accordance with Law No. 2491-VI ( 2491-17 ) dated 30.08.2010)*

6. The Cabinet of Ministers of Ukraine within one-month term after publication of this Law is to:

- 1) bring their legal and regulatory acts in conformity with this Law;
- 2) ensure adoption of legal and regulatory acts, provided for in this Law;
- 3) approve amounts of financing of realization of priority measures, required for realization of this Law, upon presentation of the Central Election Commission;
- 4) ensure financing of priority measures, required for realization of this Law.

7. The Central Election Commission is to:

- 1) approve and develop within a ten-days term from the day of official promulgation of this Law the list of priority measures, required for realization of this Law, and introduce to the Cabinet of Ministers of Ukraine a petition regarding the amounts of financing for realization of those measures;
- 2) within one-month term after promulgation of this Law bring their legal acts in conformity with this Law;
- 3) ensure adoption of legal acts, provided for in this Law;

Ukrainian President Viktor YANUKOVYCH

City of Kyiv, 10 July 2010, No. 2487-VI