

ELECTION CODE OF GEORGIA

GENERAL PART

Section I

CHAPTER I. GENERAL PROVISIONS

Article 1. Purpose of the Law

This Law provides for the legal basis of preparing and holding of elections for the President of Georgia, the Parliament of Georgia, the representative body of local self-government– Sakrebulo, the rights and guarantees of the election participants, the rules for forming election administration and its powers, as well as the rules for adjudication of disputes in cases envisaged by the present Law.

Article 2. Legal Basis of Elections (23.12.2005 N 2441)

The legal basis for preparing for and holding elections for the President of Georgia, the Parliament of Georgia, the representative body of local self- government - Sakrebulo, is the Constitution of Georgia, universally recognized human rights principles and rules of international law, the present Law, other legislative Acts and legal Acts of the election administration.

Article 3. Use of Terms

The terms used for the purposes of this Law shall have the following meaning:

- a) **Elections** - for the purposes of this Law elections shall mean the electoral process the objective and outcome of which is the election of members of a representative body of public Authority and public officials by means of general elections; (14.08.2003 N 2965-rs)
- b) **Elections conducted through proportional election system** - election of members of Parliament and the representative body of local self- government of Georgia - Sakrebulo, based on Party Lists;
- c) **Elections conducted through majoritarian election system** - election of members of parliament, and election of representative body of local self- government of Georgia -Sakrebulo members, according to single-mandate or multi-mandate election districts;
- d) **Right to vote** - active and passive voting right;
- e) **Active electoral right** - the right of a citizen to participate, through voting, in general elections and a referendum held for electing the people's representatives to a representative body of public Authorities and for electing public officials; (14.08.2003 N 2965-rs)
- f) **Passive electoral right** - the right of a citizen to be eligible for election to a representative body of public power and of a public office; (14.08.2003 N 2965-rs)
- g) **Electoral registration** - the registration by the appropriate election commission of parties, election blocs, initiative group of voters and candidates for the participation in elections;
- h) **Election subject** - a candidate for membership of a representative body of public authority or public office, the party, election bloc and initiative group of voters registered by the appropriate election commission; (14.08. 2003 N 2965-rs)
- i) **Election administration** — the Central Election Commission of Georgia (CEC) High Election Commission of the Autonomous Republic of Adjara, District Election Commissions (DEC) and Precinct Election Commissions (PEC); (15.07.2008 N 231)

k) **Party** - a political union of citizens, acting in accordance with the Organic Law of Georgia on Political Unions of Citizens, which is registered by the Central Election Commission of Georgia for the purpose of contesting in elections;

k¹) **Deleted** (28.12.2009. N2525)

l) **Election bloc** - a union of 2 or more Parties registered by the Central Election Commission of Georgia;

m) **Pre-election campaign** - unity of measures carried out by electoral subject/ electoral subject candidate aimed at contesting and winning in elections; (21.03.2008 N 6013)

n) **Pre-election agitation** - an appeal to citizens in favor or against electoral subjects/subject candidates; (21.03.2008 N 6013)

n¹) **Electoral subject candidate** - a person who is nominated in a relevant election commission for registration with the purpose of contesting in elections;

o) **Candidate for Presidency of Georgia** - a citizen of Georgia, presented by a Party registered by the Central Election Commission of Georgia, or by an initiative group of voters, for the purpose of running in elections for the President of Georgia;

p) **Candidate nominated by party list** - a citizen of Georgia entered in a party list registered by the Central Election Commission of Georgia for the purpose of taking part in elections of the Parliament of Georgia and the representative body of local self- government - Sakrebulo;

q) **Majoritarian candidate** - a citizen of Georgia registered by a relevant election commission to run in the elections of the Parliament of Georgia or a representative body of local self-government - - Sakrebulo. nominated in an electoral district by a party/electoral bloc (28.12.2009. N2525)

q¹) **Local majoritarian election district** – single member constituency created for the purpose of election under majoritarian system of members of representative body of local self- government – Sakrebulo; (23.06.2006 N3400)

q²) **Multi-mandate local majoritarian election district** – constituency created for the purpose of election under majoritarian system of members of the body of local self-government – Sakrebulo of the Capital city of Georgia - Tbilisi; (23.06.2006 N3400)

r) **Deleted** (23.12.2005 N 2441)

s) **Deleted** (23.12.2005 N 2441)

t) **General elections** - the regular or off-year universal elections held for electing a representative body of public authority or public official in which all the voter of the representative body or public official respectively as specified by this Law may take part;

u) **Regular elections** - the general elections being held due to the expiration of the term of office of a representative body of public authority or public official within the terms specified by the Constitution of Georgia, this Law, the Constitutions of the Abkhazian and Adjarian autonomous republics, the respective laws; (14.08. 2003 N 2965-rs)

u¹) **By-elections** - elections which are held to fill a vacant seat at the representative body of the authority;

v) **Extraordinary elections** - the general elections held due to the early expiration of the term of office of a representative body of public authority or public official; (14.08. 2003 N 2965-rs)

v¹) **Election district**- The territory(ies) defined according to the administrative-territorial division, on which District Election Commission(s) is/are operating. (23.06.06. N3400)

w) **New elections** - elections that are held again in accordance with the procedures for the elections:
w.a) in case of elections held through proportional election system on the whole territory of Georgia, if they were announced as failed and the law does not provide for the opportunity for run-off;

w.b) in case of elections held through majoritarian election system on the whole election district, if they were announced as failed and the law does not provide for the opportunity for the second round of elections;

w.c) if the elected person failed to submit to the CEC in period prescribed by this law the drug test certificate and the election results were cancelled by the relevant resolution of the CEC;

w.c) if the results of elections were annulled by the decision of the court. (12.10.2004. N488)

x) **Second ballot** - the voting being held in the precinct (precincts) where the ballot returns were declared void, or throughout a multi-mandate election district based on party lists, where no party/election bloc has been granted the mandate; (14.08. 2003 N 2965-rs)

y) **Second round of elections** - the voting being held in the cases and within the terms specified pursuant to this Law if the first round of elections has failed to determine the winner; (14.08. 2003 N 2965-rs)

y¹) **End of elections** - the date of publication of the summary protocol of final election returns (including second-round elections and second ballots) as approved by the appropriate election commission;

y²) **Election day** - the day of holding general or by-elections; (23.12.2005 N 2414)

y³) **Polling day** - the day of holding elections, second ballot or second round of elections; (14.08.2003 N2965-rs)

z) **Election documents** - incoming and outgoing applications, petitions, letters, business correspondence, protocols, ballot papers, special envelopes, legislative acts of the election administration, check-lists, registration books, registers of voters, voter's card and other documents at election commissions. (12.10.2004. N488)

z¹) **Packaging of documents** - the wrapping or packing of documents in a bale or in a box in a manner making it impossible to take or put the documents out/into the bale/box without spoiling the seal on the stamped bale/box; (14.08.2003 N2965-rs)

z²) **Seal** - a strip of paper attached to the places of opening of a voting device, document box, register, election day record book, indicating the date and time of marking and the signatures of the persons duly authorised under this Law; (14.08.2003 N2965-rs)

z.³) **Representative body of local self-government** - Sakrebulo - the Sakrebulo of the capital city of Georgia -- Tbilisi, a municipality, or a self-governing city; (23.12.2005 N2441)

z.⁴) **Majoritarian election district** - single-mandate majoritarian election district which is formed for the Parliamentary Elections of Georgia; (21.03.2008 N6013)

z.⁵) **Political public official** - for the purposes of this law a state-political official as defined under the law of Georgia on "Public Service", as well as a deputy minister, members of the local self-government bodies and a head of executive bodies. (23.06.06 N3400)

z.⁶) **Political pre-election publicity** - publicity of the content that aims to support the election of the election subject, published in press or in other sources of mass media targeting facilitation of election of an election subject, which features the election subject and/or his/her registration number and which includes signs of election campaign; (28.12.2009. N2525)

z.⁷) **Information on the election campaign fund** - information on the account number of the election campaign fund, all goods and services obtained free of charge, source of donation, amount of donation, date of receipt of donation, opening and closing the fund account, and proportionally paying back the remaining funds on the account to contributors: (21.03.2008 N 6013)

z.⁸) **Election donations to the election campaign fund** - money resources transferred to the account number of election campaign fund by individuals and legal entities, also all types of goods and services obtained free of charge, except the free air time obtained in accordance with the rule established by this law. (21.03.2008 N 6013)

Article 3¹. Calculation of Periods Prescribed by this Law (14.08. 2003 N2965-rs)

1. All periods prescribed by this Law, including the periods of judicial recourse and the periods of a court judgment, starting from the commencement of elections and until their end, are counted in calendar days (including days off and holidays as prescribed by the Labour Code of Georgia).

2. In the expression "in N days after elections", the words "after elections" imply the calculation of days after the end of the elections.

3. The expressions "in N days from the given day", "within N days period from the given day", "not earlier/not later than N days from the given day", "not earlier/not later than the N day from the given day" imply the calculation of days from the next day of the indicated day.

4. The expressions “N days prior to the given day”, “not earlier/not later than N day prior to the given day”, “not earlier/not later than the N day prior to the given day”, imply the reverse calculation of days from the day preceding the indicated day.

Article 4. Basic Principles of Elections

Elections in Georgia shall be held on the basis of universal, equal and direct suffrage, by secret ballot.

Article 5. Universal Suffrage (14.08. 2003 N 2965-rs)

1. Elections prescribed by this Law are universal:

a) Any citizen of Georgia who by the elections has attained or is on the day of election attaining the age of 18 years and who meets the requirements prescribed by this Law enjoys the active electoral right, except for the persons who, under the Constitution of Georgia and/or in accordance with this Law complying therewith (Articles: 10, 56, 110) have restricted suffrage;

b) Any citizen of Georgia who meets the requirements of this Law enjoys the passive electoral right, except for the persons who, under the Constitution of Georgia and/or in accordance with this Law complying therewith (Articles: 73, 76, 78, 80, 92, 94, 98, 109), or by the Law of Georgia "on Combating Drugs Crimes" have restricted passive suffrage. (3.07.2007 N5186)

2. A person who has been declared incapable by the court or is being placed in a penitentiary institution in accordance with a court judgment shall not eligible to take part in elections and referendum.

Article 6. Equal Suffrage

1. Voters take part in elections based on equal grounds.

2. Each voter of the same election district shall have an equal number of votes.

Article 7. Direct Suffrage

1. Elections in Georgia shall be direct.

2. The President of Georgia, members of the Parliament of Georgia and the representative body of local self- government - Sakrebulo shall be elected directly by voters.(23.12.2005. N2441)

Article 8. Secrecy of the ballot and free expression of the will of voters

1. Elections in Georgia are held by secret ballot.

2. Any influence which restricts the free expression of the voters' will, as well as control over expression of the voters' will shall be forbidden.

Article 8¹. Publicity of Elections (14.08.2003 N2965-rs)

1. The entire electoral process, activities of the election administration, the sources and the amount of funding of the election participants and the election-related expenses shall be open and public.

2. The open and public conduct of elections is safeguarded by the election legislation.

Article 8². Election right guarantees (14.08.2003 N2965-rs)

1. It is prohibited to adopt/issue a normative act, which restricts the free expression of a voter's will or interferes with the equality of election participants. Such a normative act may be appealed in the Constitutional Court of Georgia.

2. Infringement of the electoral legislation may be appealed in the Constitutional Court or general courts of Georgia in accordance with the terms and procedures specified by this Law and other legislative acts.

3. Offenders of the electoral legislation shall bear liability provided by this law and other legislative acts. (28.12.2009. N2525)

Article 8³ Declaring Election Day as a holiday (23.06.06 N3400)

Regular Elections, except for presidential elections, may be held on any day of the week. The date of the elections shall be declared as a holiday.

CHAPTER II. REGISTRATION OF VOTERS

Article 9. General List of Voters and its Compilation Procedure (14.08. 2003 N 2965-rs)

1. The general list of voters is a list of persons with an active electoral right, who are registered in a manner established by legislation according to election precincts.
2. The general list of voters shall include the following voter's data:
 - a) Name, surname. (12.10.2004 N488)
 - b) Date of birth (day, month, year);
 - c) Place of registration as shown in identity card (address of the permanent residence); (28.12.2009. N2525)
 - d) Personal number of the citizen of Georgia (23.06.2006 N3400);
 - e) Actual residence (the temporary residence address shall be indicated for an internally displaced person; the indication "on consular registry" shall be made for a person being abroad (except for local self government and Tbilisi City Mayor elections), or "is abroad" where such a person is not on the consular registry); (12.03.2010. N2786)
 - f) The date of registration of the voter in the general list of voters (23.06.2006 N3400)
3. Voters data shall be entered into the general voter list according to the place of their registration. The internally displaced person shall be entered into the general voter list according to the place of their factual residence. (22.04.2005 N1427)
4. The Central Election Commission shall responsible for computer processing of the general list of voters and for placing its part intended for public information (last name, first name, date of birth, place of registration, for internally displaced person - also a place of actual residence) on the CEC website. (15.07.2008 N231)
5. The general list of voters shall be compiled: (23.06.2006 N3400)
 - a) based on the information of persons registered in the corresponding territory available in the territorial bodies of the Ministry of Justice of Georgia including persons attaining the age of 18 years by the date of the elections. Also on the basis of information relating to deceased persons; (28.12.2009. N2525)
 - b) based on information from local self-government concerning the persons who passed away, but there relatives have not applied to the territorial bodies of the Ministry of Justice of Georgia for obtaining a death certificate, also on the bases of the information provided concerning streets and dwelling houses the names/numbers of which were changed; (28.12.2009. N2525)
 - c) based on data compiled on internally displaced persons communicated by the Ministry of Refugees and Settlement of Georgia or its territorial agencies;
 - d) based on information received from the Ministry of Defense of Georgia , the Ministry of Justice of Georgia, the Ministry of Corrections and Legal Assistance of Georgia, the Ministry of Internal Affairs of Georgia, the Special services of Foreign intelligence and State Security regarding both fixed-term and contractual servicemen within the Georgian Armed Forces and military compounds whose service conditions require their location at an address other than their permanent place of residence, which belongs to another election district; (28.12.2009. N2525)
 - e) based on data communicated by heads of the consular offices of Georgia concerning the electors being on the consular registry of Georgia (except for local self-government body – Sakrebulo and Tbilisi City Mayor elections); (12.03.2010. N2786)
 - f) based on the data gathered from the election administration voter registration, as well as on the amended registration data;
 - g) based on the data communicated by the Supreme Court of Georgia concerning the persons who were declared incapable by a court;(28.12.2009 N2525)
 - h) based on the data communicated by the Ministry of Corrections and Legal Assistance of Georgia concerning the persons who were sentenced to preliminary detention. (28.12.2009 N2525)

6. For the purpose of updating the general list of voters the institutions referred to in subparagraphs (a),(b) and (c) of paragraph 5 of this article shall, four times per year – on February 1, May 1, August 1 and November 15 of each year, furnish the updated or new data on qualified persons to the Central Election Commission of Georgia and the institutions referred to in subparagraphs (g) and (h) shall, four times per year furnish the updated or new data on unqualified persons, within terms specified in this article. The CEC shall, based on this information, ensure the updating of the electronic database of the general list of voters. (28.12.2009 N2525)

7. A party, election bloc registered for elections, a monitoring organization specified in Article 68 of this Law, and voters, are entitled to consult a version of the list of voters for public information available at the Central, District and Precinct Election Commissions (voters have right to request only the data concerning them and their family members for familiarization with and to make changes thereto) and in case of any inaccuracy to request not later than 16 days prior to election day and during non-election period - anytime, that proper amendments are made to the voters data and the list of voters. The familiarization with data and the issue of a copy shall be made in accordance with the procedures determined by law. (28.12.2009 N2525)

8. During election period the election administration shall review the list of voters. The District Election Commission shall consider the review results and take an appropriate decision within 2 days after receipt of the application but not later than by the 20 days prior to the elections. A resolution of the Commission concerning the denial of the amendments to the voters' data/lists shall be reasoned and delivered to the applicant next day following the issue of the resolution upon request. (28.12.2009 N2525)

9. A resolution of the District Election Commission concerning amendments to the voters' data/lists shall be transmitted to the Central Election Commission and the relevant Precinct Election Commission within a period of 2 days.

10. A resolution of the District Election Commission on rejection of amendments to the voters' data/lists may be appealed in the appropriate district/city court within 2 days after its issue. In case the court holds an appeal, the court decision within 2 days, but not later than 11 days prior to the election day shall be transmitted to the District Election Commission, which shall immediately submit the relevant information to the CEC and the corresponding Precinct Election Commission. Election Commissions shall immediately bring the relevant amendment to the voters' data/lists. (28.12.2009 N2525)

11. The Precinct Election Commission shall, not later than the day of its first meeting, be furnished with 2 copies of the general list of voters signed by the chairman and secretary of the District Election Commission as well as of the final version of the amended lists (versions designated for the election commission and public information) not later than 2 days before the election day. The version of the list of voters designated for public information shall immediately be posted in the precinct election commission at a visible place.

11¹. The question of registration of those voters, who have not been able to register within the timeframe specified by the law, in case of proper application and submission of corresponding justification (entry in a passport on crossing the state border, travel ticket, certificate from a in-patient clinic, discharge certificate from penitentiary) shall be decided by resolution of the District Election Commission. the District Election Commission shall review the application of the voter within 2 days of its receipt, or immediately, if there are less than two days left before the election day. The voter shall be notified about a negative decision immediately. In case, if such a voter addresses the election administration with a request to participate in the elections on the election day, he/she shall be registered by the Precinct Election Commission and shall append to the voting lists photo copies of documentation. (23.06.06 N3400)

11². It shall be prohibited to make amendments to the voters' list within the last 10 days before the election day, except for the cases provided in paragraph 11¹ of this article, and amendments within the 13th to the 10th day before election day shall be made only by a court ruling. (15.07.2008 N231)

12. deleted (by Decision 24.12.2005 N1/1/257.268 of the Constitutional Court of Georgia)

13. The Central Election Commission and the appropriate election commissions shall ensure publicity and accessibility of the general list of voters under procedures provided by the Georgian legislation.

Article 9¹. Establishment and publication of the total number of voters (14.08.2003 N2965-rs)

1. The total number of voters for parliamentary, presidential and local self-government elections (except for regular presidential elections), as well as for a referendum, is determined according to the latest available information upon announcement of the date of elections/referendum, and according to the latest available information by March 1 of the election year of regular presidential elections.

2. In holding general elections for the Parliament of Georgia, the President of Georgia and local self-governing representative body – Sakrebulo (except for regular presidential elections) as well as upon conduct of a referendum, the Central Election Commission shall, not later than the 10 days from the announcement of the date of elections/referendum, and not later than March 10 of the year of elections upon holding of the regular presidential elections, make public through mass media and the internet the total number of voters throughout Georgia and in all its electoral districts and within the following 10 days the District Election Commission shall make public the total number of voters in the electoral district (also in local majoritarian electoral districts upon election of local self-governing representative body – Sakrebulo) and in all its election precincts. (23.06.06 N3400)

3. Deleted. (23.12.2005 N2414)

4. In holding general elections for the Parliament of Georgia and the President of Georgia as well as upon conduct of a referendum, the Central Election Commission shall, not later than 5 days before the election/referendum day, make public through mass media and the internet the corrected total number of voters in Georgia and in each electoral district. The District Election Commission shall, within the same period, make public the adjusted total number of voters in the electoral district and in its all election precincts. (23.12.2005 N2414)

5. Deleted. (23.12.2005 N2414)

6. In holding local elections the Central Election Commission shall, not later than 5 days before the election day, make public through the internet the adjusted total number of voters in electoral district if not comprising local electoral districts and in local electoral districts and the District Election Commission shall, within the same period, make public through local mass media the adjusted total number of voters in the electoral district if it does not comprise a local electoral district and in the local electoral districts, as well as in all election precincts.

Article 10. Special list of Voters

1. The special list of voters includes (the data specified in Paragraph 2, Article 9 of this Law is entered in the list):

a) the election administration officers who on the election day are unable to vote according to their place of registration because of their engagement in the election commissions (they shall be entered in the list in the election precinct predetermined by the respective election commission.); (12.10.2004 N488)

b) voters who on election day are undergoing treatment in a hospital or another inpatient centre and due to their state of health could not be discharged from hospital by the election day; (28.12.2009 N2525)

c) voters who on election day are under preliminary detention;

c¹) the military personnel of the military (paramilitary) forces and units of the Ministry of Defence and the Ministry of Internal Affairs of Georgia on service for a fixed period and on contractual basis; (12.10.2004 N488)

d) voters being at sea on election day (they are entered in the list according to the port of registration of the vessel);

e) the voters being abroad on election day who are on the Georgian consular registry, also the voters, who are not on the consular registry but, not later than 21 days before the election day,

undergo electoral registration in a Precinct Election Commission formed abroad or in a consular office.

f) persons listed in the paragraph 11¹ of Article 9 of this law. (23.06.06 N3400)

2. The list of persons determined by subparagraph (a) of paragraph 1 of this article shall be drawn by the district election commission not later than 5 days before to the poll; (12.10.2004 N488)

3. The list of the persons determined by subparagraph (b) of paragraph 1 of this article shall be drawn by the head of respective medical institution and transmitted to the respective district election commission not later than 6 days before the poll; (12.10.2004 N488)

4. The list of the persons determined by subparagraph (c) of paragraph 1 of this article shall be drawn by the head of respective penitentiary institution and transmitted to the respective district election commission not later than 6 days before the poll; (12.10.2004 N488)

4¹. The list of the persons determined by subparagraph (c¹) of paragraph 1 of this article shall be drawn by the commander of respective military unit and transmitted to the respective district election commission not later than 6 days before the poll; (12.10.2004 N488)

5. The list of the persons determined by subparagraph (d) of paragraph 1 of this article shall be drawn by the master of the relevant vessel and transmitted to the respective district election commission not later than 15 days before the poll; (12.10.2004 N488)

6. The list of the persons determined by subparagraph (e) of paragraph 1 of this article shall be drawn by head of the relevant consular office and transmitted to the Central Election Commission not later than 20 days before the poll. During parliamentary and presidential elections, the voter shall be exempted from the consular fee for consular registration, for the period from the appointment of elections to the 21 days before the election day.

7. The head of the relevant institution shall be responsible for the accuracy of the data entered in the special list, which shall be attested by his/her signature.

8. Based on the data of the of persons, referred in paragraphs 2-6 of this article and based on its own data, the district election commission shall, not later than 3 days before the election day, make and approve by its resolution the special registers, and shall immediately submit them to the relevant precinct election commission. (23.06.06 N34000)

9. In case the voter is entered in the special list a corresponding indication shall be made in the general list of voters of the polling precinct and attested by the signatures of the chairman and secretary of the precinct election commission.

10. The voter entered in the special list takes part:

a) in both the majoritarian and proportional elections if he/she changes location within the territory of the same electoral district, or of the same local election district in the case of local elections (except voters referred to in subparagraph (c¹) of paragraph 1 of this article);

b) In parliamentary elections held under the proportional electoral system, as well as in the presidential elections and referendum if he/she votes in the territory of another electoral district.

10¹. The voters referred to in subparagraph (c¹) of paragraph 1 of this article , who by the time of elections of local self-governing body – Sakrebulo and Tbilisi City Mayor, are located:

a) by the election day at the appropriate places of dislocation permanently for 1 year or more than 1 year, participate in both the majoritarian and proportional elections/referendums;

b) by the election day at the places of permanent dislocation for less than 1 year participate in majoritarian election only in case, if there place of registration falls within the scope of the relevant election district.

11. For the purpose of participating in elections of the Parliament of Georgia by proportional/majoritarian system and the President of Georgia, also in referendum, the voter referred to in subparagraph (c¹) of paragraph 1 of this article included in the special list shall vote on the place of dislocation of his/ her military unit. In case if that voter wishes to vote on the basis of the place of registration, he/she shall apply not later that 16 days before the election day to the relevant precinct election commission, with request to include him/her in the general list of voters according to the registration place.

Article 11. Voters' List Supplement (mobile ballot box list) (14.08.2003 N2965-rs)

1. The voters' list supplement (hereinafter - the supplement) shall be compiled on the basis of the general and special lists of voters where:
 - a) due to limited physical ability or health condition, a voter is unable to go to the polling place;
 - b) a voter is under preliminary detention;
 - c) a voter is being treated in a hospital or other inpatient center where no polling precinct is opened;
 - d) a voter is a military servicemen, serving in a military unit located on the state border which is far from the election precinct and where no polling precinct is open
 - e) a voter is within the election precinct but at a location that is hard to access.
2. In the supplement shall entered only those incapacitated voters who are unable to go to the election commission independently.
3. If a voter is entered in the supplement, the ground of the voter's entry in the supplement shall be indicated in the general and special voters' lists to be attested by the signatures of the chairman and secretary of the precinct election commission.
4. The supplement includes the same data, which is contained in the general voters' list, indicating additionally the voter's serial number in the general or special list.

Article 12. Deleted (12.08.2003 N2965-rs)

Article 13. Publishing of Voters' Lists and the Supplement (12.08.2003 N2965-rs)

1. On the day of its first meeting, the precinct election commission shall post the list of voters and the procedures established by law for lodging a complaint, while the supplement shall be posted at a visible place at the precinct election commission premises and polling places immediately after its compilation. Responsibility for failure to comply with the given requirement shall be vested on the chairman of the precinct election commission.
2. In the lists referred to in paragraph 1 of this article, on the basis of review of the data entered in the lists within the period established by this Law, in the column "Actual Status", along the family name of the voter who:
 - a) is on the Georgian consular registry abroad, shall be indicated as "on consular registry";
 - b) is abroad but not on the Georgian consular registry, shall be indicated as "abroad";
 - b¹) serves in the military service for a fixed period or on the contractual basis in the Georgian armed forces and units, shall be indicated as "on military service"; (12.10.2004 N488)
 - c) is entered in the special list, shall be indicated as "commission member", "in hospital", "in preliminary detention| or "at sea";
 - d) is entered in the supplement, shall be indicated "entered in supplement".

Article 14. Voter Invitation Card

1. No later than 2 days before the election day, the precinct election commission shall provide to all the voters registered on the territory of the election precinct and included in the voters' lists, a voter invitation card, in which shall contain the following:
 - a) date and time of the poll;
 - b) address of the polling place, including the number of the floor and the room;
 - c) the voter' number in the voters' list;
 - d) the rule for submitting a statement or an application by voter, due to health situation or other reasons, on taking part in the poll by means of a mobile ballot box, telephone (fax) number of the precinct election commission and other information.
 - e) the number of the election precinct; (12.10.2004 N488)
 - f) the name and surname of a voter; (12.10.2004 N488)
 - g) surname, name, date of birth (day, month, year) of a voter; (12.10.2004 N488)
 - h) place of registration of a voter. (12.10.2004 N488)
2. Failure to receive a voter card shall not constitute a ground for limiting the right to take part in the election.

CHAPTER III. ELECTION DISTRICTS AND ELECTION PRECINCTS

Article 15. Election Districts

1. 75 single-mandate majoritarian election districts shall be formed for the Parliamentary Elections of Georgia. As a rule, all self-governing units represent single-mandate majoritarian election districts, the exception being the capital of Georgia, there shall be 10 single-mandate majoritarian election districts, as well as Communities of Eredvi an Qurta, that together represent one majoritarian electoral district, and the communities of Ajari and Tighvi that do not represent independent majoritarian election districts. (21.03.2008 N6013)
2. For elections of the local self-governing body – Sakrebulo each local self-governing unit represents an independent election district. Local majoritarian election districts shall be formed on the territory of local self-governing unit, as prescribed by this law. (23.06.06 N34000)
3. Formation procedure of election districts of the city of Tbilisi for the elections of local self-governing representative body shall be governed by the chapter XVII¹ of this law. (09.12.2005 N2208)
4. deleted (23.06.06 N3400)
5. deleted (14.08.2003 N2965-rs)
6. The Central Election Commission shall define boundaries, names and numbers of election districts within 2 days period after establishment of the date of elections, and shall publish the relevant information with the indication of the district boundaries. (21.03.2008 N6013)

Article 16. Election Precincts

1. For the purpose of holding of voting and counting the votes, an election district shall be divided into election precincts.
2. An election precinct is formed for a minimum of 20 and maximum of 1,500 voters. The relevant district election commission shall form election precincts, define their boundaries and numbers not later than July 1 of the election year and in 2 days time shall publish the relevant information with indication of the boundaries of the precincts. The district election commission, based on the data of the local self-governing bodies, shall compile and revise a list and addresses of all the residential buildings within the election precinct and all those buildings and addresses that the election administration might use for election purposes. In case of extraordinary elections for the Parliament of Georgia election districts shall be created not later than 40 days prior to the election day. (22.11.2007 N 5500)
- 2¹. Information on election precinct boundaries, with indication of addresses of all dwelling houses within the election precinct (if any), shall be posted in a building of the precinct election commission. (21.03.2008 N6013)
3. (14.08. 2003 N 2965-rs) In exceptional cases (a military unit, a hospital and other inpatient clinic encountering over 50 voters (servicemen) each, a ship at sea on the election day, etc), an electoral precinct may be formed not later than 15 days before the polling. The hospital (inpatient center), military unit (command), where the number of voters (servicemen, patients) does not exceeds 50, by the resolution of the district election commission shall be attached to the closes electoral precinct. Based on a reasoned written request of the commander of the relevant military agency, where the number of voters (servicemen) exceeds 50, in such a military unit (command) an electoral precinct may be formed by the resolution of the relevant district election commission.
4. Revision of the boundaries of an election precinct and of the list and addresses of the buildings located within the election precinct, shall be carried out by the district election commission not later than 50 days before the election day on the basis of the information and inspections of the local self-governing bodies of the municipality, self-governing city, city region territory. Adjusted boundaries of the election precincts shall be immediately made public. (28.12.2009. N2525)

5. Election precincts on ships sailing on election day, as well as in military commands, shall be created by the rules determined by this law, according to the port of registration of relevant vessels and location of the military command.

6. The election precincts abroad shall be created by the Central Election Commission, based on the data of the Ministry of Foreign Affairs, not later than 30 days before the election day. These electoral precincts constitute a separate electoral district and returns shall be summed up by the Central Election Commission. (22.11.2007 N 5500)

7. The district election commission after 5 days from forming the electoral precinct and in the case provided in paragraph 3 of this article, within 2 days, shall make public the numbers, addresses, telephone and fax numbers and other information of these electoral precincts through the mass media.

CHAPTER IV. ELECTION ADMINISTRATION

Article 17. Status and system of election administration of Georgia (14.08. 2003 N 2965-rs)

1. The election administration of Georgia is an independent administrative body, which is established in accordance with this law. The authority of the election administration is governed by this law. (22.11.2007 N 5500)

2. The election administration shall perform the duty assigned to it under the election law and shall secure the holding of a referendum/plebiscite, holding of the general elections for election of members of the representative bodies of the public authority and officials of the public authority, the free exercise of their legal interests by elections and referendum/plebiscite participants in accordance with this law. The election administration shall control, within its terms of reference, the implementation of the election law throughout the whole territory of Georgia and shall secure its uniform application. (22.04.2005 N1427)

3. The election administration shall be independent, within the limits of its authority, from other government agencies.

4. The election administration of Georgia is a centralized system which consists of the Central Election Commission of Georgia (CEC), staff of the commission, district and precinct election commissions. The highest election administration body of Georgia is the Central Election Commission which supervises and controls election commissions of all level throughout the whole territory of Georgia. (to be enacted from January 1, 2009. 22.11.2007 N5500)

4¹. The Center of Development of Election Systems, Reforms and Training is a legal person of public law created under this law, which independently exercises powers as provided by paragraph 2 of article 17¹, is accountable to the CEC and annually reports on its activities. (28.12.2009. N2525)

5. The procedure for creation of election commissions and their competences shall be defined by this Law. (to be enacted from January 1, 2009. 22.11.2007 N5500)

6. The Central Election Commission is accountable to the Parliament of Georgia. Within 60 days after the end of the elections, the Central Election Commission shall submit to the Parliament of Georgia a report on facts of violation of the election law during the course of the elections, the offender public servants, the cases referred to the Prosecutor's Office by the CEC and the district election commission of Georgia, the appeals lodged by the commissions in the courts, and the relevant court decisions.

7. deleted (23.06.06 N2525)

Article 17¹. The Electoral Systems Development, Reforms and Training Center (28.12.2009. N2525)

1. The powers of the Electoral Systems Development, Reforms and Training Center (hereinafter – the Training Center) shall be defined by the legislation of Georgia and rules of the Training Center.
2. The functions of the Training Center shall be the following: facilitation of election reforms, monitoring over elections, within its competence making suggestions and recommendations, with the purpose of improvement of the election system, training of the staff of the election administration and other interested individuals through close cooperation with local and international organizations; the Center also fulfills the functions of a fund as defined by article 30¹ of the Organic Law of Georgia on Political Unions of Citizens.
3. The main principles of functioning of the Training Center and its powers shall be defined by its rules, which shall be approved by the CEC resolution.
4. The head of the Training Center, with consent of the CEC, shall be appointed by the chairman of the CEC. The consent of the CEC shall be expressed by resolution of the CEC; and the chairman of the CEC shall issue order on appointment/dismissal of the head of the Center.

Article 18. Composition of Election Administration (22.04.2005 N1427)

1. The election commission shall be composed of the commission chairman, deputy chairman, commission secretary and other members.
2. Members of election commission and staff are the election administration officials.
3. Election administration official (except the case of commission members appointed by party, as prescribed by this law) shall have no right to join a party, if s/he was a member of a party, s/he shall leave it. (22.11.2007 N 5500)
4. The members and staff of the Central Elections Commission and members of district election commission, other than the assisting and contracted personnel, are public officials and subjected to the Law of Georgia on Public Service, unless otherwise provided by this law. (22.11.2007 N 5500)
5. Only a voter may be elected/appointed as a member of Central and District Election Commissions, except: (21.03.2008 N6013)
 - a) a person who does not hold a certificate of the election administration officer (except members of Precinct Election Commission); (15.07.2008 N231, to be enacted from 1st January 2009)
 - b) a person who was dismissed from the position he/she was holding at the election administration by the election commission or court for violation of the election legislation;
 - c) a person, whose fault in violating election legislation has been confirmed by the court;
 - d) a person with criminal record (except the case, when a fine was imposed as a sanction) whose previous conviction has not been vacated;
 - e) domestic and international observers.

5¹. Only a voter may be elected/appointed as a member of Precinct Election Commission, except: (21.03.2008 N6013)

- a) a person who was dismissed from the position he/she was holding at the election administration by the election commission or court for violation of the election legislation;
- b) a person, whose fault in violating election legislation has been confirmed by court;
- c) a person with criminal record (except the case, when a fine was imposed as a sanction) whose previous conviction has not been vacated;
- d) the Speaker and deputy speakers of the Parliament, Chairmen of Parliamentary Committees and factions. Chief of Staff of the Parliament;
- e) ministers of Georgia, including of autonomous republic, and their deputies;
- f) the heads of departments and divisions of ministries;
- g) the chairman and deputy chairmen of local self-governing representative body - Sakrebulo;
- h) the head of the executive branch of local self-government – Governor/Mayor and their deputies;
- i) the employees of the Ministries of Defense and Internal Affairs of Georgia, and Special Service of State Protection and Foreign Intelligence Service of Georgia;
- j) the judges and their assistants;
- k) the employees of prosecutor's office;

D) the election subject/subject candidate and his/her representative:

m) the domestic and international observers.

5². A public servant may be appointed as a member of the precinct election commission, except of those referred in sub-paragraphs (d)-(k), of paragraph 5¹ of this article and requirements of incompatibility of duties envisaged by the law of Georgia on Public Service shall not be applicable to them. While exercising the powers of a precinct election commission member the powers of the public servant at the permanent work place shall be temporarily suspended, for this purpose vacation time may be used. (21.03.2008 N6013)

5³. The Central Election Commission shall by the decree define the rules and conditions for special training of the precinct election commission members. (21.03.2008 N6013)

6. If elected as election administration officer, the person shall within 7 days meet the requirements set forth in paragraphs 3 and 4 of this article concerning the limitation of service and incompatibility of duties.

Article 19. Rights and Responsibilities of a Election Commission Member

1. A member of an election commission shall from the date of appointment (election) as a member of the relevant election commission participate in its activities.

2. A member of a district or precinct election commission shall sign the summary protocol of the voting and election results and, in a case where he/she disagrees with the data included in the protocol, shall be entitled to make a relevant note beside the signature and attach dissenting opinion to the protocol, in written form.

3. A member of the election commission shall not be a representative of his/her appointing/electing subject. In his/her activities such person shall be independent and subordinate only to the Constitution of Georgia and the Law. Any influence on the election commission member or interference in his/her activities for influencing the decision making shall be prohibited and punishable by law.(14.08.2003 N2965-rs)

Article 20. Term of office of a member/executive of election commission (22.04.2005 N1427)

1. Term of office of a chairman/member of the CEC and the district election commission is 5 years and the term of office of a precinct election commission member who has been appointed by the CEC according to the procedure prescribed by paragraph 3 of the article 32 of this law after fixing the date for elections shall be defined for the term from the moment of his/her appointment until the announcement of the final results of the relevant elections. (15.07.2008 N 231)

2. The term of office of a member of a precinct election commission begins on the day of first meeting of the precinct election commission, and expires upon the approval of a voting summary protocol in a corresponding district election commission. (21.03.2008 N 6013)

3. The term of office of the election commission member shall be terminated upon election of his/her successor commission member.

4. The first meeting of a newly established precinct election commission shall be held not later than the 34 days before the general election. As an exception and at the election precinct established in a foreign country, the first meeting of the precinct election commission shall be held not later than the 3rd day following the establishment of a commission. The first meeting of a precinct election commission shall be convened by the chairman of the corresponding district election commission. Exception is the precinct election commission established in another country, its first meeting shall be convened by the CEC chairman. (23.06.06 N3400)

5. Deleted (22.11.2007 N 5500)

Article 21. Pre-term termination of the term of office of an election commission member/executive (22.04.2005 N1427)

1. The pre-term termination of the term of office of the CEC chairman/member shall be effected by the resolution of the Parliament of Georgia (except for those members appointed by political parties under the procedure provided by in article 28¹ and in cases provided by paragraph 1³ of this article), and of district or precinct election commission member - by the decree of higher election commission (except the cases set forth in the paragraph 2¹ of this article and cases provided by article 28¹ of this law); (28.12.2009 N2525)

- a) If a member of election commission in case of election in 7 days period has not terminated activities or/and work, that is incompatible with the status of election commission member;
- b) If a member of election commission has occupied a post, determined by this law, incompatible with the status of election commission member;
- c) If the fact of activities incompatible with the status of election commission member has been revealed;
- d) If the data given in the applications, decisions and their attachments of paragraph 6 of the article 28, paragraph 7 of the article 33 and paragraph 9 of article 37 of this law turned out to be erroneous - from the day of discovery of this fact;
- e) In case of non-fulfillment of powers of the chairman of the CEC or the district election commission for inexcusable reasons for two consecutive months row, or in case of 3 consecutive absences at the CEC or the district election commission meetings;
- f) In case of existence of the indictment, or if violation of the election law by a member of the election commission is confirmed by the court and the court decision is in force;
- g) In case the appointing party withdraws an election commission member under the procedure rule set forth by this law – in case of submission of an application concerning the withdrawal;
- h) If the voter's status of an election commission member has been revoked;
- i) In case of heavy and systematic violation of election law, and of regulations of election administration, or in the case of existence of other relevant grounds determined by the Law of Georgia on "Public Service".
- j) in case of death of a member of the election commission.

1¹. In case of resignation of chairman, deputy chairman, commission secretary: (21.03.2008. 6013)

- a) application on resignation of the chairman of the CEC shall be submitted to the Parliament of Georgia;
- b) application on resignation of the deputy chairman and of the secretary of the CEC shall submitted to the CEC;
- c) application on resignation of the chairman, deputy chairman or secretary of the district election commission or precinct election commission shall be submitted to the corresponding election commission.

1². The chairman of the CEC shall be pre-term dismissed by the resolution of the Parliament of Georgia and the deputy chairman of the CEC, secretary of the CEC. as well as the chairman , the deputy chairman and the secretary of the district election commission or precinct district election commission shall be dismissed by the decree of the corresponding election commission.

1³. In case of death of the elected member of the CEC, the Parliament takes this fact to note that is recorded in the minutes of the plenary session of the Parliament of Georgia, and in case of death of the elected member of the district election commission, the CEC takes this fact to note that is recorded in the minutes of the session of the CEC. (28.12.2009. N525)

2. Raising the issue of dismissal of the chairman/deputy chairman/secretary of an election commission, also the issue of pre-term termination of the powers of the election commission member twice during 6 months on the same grounds, shall be prohibited.

2¹. In the cases provided by paragraph 1 of this article (except for the subparagraph (g) of subparagraph 1 of this article and article 28¹) term of office of members of the election commission appointed by the parties shall be pre-term terminated by the decision of a court (15.07.2008 N 231).

3. Should one of the conditions set forth in paragraph 1 of this article arise, the issue of resignation of chairman/deputy chairman/secretary of an election commission, also the issue of pre-term

termination of the powers of election commission member shall be considered and decided by: the Parliament of Georgia - within 15 days, or the authorized election commission - within 5 days. The decision shall be made according to the same rule that was used when electing them.

4. If the application on the resignation/termination of powers is not satisfied within the terms set forth in this article, the chairman/deputy chairman/secretary of an election commission shall be deemed as resigned, the powers of election commission member shall be terminated on the next day from expiration of this period.

5. Recalling of the precinct election commission member 15 days before the vote shall be prohibited. (23.06.2006 N3400)

Article 22. Rules for the Work of an Election Commission

1. The rules for the work of election commissions shall determined by this law and by the regulations of the relevant commission, which shall be approved by decree of the Central Election Commission of Georgia.

2. Deleted. (1.08.2003 N2965-rs)

3. In case of the absence of the chairman of the election commission, or by the chairman's assignment, his/her duties shall be carried out by the deputy chairman.

4. The frequency of election commission sessions shall determined by the relevant commission. Where necessary, an extraordinary session is called by the chairman or deputy chairman.

5. Sessions shall be chaired by the chairman or deputy chairman.

6. The meeting is valid if attended by the majority of the full commission. (22.04.2005 N1427)

7. The decision of the election commission shall be considered adopted if supported by majority present (unless this law provides for a higher quorum), but not less than one-third of the members. The decisions of the election commission regarding the decisions taken by lower commissions, including – annulment of election results of the district/precinct, opening packages and recount of the ballots and special envelopes received from the precinct election commission, shall adopted by at least two-thirds vote of those present. (28.12.2009 N2525)

8. In case of equality votes, the chairman shall have casting vote.

9. The human resources matters shall be resolved at the session by the majority of the full commission. (22.04.2005 N1427)

10. At the session a minutes shall be compiled, which shall be signed by the session's chairman and the secretary of the commission.

11. The session minutes shall be drawn within 2 days after the session. (21.03. 2008 N6013)

12. A member of an election commission, who disagrees with a decision of the commission, shall have the right to express a dissenting opinion in written form, which shall be attached to the minutes of the session. The member, who has a dissenting opinion, shall respect and obey the decision taken by the commission. This member shall have no the right to impede, by his actions, the execution of the decision.

13. Deleted. (22.04.2005 N1427)

14. Deleted. (14.08.2003 N2965-rs)

15. The election commission shall accept, issue and register documents until 18 o'clock on working days, except for those cases envisaged by this law

16. Upon receiving of application (complaint), the date and time of its receipt shall be noted in the registration journal of the commission and on the notice issued to the applicant (complainant). The commission shall adjudicate the application (complaint) and take an appropriate decision.

16¹. Receiving any document from the commission shall by confirmed by the applicant' (complainant') by signature in the registration journal.

17. An election commission shall be entitled not to consider the application (complaint), if the deadline and procedure for submission has been violated.

Article 22¹. Elections of election commission executives/members (22.04.2005 N1427)

1. The chairman of election commission (except the CEC chairman), deputy chairman /secretary (except the precinct election commission's secretary), after the corresponding vacancy appears, shall be elected from among the commission members at the first meeting of the commission, for the membership term of office, by the majority of the full commission, and by roll-call vote. (28.12.2009 N2525)
2. The candidates for leading position in the election commission (except the precinct election commission's secretary) shall be nominated by at least two members of the commission. (28.12.2009 N2525)
- 2¹. The secretary of the precinct election commission shall be elected among the persons appointed by the parties (except for the members nominated by the party achieved the highest results during the previous elections). (28.12.2009. N2525)
- 2². Not less than two members of the commission, specified in paragraph 2¹ of this article, shall have the right to nominate the secretary of the precinct election commission. (28.12.2009. N2525)
- 2³. The members of the commission specified in paragraph 2¹ of this article, with majority of those present, with roll-call vote, for a term of membership shall elect the secretary of the precinct election commission. Election of the secretary of the precinct election commission shall be approved by the decree of the commission. If the decision was not reached, secretary of the precinct election commission shall be elected by the commission with the majority its total members from the nominated candidates. (28.12.2009. N2525)
- 2⁴. In case if the decision was not taken according to paragraph 2³ of the this article, the member of the commission who received the highest vote in the precinct election commission pending the election shall fulfill the duties of the secretary of the precinct election commission; and in case of equality of votes – the person defined by casting of lots. (28.12.2009. N2525)
- 2⁵. If the candidate for the secretary of the precinct election commission is not nominated as provided by this article, the secretary of the precinct election commission shall be elected among the members of the commission, by the majority of its members and any two members of the commission have the right to nominate the candidate. (28.12.2009. N2525)
3. The same candidate may be nominated only twice.
4. If within the established term the commission fails to elect the commission chairman/deputy chairman/secretary, (except the precinct election commission's secretary), the member of the commission who received the highest vote in the precinct election commission pending the election shall fulfill the duties of the secretary of the precinct election commission; and in case of equality of votes – the person defined by casting of lots. (28.12.2009. N2525)
5. In case the commission chairman and deputy chairman simultaneously or commission secretary cannot temporarily carry out the duties determined by this law, and meanwhile an action related to the special authorities of the chairman or secretary needs to be taken, the commission immediately elects a proxy authorized to carry out the powers of chairman or secretary from among its members according to the rules set forth in paragraphs 1 and 2 of this article. As soon as the chairman or deputy chairman may carry out their duties, the authorities of the commission chairman' proxy are ceased, and as soon as the secretary may carry out his/her powers, the authorities of the his/her proxy are ceased.
6. If election commission does not have both chairman and deputy chairman, the commission secretary convenes the commission session for the elections of the chairman and presides over it until the chairman is elected. In case the commission does not have secretary either, the oldest commission member convenes the session and presides over it until the chairman is elected.

Article 23. Remuneration of Members of the Central Election Commission of Georgia

1. The chairman, Deputy chairman, commission secretary and other members of the Central Election Commission of Georgia are paid salaries from the State budget of Georgia, for the whole term of their authority.

2. Staffing and book-keeping of the CEC is approved by the CEC, upon the submission of the chairman, while the Parliament of Georgia on submission by the CEC approves its budget. (22.11.2007 N 5500)
3. Extra time and overtime work of members of the Central Election Commission of Georgia and its staff is compensated during the pre election and election period (during three months) only by an amount determined by the Central Election Commission, from the funds allocated for the conduct of elections. (23.06.2006 N3400)

Article 24. Compensation for Members of District and Precinct Election Commissions

1. The chairman, deputy chairman, commission secretary and other members of a district election commission shall be paid wages from the state budget during the total terms of their office. (22.04.2005 N1427)
2. Deleted (22.04.2005 N1427)
3. The PEC chairman, deputy chairman, secretary and other members of the Precinct Election Commission shall receive salaries from the funds allocated for the conduct of elections (based on the resolution of the relevant DEC) from 30 days before the election day, until the corresponding DEC approves the summary protocol. (21.03.2008 N6013)
4. The remuneration paid to members of District or Precinct Election Commissions is determined by the Central Election Commission.
5. Extra time and overtime work of members of District Election Commissions shall be compensated during the election period only from the funds allocated for conducting elections by an amount determined by the Central Election Commission of Georgia. (23.06.06 N3400)

Article 25. Legal Acts of Election Administration of Georgia (14.08.2003 N2965-rs)

1. Legal acts of the election administration of Georgia are: (28.12.2009 N2525)
 - a) Decrees and resolutions of the CEC, resolution and orders of the CEC chairman, resolution of the CEC Secretary, CEC summary protocols of election returns;
 - b) Resolutions of the DEC, resolution of the DEC chairman, resolution of the DEC Secretary, DEC summary protocols of poll and election returns;
 - c) Resolutions of the PEC, resolution of the PEC chairman, the PEC summary protocols of poll and election returns.
2. A Resolution of the CEC is a by-law, which may be passed only in cases directly stipulated by this Law. Decree may also be passed in exceptional cases, from the commencement until the end of elections, if matters required for the holding of elections and not envisaged by this Law shall be necessarily settled. A manual describing individual election procedures may also be approved by a decree which shall not contain a norm differing from the one established by this Law or a new norm, and which may contain only a detailed description of procedures specified by this Law.
3. The CEC resolution shall be deemed as passed, if voted pro by at least two thirds of the full commission. The resolution shall be signed by the chairman of the relevant meeting of the CEC and the Commission secretary. The CEC resolution shall take effect after its promulgation in the Legislative Herald of Georgia, unless the resolution itself provides a later date. Adoption of the resolution not later than 4 days before the vote. A Resolution of the CEC may be challenged from the moment of its adoption. A resolution of the CEC shall be published on the official web-site of the CEC within 24 hours from its adoption. (22.10.2009 N 1880 to be enacted from 1st January 2010)
4. Resolutions of the election commission, its chairman and secretary, summary protocols of vote/election returns are individual administrative-legal acts which shall be passed/issued in the cases and within the frames determined by this Law and CEC resolution. The resolution of the commission shall be signed by the chairman of the relevant meeting of the commission and commission secretary and other resolutions shall be signed by a person issuing it. The summary protocols shall be signed by the authorized persons specified in this law. Unless this Law provides

another quorum, the commission resolution shall be deemed as passed, if voted pro by the majority of those present, but by at least one third of the full commission. (28.12.2009 N2525)

4¹. Orders of the CEC chairman are individual legal acts, which shall be issued in cases related to internal, including staff related issues. (23.06.06 N3400)

5. Decisions adopted by the Central, District and Precinct Election Commissions of Georgia and their officials shall within the limits of their powers be binding throughout the whole territory of Georgia, of an election district and election precinct respectively.

Article 26. Composition of Election Commission Administration (22.11.2007 N 5500)

1. The Central Elections Commission shall be composed of its chairman and 12 members. The CEC chairman is at the same time the member of the CEC. Termination of the authorities of CEC chairman results into the termination of his/her duties as a CEC member. The chairman shall be elected by procedures prescribed by this law, 5 members of the CEC shall be appointed by the Georgian Parliament upon the submission of the President of Georgia and 7 other members are appointed by parties according to the procedure prescribed by this law. (28.12.2009 N2525)

2. District and Precinct Election Commissions shall be composed of 13 members who within the term and procedure established by this Law shall be appointed/elected by the subjects defined by this Law (15.07.2008 N231)

Article 27. Procedure for Election of the CEC chairman (28.12.2009 N 2525)

1. The CEC Chairman shall be elected by the Party CEC members upon nomination by the President of Georgia (except members appointed by the party with the best results in previous parliamentary elections), in the manner prescribed by this article.

2. Not later than 30 days before the expiry of the term of office of the CEC chairman, and in the case of termination of his office - not later than 15 days after the termination, the President of Georgia, after consultation with nongovernmental organizations, shall nominate 3 candidates for the post of Chairman of the CEC.

3. The candidate for the post of Chairman of the CEC may be able citizen of Georgia who has attained the age of 25, non-partisan, with higher education who is fluent in the official language of Georgia, meets the requirements of paragraph 5 of article 18 of this law, this paragraph and article 17 of the Law of Georgia on Public Service, has experience of not less than 3 years and certificate of election administration officer.

4. The nomination of candidates for the post of Chairman of Central Election Commission filed by the President of Georgia, shall be indicated: name, surname of the candidate; education (higher education); occupation, academic degree (if any), address (as per identity card (registration certificate), of a citizen of Georgia); place of work and position, contact address and phone number (if available). The following shall be enclosed to the nomination:

- a) two photos of the candidate;
- b) copy of ID card (registration certificate) of a citizen of Georgia;
- c) copy of diploma of higher education (academic degree - if any);
- d) copy of the certificate of the election administration official;
- e) employment record and description of his/her experience of participation in elections (if any).

5. Decision on election of the CEC Chairman shall be taken by the CEC members appointed by parties within the 5 days after the submission of nominations (except the members appointed by the party with the best results in the previous parliamentary elections). The meeting shall be convened and presides over by the oldest member defined by this paragraph. Voting for the election of the CEC chairman shall be secret. Each voting member shall have one vote. Voting for all three candidates shall be carried out simultaneously. CEC Chairman shall be considered elected, if any of the candidates receives 4 or more votes.

6. If within the terms defined by paragraph 5 of the this article the CEC chairman failed to be elected, the Parliament of Georgia, within 7 days shall elect the CEC chairman out of the 3 candidates nominated by the President of Georgia.

7. The resolution of the CEC on election of its chairman within 7 days shall be sent to the Parliament of Georgia, and in the case provided in paragraph 6 of this article the decision of the Parliament of Georgia shall be submitted to the CEC within 7 days.

Article 28. Election of the members of Central Elections Commission of Georgia (28.12.2009 N 2525)

1. The President of Georgia in the manner prescribed by this article, shall select and present to the Parliament of Georgia 5 candidates of membership of the CEC.

2. Selection of candidates for CEC members shall be open.

3. Not later than 30 days before the expiry of the term of office of the CEC member, and in the case of vacancy - not later than 15 days, the President of Georgia shall issue an order on conducting the competition and on setting up the competition commission.

4. The candidate for the post of the CEC member may be a person with higher education who is fluent in the official language of Georgia, has experience of not less than 3 years and certificate of election administration officer.

5. An able citizen of Georgia who has attained the age of 25, meets the requirements of paragraph 5 of article 18 of this law, this paragraph and article 17 of the Law of Georgia on Public Service, has right to participate in the competition. The deadline for the submission of the competition documents is no later than 14 days after announcement of the competition.

6. In the application shall be indicated: name, surname of the candidate; education (higher education); occupation, academic degree (if any), address (as per identity card (registration certificate), of a citizen of Georgia); place of work and position, contact address and phone number (if available). The application shall be signed by the candidate and the following shall be enclosed to the nomination:

a) two photos of the candidate;

b) copy of ID card (registration certificate) of a citizen of Georgia;

c) copy of diploma of higher education (academic degree - if any);

d) copy of the certificate of the election administration official;

e) employment record and description of his/her experience of participation in elections (if any).

7. If within the terms defined by the this Law it was impossible to nominate minimum 2 persons for the vacant position, the competition shall continue until the time when minimum 2 persons are nominated for the vacant position.

8. The list of candidates shall be published within 2 days from completion of the deadline of their submission.

9. Not later than 5 days after the expiry of the nomination the candidates the competition committee for each vacancy shall submit at least 2 and no more than 3 candidates to the President of Georgia for election of the CEC members. Not later than 7 days after the selection of candidates the President of Georgia shall take a decision on the selection of candidates and shall submit to the Parliament of Georgia 2 candidates for one vacant post of the CEC member.

10. Not later than 14 days following the nomination by the President of Georgia of the candidates for CEC members to the Parliament of Georgia, the Parliament of Georgia shall elect the members of CEC by a roll-call vote. Each candidate shall be put on vote separately. The CEC member shall be deemed elected if the majority of members of the Parliament vote for it. If the number of these persons is more than the number that is to be elected, the 5 candidates with the best results shall be deemed as elected. If a winner cannot be revealed because of the equal number of votes received, these candidates are immediately put on vote until the winner is revealed among them.

11. If all vacancies are not filled up, the rest of the candidates shall be put on vote again. If vacancy is not filled again, one more vote shall be held. If the vacancy is not still filled, within 3 days the President of Georgia nominates 2 candidates on each unfilled vacancy from other candidates participating in the competition. If the vacancy is still not filled, not later than 3 days a competition is announced for the rest of the vacancies and the nomination procedure starts again.

12. The same candidate may be nominated only twice.

13. After the pre-term termination of the terms of office of a CEC member elected by the Parliament of Georgia, in order to with the purpose of election of his substitute, during the nearest session week of the Parliament of Georgia, the President of Georgia shall nominate to the Parliament of Georgia those candidates who received no less than the majority of votes of the acting MPs, or announce the competition within 3 days. The same rule shall apply if there is no such candidate.

14. The resolution of the Parliament of Georgia on election of the CEC member shall be submitted to CEC within 7 days after its adoption.

15. In the resolution referred to in paragraph 5 of this article shall indicate the first and last names of a person elected as the CEC member. The resolution shall be enclosed with the documentation submitted for the competition as determined by paragraph 6 of this article and the statement signed by the abovementioned person certifying that s/he meets the requirements set forth in paragraph 5 of Article 18 of this law.

Article 28¹. Procedure for appointment and termination of term of office of members of the CEC appointed by political parties (15.07.2008 N231)

1. 7 members of the CEC shall be appointed by parties based on the procedures established by this Article.

2. Each member of the CEC shall be appointed by those political unions which are funded from the state budget according to the Organic Law of Georgia “on Political Unions of Citizens”.

3. If the number of the parties envisaged by provision 2 of this article is more than 7, members are appointed by those 7 parties, which received more funding. If several parties have equal funding advantage is given to the one which had the best results at the elections. If several parties united in one election bloc have equal funding the advantage is given to the one which is ahead in the list of bloc members. (15.07.2008 N231)

4. If the number of the parties envisaged by provision 2 of this article is less than 7, it should be filled to be 7 by the parties which had the next best results (based on the decreasing set of numbers of the received votes), which were independently taking part in elections or were united in an election bloc and were at the top of the list of bloc members (if the party named first refuses to appoint a commission member, the second party shall get this right, etc.). Provided that they should have had received not less than 3% of votes at elections. If even after that the number of parties appointing commission members is less than 7, all the parties mentioned in this provision according to their results have a right to additionally appoint one member of the commission in order to fill the number of the aforementioned members to be 7. (15.07.2008 N231)

5. In case of termination of funding from the state budget for a party or in case of another party receiving more funding, the powers of the commission member appointed by that party shall be terminated and the number of members shall be filled until 7 by representative of the party (parties) which received more funding. If there is no such party or the party refused to appoint a member the procedure established by provision 4 of this article shall apply. (15.07.2008 N231)

6. A party shall have a right to withdraw the CEC member appointed by it. Withdrawal shall be inadmissible from the day of setting election date until the calculation of final results. A party has a right to appoint a new CEC member only in case of resignation or death of the appointed member.

7. The CEC chairman shall furnish the CEC member information on termination of powers on the next meeting of the CEC. (15.07.2008 N231)

Article 29. Authority of the Central Election Commission of Georgia

1. The Central Election Commission:

a) shall ensure holding of elections/referendum/plebiscite within the frames of its competencies, controls the implementation of election legislation on the territory of whole Georgia and shall ensure its uniform application: (22.04.2005 N 1427)

b) shall by decree, approve the election administration regulations;

- c) in extraordinary cases, if compliance with certain requirements/terms provided by this Law is not possible, shall be entitled to determine under its resolution the measures to be taken for holding of the elections/poll and terms; as well, where necessary, under this Law to submit to the President of Georgia the proposal on appointment of a new date for the elections; (12.10.2004. N488)
- d) shall, by resolution, determine the rules for the participation and usage of governmental and non-governmental mass media in the election process and monitor the implementation of these rules in accordance with this Law and other Georgian laws;
- e) shall, by resolution, establish election districts and define their boundaries;
- f) where necessary and for resolution of issues provided by paragraph 13 of article 105 of this law, may, by resolution, to be passed by at least two-thirds of the total number of all members, set up a special group and define the limits of its authority and the period of its activity; (23.06.2006 N3400)
- g) in case a subordinate election commission does not or cannot perform the obligations imposed on them by the law, shall be entitled, by resolution to be passed by at least two-thirds of the total number of all members, decide to terminate the authority of the commission and transfer its authority to a special group set up for exercising such authority pending the election of a new commission;
- h) shall by issuing a resolution determine the rules for allocation and usage of state funds allocated for holding elections and referendum/plebiscite; (22.04.2005 N 1427)
- h¹) shall register the parties and election blocs participating in the election, the initiative groups of voters (for the presidential elections), and their representatives in CEC; (22.11.2007 N 5500)
- h²) shall register presidential candidates and party lists.(21.03.2008 N 6013)
- i) shall by resolution establish the form of election/referendum/plebiscite ballot papers: Texts of the ballot papers for the elections of the Parliament of Georgia, the President of Georgia and Tbilisi city Sakrebulo as well as for referendum/plebiscite: forms of election boxes, election envelopes and election commission stamps, forms of election documents not determined by this law, but necessary for organizing the elections; (22.04.2005 N 1427)
- j) shall ensure the production of election related documents, ballot boxes, special envelopes and seals for election commissions and their delivery to DEC's;
- k) shall, by resolution and in accordance with the terms prescribed by this Law. determine a timetable for election activities;
- l) shall, by resolution, appoint extraordinary elections, by-elections, interim-elections, second ballots, and second round of elections; (15.07.2008 N 231)
- m) shall, by own initiative or under the application/petition, in accordance with the procedures for considering election disputes established by this law. check the legitimacy of decisions and acts of election commissions, their officials and in case of any revealed violation shall invalidate or revise them by resolution; by resolution, shall make the decision on opening of parcels received from the respective precinct election commissions and on the recounting of ballot papers/special envelopes/ lists of voters:' (15.07.2008 N 231)
- n) based on summary protocols of ballot casting DEC and PEC shall establish the election results of the Georgian Parliament (by party list), the President of Georgia, Tbilisi Local government Sakrebulo, Tbilisi city mayor and referendum/plebiscite based on which the summary protocol of CEC is composed; (28.12.2009. N2525)
- o) deleted [23.06.06]
- p) shall ensure computer processing of the voting/election results communicated by DEC's and their immediate publishing on the internet; in case of adoption the decision referred to in subparagraph (m) of this paragraph, - its publication on the internet;
- q) shall, by issuing a resolution, grant an election/referendum/plebiscite status of an observer to a non-profit legal entity determined in this law, international organization, also to organization registered in another country, a group of representatives of governmental bodies of a foreign state,; (14.12.2006 N 3990)
- r) shall manage the activities of DEC's, regularly hear their reports;

- s) shall control the provision of premises, communication facilities, transport and other matters of logistics with respect to election commissions;
 - s¹) shall by resolution define the list of those districts where video surveillance and recording equipment so-called “video eye” will be placed. (15.07.2008 N 231)
 - t) shall ensure the publication and distribution of information materials;
 - t¹) shall determine the rule of certification of election administration officials and the conditions of the selection competition for CEC staff and district election commission members by issuing a resolution. (22.04.2005 N 1427)
 - u) shall ensure the conduct of workshops and training courses for improving election administration officers' skills;
 - v) shall, in the manner provided by this law. consider election-related applications and complaints and take the appropriate decisions within the scope of its authority;
 - w) shall be responsible for the formation of the general list of voters, its computer processing and publishing on the internet of the part designated for public inspection (the last name, first name, date of birth, registration address, also the actual address for IDPs); (21.03.2008 N 6013)
 - x) shall exercise other authority granted under this Law.
 - y) shall by resolution determine the additional rule of creating a unified voters' list and the voting procedures. (09.12.2005 N 2208)
2. All the resolutions of the CEC shall published in the “Legislative Herald of Georgia” and may also be published by other mass media. The CEC resolution relating to the issues provided by subparagraphs (e)-(g), (h¹), (h²) (l)-(o) and (q) of paragraph 1 of this article, shall be published within 3 days from their issue. (22.11.2007 N 5500)
3. The Central Election Commission of Georgia is authorized to adopt a resolution on other issues related to election procedures which have not been envisaged by this Law.

Article 30. Powers and Authorities of the Chairman, Deputy Chairman and Secretary of the Central Election Commission of Georgia (14.08. 2003 N 2965-rs)

1. The CEC Chairman shall be the highest official of the Election Administration.
2. The CEC Chairman shall:
 - a) administer all administrative functions in the CEC;
 - b) chair CEC sessions;
 - c) dispose the funds of the CEC;
 - d) instruct the Deputy Chairman, Secretary, other CEC members and employees of the Apparatus in accordance with the Regulations of Election Administration;
 - e) issue relevant certificates to the parties and blocs taking part in the elections, representatives of initiative groups of voters (for presidential elections) (22.11.2007 N 5500);
 - f) issue the appropriate certificates to the presidential candidates of Georgia, candidates nominated by the parties/election bloc in electoral districts (for parliamentary elections); (22.11.2007 N 5500)
 - g) issue the appropriate certificate to the elected President of Georgia, members of the Parliament of Georgia, members of Tbilisi City Sakrebulo; and in case of termination of authority of any of the members of the Parliament or of Tbilisi City Sakrebulo before the expiration of the term of such authority - to the successors thereof; (23.12.2005 N 2441)
 - h) submit to the Interim Credentials Commission set up under the newly elected Parliament of Georgia or, after establishing the relevant Standing Committee, to such Standing Committee, the documentation necessary for verifying the authorities of the persons elected as the Members of the Parliament;
 - i) if the authority of any of the CEC members elected by the Parliament is terminated before the expiration of the term established for such authority and, for this reason, the number of CEC members becomes less than 7, the CEC Chairman shall give notice to the Parliament to that effect on the next day from such termination;
 - j) exercise other powers and authorities granted thereto under Election legislation.
3. The CEC Deputy Chairman shall:

- a) perform the duties assigned to the CEC Chairman, if the CEC has no Chairman or the incumbent Chairman is unable to perform such duties;
 - b) exercise certain authorities of the CEC Chairman according to an resolution issued by CEC Chairman and with the consent of the CEC (such resolution shall specify the scope and term of the authorities so assigned).
4. The CEC Secretary shall:
- a) distribute election documents and all correspondences submitted to and addressed to the CEC;
 - b) register the representatives of any party/election bloc participating independently for the elections for the Parliament of Georgia and Local Self-Governments, as well as the parties or initiative groups of voters nominating candidates for the election of the President of Georgia and issue the relevant certificates thereto;
 - c) register the observers appointed to the CEC by a non-profit legal entity/international organization having the status of the elections/referendum observer, the observers sent by state bodies of another state and issue to them the observer's certificates; (14.12.2006 N 3990)
 - d) make accreditation of representatives of the mass media and issues to them the accreditation cards; (12.10.2004. N488)
 - e) draw up the summary protocols of the election results;
 - f) exercise any other powers and authorities granted under the election Law.

Article 31. Apparatus of the Central Election Commission of Georgia

- 1. The Apparatus of the Central Election Commission of Georgia shall be established for the purpose of ensuring organization, legal and technical support of elections.
- 2. The Apparatus structure, rules for its activities and its authorities shall be determined by the regulations of the Central Election Commission.
- 3. It shall be inadmissible to employ to the Apparatus a person, who has not been awarded a certificate of an election administration official by the Central Election Commission, except for auxiliary and technical staff, as well as the staff of those services whose activities are not directly related to election procedures. The list of such services and the list of the staff members shall defined by the CEC resolution. (23.06.2006 N3400)

Article 31¹. Deleted (to be enacted from 1st January 2009) (22.11.2007 N 5500)

Article 32. Establishment of District Election Commission (15.07.2008 N 231)

- 1. District election commissions shall be created by the majority of the full composition of the CEC.
- 2. 5 Members of the DEC shall be elected for the 5 year term by the majority of full composition of the CEC.
- 3. After fixing the election day 7 members of the DEC shall be appointed by political parties envisaged by article 28¹ and 1 member shall be elected by the majority of full composition of the CEC for the term until announcement of final outcome of the relevant elections.
- 4. Party's decision on appointment of the DEC members shall be submitted to the CEC within 7 days after fixing of the day by the CEC. Should the authorized parties do not appoint election commission members within the deadline established by this paragraph. CEC is entitled to fill the number of DEC members to 13 on the next day after expiration of the deadline, in accordance with the procedures prescribed by the law.
- 5. Officials of district election commission shall be elected by the district election commission from among its members by the majority of its full composition.
- 6. After appointment of elections till it completion, the district election commission shall have a right to hire such number of support and technical staff as it is approved by the resolution of the CEC.

Article 33. Election of chairman/member of District Elections Commission (22.04.2005 N 1427)

1. The Central Elections Commission of Georgia shall elect a member of district election commission not earlier than 20 and not later the 10 days of the expiration of the terms of office of the district election commission member. The officials of district election commission shall be elected in the same timeframe.
2. In case of early termination of the terms of office of a member of district election commission elected by CEC his/her substitute shall be elected by the CEC within 15 days (after fixing of the elections day — within 7 days). The same rule shall apply in case of early termination of the authorities of district election commission officials. (15.07.2008 N 231)
- 2¹ in the DEC the authority of 1 member appointed by the CEC in accordance with the procedure prescribed in paragraph 3 of article 32 and the authority of a commission member which is elected by political parties envisaged in Article 28¹ shall cease immediately after final results of elections are announced. (15.07.2008 N 231)
3. Candidates for district election commission membership shall be selected based on the open competition.
4. Not later than 60 days before the expiration of the terms of office of district election commission member or not later than 3 days after the early termination of his/her authorities, the CEC shall issue a resolution on holding the competition.
5. Candidate of district election commission membership shall be a nonpartisan person with higher education, who is fluent the state language of Georgia and has a certificate of election official.
6. A Georgian citizen having attained 21 years, who meets the requirements of paragraph 5 of Article 18 of this law, paragraph 5 of this article and Article 17 of the law of Georgia on Public Service may participate in the competition. The competition documents shall be submitted in the following deadlines:
 - a) in case of expiration of terms of office -14 days after announcing the competition;
 - b) in case of early termination of authorities - 10 days after announcing the competition, if the elections are appointed -2 days after announcing the competition.
7. The documents submitted for the competition shall indicate: the first and last name of a candidate, education (higher education), occupation, scientific degree (if any), address (according to the ID card (registration certificate) of a citizen of Georgia), work place and title, contact address and telephone number (if any), number and name of the election district, where s/he wants to become a district election commission member; the statement shall be signed by the candidate and it should be enclosed with:
 - a) two photos of the candidate;
 - b) copy of ID card (registration certificate) of a citizen of Georgia;
 - c) copy of a document certifying the candidate's higher education (scientific degree - if any);
 - d) copy of election administration officials certificate;
 - e) employment record and election related experience (if any) of the candidate.
8. The candidates of district election commission members shall submit the competition documents determined in paragraph 7 of this article to the CEC.
9. If the submitted documents do not meet the requirements set forth in this article, the CEC chairman informs the candidate about this (with indication of the irrelevance) within 2 days. The corrected documents shall be submitted back to the CEC in 2 days.
10. The CEC shall publish the list of candidates within 5 days after the expiration of the deadline for submitting the documents.
11. The CEC elects the members of district election commission by a roll-call vote. Each candidate is voted on separately. A person, who receives the support of the majority of the full CEC, shall be considered elected. If the number of such persons is more than the number of those to be elected, then the candidates with the best results among them will be deemed as elected; if the winner cannot be determined due to the equal number of votes received by some candidates, these candidates are put on vote immediately in order to reveal the winner. If the winner is still not revealed, s/he will be determined by casting the lot. If all the vacancies are not filled as a result of

the vote, the rest of the candidates are put on vote again. If all the vacancies are not filled again, the competition on the rest of the vacancies shall be announced again.

12. The same candidate may be nominated only twice.

13. The resolution on the election of a district election commission member shall indicate the name and last name of the elected person, name of the district election commission, as the chairman/member of which s/he was elected. The decision shall be enclosed with the documents submitted for the competition as set forth in paragraph 7 of this article and the statement signed by the abovementioned person, where it shall be indicated that s/he meets the requirements established by paragraph 6 of article 18 of this law.

14. The CEC shall publish the list of the elected commission members.

Article 34. Powers and Authorities of District Election Commission (14.08. 2003. N 2965-rs)

1. A district election commission is a standing territorial body of the election administration of Georgia formed according to the rule set forth in article 32 of this law. (22.04.2005 N1427)

1¹. The district election commission possesses a stamp carrying its name, seal, independent balance sheet, and settlement and current bank accounts. Responsibility for spending the funds allocated to the District election commissions by CEC lies with the chairman of the commission and accountant. The amount of funding allocated for the elections may be spent by the DEC from account opened in any commercial bank or/and its branch. (23.06.06. N3400)

2. The DEC shall:

a) within its powers ensure holding of elections and referendum/plebiscite in the election district, monitor the fulfillment of the election legislation and secure its uniform application; (22.04.2005 N 1427)

b) create and specify the boundaries of election precincts by issuing the relevant resolution;

c) if any Precinct Election Commission (PEC) fails to perform the duties assigned to it under the Law, the DEC has the right to request the CEC to suspend the authority of such PEC, by a majority decision of total number of DEC members;

d) determine, by resolution, the text of ballot papers for the elections of local self-government to be held in the election district;

e) at its own initiative or on the basis of an application/complaint, verify lawfulness of decisions made by PECs and their officials and, if any violation is detected, shall change or annul them by issuing a resolution. (21.03.2008 N 6013)

f) on the basis of an application/complaint (if such application/ complaint is filed according to the procedure and within the period prescribed under this law) or at its own initiative, examine the lawfulness of the actions and decisions taken and made by PECs on the election day, as well as by the appointed official thereof (including the correctness of the registration of election participants, counting of ballot papers and etc). In case if it detects any violation, shall make the appropriate decision (including changing or annulling results of PEC summary protocols after their examination). If the violation results in a change of any person elected in a single-mandate district or of any candidate participating in the second round of elections, or a change of any persons elected in a multi-mandate district (when holding elections for local self-government bodies), or such violation has an adverse effect on the decision as to whether the elections shall be deemed held or not (for majoritarian districts and for elections of local self-government bodies), and if such examination does not enable the DEC to establish the fairness of the result, shall make the decision to render the voting results in the relevant election precinct null and void and raise the question at the CEC to appoint the date for a second ballot. (21.03.2008 N 6013)

g) based on results of summary protocol of the PEC. considering adjudication of violations of election law, sum up election district voting results during elections of Georgian Parliament (party list), President of Georgia, Tbilisi Local Government, and also during holding a referendum/plebiscite, based on which summary protocol of DEC voting results shall be drawn up; (21.03.2008 N 6013)

- h) based on results of summary protocol of PEC, considering adjudication of violations of election law, establish the results of majoritarian system elections of Parliament of Georgia at majoritarian election district during local self-government elections at election district based on which summary protocol of DEC voting results be drawn up; (21.03.2008 N 6013)
 - h¹) deleted (28.12.2009. N2525)
 - h²). register the majoritarian candidates nominated by party/election bloc. (21.03.2008 N 6013)
 - i) grant by the resolution the status of local observer of elections/ referendum/plebiscite to local non-profit legal person envisaged by this Law; (14.12.2006 N 3990)
 - k) direct activities of PECs, hear the reports of such commissions on a periodic basis;
 - l) organize and conduct extraordinary elections, by-elections, as well as second ballots and second round of elections; (23.12.2005 N2414)
 - m) manage and control the provision of premises, communication facilities, transport and other matters of logistics with respect to election precincts;
 - n) ensure that the PECs are provided with the necessary ballot boxes, special envelopes, precinct election commission seals and with necessary election documents:
 - o) hear and receive information provided by local self-government and administration bodies, public institutions and organizations, mass media owned by the state and local self-government authorities operating on the territory of the election district in connection with the fulfillment of their obligations as assigned under the election Law and exercise control over the fulfillment of such obligations; and ensure adequate control over the allocation of places for posting and displaying election posters;
 - p) exercise control over fulfillment of the “rules for the participation and usage of the mass media in the elections”;
 - q) ensure the release and publication of information related to the elections;
 - r) assist in organizing meetings of parties/election blocs/candidates with the electorate;
 - s) review appeals and claims related to the election process and make relevant decisions within the scope of its competence;
 - t) deleted. (23.12.2005 N2414)
 - u) assist in compiling the List of Voters in accordance with procedures established by this Law and ensure publicity and accessibility thereof;
 - u¹) ensure organization of workshops and training courses for enhancing the qualification of the candidates of precinct election commission members. (23.06.06 N3400)
 - v) exercise other powers and authorities provided by this law.
3. Resolution of the DEC in connection with the matters specified under subparagraphs (b), (e)-(i) of paragraph 2 of this article, and any decree of its chairman relating to matters specified in subparagraphs (f) and (g) of paragraph 1 of article 35 of this Law. shall be published within a period of 5 days.

Article 35. Powers and Authorities of the Chairman, Deputy Chairman and Secretary of District Election Commission (14.08.2003 N 2965-rs)

1. The DEC Chairman shall:

- a) administer all administrative functions in the DEC;
- b) chair DEC sessions;
- c) deleted; (22.04.2005 N1427)
- d) dispose the funds of the DEC;
- e) instruct the Deputy Chairman, Secretary, other DEC members and employees of the Apparatus in accordance with the Regulations of Election Administration;
- f) deleted; (28.12.2009 N 2525)
- g) issue the relevant certificates to the candidates nominated by party/election bloc for the election of local self-government; (28.12.2009 N 2525)

- h) issue the relevant certificates to the elected members of the Sakrebulo (except for the Tbilisi City Sakrebulo) and, in case of termination of such member's authority before the expiration of the term of such authority, to the successors thereof;
 - i) submit to the CEC documentation necessary for verifying the authorities of the persons elected as members of a Sakrebulo and any other election documents provided for under the Election Law;
 - j) If the authority of any of the DEC members is terminated before the expiration of the term established for such authority, give notice to the CEC to that effect on the next day from such termination;
 - k) Exercise other powers and authorities granted to the Chairman under the election Law.
2. The DEC Deputy Chairman shall:
- a) perform the duties assigned to the DEC Chairman, if the DEC has no Chairman or the incumbent Chairman is unable to perform such duties;
 - b) exercise certain authorities of the DEC Chairman according to an resolution issued by DEC Chairman (such resolution shall specify the scope and term of the authorities so assigned).
3. The Secretary of District Election Commission shall:
- a) distribute the election documents and all correspondence submitted to and addressed to the DEC;
 - b) register the representatives of any party/election bloc/voters initiative group participating independently in the elections in PECs and issues the appropriate certificates to them;
 - c) register observers to the district and precinct election commissions appointed by the non-profit legal entities which have an observer status and issue to them the observer's cards; (14.12.2006 N 3990)
 - d) accredit by resolution the representatives of the mass media and issues to them the accreditation cards; (12.10.2004 N488)
 - e) draw up the minutes of the election commission sessions, including the summary protocols of final election and voting results;
 - f) exercise any other powers and authorities provided by the election legislation.

Article 36. Establishment of Precinct Election Commission (22.11.2007 N 5500)

- 1. The 6 members of a PEC shall be elected by the majority of the full composition of the relevant DEC.
- 2. The 6 members of a precinct election commission established in a foreign country shall be elected by the majority of the full composition of CEC.
- 3. 7 members shall be appointed according to the procedure prescribed by Article 28¹ of this law by the subjects envisaged by this Law.

Article 37. Appointment/election of a precinct election commission member (22.11.2007 N 5500)

- 1. The district election commission shall elect 6 members of a precinct election commission not earlier than 50 and not later 46 days prior to the election day; except for the extraordinary elections of the President of Georgia; in such a case 6 members of PEC shall be elected by the CEC not earlier than 38 and not later than 36 days prior to the election day. In the commissions created in exceptional cases - not earlier than 10 and not later than 9 days prior to the Election Day. (28.12.2009. N2525)
- 2. The CEC shall elect 6 members of a precinct election commission established in a foreign country, not earlier 24 and not later 20 days prior to the election day.
- 3. The party authorized by paragraph 3 of article 36 of this law shall submit its decision on the appointment of a precinct election commission member to the corresponding district election commission not earlier 50 and not later 46 days prior to the election day, except for the extraordinary elections of the President of Georgia in such case decision of the authorized party on appointment of the PEC member shall be submitted to the corresponding DEC not earlier than 39 and not later than 36 days prior to the election day, when appointing a member in the commissions created in exceptional cases - not earlier 14 and not later 9 days prior to the election day, and in a

commission created in a foreign country - not later 20 days prior to the election day and the decision shall be submitted to the CEC after the precinct election commission is established not later than 20 days prior to the Election Day. (28.12.2009. N2525)

4. The corresponding district election commission shall publish the list of members of precinct election commission not later than 29 days prior to the election day, for the commissions created in exceptional cases - not later 5 days prior to the election day, and for a commission created in a foreign country - the CEC shall publish this list not later 10 days prior to the election day.

5. If by 30 days prior to the election day, or the by the 8th day prior to the election day - for the commissions created in exceptional cases, or 19 days - for the commissions established in a foreign country, the number of commission members is less than required, then the right to elect the commission members within 3 days shall be vested to the superior district election commission (for the first two cases) and the CEC (for the third case) from among the candidates participating in the competition, or based on the re-launched competition. The rule, conditions and timelines for conducting competition for the PEC members is defined by CEC resolution.

6. The decision of an authorized party on the withdrawal of a member of a precinct election commission and appointment of his/her successor shall be submitted to the corresponding precinct election commission and to the superior district election commission, and for a precinct election commission created in a foreign country - to the CEC.

7. If after the pre-term termination of the terms of office of any commission member the party having the right to appoint his/her successor does not apply this right, as well as if the terms of office of the commission member elected by the district election commission or by CEC were early terminated, and for this reason the number of commission members is less than the required number, then the right to elect a new member of the commission within 5 days following the expiration of the term for nomination of new candidates for filling up its composition shall be vested on the district election commission or the Central Elections Commission, accordingly.

8. The members of precinct election commission shall be elected by the district election commission and by the CEC by a roll-call vote. Each candidate shall be voted separately. A person shall be deemed as elected if voted pro by the majority of the full commission. If the number of those persons exceeds the required number, the candidates with the best results shall be considered elected. If due to the equal votes the winner is not revealed, those candidates shall be immediately voted again for revelation of the winner among them. If the winner is still not revealed, the winner shall be determined by casting of lots. If all vacancies are not filled up as a result of the voting, the procedure of nomination of candidates shall commence from the beginning.

9. The decision on election/appointment of commission member shall indicate the name and last name of the person elected/appointed, also the number of the precinct election commission to which s/he is elected/appointed. The decision of the party on appointment of a commission members shall be enclosed with:

a) information about the education of the person elected/appointed as a commission member (higher, secondary), occupation, scientific degree (if any), address (according to the ID card (registration certificate) of a citizen of Georgia), election district and election precinct where s/he is registered as a voter, working place and position, contact address and telephone number (if any);

b) copy of ID card (registration certificate) of a citizen of Georgia;

c) the statement signed by the abovementioned person certifying that s/he agrees to be an election commission member and meets the requirements set for in paragraph 5 of article 18 of this law;

10. The nominated person shall not be considered a commission member, if the deadline for their submission of the documents determined in this article is lapsed or the documents are not full or correct and the shortcomings of the documents are not rectified in the period provided by this paragraph. If the submitted documents do not meet the requirements determined by this article, the chairman of a district election commission or the CEC, accordingly, within 2 days shall inform the subject, which appointed/elected the commission member (with indication of the shortcomings). Within 3 days the rectified documents shall be returned to the district election commission or to the CEC, accordingly.

Article 37¹. Measures of disciplinary liability of the Precinct Electoral Commission Member
(28.12.2009 N2525)

1. The misdemeanor of the Precinct Electoral Commission member shall be:
 - a) culpable neglect or improper performance of official duties;
 - b) causing property damage to the election administration, or guilty in endangering the occurrence of such damage;
 - c) absence from service without a valid reason;
 - d) missing the Precinct Electoral Commission meeting, 3 times in a row without a valid reason;
 - e) a flagrant violation of election legislation and regulations of the Precinct Electoral Commission;
 - f) the refusal by the commission member from the requirement of signing the summary protocol on voting and election results.
2. The superior district election commission may impose in respect of the Precinct Electoral Commission member, having committed the misdemeanor, the following disciplinary measures:
 - a) admonition;
 - b) warning;
 - c) the withholding of wages / part of wages;
 - d) early termination of office.
3. Only one measure of disciplinary liability may be used for one disciplinary violation.
4. In imposing on the Precinct Electoral Commission member disciplinary measures by the appropriate district election commission, the simplified rules of administrative procedure provided by the General Administrative Code of Georgia shall apply.

Article 38. Powers and Authorities of Precinct Election Commission (14.08.2003 N 2965-rs)

1. Precinct election commission is a temporary territorial body of the election administration of Georgia and is composed of the persons appointed by the subjects determined by article 36 of this law and the persons appointed/elected by the CEC and the superior district election commission.
(22.04.2005 N 1427)
2. The PEC shall:
 - a) within its competencies ensure the holding of elections and referendum/plebiscite on the territory of the election precinct, the observance of the election legislation and the legal procedure of voting, application and protection of the rights of voters, representatives and observers guaranteed by the Constitution of Georgia and by this law; (22.04.2005 N1427)
 - b) check the correctness of the voters lists, adjudicate appeals filed in connection with such lists and in case of detecting any errors and inconsistencies, immediately, but not later than the following day, shall submit to the relevant DEC with a proposal to make amendments to the lists;
 - c) according to the appeals and declarations of the voters, establish the supplement of the voters' list (mobile ballot box list); (12.10.2004 N488)
 - d) establish voting results at the election precinct based on which summary protocol of polling station is drawn (21.03.2008 N 6013)
 - e) have the right to raise the question at the higher level DEC to declare the election results in the election precinct null and void, by decision of the majority of the total number of votes of the PEC members;
 - e) issue voter invitation cards to voters;
 - f) be responsible for displaying information as prescribed by the Election Law at the election precinct and preparing the place where the voting and counting of ballot papers is to be conducted; keep order at the election precinct;
 - h) exercise control over the allocation by local self-government and administration authorities of places for posting and displaying of election posters;
 - i) assist in organizing meetings of voters with the parties/election blocs/candidates participating in the elections;

- j) adjudicate the applications and complaints filed in connection with the election process and preparatory procedures for voting and, within the limits of its authority, make an appropriate decision;
 - k) ensure that voters' rights are unconditionally exercised on election day and bear full responsibility for the protection of such rights;
 - l) cancel the decision of the PEC Chairman on the temporary closing of a polling place, suspension of polling, opening of such polling place after it has been closed and continuation of polling;
 - m) exercise other powers and authorities provided by the election law.
3. All resolutions issued by the PEC and by its Chairman shall be displayed at the election precinct on the date immediately following the date of issuing such resolutions.

Article 39. Powers and Authorities of the Chairman, Deputy Chairman and Secretary of Precinct Election Commission (14.08.2003 N2965-rs)

1. The PEC Chairman shall:
- a) administer all administrative functions at the PEC;
 - b) chair PEC sessions;
 - c) accept and hand over election documents and all correspondences submitted to and addressed to the PEC;
 - d) be personally responsible for the safekeeping and distribution of ballot papers, special envelopes, PEC seals, summary protocols and other election documents;
 - e) instruct the Deputy Chairman, Secretary and other PEC members according to the Regulations of the Election Administration;
 - f) on election day, organize the distribution of functions among PEC members by the casting of lots;
 - g) be responsible for keeping order at the polling place and on the territories adjacent thereto on the election day;
 - g¹) be responsible not to let unauthorized persons without the appropriate badges into the polling station; (12.10.2004 N488)
 - h) submit the voting and election results and all election documents to the relevant higher DEC immediately after the completion of the consolidation of the results;
 - i) exercise any other powers and authorities provided by the election law.
2. The PEC Deputy Chairman shall:
- a) perform the duties assigned to the PEC Chairman, if the PEC has no such Chairman or the incumbent Chairman is unable to perform such duties;
 - b) exercise certain authorities of the PEC Chairman according to the resolution issued by such PEC Chairman (such resolution shall specify the scope and term of authorities so assigned).
3. The Secretary of the PEC shall:
- a) prepare draft resolutions of the PEC;
 - b) be responsible for the release of public information;
 - c) prepare the minutes of PEC sessions, including the summary protocols of election results;
 - d) exercise any other powers and authorities provided by the election law.
4. The disciplinary responsibility provided by paragraphs 1 and 2 of article 37¹ of this law shall be imposed on the members of the precinct election commission in case of non-fulfillment of requirements prescribed by this law. (28.12.2009. N2525)

Article 39¹ - Deleted [22.04.2005]

**CHAPTER V.
REGISTRATION OF ELECTION SUBJECTS AND LISTS OF
SUPPORTERS**

Article 40. Registration of Election Subjects

1. For the purpose of obtaining the right to take part in elections, election subjects shall be registered by the relevant election commission, in accordance with the rules established by this Law.
2. For the purpose of undergoing registration, election subjects shall apply to the relevant election commission and submit the appropriate documents, in accordance with the rules prescribed by this Law.
3. The corresponding service of the election commission shall, within the period established hereunder, examine the submitted documents and submit its conclusion to the election commission chairman, who shall decide for or against the registration. If the submitted documents fail to meet the requirements established hereunder, the election commission chairman shall, within 2 days (unless otherwise provided by this Law), give notice to that effect (specifying the inconsistencies detected) to the representative of the relevant party/election bloc/voters' initiative group, who shall be given 3 days (unless otherwise provided for by this Law) to bring the documents into compliance with such requirements. An examination of the corrected documents and settlement of the registration issue shall be ensured within 2 days (unless otherwise provided for by this Law) of the submission thereof. If the application for registration is rejected, the election commission shall immediately notify its decision to the representative of the relevant party/election bloc/voters' initiative group, who shall have the right to receive such decision immediately upon request.(14.08.2003 N2965-rs)

Article 41. Lists of Supporters

1. Voters shall confirm the initiative of an election subject to take part in an election by signing the form of the list of supporters.
2. A sample of the form of the list of supporters shall be determined by resolution of the Central Election Commission.
3. In the list of supporters form shall be indicated voter':
 - a) first and last names;
 - b) date of birth (year, month and day);
 - c) number of Identity Card of Citizens Georgia (Passport of a Georgian citizen) and personal number;
 - d) place of registration (according to the registration card);
 - e) date of signature;
 - f) signature.
4. In the form shall be indicated the first and last names, place of registration (according to their registration card) and the contact telephone number of the person responsible for the collection of signatures, including the date of filling in of the form and shall be confirmed by the signature of person concerned.
5. In the upper left corner of the form shall be indicated the title (first and last names) of the election subject, whose initiative in taking part in the elections is being supported by the voters signing the form.

Article 42. Inspection of Lists of Supporters

1. The lists of supporters for any party and any candidate for the election of the President of Georgia shall be checked by the CEC and the lists of supporters of any other candidates -by relevant DEC. (14.08.2003 N2965-rs)
2. Based on random selection, the election commission inconsistently shall check validity of 20% of established number of signatures of supporters. If no less then its 10% is voided commission additionally shall check the signatures in the same way. If no less then its 10% is voided supporters lists voided part shall be returned to election subject and 2 days term is given to fulfill the gaps. The election commission shall once again check the amended part of supporters list with other lists presented by the election subject. The supporters list shall be wholly invalidated in case if

established number is still voided and electoral subject based on election commission is refused for the registration. (21.03.2008 N 6013)

3. The signature of a voter in the supporters list shall be deemed invalid, if:

- a) the first and last names are not indicated or are indicated incompletely;
- b) the date of birth (year, month and day) is not indicated or is indicated incompletely;
- c) the place of registration (settlement, street, house and apartment number) is not indicated or is indicated incompletely;
- d) the date of signing is not indicated or does not comply with the time period for compilation of the list of supporters, established by this Law;
- e) there is no signature or the signature has been made by another person, which is confirmed in writing by the voter instead of whom the signature was made;
- f) in the list of supporters of a candidate nominated to an election district is included a voter registered in another election district;
- g) the signatory person in application submitted to the relevant election commission confirms that the signature was done by misled, intimidation or under pressure, and the signature on this application was certified by a notary; (14.08.2003 N2965-rs)
- h) the number of Identity Cards of Citizen Georgia (number of a Passport of a citizen of Georgia) and personal number are indicated incompletely or incorrectly.

4. Any and all signatures shall be deemed invalid if made on a sheet not duly endorsed by the person responsible for collecting the signatures, or when such sheet specifies no data or incomplete data as required under paragraph 4 of article 41 of this Law. (14.08.2003 N2965-rs)

5. A list of supporters shall be checked according to the procedures established by the CEC. Checking the list of supporters of a party shall be completed within 10 days after the submission thereof; while the list of supporters of a candidate shall be checked within 3 days after the submission. (22.11.2007 N 5500)

6. Representatives of election subjects shall have the right to attend the process of inspection of the list of supporters.

7. Only members of the CEC and relevant DEC, as well as employees of appropriate service of the CEC and, if a suit is brought before the court, the court, shall have the right to inspect and have access to the lists of supporters. The lists of supporters shall be destroyed within 10 days after the expiration of the term for instituting a suit over the registration.

CHAPTER VI. ELECTION FUNDING

Article 43. Financial Provision for Preparation for and Holding of Elections (14.08.2003 N2965-rs)

1. The costs incurred by the election administration in connection with the preparation and conduct of elections and the activities carried out by the election administration within the term of its authority shall be financed from the State Budget of Georgia. (22.11.2007 N 5500)

2. The CEC shall, on an annual basis and according to the procedures established by law, submit budget estimates for the election administration for the next year, on the basis of which the budgetary financing for the next year shall be planned.

3. Deleted. (12.10.2004 N488)

4. If the budgetary funds allocated for the preparation and conduct of elections are not transferred to the account of the CEC within the term established hereunder, the CEC shall have the right to file a claim before the District (City) Court of Georgia. (29.12.2006 N4219)

5. The terms for forcible execution as prescribed under Article 92¹ of the Law of Georgia on Enforcement Procedure shall not apply to the execution of court decisions provided for under paragraph 14 of Article 77 of this Law and the forcible execution in connection with the allocation of funds to the CEC shall not be ensured from the Fund for Execution of Court Decision envisaged by the State budget of Georgia.

6. The election administration, represented by the CEC, shall have the right to receive grants from persons duly authorized by law. The grant shall be utilized in compliance with the agreement between the CEC and the authorized person. (12.10.2004 N488)

Article 44. Finances Required for the Elections

1. The CEC shall submit to the Ministry of Finance a plan of funding of the preparation and conduct of elections, not later than 55 days prior to election day.
2. The Ministry of Finance, in accordance with the submitted plan, shall deposit to the account of the CEC the funds allocated for elections from the State budget, not later than 50 days prior to the election day.
3. The CEC shall determine the rules for distribution and use of election funds necessary for the conduct of elections by election commissions.
4. Not later than 45 days prior to election day, the CEC shall deposit the funds allocated for DEC's to their current account.

Article 45. Disposal of Funds Required for Elections

1. Funds allocated for election commissions shall be disposed by the Chairman and the Accountant on behalf of the Commission, and shall be responsible for the proper use of the funds.
2. The DEC, not later than 30 days after the election day, shall cease all settlement of accounts with organizations and individuals and, within 10 days, transfers the funds remaining on its account to the account of the CEC. Within 2 weeks from the transfer of the remaining funds, the DEC shall submit a financial report to the CEC.
3. The form of the DEC report on expenses related to the elections shall be determined by an resolution of the CEC.
4. The CEC shall submit to the Ministry of Finance a summary financial report on expenses related to the elections.
5. The Chamber of Control of Georgia shall be entitled to inspect the reasonableness of use of funds allocated for elections.. (26.12.2008 N 883)

Article 46. Election Campaign Fund

1. An election fund is the sum of money resources for election campaigning of an election subject, and also all types of goods and services obtained free of charge (estimated in market prices), except the cost of free air time obtained by the rule defined in this Law. (21.03.2008 N6013)
2. It shall be obligatory for the electoral subject to open the election campaign fund. the Candidate nominated by election subject shall use the election campaign fund of the nominatin election subject. For the elections of local self-government majoritarian candidates nominated by party/election bloc shall establish election funds voluntarily. (28.12.2009. N2525)
3. Funds received by an election subject shall be deposited to the account of the election campaign fund, which shall be opened at the National Bank of Georgia or at a commercial bank, or its relevant branch office (during presidential elections, interim parliamentary elections, and elections of local self-government representative body Sakrebulo from the date of submission of application by the registered party) within 5 days of registration of the election subject at the relevant election commission. The account shall be opened only in the national currency. (15.07.2008 N231)
- 3¹. Deleted (21.03.2008 N 6013)
4. Within 2 days from opening of the election campaign fund, the election subject shall submit to the relevant election commission a document issued by the bank confirming the opening of an election campaign fund, the number of the account, also shall notify the identity and address of the manager and accountant of the election campaign fund.
5. The personal account of a initiative group of voters, party, candidate for the Presidency of Georgia or a majoritarian candidate, shall not be used as the account of the election campaign fund. It shall inadmissible to open more than one account for the election campaign fund. (12.10.2004 N488)

6. At the time of opening of the election campaign fund and in relationship with a bank, a Party shall have the right to use the Party seal, and upon agreement with the Parties included in an election bloc - to use the seal of one of the Parties included in the bloc, which is determined by the statute of the election bloc.

7. Funds received by the election campaign fund shall be considered to be the funds deposited to the account of the election campaign fund, as well as any goods or services received free-of-charge (at market prices).

Article 47. Contributions to the Election Campaign Fund

1. Contributions to the election campaign fund shall be considered to be the funds deposited to its account by natural persons and legal entities, as well as all kinds of material values and services received free-of-charge.

2. A legal entity making a contribution to an election campaign fund shall be obliged to indicate its title and legal address, while natural persons shall indicate the first and last names, address, number of the Identity Card Citizen of Georgia (Passport of a citizen of Georgia) and personal number. Money contributions by legal and natural persons to the election campaign fund shall be done by cashless settlement through a banking institution. This restriction shall not apply to contributions of one natural person if the sum contributed does not exceed 300 Lari. It shall be also unacceptable to make contributions by means of another person. (08.06.2007 N4919 to be enacted from 1st October, 2007).

3. The funds deposited without indication of the data provided for by the paragraph 2 of this article shall be considered anonymous. Anonymous contributions shall be transferred immediately to the State budget of Georgia. (08.06.2007 N4919 to be enacted from October 1, 2007).

3¹. Financial and material volume of donations received at election funds of party/election bloc and the presidential candidate shall not exceed:

- a) for each individual person, including individual entrepreneur - 30 000 Lari;
- b) for each legal entity - 100 000 Lari.

3². Financial donations to the election campaign funds of majoritarian candidate in parliamentary elections and candidate in local self-government representative body - Sakrebulo elections shall not exceed: (08.06.2007 N4919 to be enacted from 1st October, 2007).

- a) for each natural person - 10,000 Lari;
- b) for each legal person - 30,000 Lari.

3³. Restrictions envisaged by provisions 3¹ and 3² of this article shall not apply to the sums given by parties from their resources for the election fund of their election subject. (08.06.2007 N4919 to be enacted from 1st October, 2007).

4. It shall be inadmissible for an election subject to use, during the elections, any funds other than the funds of the election campaign fund.

5. It shall be inadmissible to receive the contributions to the election campaign fund from the following:

- a) other States;
- b) natural persons or legal entities of other States;
- c) persons with no citizenship;
- d) international organizations and movements;
- e) non-entrepreneurial legal entities and religious organizations;
- f) a Georgian entrepreneurial legal entity, in with State share.

Article 48. Rules for Disposal of Election Campaign Funds

1. For the purposes of effective use and disposal of election campaign funds, an election subject shall appoint (elect) a manager and accountant of the election campaign fund.

2. Election campaign fund shall be disposed by the manager and accountant of the fund, upon the instruction of the election subject. The manager and accountant shall be also responsible for the proper use of the election campaign fund.

3. The rules for appointment (election), by an election bloc, of the manager and accountant of the election campaign fund, shall be determined by the bloc's statute.
4. The election campaign fund manager shall be obliged to transfer illegally received contributions to the state budget within 10 days time, at the same time shall inform on the monthly basis, from the moment of setting up an election campaign fund, the appropriate election commission in compliance with the regulations of the Central Election Commission of Georgia of the source and amount of the contribution and the date of receipt, and after the completion of the elections to submit the report to the fund within the time limit prescribed by the law. The responsibility of a manager and an accountant of the election campaign fund for receiving and concealing financial and material contributions shall be determined by the law of Georgia. (08.06.2007 N4919 to be enacted from October 1, 2007).
5. The manager of the election campaign fund shall process documents on all transactions. If any expense cannot be documented, it shall be processed through a bilateral Act.
6. Not later than one month after the publication of election results, the election subject shall submit to the relevant election commission a report on the funds used for elections, together with the audit report (of the audit company), with a statement of the source of the funds deposited to the election campaign fund. The election subjects, which, according to preliminary data, receive the necessary number of votes established by this Law, must do the same, not later than 8 days after the election day. An audit examination may be carried out by an auditor (audit company) functioning on the territory of Georgia. (16.12.2004 N2263)
- 6¹. After an election bloc registers at the CEC and opens election bloc campaign account, all subjects in this bloc shall cease using their own accounts for election campaign funds and rely only on bloc's election funds. When reporting on accounts opened for their election campaign funds, as prescribed in paragraph 6 of this article, election subjects that form election blocs are also obliged to present a statement from a relevant bank certifying that financial operations on the accounts for their election campaign. have suspended. Those election subjects majoritarian candidates of which participate in the second round of elections shall additionally present information prescribed in paragraph 6 of this article to the election commission within 1 month after the final results of second round of elections are announced. Those election subjects which, based on preliminary results, collect necessary votes as determined, shall additionally present information prescribed in paragraph 6 this article to the election commission within 8 days after election day. For those election subjects majoritarian candidates of which participate in the second round of elections the 20-day long deadline for closing election campaign fund as determined by paragraph 9 of this article shall be counted from the day of summing up results of the second round in election districts (15.07.2008 M231]
7. Based on courts ruling an electorate subject that does not represent fund account of election commission shall be restricted from participation in future elections.
8. If election subjects that obtain the necessary number of votes determined by this Law and do not submit an election campaign fund report within the established deadline, or if proven violation of the requirements of paragraphs 2, 3, 4 and 5 of article 46 of this Law, paragraphs 4 and 5 of article 47, paragraphs 4, 5 and 6 of this article, shall be warned in written by appropriate DEC or by CEC and shall be requested to remove the gaps and provide detailed written information about thereof. If the appropriate DEC or CEC considers that the violation is substantial and could affect the results of the election, it shall be entitled to apply to the court with the request of consolidation of the results of the elections without taking into account the votes received by these election subjects. Provided the election campaign fund report submitted by the election subject contains inaccurate data, the responsibility of the election subject and the managers of the election campaign fund shall be determined in accordance with the legislation of Georgia. (22.11.2007 N 5500)
9. The election subject shall be obliged to close the account of the election campaign fund not later than 20 days after the consolidation of the final results of the elections. Remaining funds on the account are returned to the contributor persons and legal entities, in proportion to the funds contributed.

10. The form of the report on used funds for elections shall be determined by an resolution of the Central Election Commission of Georgia.

10¹. Within 5 days after the appointment of the election date, based on an resolution of the CEC, for the monitoring of fund account used by electorate subjects for elections with group of social representative, lawyers and licensed financial audits shall be created that studies an information and holdings presented to the election commissions during election period. The statute of financial monitoring group is established by the CEC that is presented by the same group no later than 5 day of the creation of the group. (21.03.2008 N 6013)

11. Information concerning election contribution shall be open, public and available for everyone. The CEC shall be obliged to give information to all interested persons concerning election campaign fund of electoral subject. The CEC shall be also obliged to ensure the publication of the mentioned information on web page within 2 business days of its adoption. (21.03.2008 N 6013)

CHAPTER VII POLLING (28.12.2009. N2525)

Article 49. Arrangement of the Polling Place (28.12.2009. N2525)

1. Bodies of the State Authority and local self-government shall temporarily transfer free-of-charge to the election commissions the buildings and facilities necessary for the preparation and conduct of elections.

2. No PEC shall be located and no place for voting shall be allocated in a building where is located;
a) of any party (parties),

b) the bodies of the State Authority and local self-government, except the cases where there is no other building on the territory of the election precinct suitable for conducting voting in accordance with this Law. The relevant decision shall be made by the DEC.

c) Police Services (except the precinct election commissions created in exceptional cases).

3. wherever possible, all places for voting shall be located on the first floor of the building.

4. At the request of a PEC, the authorities specified in paragraph 1 of this article shall (provided, that the relevant resolution of such PEC was handed over not later than 20 days prior to election day) ensure temporary and simple adaptation of the polling place if there are disabled voters using wheelchairs in the election precinct who filed the relevant applications with the PEC not later than 25 days prior to the election day.

5. The responsibility for violation of the requirements prescribed under paragraphs 1 and 4 of this article shall be determined under the procedures established by the legislation of Georgia.

6. At the polling place:

a) Booths shall be set up for secret voting. One side of the booth shall be open up to half of its height, and the upper part should be covered by a curtain. For every 500 voters shall be provided not less than one booth. Each booth shall be equipped with a pen;]

b) Places shall be allocated for the registration of voters and accommodation of the special envelopes;

c) The transparent ballot box shall be installed at the visible place;

d) The lists of voters, lists of parties and lists of candidates, as well as the rules established by the CEC for the filling in of ballot papers, also extracts from this law as to in what cases a ballot is considered invalid and the display protocol (protocols) for displaying the election and voting results (this protocol is of A2 format sheet and shows the same data as provided in the summary protocol of the election and voting results of the PEC) shall be displayed in visible place;

e) In order to ensure prevention of violations and response to violations in the election process video surveillance and recording devices, so-called "Video eye" may be installed. Recordings of the video-eye shall not be .considered as public information provided by the General Administrative Code of Georgia.

7. If any of the election subjects included on the ballot paper is no longer taking part in the elections, a statement to this effect shall be posted at a visible place, both at the polling place and in

the voting booth (room).

8. Responsibility for the preparations for voting, ensuring free expression of the will of voters, ensuring the secrecy of voting and the maintenance of the polling place in accordance with the requirements of this law, shall vest on the chairman of the PEC.

9. For the purpose of ensuring secrecy of the ballot photo and video shooting shall be forbidden in the polling-booth.

Article 50. Keeping order polling premises during voting (28.12.2009. N2525)

1. On the voting day the chairman of the precinct election commission shall manage and be responsible for keeping order at the polling premises.

2. Implementation of decisions taken by the chairman of the local election commission in order to keep order at the polling premises shall be compulsory for members of the Electoral Commission, all persons and voters eligible to be in the polling premises.

3. Admission of armed persons at the polling premises shall be prohibited.

4. The chairman of the Precinct Electoral Commission shall have the right in case of obstructing the work of the Commission and violations of the order to expel the offender from the premises of the precinct election commission, the appropriate protocol shall be drawn up, which shall be signed by the chairman and commission members. In the protocol shall be indicated the name and the name of the offender, the numbers of election districts and precincts, the essence of the violation and the exact time of its commission.

5. If the polling or the safe transfer of the election documentation in accordance with the requirements of this Act are endangered at the polling premises or surrounding area, at the request of the chairman of the Precinct Electoral Commission police officers may be called and present in the polling premises and the surrounding area. Upon the suppression of public disorder and with the consent of the chairman of the Precinct Electoral Commission the police officers shall leave the polling premises and the surrounding area.

Article 51. Time and place of voting (28.12.2009. N2525)

1. Voting shall be held at a polling premises from 8:00 till 20:00 on election (polling) day.

2. The precinct election commission shall ensure that the voters have access to the information on the time and location of voting by all available means, including mass media and also by locating the appropriate information in public areas, by handing over to voters voter's cards not later than 2 days prior to the polling day.

3. Closing of a polling premises, suspension or termination of polling shall be prohibited during the period of voting, except for the cases where it is impossible to ensure universality and equality of the elections and free expression of the will of voters.

4. The decision on the temporary closing of a polling premises or suspension of voting (as well as the decision on re-opening of the polling premises and continuation of voting) shall be made solely by the PEC Chairman, who shall bear full responsibility for making such decisions.

5. Immediately after the temporarily closing of the polling premises or suspension of voting, the PEC shall make a decision to confirm or cancel the decision of the PEC chairman. After the suspension of voting, the PEC shall have the right to make a decision on termination of voting and closing of the polling premises. Such decisions shall be made by the relevant resolution specifying the reasons for and the time of the temporary closing and/or suspension or termination of voting. Immediately after the reason for closing of the polling place or suspension of voting is resolved, the polling premises shall be reopened and voting shall be renewed by the decree issued by the PEC Chairman. When polling is declared terminated, it shall not be renewed.

6. Voters may be present at the polling premises only for the time necessary for voting.

7. On the election day, at the election precincts formed at military units, hospitals and other in-patient institutions, as well as on ships being at sea and in those places hard to access, the PEC shall declare voting as finished at any time before 20:00 if all voters on the lists of voters have participated in the polling.

8. It shall be forbidden to conduct voting before or after election day, except for the cases envisaged by the legislation of Georgia.

Article 52. Opening of Election Precincts (28.12.2009. N2525)

1. Each election precinct shall be opened at 7:00 a.m. on election day. In case if for this time the number of the commission members is less than 7, the relevant information shall be immediately provided to the higher district election commission, which shall immediately make the relevant decision.

2. Voting shall commence at 8:00 a.m. on the voting day.

3. After the opening of election precinct before commencement of voting the procedures shall be carried out in the following sequence:

a) with the opening of the election precinct lo-book of voting day shall be opened. The first and the second pages of the log-book shall be signed by all persons entitled to be in the polling premises by the time of its opening;

b) the chairman of the precinct election commission shall verify the integrity of the sealed package, which contains a special stamp of the Precinct Electoral Commission, and shall open it;

c) the chairman of the precinct election commission shall on the similar sheets with the same pen prepare sheets for the casting of lots, shall certify them by the commission's special stamp and shall fold in a way as to be impossible to read the text. The total number of empty and filled sheets shall be equal to the number of the commission members participating in the casting of lots. The casting of lots shall be conducted by the commission chairman with the presence of the members of the commission and the persons authorized to be in the polling premises, and the Chairman/Deputy Chairman/Secretary of the Commission shall not participate. The sheets shall be poured out on the table, and the commission members participating in the casting of lots, shall take them one by one;

d) the chairman of the commission shall by casting of lots identify the two members among the commission members appointed by the parties who will carry the mobile ballot box (if necessary). However, they shall not be members of the election commission nominated by the same election subject;

e) for the distribution of other functions of the commission members another casting of lots shall be held, by which is selected:

e.a) the commission member who shall regulate voter flow into the voting room and verify the inking of voters:

e.b) The commission members - the registrars of voters (at least one member for each 300 voters), who shall also hand out ballot papers after affixing their signatures and putting the stamp on the place provided for this purpose on the reverse side of each ballot paper;

e.c) The commission member who shall exercise supervision over the ballot box and special envelopes.

f) On the third page of the voting-day log-book, the commission secretary shall write the results of division of responsibilities among the members of the commission by casting lots;

g) temporary transfer of the functions assigned by casting of lot of the commission member to other members of the commission may be made only with the permission of the chairman of the commission, which shall be indicated by the commission secretary on the 5th page of the voting-day log-book,

4. If, on the day of voting, the number of commission members proves to be:

a) one less than the number of voters registrars of the commission members shall be reduced;

b) two less, the function of the commission member regulating the voter flow shall be performed by the deputy chairman of the commission;

c) three less, the function of the commission member assigned to supervise the ballot box and envelopes shall be transferred to the commission chairman.

5. A decision regarding the remuneration for the precinct election commission member who appeared at the commission after the casting of lots shall be taken by the district election

commission and the issue of granting function to such member shall be decided by the chairman of the precinct election commission. (12.03.2010 N 2786)

6. After the casting of lots, the chairman of the precinct election commission shall:

- a) announce the number of voters according to the general and special lists, as well as the Supplement (mobile ballot box);
- b) inspect the integrity of the packages of election ballots and special envelopes are intact and shall announce the number of ballot papers and special envelopes received;
- c) inspect and seal main and mobile election boxes with a seal having an individual number according to the rules set by the Central Election Commission.

7. Each registrar of voters shall be given one notebook of all types of ballot papers that shall be certified by the commission chairman and the registrar by affixing their signatures on the cover page of such book. When all ballot papers from the book have been issued, another book shall be given to the registrar and etc.

8. The chairman of the precinct election commission shall hand over the special stamps defined by casting of lots to each registrar. The number of this stamp shall be entered in voting-day log-book.

9. The secretary of the precinct election commission shall announce details specified in subparagraphs (a) and (b) of paragraph 6 of this article and shall enter in display protocol of the voting results (except the number of special envelopes) and the log-book of the voting day.

10. The checklists shall be signed by the first voter and all present members of the precinct election commission, there shall be marked the exact time of placement in the ballot box and the first and last names, place of registration and identification number of a citizen of Georgia –of the first voter. Before commencement of the voting, the chairman and secretary of the commission shall fill the checklists (except the data of the first voter) in triplicate. The chairman of the commission shall put one copy of a checklist in major ballot box after the first voter, the second copy - in a mobile ballot box, and the third copy shall be kept for subsequent comparison with the checklist in the ballot box.

Article 53. Voting day record book (28.12.2009. N2525)

1. The voting process in each election precinct and any claims, complaints and remarks made in connection with voting procedures and voting processes shall be entered in the election day record book (hereinafter referred to as “Record Book”).

2. The record book shall be produced in Georgian language. In those precincts where the election bulletins are also printed in the language understandable for local population, the record book may be produced in relevant language.

3. The record book shall be handed over to the secretary of the commission, who shall, together with the chairman of the commission, who shall enter in the Record Book all procedures of election day and the times at which such procedures were carried out,

4. one copy of the record book, together with ballot papers, shall be delivered to precinct election commissions.

5. The record book shall be in the form of so called “stringed book”. The string shall be sealed, the paper to be sealed shall be signed by the DEC Secretary and the seal of the DEC shall be affixed thereto. All pages of the record book shall be numbered and the numbers of the relevant election district and election precinct shall be specified on each page.

6. On the 4th page the commission secretary shall enter the number of unused ballots, number of ballots in the ballot box after completion of voting, ballots are given to the commission members accompanying the mobile ballot box and number of special ballots.

7. On the 5th page of the record book, the commission secretary shall enter the information about temporary delegation of the commission members' functions to another commission member, which is determined by casting the lots.

8. On the 6th to 9th pages of the record book the commission secretary shall enter each data to be entered into the summary protocol.

9. On the election day, all persons entitled to be inside the polling premises shall have the right to

enter their claims, complaints and remarks made in connection with election procedures (for this purpose, the 10th and following pages shall be used) and specify the witnesses (if any). The person making such records shall specify his/her first name, family name and address (according to their registration card).

9. No person shall have the right to prevent any person entitled to be inside the polling premises from making such records in the Record Book.

10. After summarizing the voting results, the record book shall be closed, signed by the chairman and secretary of the election commission, and it is authenticated with the precinct election commission seal. The record book together with the received applications(complaints), shall be sealed and transferred to a higher district election commission, together with the summary protocol(s) of the precinct election commission.

Article 54. A Ballot paper and Special Envelope (28.12.2009. N2525)

1. A ballot paper shall be printed on the basis of the resolution issued, and in accordance with the sample established by the CEC, in the Georgian language, and in Abkhazia - in the Abkhazian language, and if necessary - in any other language understandable for the local population,

2. In preparing ballot papers for the election precincts where disabled persons with eyesight problems are voting, the CEC shall ensure the use of such technology that will enable such voters to fill in the ballot papers independently.

3. Printing of ballot papers and manufacturing of ballot boxes (both, main and mobile) shall be ensured by the CEC, while for the elections of local government body – Sakrebulo (except for that of Tbilisi City Sakrebulo) the relevant DEC shall responsible for the accuracy of the date to be put on the ballot paper, Ballot papers shall be printed under the permanent supervision of the persons and observers duly authorized by the CEC and DEC's for this purpose. Two members appointed by resolution of the relevant election commission and no more than three observers nominated by the organizations registered as observers in accordance with this Law and acting on the basis of a relevant agreement shall have the right to exercise supervision over the process of printing such ballot papers (at each place of printing).

4. Within 2 days after the receipt of the relevant resolution, the relevant election commission shall publish information on the place where ballot papers and ballot boxes are to be printed and made, as well as the data on the persons responsible for printing and making such ballot papers and boxes.

5. Each contractor assigned to print ballot papers shall be personally responsible to ensure that the number of printed ballot papers delivered to the relevant election commission is equal to, and exactly corresponds to the number ordered and that no additional ballot papers are printed or disseminated by such contractor.

6. The chairman and the secretary of each election commission shall be personally responsible for the safekeeping and distribution of ballot papers by the election commission.

7. For the purpose of exact registration of ballot papers, all types of ballot papers shall be numbered consecutively (a number shall be marked on the counterfoil of each ballot paper; such ballot paper and its counterfoil shall be separated from each other by perforation) and shall be bound in the form of a book containing 50 ballot papers each. Such books, separate from each type of ballot paper, shall also be numbered consecutively. Each book shall have its cover page printed with the type of ballot paper, columns for specifying the number of such book, numbers of ballot papers contained in the book, numbers and names of election district and election precinct, as well as allocated spaces for names and signatures of the PEC chairman and the PEC member (registrar) to whom such book is delivered, and a space for specifying the number of unused ballot papers.

8. The number of special envelopes delivered to each PEC shall be equal to the total number of voters in the relevant election precinct, and the number of ballot paper books shall be equal to the total number of voters in the election precinct divided by 50 and rounded up to next whole number.

9. The CEC shall, no later than 2 days prior to the voting day, deliver to the DEC's the ballot paper books and special envelopes, and each DEC shall, not later than 12 hours before the commencement of voting, deliver such ballot paper books and special envelopes to the PEC's.

10. The number of ballot papers and special envelopes shall be subject to strict registration. When delivering the ballot paper books and special envelopes from the CEC to the DEC's and from the DEC's to the PEC's, two copies of the Acceptance and Delivery Act shall be executed specifying the names of the Commissions accepting and delivering the ballot papers and special envelopes, the number of special envelopes, types of ballot papers, number of books of ballot papers (with the numbers of such books and of the ballot papers recorded therein), names of the persons authorized to accept and deliver such ballot papers and special envelopes. The Act shall be signed by the persons accepting and delivering these documents (one copy of the Act shall be kept by the Commission delivering, and the other shall be given to the Commission accepting such special envelopes and ballot papers). The election commission representative, to whom the special envelopes and ballot papers are handed over, shall request one copy of the Acceptance and Delivery Act to be delivered to the relevant DEC/PEC. The Acceptance and Delivery Act shall constitute public information.

11. Before drawing the Receipt and Delivery Act, referred in provision 10 of this Article, after making sure that all the data on ballots is correct signatory parties shall count election ballots and put that data in the Receipt and Delivery Act and then ballots shall be sealed again which shall be certified by signatures of parties.

12. The front side of a ballot paper shall specify:

- a) The type and date of elections;
- b) The name and number of the election district;
- c) The number of the election precinct (on the counterfoil of such ballot paper and on the ballot paper itself);
- d) For proportional elections - the sequence number and name of each party/election bloc participating independently in the elections; for majoritarian elections - the sequence number, last name, first name of a candidate and the name of the party/election bloc nominating him or her;
- e) The rules for filling in the ballot paper(s).

13. In case if it is found that a ballot is made for other districts or that it does not correspond to the indicated quantity or it has printing or other errors the CEC shall be immediately informed about it and district election commission shall authorized under appropriate act to fix the the actual number of ballots in the summary protocol.

14. The reverse side of the ballot paper shall provide a place for

- a) The signature of the PEC member who is the registrar;
- b) Space for the stamp of the PEC member-registrar.

15. If any of the election subjects is removed from the elections, at the time of issuing the ballot paper, the stamp "Removed" shall be affixed opposite the name of such election subject.

16. A ballot paper shall be the property of the State and it shall in no way be withdrawn or taken out from the polling place or be destroyed.

17. Ballot papers shall be printed on special paper and the CEC shall have the exclusive right to order and purchase such paper.

18. Any non-compliance with the prohibition prescribed under paragraphs 16 of this article, as well as making, spreading and using false ballot papers and the special paper as provided for under paragraph 17 of this article shall be qualified as criminal offence and be punishable in accordance with the procedures established by law.

Article 55. Summary Protocol of Voting and Election Results (28.12.2009 N2525)

1. Results of voting and elections shall be reflected in the summary protocols of voting and elections of CEC, district and precinct election commissions.

2. The summary protocol is an individual administrative-legal act certifying the results of the voting and elections. The summary protocol and its copy certified in the manner prescribed by this Law shall have the same legal force.

3. The correction of the data entered in the summary protocol shall be prohibited. The question of invalidity of the summary protocol shall be reviewed by a higher election commission. Correction

of data entered in the summary protocol, shall rise responsibly of the chairman and secretary of the relevant election commission in the manner prescribed by this Law.

4. If a mistake was made during filling the summary protocol, with the purpose of its correction the word "Corrected" shall be immediately placed next to the relevant data in the summary protocol. The election commission shall draw up the correction protocol, where it shall indicate the corrections made in the summary protocol and date and time of drawing up of this protocol. All members of the commission present at the meeting shall sign the correction protocol. The correction protocol shall have the stamp of the commission, be registered in the journal of the election commission and shall be attached to the protocol with the amended data.

5. Each summary protocol (summary protocol of elections in the precinct election commission and summary protocols of elections in the district election commission) shall be numbered individually, and the numbers shall not be repeated.

6. Summary protocols shall be strictly registered. The CEC shall be responsible for their printing. Protocols are printed under constant supervision of the persons authorized by the CEC and other observers. Each contractor assigned to print summary protocols shall be personally responsible to ensure that the number of printed protocols delivered to the CEC is equal to, and exactly corresponds to the number ordered and that no additional protocols are printed or disseminated by such contractor.

7. Chairman of the election commission is personally responsible for storage and purposeful dissemination of the protocols in the election commission.

8. District election commission shall send to the precinct election commission each type of summary protocols on the precinct voting results.

9. Summary protocols shall be printed on special paper and the CEC shall have the exclusive right to order and purchase such paper.

10. Summary protocols shall be printed in the Georgian language; in those polling stations where the ballots are also printed in local languages, the protocols may be also printed in the corresponding language.

Article 56. Marking the voters (28.12.2009. N2525)

1. Voter inking shall take place in all election precincts(except the cases provided by paragraph 5 of this article) . The application of the chemical ink which is invisible and harmless to human health shall be made to the nail of the thumb or index finger of the right hand of each voter (if such action cannot be taken - to the nail of any other fingers of the hand, and if it is also impossible to take such action - the same procedure shall be applied to the left hand).

2. When entering into the polling room, each voter shall pass the testing procedure for marking to be conducted by the relevant PEC member, who shall screen the place of marking by the use of special equipment and after such member makes herself/himself certain that such voter has no such mark, he/she shall allow the voter to participate in voting. If the equipment detects that any of the voters have already been marked, such voter shall be prohibited from participating in voting at the precinct and their name shall be entered in the Record Book.

3. All voters who pass the testing procedure for marking shall move forward to the registration desk, where the voter shall be marked by registrar and given a ballot paper (ballot papers). If a voter refuses to pass the marking procedure he/she shall not have the right to participate in voting and shall not be given a ballot paper (ballot papers).

4. If any election commission member, observer and/or election subject who are in the polling place casts doubt on the marking or testing procedure for marking, he/she shall have the right to request that the procedure provided under paragraphs 2 and/or 3 of this article be held again. Such persons shall have the right to request a proper response to any violation of the marking procedure.

5 No marking procedure shall be applied to ships at sea, pre-trial detention places, hospitals and other in-patient centers (to the patients), as well as to voters participating in voting by mobile ballot box.

6. Any voter, who has already passed the marking procedure and has participated in voting, shall

have no right to vote again in the same or any other election precinct.

7. Any person violating the requirements prescribed under this Article shall bear the responsibility provided by the law of Georgia.

Article 57. Distribution of ballots and special envelopes (28.12.2009. N2525)

1. Each precinct election commission shall issue a ballot paper(s) and special envelope(s) on the basis of the list of voters and upon presentation of a Identity Card a citizen of Georgia, Passport citizen of Georgia, for internally displaced persons - IDP card (together with the identification card).

2. On the election day each voter shall be issued with one special envelope and the appropriate number of ballot papers.

3. When issuing a ballot paper (papers), the election commission member who is the registrar shall confirm the issuing of such ballot paper (papers) by affixing his/her signature on the list of voters.

4. Each voter shall confirm the acceptance of a ballot paper(s) by affixing his/her signature to the list of voters.

Article 58. Voting (28.12.2009. N2525)

1. Each voter shall vote personally. It shall be forbidden to vote instead of another person.

2. Voting shall be conducted in compliance with the following rules and sequence:

a) before entering into the voting room, each voter shall pass the testing procedure for marking;

b) if such voter is not marked, he/she shall be entitled to vote. The PEC member regulating the voter flow shall allow such voter to enter into the voting room only if no more than two voters are standing at the registration desk;

c) while going in the voting room the voter goes to registration desk that contains the first letter of his surname, and presents the ID card (or the Passport of a citizen of Georgia). If the voter is in the list of the voters, the registrar shall make the invisible inking, thereafter the voter approves with signature receipt of the ballot paper. Registrar shall sign on the back side of the ballot paper in the appropriate form and in the voters list and shall approve the ballot papers with the special stamp;

d) after verification of the ballot paper(s), the voter shall enter the voting booth and fill in the ballot paper(s), in secret, according to the procedures established by this Law. After filling in the ballot paper(s). the voter shall fold the ballot paper(s) so that it is impossible to identify who she/he voted for:

e) the voter shall carry the folded ballot paper(s) to the table, standing next to the commission member, responsible for polling box and envelopes, and shall collect a special envelope independently. Only the voter is authorised to place ballot into the special envelope; the commission member does not have the right to open certified ballot(s) and/or violate the secrecy of the vote in any other way;

f) no more than one voter shall be allowed to come to the ballot box at one and the same time.

g) the PEC member assigned to supervise the ballot box and envelopes shall be permanently present at the ballot box. Such member shall keep the special envelope insertion slot closed and shall open the same only after he/she makes himself/herself sure that the voter has only one envelope in his/her hand:

h) the slot for inserting the envelopes in the ballot box shall be sealed after voting has finished.

3. When filling in the ballot paper(s), no other person shall be present. Any voter who is unable to independently fill in the ballot paper shall have the right to invite to the voting booth any person to help him/her fill in the ballot paper, other than:

a) commission members;

b) candidates;

c) representatives of the election subject;

d) observers.

4. If any of the voters or PEC members spoil a ballot paper or special envelope, he/she shall inform the PEC chairman to that effect, surrender the spoiled ballot paper/special envelope and receive a

new one. The edge of such spoiled ballot paper/special envelope shall be cut off in the presence of the voter, the word "Spoiled" shall be written thereon, and after it has been signed by the PEC chairman, the spoiled ballot paper shall be kept separately.

5. The PEC members and the persons authorized to be into the polling premises shall have the right to request from any voter, before such voter enters the voting booth and before inserting the ballot paper(s) into the special envelope, to show the number of ballot paper(s) and special envelopes held by such voter to make themselves sure that the number thereof is equal to the number established by this Law. The voter shall be obliged to obey such requests.

6. At the voting day secretary of the precinct election commission shall count the number of signatures of the voters in the lists of those participating in the elections twice, at 12 pm and 5 pm and include this number, with indication of the relevant time, in the demonstrational protocol and the record book of the precinct election commission.

7. If during voting integrity of the seal of the ballot box has been compromised, the precinct election commission shall stop the voting process make a decision on re-sealing of the box and continuation of voting.

8. The polling premises shall be closed at 20.00 pm. The voters standing in the line have the right to participate in the voting. Under the instruction of the PEC chariman, one of the PEC members shall enter the names of the voters standing in the line in the registration book and inform the PEC chairman of the number of such persons. The PEC chairman shall consequently announce that only the voters standing in the line are entitled to vote.

9. After closing the polling premises, the authorized representatives of precinct election commission created in exceptional cases, shall bring in ballot boxes of precinct election commission created in exceptional cases and election documents to the polling station building predefined by the district election commission and shall attend subsequent procedures. (12.03.2010. N2786)

Article 59. Voting with mobile ballot box (28.12.2009. N2525)

1. Voting with mobile ballot box starts at 9:00 of the voting day and ends at 19:00. The box shall be returned to the polling station no later than by 20:00.

2. The persons specified in paragraph 11 of this law shall be entitled to vote by mobile ballot box.

3. Any voter unable to come to the polling place on election day shall, no later than 2 days before] the election day, apply to the PEC with a request for voting by mobile ballot box. The DEC shall furnish the PEC with information on any voter being in an in-patient centre on election day no later than 2 days prior to the election day. The name of such voters shall be entered in the Supplement (mobile ballot box list) after:

a) the PEC Secretary has registered a written, or verbal statement made by the voter by phone in the registration journal and confirmed it by his/her signature, specifying the exact time of receiving the telephone message and the respective telephone number;

b) the transfer of the voter to the supplement (mobile ballot box list) shall be recorded in the general or special list of voters, which will be certified by the signatures of the PEC chairman and secretary.

4. As from 9:00 on election day, the PEC chairman shall give the supplement to the voters lists (mobile ballot box lists) to the PEC members accompanying the mobile ballot box together with the necessary number of ballot papers and special envelopes signed and sealed by the registrar.

5. Two PEC members selected as a result of ballot and willing individuals authorized to be present at the polling station shall conduct the voting at the addresses of voters.

6. In case of using a car while conducting the voting by a mobile ballot box. the Precinct Election Commission shall provide room in the car for two observers identified among the persons authorized to be present at the polling place through casting of lots.

7. Voter shall vote by the mobile ballot box if his actual location belongs to the territory of the election region where he is registered.

8. In order to organize voting in accordance with the addresses of the voters, one transparent mobile ballot box shall be used. The PEC Secretary shall specify in the Record Book the number of ballot

papers issued to the PEC members accompanying the mobile ballot box. At the end of voting for the elections, the number of blank ballot papers which were not used by PEC members accompanying such mobile ballot box shall be counted for the propose of reconciliation. After completion of the aforementioned procedure, remaining unused ballots and special enveloped shall be cut at the corner, 'spoiled" shall be written, signed by the chairman of the commission and kept separately.

9. If, in cases envisaged by paragraph 11 of this Article, the place of registration and the place of actual location of a voter are in the same election district, the voter is given the right to take part in both proportional and majoritarian elections and he/she is issued with the appropriate ballot paper(s) and special envelope. Otherwise, the voter is given only the right to take part in' proportional elections.

10. The procedure for voting is conducted by the PEC. on the territory of the military compound, hospital or other inpatient treatment center, or penitentiary, where the voter is located.

11. Voting by means of a mobile ballot box ends at 19:00 on the election day. At the end of voting, the mobile ballot box is sealed in such a way which makes it impossible to open it, without damaging the seal.

Article 60. Procedures to be Carried Out Before Opening of the Ballot Box (28.12.2009. N2525)

1. After the completion of voting, the PEC Chairperson shall, in the presence of the persons entitled to be into the polling premises, choose at least 3 counting officers from the members participating in the casting of lots as specified in of paragraph 3(c) of article 52 of this Law, and the observers shall agree and choose no more than two supervisors from the observers (if the observers fail to reach agreement, the PEC chairman shall elect two supervisors from the observers by the casting of lots).

2. The counting officers shall count, in consecutive order, the total number of voters who participated in voting according to the general and special lists of voters and the Supplement. The PEC Secretary shall immediately enter the results into the relevant summary protocol of voting and election results, the public display protocol and the Record Book, and then, shall separately pack and seal the general and special lists of voters and the Supplement.

3. The counting officers shall, in consecutive order, count and pack:

a) unused ballot papers, the number of which shall be immediately entered by the PEC Secretary in the relevant summary protocol of voting and election results in the demonstration protocol and record book.

b) spoiled ballot papers, the number of which shall be immediately announced and entered by the PEC Secretary in the relevant summary protocol of voting and election results in the demonstration protocol and in record book.

4. Unused and spoiled ballots shall tied up in separate packages. Each package shall include the name and number of the election precinct titles of the ballots, number of unused and spoiled ballots.

5. Packages shall be sealed and signed by the counting officers and the PEC Chairperson.

6. In exceptional cases, voting in the polling stations is conducted within general procedural rules. After end of voting, precinct election commission created in exceptional cases shall seal the opening of the ballot box, the list of voters, used and spoiled ballots. The ballot box, the list of voters, used and spoiled ballots shall be immediately handed over to the polling district which had been pre-selected on the basis of the order of the district election commission (main polling district).

7. The main polling district, within the rule defined by paragraph 8 of the this article, shall open the ballot box of the polling station created in exceptional circumstances and special envelopes and ballots in the box with the special envelopes and ballots of the main polling district.

8. The ballot box of the polling station created in exceptional circumstances is opened after the mobile and main boxes of the main polling station are opened. The results of the main polling station and the polling station created in exceptional circumstances are registered by one summary protocol.

Article 61. Opening of the ballot box (28.12.2009. N2525)

1. The PEC chairman shall, in presence of commission members and the persons who have the right to be present in polling premises, inspect the integrity of the seal on the ballot box.
2. If the seal turns out to have been compromised, but the PEC deems that this has not caused a violation of the requirements of this Law, by an resolution of the PEC, the procedure for the consolidation of the results of voting continues. Otherwise, the ballot box shall be sealed and the resolution of the PEC and the sealed ballot box are immediately transferred to the higher DEC.
3. The counting officers shall carry the ballot boxes to the table placed separately and occupy the place in a way that ensures that PEC members and the persons authorized to be in the polling premises are standing on the opposite side of and two meters from the table. The two supervisors elected from the observers shall stand next to such counting officers.
4. The PEC shall first open the mobile ballot box. The counters shall place the special envelopes available in the ballot box on the table, check the existence of the checklist in the mobile ballot box and compare the sheet to the checklist kept at the PEC for comparison reasons. In case of the difference between the checklists, the counting officers shall count the special envelopes, the number of the special envelopes should coincide with the number of signatures in the supplement list (mobile ballot box list). If the number of the special envelopes, where the ballots are placed, exceeds the number of signatures in the supplement list, all special envelopes and ballot papers shall be packed separately, "invalid" shall be written on it and after finishing the counting of votes in the polling station shall be handed over to the higher election commission. The same rule is applied in case of difference between the control papers or if there is no control paper in the mobile box. After completion of the mentioned above procedure the counters open the main polling box.
5. The counters shall place the special envelopes and ballots from the main box on a separate table, check the presence of the control paper and compare it with the control paper kept by the chairman of the precinct election commission. In case of difference between the control papers or absence of the control paper in the main box, all special envelopes and ballots are packed, sealed, the relevant protocol is concluded and immediately handed over to the higher district election commission. If everything is in order, the counters mix the special envelopes from the main and mobile ballot boxes and start counting of ballots.

Article 62. Counting of votes (28.12.2009. N2525)

1. The PEC counts the ballot papers while observing the following rules:
 - a) the first counting officer takes the ballot papers out of the special envelope, announces to whom the vote was given and transfers the ballot papers of one type to the second counting officer, the ballot papers of the second type to the third counting officer, etc, while placing special envelopes separately. Counting officers sort the ballot papers separately, according to the votes given to each election subject;
 - b) unidentified ballot papers and the ballot papers deemed invalid by the counting officers shall be placed separately. The ballot papers authenticity of which is considered suspicious, shall placed separately.
2. One of the two supervisors elected from the observers stands next to the second counting officer as specified under subparagraph (a) of paragraph 1 of this article, and the second supervisor stands next to the third counting officer as specified under the same subparagraph. They shall have the right to observe the entire procedure of counting, make remarks on any error observed, request rectification of such error and, unless such a request is satisfied, appeal against the action of the PEC before the higher DEC; thereafter in the court. The persons authorized to be inside the polling premises shall have the right to indicate the counting officer to set aside the ballots authenticity of which is suspicious.
3. A ballot paper shall be deemed invalid only in the following cases:
 - a) ballot paper is not confirmed with the signature of the registrar and special seal;
 - b) it is impossible to determine for which election subject the voter voted for;

- c) the number of ballots in a special envelope exceeds the determined number;
 - d) the special envelope is not in the approved official form;
 - e) a ballot paper in the ballot box was without a special envelope;
 - f) a ballot paper was intended for another election precinct.
4. Making any type of corrections, changes, or supplements to the ballot paper after a voter has expressed his or her will, shall cause criminal responsibility under the legislation of Georgia.
 5. After all ballot papers are sorted according to categories; the ballot papers authenticity of which is suspicious shall be inspected. The issue of authenticity of each ballot paper shall be decided by the PEC. Ballot papers that are deemed valid are added to the pile of valid ballot papers, while ballots that are deemed invalid are added to the pile of invalid ballot papers.
 6. After the completion of the procedure described in paragraph 5 of this Article, the ballot papers that have been deemed invalid are counted, "invalid" is written upon them and signed by the counters and the PEC chairman. Then, the aforementioned ballots are bound separately and the quantity of those is indicated in the summary protocol in the public display protocol and the Record Book. Invalid ballots belonging to the different precinct are packed separately and their quantity is entered in the Record Book only.
 7. Each package of ballot papers shall be packed and sealed. The number of the election precinct, type and number of ballot papers shall be specified on each package.
 8. After the procedure specified in paragraph 7 of this article has been completed, the number of votes cast for each election subject shall be counted and the ballot papers shall be packed according to the procedure provided for under paragraph 9. The pack of ballot papers cast for the each election subject shall be separately packed and sealed. The number of votes obtained by each election subject shall be immediately entered by the PEC Secretary in the relevant summary protocol in the public display protocol and in the Record Book.
 9. Every 10 ballot papers are bound with a metal staple and on each pack, complete as well as incomplete, is inscribed the number of ballot papers bound. These packs are bound into a single pack. On these packs of ballot papers should be inscribed the title and number of the election precinct, information on the election subject (subjects) (title, first and last name) and the number of votes received by the election subject (subjects), as well as the number of ballot papers in the pack.

Article 63. Summary protocol of the results of the elections in the precinct election commission (28.12.2009. N2525)

1. After clarification of all the data mentioned in paragraph 3 of the this article secretary of the precinct election commission in agreement with the chairman of the precinct election commission and in accordance with the available information, shall draw up each type of summary protocol on the results of election.
2. Two summary protocols shall be drafted during the elections to the Parliament of Georgia and local self-government bodies – Sakrebulo. One protocol is for the elections with proportionate system, the other one - for the majoritarian system. During elections of the President of Georgia, Tbilisi city Mayor and by-elections, only one protocol shall be complied.
3. The summary protocol of elections shall include the following:
 - a) number and name of the election district and the election precinct ;
 - b) number and name of the election district created in exceptional circumstances (if any), which shall be attached to the main polling district;
 - c) title of the elections/referendum;
 - d) voting date (also include if this is a by-elections or the second round of elections);
 - e) the number of the seal of the precinct election commission and the seal of registrars;
 - f) number of voters in the unified list;
 - g) number of voters in the special list;
 - h) number of signatures of voters participated in elections for 12 pm and for 17 pm;
 - i) total number of voters participated in elections (according to their signature in the voters' lists);
 - j) number of received ballots;

- k) number of unused ballots;
 - l) number of spoiled ballots;
 - m) number of void ballots;
 - n) name of election subjects; number of votes given to them;
 - o) date and time of drawing up the protocol;
 - p) the details of the protocol, with which a member of the precinct election commission disagrees (this note is made by the commission member in the column “dissenting opinion” and signs it);
 - q) The time and date of submitting the protocol (is indicated upon approval of the protocol).
4. All members of the Precinct Election Commission are obliged to sign the protocol, by which is confirmed their presence at the election precinct, he protocol is approved by the PEC seal.
 5. If a PEC member does not agree with the data entered in the protocol, he/she shall have the right to attach to the protocol a dissenting opinion in writing.
 6. If there is a dissenting opinion, the PEC member is still obliged to sign the summary protocol of the voting and election results.
 7. The summary protocol of voting results (enclosed with dissenting opinions of the commission members) together with the sealed package of ballot papers and list of voters shall be immediately handed over to the higher DEC. which shall hand the above protocol together with DEC summary protocol to the CEC.
 8. PEC is responsible for placing protocol on a visible place for public information. The photocopy of the summary protocol of PEC (enclosed with the dissenting opinions of the commission members) shall be handed over to the representatives of parties/election blocs/initiative groups and observers if requested. The photocopy of the protocol shall be certified by PEC stamp and signatures of PEC chairman and secretary (these protocols shall have same legal power as the PEC summary protocols). The representative/observer confirms receipt of the protocol by a signature in the PEC book of records. From the day following the Election Day the photocopies of summary protocols shall be handed over by DEC. DEC hands over the photocopies of PEC summary protocols, certified with DEC stamp and signatures of DEC chairman and secretary (these protocols shall have same legal power as the PEC summary protocol). Representative/observer confirms the receipt of a photocopy by a signature in the DEC book of registration.
 9. District election commission shall issue copies of the protocols of the precinct commission elections results from the second day after the elections. District election commission shall give out copies of the summary protocols of the precinct commission elections certified by the district election commission seal and signatures of the chairman of the district election commission and the secretary of the district election commission (these protocols shall have same legal power as the PEC summary protocol). The representative/supervisor shall confirm the receipt of the protocol by his signature in the log-book of the commission.
 10. Failure to issue the summary protocol on demand as prescribed by this law shall cause the responsibility of the authorized persons of the election commission according to the legislation of Georgia.
 11. Together with the summary protocol of voting and election results the DEC shall be forwarded the list of voters with the signatures of the voters who participated in the election. The DEC in turn shall forward those lists to the CEC who shall sort and keep them in the archives.
 12. After completion of all the election procedures, the registration journal of the precinct election commission shall be closed, signed by the chairman of the precinct election commission and the secretary of the precinct election commission and shall be certified by the stamp of the precinct election commission.
 13. The stamp of the precinct election commission shall be sealed in a separate envelope. The envelope is signed by the chairman of the precinct election commission, the secretary of the precinct election commission and other members of the precinct election commission.
 14. The precinct election commission shall immediately send the copy of the summary protocol of the election results, upon its completion, to the CEC by all technical means available (including fax, if required).

Article 64. Rule for drafting and submitting a claim/appeal during elections (28.12.2009. N2525)

1. Claim/appeal shall be handed to the chairman of the precinct election commission, his deputy or secretary of the commission. Secretary of the commission shall register the claim/appeal in the log-book, and give a (signed) note to the claimant/appellant, in accordance with paragraph 16 of article 22 of this Law indicating the date and time of submitting the claim/appeal to the commission and its registration number.

2. Claim/appeal shall include:

- a) date and time of submitting the claim/appeal;
- b) name and address of the claimant/appellant;
- c) number and address of the election precinct;
- d) in case of a witness – name and registration address;
- e) essence and time of violation;
- f) in case of a known identity of the violator – all the possible information about him;
- g) explanation by the violator (if any);
- h) other additional information.

3. Chairman of the precinct election commission shall immediately react on the claim/appeal and eliminate the existing violation. If the commission chairman failed or did not eliminate the violation or otherwise refused to react on the claim/appeal, the claimant/appellant has the right to immediately submit the same claim/appeal to the higher district election commission. The district election commission during review of claim/appeal, is authorized to consider the issue of acknowledging the results of the relevant precinct returns as void.

4. If the violation included in the claim/appeal is corrected by the precinct election commission, the relevant record “Corrected” is made in the log-book with the exact time indication.

Article 64¹. Claims and appeals on violation of the procedures of voting and counting of votes (28.12.2009. N2525)

1. Claim/appeal on violations of the election procedure in the polling station shall be drafted immediately upon noticing violation of the Law, within the rule defined by Article 64 of the present Law, from 7 o'clock of the voting day until closure of the ballot box.

2. Claim/appeal on violations during the procedure of counting votes and the conclusion of the election results, rechecking of the election results or concerning the request to nullify them shall be made from the time of opening of the ballot box until drafting of the summary protocol of election results, within the rule defined in Article 64 of the this Law.

3. Secretary of the precinct election commission shall register the claim/appeal mentioned in paragraph 2 of the present Article in the log-book and the precinct election commission shall hand it over to the higher district election commission in 48 hours from 8 pm of the election day (taking into account the rule of the present Law on receiving documents by the district election commission). Claimant/appellant may himself submit the claim/appeal to the district election commission within the same deadline.

Article 64². Review of the claim/appeal in relation to counting of votes and summarizing the election results (28.12.2009. N2525)

1. Upon receiving the claim/appeal mentioned in Article 64¹ in the district election commission, secretary of the district election commission shall register in the registration journal of the district election commission. The commission shall review it and make a decision within one calendar day from the date of receiving of the claim/appeal by the district election commission. District election commission shall make a decision by its resolution, which may be appealed against only in court within the rule of the this Law.

2. If the rule of provision of information as defined in Article 64 paragraph 2 „a“–„d“ has been violated, the officer of the election commission who receives the claim/appeal shall explain the

violation and define the sound term for its correction, after which the secretary of the commission shall make corresponding record in the commission journal signed by the claimant/appellant and the relevant officer. In case if the violation is not corrected within the defined term, the relevant election commission shall apply the rule of paragraph 5 of the present Article.

3. If the deficiency is confirmed the claimant/appellant has the right, within the terms defined by the officer of the election commission, to correct the deficiency via submission of a similar claim/appeal, which would eradicate the basis for the deficiency and/or submit a statement mentioning the data of the deficiency.

4. In case of correction of the deficiency, the relevant record shall be made in the registration journal of the election commission about the exact time and date of correction of the deficiency, which is signed by a person correcting the deficiency and the relevant officer of the commission.

5. Claims/appeals submitted with violations of the procedures defined by Articles 64 and 641 of the present Law and paragraph 3 and 4 of the present Article, shall not be considered, the decision on which is made by the relevant election commission.

Article 64³. Summarizing of elections results in the district election commission (28.12.2009. N2525)

1. District election commission, on the basis of the summary protocols of the precinct election commission, taking into account the results of considerations of violations of the election legislation, no later than in 10 days after the elections shall summarize the results of the elections to the Parliament of Georgia, of the President of Georgia and Tbilisi City Sakrebulo, shall make conclusions of the elections to the Parliament of Georgia and the local self-government bodies – Sakrebulo, and summary protocols of elections in the election districts, which it shall submit to the CEC no later than the next day.

2. The summary protocol of voting/elections results in the district election commission shall include the following:

- a) number and name of the election district;
- b) title of the elections/referendum;
- c) election date (also include if this is a by-elections or the second round of elections);
- d) number of voters in the election district;
- e) number of voters participated in the election in the district;
- f) number of accepted ballots;
- g) number of unused ballots;
- h) number of spoiled ballots;
- i) number of void ballots;
- j) name of election subjects; number of votes given them;
- k) number of real ballots (sum of the votes given to the election subjects);
- l) number of the polling station, where the election results were announced as void, total number of voters in the station and the reason for nullifying the election results;
- m) number of given ballots in the polling station, where the election results were announced as void;
- n) date and time of the summary protocol;
- o) the information in the protocol, which is not accepted any member of the district election commission (this member shall make such a notice in the column „dissenting opinion“ and sign it);
- p) registration number and date of the protocol and (during giving the protocol).

3. Summary protocol of the election results shall mention the data listed in paragraph 2 of the this Article, including the identity of the elected person(s), identities of the persons who are in the second round, identity of the person who made it in the second round.

4. If district election commission proclaimed election results as void in the polling station(s) and total number of voters in the station(s) is such that by-election will not influence the results of elections of the person(s) in the district or those who made it in the second round, district election commission shall define the person(s) elected or in the second round without taking into account

those district(s).

5. All members of the district election commission, who attends the meeting of the commission, shall sign the summary protocol of voting/elections results. The protocol shall be certified by the seal of the district election commission.

6. If a member of the district election commission does not agree with the data included into the summary protocol, he has a right to mention what exactly he does not agree with in the protocol and to attach a dissenting opinion to the protocol.

7. Secretary of the district election commission, upon confirmation of the information mentioned in the present Article, shall include them in demonstration protocol placed in the visible place in the district election commission.

8. Summary protocol of the results of voting/elections in the district election commission (with the attached dissenting opinion of the members of the district election commission), together with the orders of the district election commission on making changes to the summary protocols of the precinct election commission (if any) shall be immediately handed over to the CEC.

9. If requested, a copy of the summary protocol of the elections results of the district election commission (with the attached dissenting opinion of the members of the district election commission) shall be immediately provided to the representatives of the party/election bloc/initiative group and monitors of the observer organizations. Copy of the protocol shall be certified by the seal of the district election commission and the signatures of the chairman and secretary of the district election commission (the protocol has legal force equal to the protocol of the district election commission). Receipt of the protocol is acknowledged by the representative/monitor with the signature in the log-book of the district election commission.

10. If a request is made within the rule of the present Law, chairman and the secretary of the district election commission shall be responsible for failure to provide a copy of the summary protocol of the results of the voting according to the legislation of Georgia.

Article 64⁴. Summary of the election results in the CEC (28.12.2009. N2525)

1. On the basis of the protocols received from the district election commission and the precinct election commission, no later than in 18 days after the elections, the CEC shall summarize the elections of the Parliament of Georgia, of President of Georgia and Tbilisi City Mayor at its meeting, on the basis of which the protocol of the election results is made.

2. the CEC shall summarize the election results and prepare the protocol of the election results, which shall include:

- a) number of voters;
- b) number of voters participated in the elections;
- c) number of void ballots;
- d) number of votes given to election subjects.

3. The summary protocol of the election results shall be signed by the chairman and secretary of the CEC. One copy of the protocol is sent to the CEC, the second is sent to the bodies defined by the present Law. Copies of the protocol shall be given to all interested persons.

4. Together with accepting the summary protocol of the election results from the election districts, the CEC shall provide for publishing the results of the protocols on its website. Officers of the election administration shall make statements on the preliminary results of the elections if these results are not properly published on the CEC webpage.

5. Summarizing the results of the elections by the CEC pending the relevant court cases in the common courts and without complete consideration of these cases by the courts shall be prohibited.

6. In case of a claim/appeal and/or dissenting opinion of a CEC member, the CEC may summarize the election results on the basis of the protocols of the precinct election commission.

7. Upon completion of summarizing the final results of the elections, the CEC shall publish on its website a note about the result of the elections by each polling station and no later than the following day shall send it over to press and other mass media.

8. CEC shall provide for transparency of the protocol as envisaged by paragraph 14 of article 63 of

this Law, including its immediate publishing on the its webpage; also, if the results of the polling station are appealed against in the court within the rule defined by the legislation of Georgia, the CEC shall, before an official notice, make the corresponding record in the protocol places in the webpage.

CHAPTER VIII. TRANSPARENCY OF PREPARATION AND CONDUCT OF ELECTIONS

Article 65. Transparency of Elections

1. The process of preparation and conduct of elections in Georgia shall be transparent.
2. Derived from the goals of the present law, the activities of election commissions, electoral subjects, State authorities and bodies of governance, of non-profit legal persons registered in accordance with the legislation of Georgia, shall be carried out openly and publicly. (14.12.2006 N 3990)
3. Representatives of electoral subjects, domestic and foreign observer organizations, of press and other sources of mass media, have the right to be present in polling places on election day and to observe election and voting processes.

Article 66. Transparency of Preparation and Conduct of Elections

1. For the purpose of ensuring the transparency of the preparation and conduct of elections, the election commissions publicize the following information:
 - a) Their activities;
 - b) Establishment of election districts and precincts;
 - c) Composition, location and working hours of election commissions;
 - d) Electoral subjects.
2. Election commissions, in the buildings allocated to them, post in conspicuous places the following:
 - a) Voters' lists and the rules and time limits for appealing against inaccuracies in these lists;
 - b) Lists of electoral subjects;
 - c) Election programs of electoral subjects (if they are submitted to the election commission), which will be taken down before midnight on the day before polling day;
 - d) Decisions of the CEC and of the relevant DEC's, which concern the activities of the commission in question.
3. Relevant election commissions shall make public through press and other mass media the following:
 - a) Party lists of the parties and election blocs taking part in the elections;
 - b) Deleted;
 - c) Decisions of the CEC;
 - d) Summary protocol of the final results of the elections.
4. Election documents are accessible to all persons. An election commission is obliged to provide all interested persons with the election documents and information on elections, within 2 days of being requested, and in case of a request for copies, the relevant election commission may establish a fee for the amount necessary for producing the copies in accordance with the rules determined by the legislation of Georgia.
5. When making public the information mentioned in paragraphs 1 and 3 of the present article via the public broadcaster (a legal entity of the Public Law [23.06.06]), the public broadcaster shall ensure transmittance of sound information to those persons with diminished hearing capacities through the use of sign language/or using the appropriate special technology.

Article 67. Transparency of Election Commission Sessions: Persons who are authorized to be Present in the Polling Place.

1. The election commission session shall be open. The right to attend the election commission

session shall be given to members of the higher election commission, staff members of the relevant and higher election commission, one representative from each electoral subject, one representative from each international organization (with translator) registered in CEC and domestic observer organization registered by an appropriate commission, and accredited representatives of the press and other sources of mass media if the space of the building does not permit attendance of more representatives of electoral subjects and observers. Where a person is creating disorder and preventing the commission from operating, the Chairman of election commission shall have the right to remove the person who breaches the order of the session. This fact shall be recorded in the session protocol (23.06.2006 N3400)

2. The following persons have the right to be present in the polling place:

- a) Members of the CEC, DEC and PECs;
- b) Representatives of the CEC and of DEC,
- c) Representatives of electoral subjects;
- d) Representatives of the press and other sources of mass media;
- e) Observers.

3. All persons having the right to be present at the polling place shall wear a nametag (identity card) with their identity and status: Chairman, Deputy Chairman, Secretary, Member of the CEC, the number of the DEC or PEC, or the title of party/election bloc and the word "representative", or the first and last names of the candidate and the word "representative", or the name of the organization and the word "observer", or the name of the mass media and the word "representative".

4. People authorized to be present at the polling place may take photos and video materials except polling booth, without hindering the voting process. (21.03.08. N6013)

5. A person authorized to be present at the election precinct has a right to request to see recordings of the video surveillance device located at the election commission. In application/complaint, envisaged by this code, shall be indicated the precise time when the request of viewing the recording was made and the precise time of occurrence of a violation. The applicant has a right to request to view only 15 minutes of the recording indicating the precise time and type of violation. Application/complaint requesting to view the recording shall be left without consideration by the relevant election commission if the application/complaint is not submitted in compliance with the procedure established by this code. Person submitting application/complaint shall be given a possibility to view the recording only during the consideration of the application/complaint at the District Election Commission only, as well as at the court hearing. (15.07.2008 N 231)

Article 68. Domestic and Foreign Observers

1. The right to observe elections shall be provided to those domestic and international observer organizations, which comply with the provisions of this law, and will be registered at the CEC or appropriate DEC. (14.08. 2003. N 2965-rs)

2. A domestic observer organization may be a local non-profit legal person, registered in accordance with Georgian legislation no later than 2 years before polling day, the statute and regulation of which, at the time of registration, includes election monitoring and/or protection of human rights and which is registered at the CEC or a relevant DEC for the purpose of observing elections. (14.12.2006 N 3990)

3. A domestic observer organization shall carry out observation of the elections through its representative - a domestic observer. One organization shall have the right to have no more than one observer at a time at an election precinct.

4. A domestic observer of a domestic observer organization may be any citizen of Georgia above the age of 18, except for the following:

- a) Persons occupying State-political positions;
- b) Members of the Parliament of Georgia;
- c) Members of the representative bodies of local self-government -sakrebulo;
- d) Heads and Deputy Heads of the bodies of local governance;
- e) Judges;

- f) Staff of the Ministries of Internal Affairs and Defence of Georgia, Special Services of International Intelligence and State Security (23.06.2006 N3400);
 - g) Officials of the Prosecutor's Office;
 - h) Electoral subjects and their representatives;
 - i) Election commission members.
5. An international observer organization may be a representative of another State, organization registered in another State or an international organization, the constituent document of which includes monitoring of elections and/or protection of human rights and which is registered at the CEC for the purpose of observing elections.
6. An international observer organization observes through organization's 2 representatives - international observers. (23.06.2006 N3400)
7. International observers envisaged by paragraph 6 of this article may be accompanied by an interpreter, who shall be registered at the CEC together with the international observers. (23.06.2006 N3400)

Article 69. Registration of Observer organizations

1. An international observer organization as well as domestic observer organizations, which carry out observation at the elections in more than one election district, shall be registered by the CEC. (14.08. 2003. N 2965-rs)
2. A domestic observer organization which carries out observation within one election district shall be registered by the appropriate DEC.
3. To be registered, a local election observer organization shall apply to the appropriate election commission no later than 10 days before polling day and provide a notarized copy of its statute. The application shall include the name of the election district (districts) where the organization will conduct the observation. The election commission shall decide on the registration within 5 days following the acceptance of the application. (21.03.08. N6013)
4. To be registered, an international organization shall apply to the CEC no later than 7 days before the polling day and provide a copy of its constituent document. If an observer (group of observers) represents the authority of another country, he/she shall provide an application and proxy certificate only. The CEC shall decide on the registration of the organization, observer (group of observers) mentioned in this paragraph within 2 days following the acceptance of the application.
5. The election commission shall not have the right to dismiss the application for registration of the observer organization, if this organization complies with the provisions of this law. The resolution of the election commission on dismissal of an application for registration shall include the reasons for dismissal of the application and shall be served upon the organization no later than the next day following the making of the decision. The resolution of the commission may be appealed before the court within 2 days following its adoption. The court decision shall be made within 2 days (23.06.2006 N3400)
6. An international organization registered by the CEC shall submit a list of observers (including their first names and last names) to the CEC Secretary no later than 2 days before the polling day.
7. A domestic observer organization registered by the CEC shall submit a list of appointed observers to the Central, District and Precinct Election commissions to the secretary of the Central Election Commission no later than 5 days before the polling day. The list shall include copies of ID cards of Georgian citizens owned by domestic observers. A domestic observer organization registered by a District Election Commission shall submit a list of appointed observers to District/ or its subordinate precinct election commissions to the secretary of the District Election Commission no later than 5 days before the polling day. The list shall provide for the identity of an observer (the first name, last name and place of registration) and the district (districts) and precinct (precincts) where he/she will conduct observation. (21.03.08. N6013)
- 7¹ A domestic observer registered at the Central Election Commission is authorized to conduct observation at election commissions of any level in accordance with a rule determined by paragraph 3 of article 68 of this law. (21.03.08. N6013)

8. The Secretary of election commission shall, within 2 days following the submission of the observers list, register the observers nominated in compliance with this law and issue to the observer organization an observer certificate which at the same time represents a badge to be worn by the observer.

8¹. A representative of a domestic observer organization nominated at the DEC and an observer who conducts observation on the territory of precincts of that election district is authorized to observe all precincts of the district on the polling day in accordance with the rule determined by paragraph 3 of article 68 of this law. (21.03*08. N6013)

9. An observer certificate shall include;

- a) The first and last name of the observer;
- b) Title of the domestic or international organization nominating the observer;
- c) The name(s) and number(s) of the election district(s) and precinct(s) where the observation is to be carried out.

10. In the observer certificate of the international organizations besides the data stipulated in paragraph 9, subparagraphs (a) and (b) of this article, shall contain a statement that the observer has the right to observe elections at any precinct of any district. (22.11.2007 N 5500)

11. Observer certificate shall become valid from the moment of its issuance and shall cease to be operative after 2 weeks from the moment of completion of summarizing of final results of elections. (21.03.08. N6013)

Article 70. Rights of Observers

1. An observer shall have the right to:

- a) Attend and observe session of election commissions;
- b) Be present in the polling place at any time on polling day, move on the precinct territory unrestrictedly and observe all stages of the polling process from any spot of the precinct; (12.10.2004. N488)
- c) Replace, at any time on polling day, another registered representative of the organization (in cases where such a representative exists);
- d) Take part in the inspection of ballot boxes, before they are sealed and after they are opened;
- e) Observe registration of voters on the voters' lists, issuance of ballot papers and special envelopes and their verification, without disrupting the polling process;
- f) Attend the procedures of counting of votes and of summing up of results;
- g) Observe the process of voting through mobile ballot box;
- h) Observe the counting of votes in such conditions which ensure visibility of the ballot papers;
- i) Observe the process of the election commission compiling the summary protocol of election results and other documents;
- j) Address the DEC Chairman with an application/complaint regarding issues related to the procedures of voting and polling, by which he/she demands reaction in case of identification of a particular violation;
- k) Request a voter to show how many ballot papers and special envelopes he/she holds (14.08. 2003. N 2965-rs);
- l) Make appeals regarding actions of an election commission to a higher election commission, or court;
- m) Observe the ballot box, inserting of special envelopes into the ballot box, opening of the ballot box, counting of ballot papers and compiling of protocols;
- n) get acquainted with the summary protocols of voting and election results, compiled by election commissions.

2. An observer shall have no right to:

- a) Interfere in the functions and activities of election commissions;
- b) Exert influence upon the free expression of will of the voters;
- c) Agitate in favour or against an electoral subject;
- d) Wear symbols or signs of any electoral subject;

d) Be without a badge at the polling place on the polling day. (12.10.2004 488-IIs)]

e) breach other requirements of this law.

3. Responsibility for violations of rights given by the present law to a domestic/international observer, electoral subject and mass media representatives or interference in their activities is defined in compliance with the rule established by election, administrative and/or criminal legislation of Georgia. (28.12.2009. N2525)

4. Violation by an observer, electoral subject and mass media representatives of the requirements of subparagraph (a) (d) of paragraph 2 of the present article shall entail their responsibility in accordance with the rule established by electoral legislation. (28.12.2009. N2525)

Article 71. Representatives of Election Subjects and Their Authority

1. A representative of an electoral subject (a party participating independently in the election, election bloc, voters' initiative group) represents an election subject in relations with appropriate election commission.

2. A party, election bloc, voters' initiative group (in the case of elections of the President of Georgia), presidential candidate participating independently in the elections, shall be entitled to appoint 2 representatives at every election commission. (28.12.2009. N2525)

3. An election subject as mentioned in paragraph 2 of this Article, shall notify the appropriate election commission about the appointment of a representative. In case of provision of complete information, the election commission shall, within 24 hours, admit by its resolution the information on registration of the observer and the relevant officer of the commission shall issue a observer certificate, which at the same time represents the badge to be worn by the observer. (28.12.2009. N2525)

4. The application for the appointment of a representative of an electoral subject shall be signed by the leader of a party/election bloc or his/her authorized person; application for appointment of a representative of a voter's initiative group is made to the higher election commission, and shall include the representative's first and last names, year of birth, address, contact telephone number (if any).

5. Only one representative of the election subject shall have the right to attend the sessions of election commission, to request to speak, express his/her opinion, make decision on various issues and also to enjoy other rights envisaged by this law. The representative shall on the polling day enjoy without any limitation the rights envisaged by article 70 of the present law. (12.10.2004. N488)

6. An electoral subject shall have the right to call back and/or replace the representative at any time, of which it shall inform the appropriate election commission..

Article 72. Representatives of Press and Other sources of mass media

1. Representatives of the press and other sources of mass media, accredited at the relevant election commission, shall have the right to attend sessions of election commissions and to be present in the polling place on the polling day.

2. Accreditation of representatives of the press and other sources of mass media operating on the territory of several election districts shall be conducted by the Secretary of the CEC or by the Secretaries of the appropriate DEC, while accreditation of the mass media representatives operating on the territory of one election district shall be effected by the Secretary of the appropriate DEC. (14.08. 2003. N 2965-rs)

3. Applications on accreditation of representatives of the press and other sources of mass media shall be submitted to the relevant election commission, no later than 3 days before the polling day. (12.10.2004. N488)

4. Within 1 day after filing an application the Secretary of the appropriate election commission shall decide on the accreditation of the representatives of the press and other sources of mass media and shall issue to the accredited representatives the appropriate certificate within 1 day. In case of the dismissal of the application for accreditation, the Secretary shall provide the appropriate resolution

(the reasons for the dismissal of the application shall duly be stated in the resolution) within the same time-limit. (12.10.2004. N488)

5. On the polling day, the one organization of the press and other sources of mass media shall have the right to have no more than 3 representatives at a time at the election precinct.

Article 73. Pre-election campaign (Agitation) (14.08. 2003. N 2965-rs)

1. Pre-election campaign/agitation starts from the moment of setting the date of Election. According to this law candidates of electoral subject have equal opportunities from this very moment. (21.03.08. N6013)

2. Any person, with the exception of those, listed in the paragraph 5 of the present article, shall have the right to perform and take part in pre-election agitation (23.06.2006 N3400).

3. It is prohibited to transmit free and/or paid election advertising through television and radio broadcasting after midnight (24:00 pm) of the day before polling day. (22.11.2007 N 5500)

4. In case of appointment of the second round of elections, repeated voting, by-elections, the pre-election campaign (agitation) will be renewed from the day of setting the date of their conduct. (23.12.2005 N 2414)

5. The following persons and entities shall not have the right to take part in pre-election agitation:

a) Members of election commissions;

b) Deleted (23.06.2006 N3400)

c) Judges;

d) Public officials of the Ministries of Internal Affairs and Defense, Special Service of International Intelligence and State Security, Office of Public Prosecutor (23.06.2006 N3400);

e) deleted (23.06.2006 N3400)

f) Aliens and foreign organizations;

g) Charity and religious organizations;

h) Public officials of bodies of State and local self-government , when they are carrying out their duties (21.03.08. N6013)

6. Pre-election agitation may be carried out through the mass media, through holding of mass events (assemblies and meetings with citizens, public debates and discussions, rallies and manifestations), publication and dissemination of printed agitation materials, use of public address equipment, or in other ways, in accordance with the rules established by Georgian legislation.

7. As of the day of the announcement of elections, candidates of becoming electoral subjects shall have the right to produce election slogans, statements, inscriptions, leaflets, photo materials, etc. It is prohibited to prevent their dissemination and to expropriate them, as well as to expropriate automobile transport and other means used for agitation purposes, or to prevent their use for pre-election agitation purposes.

8. Deleted (22.11.2007 N 5500)

9. From the moment of publication of the relevant legal act that announces the elections until the publication of the final results of the elections, it is prohibited to:

a) Electoral subjects/candidates of becoming electoral subjects and their representatives personally or through other persons to give money, gifts and other material possessions (irrespective of their price), to sell at a preferential price, distribute or disseminate any goods free of charge (except for the agitation material as prescribed by this Law), also to motivate Georgian citizens by promising to give funds, securities and to render other material valuables (regardless of their price); (28.12.2009. N2525)

b) Using private personal funds and/or the pre-election campaign funds by a physical or a legal person for the purposes of performing such works or providing such services (except for works and services defined under the Georgian law on public procurement), which according to the Georgian legislation fall into the competence of Georgian State and/or local self-government bodies.

9¹. In the event of such facts being established, registration of the electoral subject, who has personally, or with an aid of the representative, or through any other physical or legal persons acting

in subject's interests, performed any of the prohibited actions listed above, shall be revoked by the court decision. (23.06.2006 N3400)

10. It is prohibited to conduct pre-election campaign in the buildings of the following institutions:

- a) Deleted (23.06.2006 N3400)
- b) bodies of executive authority; (1.11.2008 N479)
- c) Courts; (1.11.2008 N479)
- d) Military units, (22.11.2007 N 5500)

10¹. From the day of announcement of election day until summing up of the election returns, implementation of such projects which have not been previously envisaged in the state/local budgets shall be prohibited, also increase of those budgetary programs, which were envisaged in the budget before the elections, initiation of ad hoc transfers or increase of planned transfers in the local budget. (28.12.2009. N2525)

11. Any bookmaker activity related to any of the issues connected to the elections shall be prohibited. (14.08. 2003 N 2965-rs).

12. From the day of announcement of the elections until the publication of the final results of the elections by the CEC and for the period of one month thereafter, it is necessary to indicate while publicizing the results of the opinion polls concerning elections, the person who has ordered the polls (Name according to the public or electoral registration and a legal address in case the legal entity or state body has ordered the conduct of the polls. First name, last name and address as provided for in the ID card, where a physical person has ordered the conduct of the polls), whether it was paid or free of charge, the organization, which has conducted the polls, (name according to the public or electoral registration, legal address), the date of conducting polls, methods used, the exact formulation of the questions, the possible margin of errors. The publication of the results of public opinion polls, except for the possible number of voters in the elections and the number of voters participating in the elections on the polling day, shall be prohibited no later than 48 hours before the polling day and not earlier than 20:00 o'clock of that day. (23.06.2006 N3400)

13. Deleted. (22.11.2007 N 5500)

14. Since 50th day before election day until the approval of the final election returns by the CEC, owners of broadcasting license and the public broadcaster shall abide by the following terms: (16.12.2005 N 2263)

- a) In case of allocating air time for pre-election campaign and political advertising, to announce publicly and submit weekly to the CEC the following information (regional television and radio broadcasting companies shall submit this information to a relevant district election commission): from and until which date and to what frequency the air time has been allocated; duration and timetable of the allocated daily air time; the air time tariff; the service provided;
- b) Paid airtime allocated by a TV or radio broadcaster shall not exceed 15 % of its total daily broadcasting time and no electoral subject shall be allocated more than one-third of this time;
- c) When making public the political advertising via TV, the screen corner shall display the inscription "paid political advertising" or "Free political advertising";
- d) For the period provided for in the present paragraph, not to allow placement of any political advertising at any time other than that allocated for this very purpose.

14¹. Deleted (28.12.2009. N2525)

15. From the moment of announcement of elections until the summing up of election returns, newspapers, which are funded by central or local budgets, shall abide by the following terms:

- a) In case of allocating newspaper space for pre-election agitation and political advertising, to publicize and submit weekly to the CEC the following information (regional newspapers shall submit the information to a relevant district election commission): from and until which date and to what frequency the newspaper space has been allocated; the size of the space allocated in one newspaper issue; if providing newspaper space free of charge, the share of the free space in the total space allocated for political advertising; the space tariff; the service provided;
- b) No electoral subject shall be allocated more than one-third of the newspaper space in one newspaper publication or over a period of one week;

- c) The space tariff shall be the same for all electoral subjects;
- d) When publicizing a campaign article or political advertising, above the heading of the article and in the corner of the advertisement, shall be made the inscription "paid political advertising" or "free political advertising";
- e) shall not publicize the political advertising in violation of the provisions of the present paragraph during the period stated herein.

15¹. The forms of the information to be submitted to the election commission according to the subparagraph (a) of the paragraphs 14 and 15 of the present article shall be determined by a resolution of the Central Election Commission of Georgia; (16.12.2005 N 2263)

16. All newspapers, except for those envisaged in paragraph 15 of the present article, shall have a right to provide free of charge political advertising to any electoral subject on any terms. (28.12.2009. N2525)

17. If any electoral subject fails to use its share of air time or newspaper space, an owner of the broadcasting license, the Public Broadcaster and a newspaper shall have the right to distribute this time or space equally among the other electoral subjects. (24.12.2004 N 789)

18. Deleted (21.03.08. N6013)

19. A person violating paragraph 3, 5, 7, 9 and 15 of the present article shall bear the responsibility determined by law (21.03.08. N6013).

Article 73¹. Information Support of Pre-election campaign (23.06.2006 N3400)

1. The obligations set forth by the present law concerning the equal allocation of airtime, creation of equal conditions for participating in the debates and election advertising applies only to the qualified electoral subjects and to the broadcaster defined by the paragraph 2 and 3 of the present article.

1¹. For the purposes of the present article, a qualified electoral subject is an electoral subject affiliate party of which satisfies the following requirements: (28.12.2009. N2525)

a) it has independently participated in the last parliamentary elections and has received not less than 4% of the votes;

b) it has independently participated in the last elections of local self-government bodies and has received not less than 3% of the votes throughout the country;

c) it was united as a number one in the election bloc, which in the last parliamentary elections received not less than 4% of the votes;

d) it was united as a number one in the election bloc, which in the last elections of local self-government under proportional system received not less than 3% of the votes within the country.

2. A general broadcaster as well as a broadcaster, which allocates time for election advertising, are obliged to allocate to each qualified electoral subject free of charge and without discrimination the time in the amount of 90 seconds in every 3 hours. The further addition of unused time to the other personal time is impermissible. (22.11.2007 N 5500)

3. The Public Broadcaster as well as a community broadcaster, which allocates time to election advertising, are obliged to allocate to each qualified electoral subject free of charge and without discrimination the time not less than 60 seconds in every hour. The further addition of unused time to the other personal time is impermissible. (22.11.2007 N 5500)

4. deleted (28.12.2009. N2525)

4¹. For the purposes of the present article only the candidates nominated by political unions, which are financed from the state budget based on the outcome of the last parliamentary elections or elections of local self-government, shall be considered as qualified electoral subjects. (22.11-2007 N 5500)

5. A broadcaster is entitled to recognize as a qualified electoral subject the political party, which according to the public opinion polls, conducted within the whole territory of Georgia in compliance with the terms set forth by this law, has gained not less than 4 % of the votes in not less than 5 public opinion polls held during the election year, or in an opinion poll held no later than a month before the elections. Discriminative use of sociological surveys by the broadcaster is

impermissible.

6. A local broadcaster shall acknowledge as a qualified electoral subject a party/bloc:

- a) which satisfies the requirements of paragraph 2 of the present article;
- b) whose candidate(s) has won in last parliamentary elections in the majoritarian election districts falling within local broadcaster's coverage zone, proceeded to the second round of elections or received not less than 25% of votes;
- c) which received not less than 25% of votes in elections of the representative bodies of local self-government - Sakrebulo.

7. Local broadcaster shall recognize a political party as a qualified electoral subject, if a political party, according to the public opinion polls conducted in compliance with the terms set forth by this law within the territory falling in the local broadcaster's coverage zone, enjoys support of not less than 25% of voters as revealed by at least four successive surveys conducted during the election year.

8. For the purposes of the present Law, public opinion poll shall satisfy the following requirements:

- a) It shall be based on the acknowledged scientific methodology of representative random selection, which provides 95% accurate results and the margin of errors of which is not more than 3%;
- b) It shall be publicized after double-checking the reliability of the methodology of public opinion poll and objectiveness of its results;
- c) It must be possible to provide reliable scientific explanation in case there are significant differences or changes in the results of the same or other comparable public opinion polls.
- d) It should not constitute the means of manipulating with public opinion or of fundraising and it should not be conducted via telephone, post or/ and internet.
- e) It must be based on transparent methodology, which enables to conduct verification of the results independently.
- f) While publicizing the results it is obligatory to indicate:
 - f.a. The organization which has conducted public opinion poll;
 - f. b. Who has ordered or financed the opinion poll;
 - f. c. The exact formulation and sequence of the questions used for opinion polls;
 - f.d. The time of conducting field opinion polls;
 - f.e. The number of persons interviewed and the selection method;
 - f.f. In which area or category of people the selection was conducted;
 - f.g. whether the research is based on the opinion of people interviewed;
 - f.h. The number of respondents, who refused to participate in the research, did not answer the question, or who could not be interviewed;
 - f.i. The margin of selection;
 - f.j. Margin of errors;
 - f.k) any other factors, which may significantly influence the returns.
- f.k. Information on any other important factors, which might have caused significant impact on the results. .

9. deleted (28.12.2009. N2525).

10 The Public Broadcaster (an entity of public law) is obliged to allocate free air time for pre-election advertising of all of other parties and election blocs other than qualified electoral subjects, which shall be distributed equally among these subjects.

11. With the purpose of controlling of the equal distribution of election airtime of an electoral subject and of the fulfillment of other obligations of the mass media set forth by the present law, the media monitoring is carried out by the CEC itself or through public procurement of service (22.11.2007 N 5500).

Article 74. Pre-Election Rallies and Manifestations

- 1. Holding of rallies and manifestations during the pre-election period is governed by the present law.
- 2. where a rally or manifestation may disrupt movement of people and transport, the organizers

shall notify, in writing, the relevant bodies of local self-government and government 2 days before holding of such rally or manifestation about the date and location of holding of the mentioned event. They, on their part, must ensure the safety of such planned events.

3. It is impermissible to prohibit and stop rallies and manifestations, except for cases when calls are made against human rights and freedoms, independence and the territorial integrity of the country, fostering citizen, ethnic, regional, religious and social hatred; calls to overthrow constitutional system and replace it in violent manner, as well as to carry out propaganda of war and violence.

4. Bodies of local self-government and government are obliged to support electoral subjects in organizing and holding meetings and assemblies with voters, public debates and discussions, rallies and manifestations and to ensure the safety of these events.

5. For the purpose of holding mass election events, buildings under the management of the bodies of State or local self-government and government are provided free-of-charge to the election commissions.

6. The DEC. on the basis of the list of buildings and structures allocated by the local self-government and administrative bodies for electoral subjects, shall, in coordination with the electoral subjects draw up a timetable of pre-election campaign activities (if the activities coincide in time and the electoral subjects have failed to agree on a timetable, the sequence of activities will be determined by the casting of lots).

7. Deleted.

8. Deleted.

9. Deleted.

10. From the expiration of the date for registration of electoral subjects until the end of the polling day, it is prohibited to transfer senior officials of the bodies of local self-government and government, police and the Prosecutor's office, except until their authority expires and/or in cases when they have violated the law.

Article 75. Agitation Materials

1. The CEC and DEC's, together with the appropriate State authorities, no later than 10 days before election day and in case of second ballot, no later than 5 days before the polling day, shall ensure the publication and dissemination of informational materials which are required to be produced by election commissions. Dissemination of the party list and the lists of candidates nominated for single-mandate election districts is obligatory. (14.08. 2003 N 2965-rs)

2. Electoral subjects and their supporters have the right to present a program of further activity. The election program must not contain propaganda of war and violence, of overthrowing the existing State and social system or replacing it through violence, of violating the territorial integrity of Georgia, of calling to foster citizen hatred and enmity, religious and ethnic confrontation.

3. Printed agitation materials may be displayed on buildings and premises and other objects, with the consent of the owners or possessors of such buildings, premises and objects.

4. it is prohibited to post election posters on religious (cult) buildings, on the interior and exterior of buildings of State authorities, local self-government and government, courts, the Prosecutor's office, military compounds and police, as well as on traffic signs. Sakrebulo of a village, community, borough and city may prohibit posting of posters on certain buildings, but only proceeding from considerations of protection of monuments of architecture and culture. A list of such buildings is publicized within 5 days from the moment of setting election date. Bodies of local self-government and government are obliged to allocate places and/or install stands for posting and displaying election posters. The stand must be of such a size that all electoral subjects may be provided with equal conditions for the display of election posters. Removal, tearing down, covering up or damaging of election posters is inadmissible and punishable in accordance with the law, unless they are posted in prohibited places. (22.11.2007 N 5500)

5. On printed campaign materials there must be an indication of names and addresses of the organizations that have ordered and produced them, as well as information on the number of copies printed and date of issue. Dissemination of printed agitation materials without indicating this

information is prohibited. An electoral subject is obliged to indicate a respective number on printed registration material only after obtaining this number. (16.12.2005 N 2263)

6. Copies of printed agitation materials must be submitted to the election commission, at which the electoral subject underwent electoral registration.

7. Within 15 days from the moment of official publication of the final results of the elections, the relevant electoral subject is obliged to ensure removal of agitation materials, otherwise the electoral subject shall be held responsible according to the legislation of Georgia.

Article 76. Prohibition of abuse of Administrative Recourses during the Pre-election campaign.

1. According to paragraph 2 of article 73 it is prohibited to any person with the right to participate in pre-election campaign to use the following administrative resources to support or conduct anti-election agitation and campaign of the party (election bloc):

a) Buildings occupied by bodies of state and local self-government, and also state-funded organizations, if other electoral subjects are banned to use the same buildings or buildings of similar function on the same terms.

b) Means communication, information services and other kinds of equipment owned by bodies of state or local self-government, and also state-funded organizations, if other electoral subjects are not allowed to use the same kind of buildings on the same terms.

c) Free or preferential use of transportation means owned by bodies of state or local self-government, if other electoral subjects are not allowed do so.

2. Civil servant using office cars shall have the right to use them only in case of reimbursement for the costs of fuel.

3. During the pre-election campaign it is prohibited to produce such printing materials on the expense of the state/local budgetary funds, which may include any particular electoral subjects or its election number, and/or which contains materials in support or against of any particular electoral subject. (28.12.2009. N2525)

Article 76¹ Prohibition of the abuse of official capacity or working status in pre-election agitation and campaign (21.03.2008 N 6013)

1. Persons, with the right to participate in the pre-election agitation as defined by Paragraph 2 of Article 73 of the present Law, holding offices in state or local authorities, is prohibited to use their official capacity and working status in the course of pre-election agitation and campaign in support or against any party (election blocs) or candidates, which, for the purposes of the present Article, means:

a) Engaging subordinated persons in activities which facilitate to the presentation or/ and election of the candidate;

b) Gathering signatures and conducting pre-election agitation during the official business trip funded by bodies of the state and local self-government .

c) Conducting pre-election agitation during the fulfillment of official duties.

2. Restriction envisaged by subparagraph (c) of paragraph 1 of the present article does not apply to political officials defined by subparagraph (c.c) of article 3 as well as to the cases of use of air-time allocated by TV-Radio Broadcasters for pre-election agitation.

Article 76² Violation of requirements as to the conduct of pre-election agitation and campaign

1. Deleted (28.12.2009. N2525).

2. Protocols concerning violations envisaged by paragraph 1 of the present article are drawn up by persons so authorized under the resolution of the CEC.

3. Records on imposition of fines drawn up in accordance with paragraph 2 of the present article may be appealed before the court within 1 calendar day after its drawing up.

4. In case of violation of the provisions of article 76 and 76¹ by the candidate, apart from the

responsibility determined by article 126²⁷, the following may also be used against the candidate:

- a) a measure of striking out the electoral registration in case of submission before ballot of an appropriate plea to the court;
- b) a measure of prohibition of participation in the forthcoming elections of the same type as a candidate, in case of submission of an appropriate plea to the court within 30 days after election day.

CHAPTER IX. ADJUDICATION OF DISPUTES

Article 77 – Appeal Procedure and Timeframes

1. A violation of the electoral legislation may be appealed at a relevant election commission. Decision of an election commission may be appealed only at the higher election commission and only after that at the court, in accordance with the rules and timeframes determined by the present article, unless otherwise defined by the present law.
2. Decision of the Precinct Election Commission may be appealed by the commission within 2 calendar days at a relevant Election Commission usually examining the complaint within 1 calendar day. The decision of the District Election Commission may be appealed at District/City Court within 2 calendar day after this decision has been made. District/City Court adjudicates the lodged complaint within 2 calendar days. The decision of the District/City Court may be appealed at the Court of Appeal within 2 calendar days since the decision has been made. The Court of Appeal makes decision within 2 calendar days after its submission. The decision of the Court of Appeal is final and may not be appealed (28.12.2009. N2525).
3. By virtue of appealing of a decision of the Precinct Elections Commission, in case of appealing of a decision of the District Election Commission at the CEC, application/complaint remains unconsidered (28.12.2009. N2525).
4. The commission may appeal against the decision of the District Election Commission at CEC, within 2 calendar day after it has been made. The CEC shall consider the complaint within 1 calendar day. After the decision of the CEC has been made, it may be appealed at Tbilisi City Court within 2 calendar days. Tbilisi City Court shall consider the complaint within 2 calendar days. The decision of the Tbilisi City Court may be appealed at the Court of Appeal within 2 calendar days after it is made. After submission of the complaint, the Court of Appeal shall make decision within 2 calendar days. The decision of the Court of Appeal is final and may not be appealed (28.12.2009. N2525).
5. The decision of the CEC may be appealed at the Tbilisi City Court within 2 calendar days after the decision has been made. The court considers a complaint within 2 calendar days. Tbilisi City Court's decision, which shall be made within 2 calendar days after the complaint is filed, may be appealed at the Appellate Court within 2 calendar days. Appellate court's decision is final and may not be appealed (28.12.2009 N2525);
6. In case of submission of application/complaint to the court, the court is obliged first, to inform District/Central Election Commission about acceptance of the application/complaint and secondly, it has to give notice to the Commission regarding the decision made. The decision of the District/City Court should be dispatched to the parties involved before 12:00 of the next day.
7. During the court hearing if the involved party is absent, the court makes a decision by investigating the materials included in the case, and according to the provisions of articles 4, 17, 19 of the Administrative Procedural Code of Georgia.
8. Application/claim/complaint is considered to be submitted to the Election Commission or to the Court after it has been registered in the relevant Election Commission or at the pertinent Court.
9. Filing application/claim/complaint to the Election Commission or to the Court does not cease the operation of the appealed decision.
10. It is prohibited to prolong the timeframes of appeal and adjudication of the complaint, if the Law does not consider other than the determined time period.

11. Application/claim/complaint on election disputes envisaged by the article 77¹, submitted to the election commission or to the court by the persons that are not determined by the same article, shall remain unconsidered.

12. Timeframes and rules for appealing of a decision of the election commission and of a violation of the electoral law, also timeframe regulating consideration and decision making process of application/complaint and at the end the persons entitled to bring an action are determined by the Georgian legislation, unless otherwise provided for in the present law. (21.03.08. N6013)

13. During the elections held under the competence of the High Election Commission of autonomous republic, if violations regarding electoral law occur, terms and timeframes of an appeal of those violations may be addressed by the procedures established in the legislation of an autonomous republic (15.07.2008 N 231).

14. Since the announcement of the election day till its expiry, submission of an application/complaint shall be possible from 10.00 till 20.00 of a calendar day (28.12.2009. N2525).

Article 77¹ - Election Disputes and Group of Claimants

1. A constitutional claim on appointment or non-appointment of elections, as well as submission of a claim on constitutionality of norms regulating elections shall be submitted to the Constitutional Court of Georgia. Terms for submission and dealing with constitutional claims of the abovementioned matters shall be defined by the Organic law of Georgia "on Constitutional Court of Georgia" and the Law of Georgia "on Constitutional Litigation" (22.10.2009 N 1889).

2. The right to file an appeal to the court with regards to the voters' lists is granted to the representatives of registered party/election bloc and initiative groups in a relevant election commission, an organization with election observer status, relevant District or Precinct Election Commission members, and citizens whose application on their inclusion in the voters' list has been rejected by an election commission.

3. The right to file an appeal to the court within the timeframe provided by the present law with regard to formation of election districts is granted to the representatives of a registered party/election bloc at the CEC, an organization with election observer status, CEC member.

4. The right to file an appeal to the court within the timeframe provided by the present law with regard to formation of election precincts is granted to the representatives of a registered party/election bloc at the relevant DEC. an organization with election observer status, member of a relevant DEC.

5. The right to file an appeal to the court within the timeframe provided by the present law with regard to appointing/electing Central and District Election Commission members is granted to a person determined by the legislation of Georgia.

6. The right to file an appeal to the court within the timeframe provided by the present law with regard to appointing/electing Precinct Election Commission members is granted to the representatives of a registered party/election bloc in a relevant DEC, an organization with election observer status, member of a relevant DEC or PEC.

7. The right to file an appeal to the court within the timeframe provided by the present law with regard to the resolution of an election commission and its chairman on the pre-term termination of the authority of an election commission member or officer as well as regarding the failure to take a decision of the pre-term termination of the authority of an election commission member or office (in accordance with the grounds provided by article 21 of the present law) is granted to a registered party/ election bloc, an organization with election observer status, and member of a relevant or higher commission, whose authority was terminated in the same manner by the above-mentioned resolution.

8. The right to file an appeal to the court within the timeframe provided by the present law with regard to a resolution issued by the CEC on the pre-term termination of the authority of a subordinate election commission, as well as regarding the failure to make a decision on the pre-term termination of the authority of the subordinate election commission is granted to the member of the CEC, a representative of the register party/ election bloc at the CEC, an organization with election

observer status, and more than half of the members of the commission whose authority was early terminated by this resolution.

9. The right to file an appeal to the court within the timeframe provided by the present law with regard to the failure to transfer funds allocated for the election from the State Budget of Georgia to the CEC account is granted to the CEC. The appeal must be filed within 10 days after the expiration of the timeframe established by the present law.

10. The right to file an appeal to the court with regards to electoral registration of a party, election bloc, voters' initiative group and their representative is granted to the following subjects:

a) A party, election bloc, representative of a voter's initiative group at the CEC (during elections of the President of Georgia) if the CEC has not registered this party, election bloc, voters' initiative group or their representatives or has cancelled their registration;

b) Deleted (28.12.2009. N2525)

c) A party independently participating in the elections, an election bloc, a representative of the voters' initiative group at the CEC (during elections of the President of Georgia), at least 2 persons having election observer status (accredited at the CEC) If they consider a party, election bloc, voters' initiative group to be registered with violation of the provisions of the electoral law;

d) Deleted (28.12.2009. N2525)

11. The right to file an appeal to the court with regard to the resolution of the election commission on registration of a candidate for the presidency of Georgia, party participating independently in the elections, the party lists presented by the party/election bloc, separate candidates included in the party list, candidates nominated in a single-mandate election district and the candidacy for the Mayor of Tbilisi shall be granted to the following subjects:

a) Party, election bloc, majoritarian candidate, representative of a voters' initiative group at the CEC (during elections of the President of Georgia), if the CEC has not registered a candidate for the presidency of Georgia, the candidate for the Mayor of Tbilisi, the party list presented by a party/election bloc, separate candidates included in party list or the candidates nominated for single-mandate election districts, also whereas the DEC has not registered the candidates nominated by the party/election bloc for the election of a representative body of local self-government or whereas the election commissions have cancelled their registration;

b) A party independently participating in the elections and having electoral registration, the registered election bloc, a representative of a registered voters' initiative group at the CEC (during elections of the President of Georgia), candidacy for the Mayor of Tbilisi, at least 2 persons having election observer status (appointed at the CEC), if they deem that the CEC has registered the party/election bloc lists, majoritarian candidates or some candidates from the party/election bloc lists, candidacy for the Mayor of Tbilisi with violation of the provisions of the electoral law or if the majoritarian candidates or the candidates from party/election bloc lists do not meet the provisions of the Constitution of Georgia and Georgian legislation or those requirements have been satisfied with violation of the Constitution and legislation of Georgia;

c) A party independently participating in the elections and having election registration, the registered election bloc, a representative of a registered voters' initiative group at the CEC, candidacy for the Mayor of Tbilisi, at least 2 persons having election observer status (appointed at the DEC), if they deem that the DEC has registered the party/election bloc lists, majoritarian candidates or some candidates from the party/election bloc lists, candidacy for the Mayor of Tbilisi with violation of the provisions of the electoral law or if the majoritarian candidates or the candidates from part/election bloc lists do not meet the provisions of the Constitution of Georgia and Georgian legislation or those requirements have been satisfied with violation of the Constitution and legislation of Georgia;

12. Regarding a CEC resolution on registration of domestic and international observer organizations, the right to file an appeal to the court is granted to: the above mentioned organization, if they have not been registered by the CEC; a party/election bloc having electoral registration, a representative of a registered voters' initiative group in the CEC, a registered organization having an observer status, if they consider the observing organization to be registered

with violation of the electoral law.

13. The right to file an appeal to the court regarding an resolution of the DEC on registration of a domestic observer organization, is granted to: the above mentioned organization, if the latter was not registered by the DEC; a registered representatives of a party/election bloc and voters' initiative group in the DEC, a registered organization having observer status, if they deem that the observing organization was registered with violation of the electoral law;

14. The right to file an appeal to the court regarding an resolution of the CEC/DEC Secretary on accreditation of representatives of the press and other sources of mass media, is granted: to representative of press and other sources of mass media whose application concerning the accreditation process was not considered by an election commission, party/election bloc with electoral registration, representative of voters' initiative group in this election commission, and the organization holding a status of an observer.

15. Because of the violation of rules of the pre-election campaign established by Paragraph 9 of Article 73 of the present Law, the right to file an appeal to the court is granted to;

a) A party, election bloc, representative of a voters' initiative group in the CEC (during elections of the President of Georgia), an organization with election observer status, election commission, if the appeal concerns the violation of the abovementioned procedure from a party/election bloc presidency candidate of Georgia or candidacy of Mayor of Tbilisi; (28.12.2009 N2525)

b) A party, election bloc, majoritarian candidate, organization with election observer status, election commission, if the appeal concerns violation of the abovementioned procedures by the candidate nominated to the single/multi-mandate election district;

16. Georgian legislation specifies subjects who may appeal to the court in case the press and other sources of mass media breach the provisions of Paragraphs 11 and 14-17 of Article 73 of the present Law.

17. Regarding an resolution of the election commission in cases where there are violations of the provisions of Article 76 and 98¹ of the present Law, the right to file an appeal to the court is granted to: the party nominating the candidate and the candidate about whom the resolution has been issued; other parties with electoral registration, representatives of an election bloc and voters' initiative group in the CEC (during elections of the President of Georgia), organization with election observer status, representative of the voters' initiative group in the DEC (if the matter concerns a majoritarian candidate), unless the commission proves the abovementioned breach;

18. Regarding actions and decisions of a PEC and its members during polling and tabulation of the ballot returns (other than drawing up the summary protocol of ballot returns), the right to appeal to the court is granted to: a representative of a party, election bloc, voters' initiative group at the precinct or higher Election Commission, also an observer from an organization with election observer status at the precinct or higher level Election Commission;

19. Appeals on the issues specified in Paragraphs 17 and 18 of the present Article shall be filed to the appropriate regional/city court no later than a day after the elections have been held and the court makes a decision no later than the a day after the complaint has been lodged. The decision of the regional/city court may be appealed to the Appellate court no later than the day after.

20. In case of appeal summary protocol of the Precinct Election Commission, regarding relevant resolution of the higher District Election Commission, the right to file an appeal to the court is granted to a representative of a registered party, election bloc, representative of voters' initiative group in a relevant regional election commission and the organization holding an observer status;

21 Regarding an resolution of the DEC on declaration of the election returns void at the election precinct or an resolution uphold the election returns, the right to appeal to the court is granted to: a representative of a party, election bloc, voters' initiative group, a majoritarian candidate, an observer from an organization with election monitoring status at the appropriate DEC;

22. CEC resolution declaring elections as being held or in opposite, rejecting the fact of it being held may be appealed by the following subjects: a party independently participating in elections, election bloc, representative of a voters' initiative group in the CEC (during elections of the President of Georgia), representative of a voters' initiative group at the DEC (if the matter concerns

the election district), majoritarian candidate and an organization with election observer status; (28.12.2009. N2525)

23. Regarding the summary protocol of DEC, the right to appeal to the court is granted to: a party participating independently in elections, election bloc, representative of a voters' initiative group in the DEC, majoritarian candidate and an organization with election monitoring status;

24. Regarding summary protocol of DEC, the right to appeal to the court is granted to: a party independently participating in elections, election bloc, representative of voters' initiative group in the CEC (during elections of the President of Georgia) candidate for Mayor of Tbilisi, majoritarian candidate and an organization with election observer status." (21.03.08. N6013)

SPECIAL SECTION

PART II

CHAPTER X – Elections of President of Georgia

Article 78 - Elections for the President of Georgia

The President of Georgia is elected by the citizens of Georgia for a period of five years. The president may not be elected for more than two consecutive terms.

Article 79 - Holding of New elections for the President of Georgia

1. The first round of new elections for the President of Georgia is held in October of the year his term of office is expired. Election date shall be set by the President not later than 60 days before elections. (22.11.2007 N 5500)

2. In the event of emergency or war no election shall be held.

Article 80 - Passive Electoral Right

1. Each citizen of Georgia who has attained the age of 35 and has lived in Georgia for at least 15 years and who is living in Georgia at the time of the elections, may be elected as President of Georgia.

2. Candidate for the presidency of Georgia shall not be a citizen who has not lived in Georgia during the last 2 years and is not registered by the consular office of Georgia in any country.

3. Requirements of the incompatibility of the duty do not apply to the candidate for the Presidency of Georgia. (22.11.2007 N 5500)

Article 81 - Right to Nominate Candidate for the Presidency of Georgia

1. A political union (party) of citizens or initiative group of voters uniting five citizens has the right to nominate a candidate for the presidency of Georgia .

2. The nomination of a candidate for election as the President of Georgia must be certified by the signatures of no less than 30,000 voters. (21.03.2008. N60913)

Article 82 - Rules for Nomination of Candidate for the Presidency of Georgia

1. A party or voters' initiative group registered at the CEC has the right to nominate one candidate for the presidential election.

2. For the purpose of nominating a candidate for the Presidency of Georgia, a party or voters' initiative group must address the CEC with an application, no later than 50 days before the polling day. Only after this procedure, they have the right to collect signatures of supporting voters.

3. In the application must be indicated the following information regarding the candidate for the presidency of Georgia:

- a) First name, last name,
- b) Date of birth;
- c) Profession;

- d) Position (activity);
 - e) Place of employment;
 - f) Place of registration;
 - g) Party affiliation;
 - h) Period of residence in Georgia;
 - i) Name of the nominating party, first names, last names, numbers of the Georgian Citizens' Identity Cards (passport of Citizen of Georgia), place of registration, contact telephone and other information (if such exists) of members of the voters' initiative group and their representative.
4. Written consent on participating in elections given by the person nominated as a candidate for the Presidency of Georgia shall be attached to the application. A copy of his/her birth certificate and three photos shall be also presented.
5. The application is signed by the Head of the party or by all members of the voters' initiative group.

Article 83 - Lists of Supporters of a Candidate for the Presidency of Georgia

1. For the purpose of registering a candidate for the presidency of Georgia , representatives of the party or voters' initiative group, must submit to the CEC a list of supporters of the candidate, no later than 40 days before the elections.
2. In the above mentioned list no less than 30,000 signatures shall be presented. (21.03.2008. N6013)

Article 84 - Registration of a Candidate for the Presidency of Georgia

1. By the order of the CEC, a candidate for the presidency of Georgia of Georgia is registered no later than the 30 days before the elections. (22.11.2007 N 5500)
2. Within 3 days of registration, the CEC chairman shall provide the relevant certificate to candidate for the presidency of Georgia . (14.08.2003 N 2965-rs).
- 2¹. The CEC chairman does register a presidential candidate if:
 - a) The data provided in Paragraphs 3-5 of Article 82 of the present Law is incomplete or incorrect;
 - b) The list of supporting voters has less than 30 000 signatures: (21.03.2008. N6013)
 - c) The terms determined by the Paragraph 1 of Article 83 of the present Law are violated/do not comply with the standards.
3. No later than the 6th day after registration of a candidate for the presidency of Georgia , the CEC through press and other sources of mass media makes public a notice about the registration of a candidate for the presidency of Georgia , including the first name, last name, year of birth, place of residence and employment.
4. Candidate for the presidency of Georgia may withdraw his/her candidacy until 12:00 of the day before the balloting. In such case, s/he shall write an application to the CEC. If a candidate withdraws his/her candidacy for the Presidency of Georgia, the name of the latter shall be stamped with the stamp "Withdrawn" on the ballot paper (14.08.2003 N2965 rs).

Article 84¹ - Cancellation of the electoral registration of the political party and voters' initiative group (22.11.2007 N 5500)

1. Electoral registration of the party shall be cancelled by the resolution of CEC:
 - a) On the basis of the application of the party;
 - b) In case of prohibition of the party by the decision of the Constitutional Court of Georgia;
 - c) If it did not present or register its presidential candidacy, or the electoral registration of the candidate for presidency was cancelled.
2. Electoral registration of the initiative group is cancelled by the resolution of CEC:
 - a) On the basis of the initiative group's application;
 - b) If it did not register its presidential candidacy, or the electoral registration of the candidate for presidency was cancelled.
3. The decision prescribed by the present Article is rendered if it is supported by at least 2/3 of all

members of CEC.

Article 84² - Determining of sequential number of a candidate for the presidency of Georgia
(22.11.2007 N 5500)

1. According to the rule prescribed by the present Article, sequential number of candidate for the presidency of Georgia is defined 25 days before the elections. The procedures for defining the sequential number are conducted in the CEC with the persons entitled to attend the CEC meetings.
2. The candidate of the political union, which proportionally had received the most of the votes at the previous elections of the Parliament, has the right to choose a number at first. The representative of the political union submits the application to the CEC by which the candidate of the political union chooses the number possessed by the political union during previous elections or takes the number one. This right is granted to those candidates whose nominating parties took the second and third places during previous parliamentary elections. They have two options – either take the number their previous candidates were nominated with or the ones that match with their number given in the list (i.e. second and third). Exception is when the mentioned numbers are already attached to those candidates of political unions who have received better results.
3. If an election bloc had a sequential number at the previous elections, the candidate of the party that was the first in the list of parties in this election bloc has the right to use this sequential number. If the nominated candidate provides a written application in which s/he refuses to take this number, then the right to use the latter is given to the next member of the election bloc, etc.
4. Except the cases envisaged in the Paragraphs 2 and 3 of the present Article, the sequential number of a candidate for the presidency of Georgia will be defined by casting the lots.
5. For casting the lots, the chairman of CEC writes the numbers conformable to the number of candidate for the presidency of Georgia s on/with similar writing material. Each paper shall be certified by the stamp of the Commission. As a next step, the numbers selected in accordance with the Paragraph 2 of the present Article are separated and the rest are wrapped up in such a way that it is impossible to read the numbers on them. Chairman of the CEC puts these papers in the transparent box and every candidate for the presidency of Georgia takes them from the box one by one. The number of the lots becomes the sequential number of the candidate for the presidency of Georgia .
6. In case of cancellation of the electoral registration of the candidate for the presidency of Georgia, the rest of candidates keep their sequential numbers.
7. The CEC shall publicize the lists of registered candidates for presidency by press and other sources of mass media not later than 24 days before the balloting.

Article 85 - Guarantees for activities of a candidate for the presidency of Georgia and Their Representatives

1. Since the registration moment of candidate for the presidency of Georgia s of Georgia at the CEC, the candidates take part in the pre-election campaign on equitable basis. They enjoy equal rights to use the press and other sources of mass media all over the territory of Georgia according to the rule prescribed by the present Law. (22.11.2007 N 5500)
2. During the pre-election campaign, candidate for the presidency of Georgia s and their representatives shall not be dismissed from office or transferred to another job or another position without their consent.
3. A candidate for the presidency of Georgia shall not be detained, arrested or checked before the final election returns are publicized by the CEC unless the latter does not show its consent regarding the representation of minister of justice. An exception is the case of being caught at the moment of crime commitment which the CEC must be notified with immediately. If the CEC issues the relevant resolution, the detained or arrested candidate for the presidency of Georgia shall be released immediately. (1.11.2008 N479)
4. Resolution of the CEC on giving its consent mentioned in the present Article shall be made by means of balloting within 3 calendar days from receiving the notice from the Minister of Justice of

Georgia (1.11.2008 N479).

Article 86 - Summing up of the Election Returns

1. Deleted (23.06.2006 N3400)
2. Candidate for the presidency of Georgia who receives more than half of the votes during the elections is considered to be elected. The number of votes received from void bulletins shall not be considered in the number of voters participating in the elections. (Shall be enacted since 1 March 2008 (22.11.2007 N 5500).
3. If none of the candidates has obtained the necessary amount of votes in a first round of elections, a second round is appointed (22.f 12007 N 5500)
4. Deleted (22.11.2007 N 5500)
5. No later than the 8 days after the elections, the CEC, at its session, shall sum up the election returns according to election districts and draw up the relevant summary protocol to be approved by a CEC resolution. (22.112007 N5500)
- 6¹. The CEC shall sum up election returns in accordance with DEC protocols, while in case of the statement/appeal or a commission member's dissenting opinion, results in a certain district are summarized on the base of PEC protocols.
- 6². PEC and then DEC are obliged to transfer to the CEC sealed packages of voter lists along with summary protocol of voting and election returns (28.11.2003 N4124).
7. Within 5 days since the summing up of the results has been made, the CEC officially publicizes results of the elections through the press and other sources of mass media.

CHAPTER XI

- . SECOND ROUND OF ELECTIONS FOR THE PRESIDENT OF GEORGIA, NEW ELECTIONS FOR THE PRESIDENT OF GEORGIA, EXTRAORDINARY ELECTIONS FOR THE PRESIDENT OF GEORGIA

Article 87 - Second Round of Elections

1. If no candidate gets the necessary amount votes in the first round of elections, the second round shall be appointed.
2. The second round shall be appointed by the resolution of the CEC. The second round shall be held two weeks after the first round of elections.
3. The two candidates who have the best results in the first round are entitled to participate in the second round of elections. If during the first round the candidates with the second best results have equal number of votes, the name of the candidate participating in the second round is defined by the casting of lots.
4. The candidate who receives the most votes is considered to be elected.
5. If the participating candidates receive equal number of voted in the second round, the candidate who gets more votes in the first round is considered to be elected.

Article 88 – New elections

1. New elections for the Presidency of Georgia are held if the President was not elected in the first and second rounds of elections. (22.11.2007 N 5500)
2. New elections are held within 2 months after the general elections (first round).
3. New elections are appointed by the Parliament of Georgia.
4. The notice about appointment of the new elections is publicized through the press and other sources of mass media.
5. New elections shall be held under the procedures established for general elections by the present Law and within the timeframe determined by the CEC, but no later than 2 months following the general elections. (14.08.2003 N2965 rs).

Article 89 - Extraordinary Elections for the President of Georgia

1. If the authority of the President of Georgia is terminated prior to its expiration, extraordinary elections are held no later than 45 days after the termination.
2. If the early termination of an authority of the President of Georgia coincides with Parliamentary holidays or a non-session week, the Parliament of Georgia shall organize meeting no later than 48 hours after the termination of authority of the President of Georgia.
3. The date of extraordinary R is appointed by the Parliament of Georgia, no later than 72 hours after the termination of authority of the president.
4. Holding of extraordinary elections for the President of Georgia is ensured by the Parliament of Georgia and with an aid of the CEC;
5. For the purpose of nominating a candidate for the presidency of Georgia , a party or voters' initiative group must address the CEC no later than 40 days before the extraordinary elections.
6. For the purpose of registering a candidate for the presidency of Georgia , a representative of a party or voters' initiative group shall submit to the CEC a list of no less than 30,000 votes of supporters and it shall be done no later than 30 days before the extraordinary elections. (21.03.2008. N6013)
7. Candidates for the Presidency of Georgia are registered by the CEC, no later than 25 days before the extraordinary elections.
8. In line with the general elections procedure established by the present Law, new elections of the President of Georgia are held within 45 days following the pre-term termination of the authority of the latter. (14.08.2003 N2965 rs).

PART III
CHAPTER XII
ELECTIONS OF THE PARLIAMENT OF GEORGIA

Article 90 - Appointment of Parliamentary Elections

1. By-Elections for the Parliament of Georgia are held no later than 15 days before the expiration of its authority.
2. The date of the elections is appointed by the President of Georgia, no later than 60 days before the elections.
3. If the timeframe for elections coincides with emergency situation or war, elections are held no later than 60 days after the abolition of the abovementioned state.

Article 91 - Term of Authority of the Parliament of Georgia: Composition of Parliament

1. The Parliament of Georgia is elected for the period of 4 years.
2. 75 members of the Parliament of Georgia are elected on the basis of a proportional election system, while 75 are elected through the majoritarian election system. (21.03.2008. N6013)

Article 92 – Passive Electoral Right

1. Any citizen of Georgia over 25 years of age, who has permanently resided in Georgia for at least 10 years and knows the Georgian language, has the right to participate in parliamentary elections. (14.08.2003 N2965 rs).
2. A citizen, who has not resided in Georgia during the last 2 years and is not registered by the consular office of Georgia in any country, may not be elected as a member of the Parliament of Georgia.
3. A drug-addict or drug-user shall not be elected as a member of the Parliament of Georgia. If such person has been announced elected by the appropriate election commission, the Parliament of Georgia has no right to validate his/her authority. (14.08.2003 N2965 rs).

Article 93 - Right to participation in parliamentary elections of Georgia

Parties, election blocs and majoritarian candidates, registered at the appropriate election commission, have the right to participate in parliamentary elections.

Article 94 - Incompatibility of the status of parliamentary candidate with the official position held by the latter (21.03.2008. N6013)

1. Persons holding the following offices must resign within 2 days period after applying to the appropriate election commission for the purpose of being registered as a candidate for the Parliament of Georgia:

- a. The President of Georgia;
- b. Ministers of Georgia and autonomous republics, heads and deputies of governmental and state departments and departmental institutions;
- c. Members of the Security Council of Georgia (except MPs);
- d. Members of the Board of the Citizen Bank of Georgia;
- e. The chairman and deputy chairman of the Chamber of Control of Georgia;
- f. The state representatives - Governors and their deputies;
- g. Head of the local municipality;
- h. Officers of the Ministry of Interior Affairs of Georgia and Ministry of Defense of Georgia as well as Special Services of Foreign Intelligence and State Security;
- i. Judges;
- j. Public Defender and Deputy Public Defender of Georgia;
- k. Members of the advisory body to the President of Georgia (who are not MPs);
- m. Assistants of the President of Georgia;
- m'. Members of the High Council of Justice of Georgia (who are not MP) (19.06.2009 N1279);
- m. Members of the Board for Auditing Activities;
- n. Members of the Commission for Accounting Standards, Georgian Citizen Energy and Water Supply Regulatory Commission and other citizen regulatory commissions;
- o. Chairman and deputies of the Informational Bureau of property and Financial Status of Officials; (12.06.2009 N1182, shall be enacted since 1 August of 2009);
- p. Prosecutors, deputies, assistants, and investigators.

2. The relevant legal act on dismissal of persons specified in Paragraph 1 of the present Article shall be immediately presented to the appropriate election commission. Otherwise, the persons will be denied in registration or, if the registration has already taken place, it will be annulled.

Article 94¹ - Ballot Papers Issued for the Parliamentary Elections (23.06.2006 N3400)

For the parliamentary elections the voters are provided with two types of ballot papers - one for the majoritarian and another for proportional elections.

**CHAPTER XIII
REGISTRATION OF ELECTORAL SUBJECTS PARTICIPATING IN
PARLIAMENTARY ELECTIONS**

Article 95 - Electoral registration of Parties and Election Blocs (14.08.2003 N 2965 rs)

1. To obtain the right to participate in the elections for the Parliament of Georgia, a party shall apply with the relevant application signed by its leader(s), to the Chairman of the CEC:

- a) After appointment of the parliamentary elections, but no later than the 57 days before the election day, if at the date of appointment of the elections the party has a representative in the Parliament of Georgia;
- b) From January 1 until August 1 of the parliamentary election year, if the party has no representative in the Parliament of Georgia.

2. The application shall be enclosed with the party's registration certificate and regulations or the copies of those documents certified by the notary, and at the end a document proving that a party has a representative in the parliament (if there is such) (15.07.2008 N231);

3. The application shall include the following information about the party:

- a) Its name, short and/or abbreviated name (if applicable) under which the party participates in elections;
 - b) First name, last name, address (according to the place of registration), telephone number and the sample of signature of the party leader(s);
 - c) First name, last name, address (according to the place of registration), telephone number and limits of authority of the party representative;
 - d) If there are several leaders - the limits of authority of each leader in the relations related to the election process.
4. The title, short and abbreviated name of the party mentioned in subparagraph (a) of Paragraph 3 of the present Article shall not coincide with:
- a) The official title, short and abbreviated name of another party registered by the Ministry of Justice of Georgia (if the names coincide the second party will not have the right to use this name);
 - b) The title, short and abbreviated name of an election bloc participating in the elections, if the application of this bloc was filed at the CEC earlier (if the names coincide the party will not have the right to use this name);
 - c) The title, short and abbreviated name used by another party/ election bloc in the last parliamentary elections, unless the consent of that party/election bloc is available.
5. In the case specified by subparagraph (b) of Paragraph 1 of the present Article the appropriate CEC department provides the party representative with a sample of the list of supporters.
6. The appropriate CEC department checks the application and enclosed documents and provides its conclusion to the CEC Chairman no later than the next day after the day of filing the application to the Commission.
7. In the case specified by Subparagraph (a) of Paragraph 1 of the present Article, the CEC shall, no later than the next day after providing the conclusion mentioned in Paragraph 6 of the present Article: (15.07.2008 N231)
- a) Passes the party and its representative through electoral registration, if the filed application and enclosed documents meet the requirements of the present Law;
 - b) Notify, in written form, the party representative of the non-compliance of the application and enclosed documents, with the provisions of the present Law (indicating the areas of non-compliance) if such non-compliance exists, the party shall, within 3 days, improve application and documents.
8. The corrected application and documents as specified in subparagraph (b) of Paragraph 7 of the present Article shall be checked and the decision on electoral registration shall be made within 2 days after their submission. If the corrected application and documents meet the requirements of the present Law, the CEC passes the party and its representative through electoral registration; otherwise it, within the same period, will issue an resolution on non-acceptance of the application for electoral registration (the resolution shall state the exact reasons for non-acceptance of the application for registration and the provisions of the present Law that it did not comply with). Notification of the resolution shall be provided immediately to the party representative and given upon request. (22.11.2007 N 5500)
9. In the case specified in subparagraph (b) of Paragraph 1 of the present Article, no later than the 3 days after providing the conclusion mentioned in Paragraph 6 of the present Article, the CEC Chairman shall notify in written form the party representative regarding the noncompliance of the application and enclosed documents with the provisions of the present Law (indicating the areas of noncompliance), if such noncompliance exists. The corrected application and documents shall be returned to CEC chairman within 3 days.
10. A party which has no representative in the Parliament of Georgia, shall, within 60 days following the acceptance of the sample form of the list of supporters, but no later than August 15, submit to the CEC a list of at least 30,000 supporting voters. The appropriate CEC department shall check the list of supporters in accordance with the procedures and within the timeframe established by Article 42 of the present Law. (21.03.2008. N6013)
11. If the application, with enclosed documents (or the corrected application and documents) and

the list of supporters specified in the present Article, are submitted within the period provided by the present Law and meet the requirements of this latter, the CEC, based on the conclusion provided by the appropriate CEC department, will pass the party and its representative through electoral registration within 10 days from receiving the conclusion, but no later than the 59 days before the election day. Otherwise, it, within the same period, will issue an resolution on non-acceptance of the application for electoral registration (the resolution shall state the exact reasons for non-acceptance of the application for registration and the provisions of the present Law which caused the non-acceptance of the application). Notification of the resolution shall be provided immediately to the party representative and passed upon request. (22.11.2007 N 5500)

12. The parties registered by the CEC have the right to constitute election blocs and to leave election blocs. To register an election bloc, the CEC shall be provided with the application and the election bloc regulations signed by the authorized leaders of all parties constituting the bloc, no later than the 43 days before the forthcoming elections. (22.11.2007 N 5500)

13. The application shall include the following information about the election bloc:

- a) Its title, short and/or abbreviated name (if applicable) under which the bloc participates in the elections and the list of all parties united in the bloc;
- b) First name, last name, address (according to the place of registration), telephone number of the leader(s);
- c) First name, last name, address (according to the place of registration), telephone number and an extent of authority of the party representative,
- d) If there are several leaders - the limits of authority of each leader in the relationships during the election process.

14. The title, short and abbreviated name of the election bloc mentioned in subparagraph (a) of Paragraph 13 of the present Article shall not coincide with:

- a) The official title, short and abbreviated name, of another party (except a party-member of the same bloc) registered by the Ministry of Justice of Georgia (if the names coincide the election bloc will not have the right to use this name):
- b) The titles, short and abbreviated name, of another election bloc participating in the elections, if the application for this bloc was filed at the CEC earlier (if the names coincide, the bloc will have no right to use this name):
- c) The title, short and abbreviated name, used by an election bloc in the last parliamentary elections, unless the consent of that election bloc is available.

15 .The election bloc regulations signed by the leaders of all the parties constituting the election bloc shall include:

- a) The title, short and/or abbreviated name (if applicable) of the election bloc under which the bloc participates in the elections;
- b) List of all parties united in the election bloc;
- c) The administrative body (if any) of the election bloc, administrators and their authority;
- d) The procedure for decision-making by the election bloc, including acceptance of new members in the bloc, resignation and withdrawal of a party from the bloc, nomination of candidates for the representative body by the bloc and rules of cancellation of this nomination;
- e) The person(s) having the right to sign bloc documents;
- f) The rules for using the stamp of a party united in the bloc in during the elections;
- g) The rules for appointment of the manager and accountant of the pre-election campaign fund;
- h) The rules for making amendments to the election bloc regulations.

16. A party united in the election bloc during one and the same elections shall not integrate into another election bloc or independently participate in the latter.

17. Upon acceptance of the application and the regulations mentioned in Paragraph 12 of the present Article the CEC will provide the bloc representative with the document certifying its acceptance.

18. The appropriate CEC department will check the application and charter mentioned in Paragraph 12 of the present Article and will provide its conclusion to the CEC chairman no later than the next

day the application has been filed to the Commission. The CEC chairman shall, no later than the next day after receiving the conclusion, pass the election bloc and its representative through electoral registration, if the submitted documents meet the requirements established under Paragraphs 12-16 of the present Article. If the submitted documents do not meet the abovementioned requirements, the CEC Chairman will notify the election bloc representative, in written form, on the noncompliance of the documents, with the provisions of the present Law (including the areas of noncompliance) if such noncompliance exists. The election bloc shall, within 2 days, correct the defects in the application and documents. The corrected documents shall be returned to the CEC no later than two days after the notice has been given. The final decision on registration shall be made by the CEC chairman within 2 days after the acceptance of the corrected documents. If the corrected documents meet the requirements of the present Law, the CEC chairman shall pass the election bloc and its representative through registration; otherwise he/she will issue an resolution on non-acceptance of the application for registration (the resolution shall state the exact reasons for non-acceptance of the application for registration and the provisions of the present Law which have caused the non-acceptance). The resolution shall be immediately notified to the election bloc representative and provided upon request. The procedures described in the present Paragraph shall be completed on the 37 day before election day.

19. A party which was registered for the elections has the right to unite with a registered election bloc until the expiration of the period for registration of election blocs, under proper application and consent of the election bloc, provided to the CEC chairman.

20. Upon registration of the election bloc by the CEC's resolution, the authorities of the representatives of the party-members of the bloc in all election commissions are terminated and the bloc is entitled to appoint two representatives in each election commission, (22.11.2007 N 5500)

21. In case of resignation or withdrawal of a party (parties) from the election bloc up to expiration of the period for nomination of party lists/candidates, each party will have the right to continue to participate in the elections. If for this reason only one party remains in the bloc, the electoral registration of the bloc will be cancelled, by resolution of the CEC and the parties previously united in it will have the right to continue to participate in the elections. (22.11.2007 N 5500)

22. In case of resignation or withdrawal of a party from the election bloc after the expiration of the period for nomination of party list/candidates, the electoral registration of this party is cancelled by resolution of the CEC. If for this reason only one party remains in the bloc, the electoral registration of the bloc will be cancelled by resolution of the CEC and the remaining party will be the legal successor of the bloc. (22.11.2007 N 5500)

23. A party/election bloc registered according to the present Article will have the right on the basis of its application to take part in elections at all levels, which are held until the following parliamentary elections. A party united in the election bloc will have the right to participate either independently or in composition with another election bloc in the elections of all levels, which are held until the forthcoming parliamentary elections (23.12.2005 N2414).

24. No later than the 30 days before election day the CEC through the press and other sources of mass media will make public the list of registered parties and election blocs according to the sequence of filing of their applications, as well as the list of those parties and blocs whose applications for registration were not accepted or whose registrations have been cancelled due to this reason.

25. For the purpose of participating in extraordinary parliamentary elections, a party/election bloc who was registered at the CEC for last parliamentary elections shall address the CEC with an application signed by its leader(s) after extraordinary elections are set, but no later than 57 days before elections day. (15.07.2008 N231).

26. A party which does not have an electoral registration shall submit a statement to the CEC signed by its leader(s) no later than 57 days before the election day in order to participate in extraordinary parliamentary elections. After submitting a statement (in case the party has no representative at the parliament), a party shall receive a sample list of supporters. A party which does not have a representative at the parliament is obliged to present at least the list of 30 000 voters willing to

support the party in participating in parliamentary elections, no later than 50 days before election day. The list is certified in accordance with the rules and terms established by the present Law (15.07.2008 N231).

27. A party/election bloc is deprived from participating in extraordinary parliamentary elections in following cases: (28.12.2009 N 2525)

- a) A party/election bloc has not presented majoritarian parliamentary candidates in any of those election districts where the extraordinary parliamentary elections are usually held;
- b) Appropriate election commissions have not registered none of those majoritarian parliamentary candidates of a party/election bloc on those election districts where the extraordinary parliamentary elections are usually held;
- c) Registration of the candidates presented on the election districts by the party/election bloc, was cancelled.

Article 95¹ - Electoral registration of Voters' Initiative Group (Deleted -23.12,2005 N 2414)

Article 95² - Cancellation of Electoral registration of Party, Election Bloc (21.03.2008. N6013)

1. The electoral registration of a party will be cancelled by resolution of the CEC under the following circumstances:

- a) Upon their own request;
- b) If the party has been prohibited by the Constitutional Court of Georgia;
- c) If the electoral registration of its including election bloc has been cancelled in accordance with subparagraphs (c) or (d) of Paragraph 2 of the present Article;
- d) Before completion of parliamentary elections it has left or was dismissed from an election bloc, after the expiry of the deadline for submission of party lists by a bloc (15.07.2008 N231);
- e) If it has failed to submit the party list or the submitted party list has not been registered;
- f) If no later than 2 days before election day the number of candidates in its party list is less than the minimum established by the present Law;

2. The electoral registration of an election bloc will be cancelled by resolution of the CEC:

- a) Based on its own request;
- b) If the election bloc has broken up, or, due to resignation, withdrawal or cancellation of the electoral registration of the member-parties of this bloc, only one party is left;
- c) If it has failed to submit the party list or the submitted party list has not been registered;
- d) If no later than 2 days before election day the number of candidates in the party list of the election bloc is less than the minimum established by the present Law;

Article 96 - Submission of Party Lists

1. Parties and election blocs taking part in the elections independently, have the right to submit party lists;
2. Each party and election bloc taking part in the elections independently, has the right to submit one party list.
3. The number of candidates (for parliamentary elections) in the submitted party lists must not be less than 100 or more than 200 (23.12.2005 N2414);
4. If a candidate is included in a party list, and has been nominated for a majoritarian election district, there must be an indication on the party list that the candidate is nominated for a majoritarian election district (21.03.2008. N6013);
5. It is prohibited to include in a party list, the persons who are, at the same time, members of another party taking part in the elections, except for the parties united in one election bloc.
6. It is forbidden to include one and the same person in different party lists;
7. Rules for compiling the party lists are determined by parties and election blocs;
8. The list must be compiled taking into account that as a result of the elections, the mandates received by a party/election bloc, are distributed in sequence, beginning from the top of the list;
9. The party list shall be submitted to the CEC after the electoral registration of the party/election

bloc but no later than the 30 days before election day and shall be enclosed with the registration forms filled in and signed by every candidate for membership of the Parliament and photos of the candidates. If the candidate is simultaneously nominated for a majoritarian election district, the registration form and photo shall be submitted in 2 copies; a copy of those documents shall be forwarded to the appropriate election commission within 2 days after they have been received. (21.03.2008. N6013);

10. A party list shall be certified with the signature of an authorized person from the party/election bloc who independently participates in the elections (14.08.2003 N 2965-rs);

11. The party list shall include the following information about each candidate:

- a) The first name and last name;
- b) Date of birth (Day/Month/Year);
- c) Address (according to their place of registration);
- d) The number of their Georgian Citizen's Identity Card or Citizen's Passport and personal number;
- e) Deleted (15.07.2008 N231);
- f) Place of work (name of institution, organization, enterprise etc);
- g) Occupied position (if unemployed it shall be indicated - "Unemployed");
- h) Party affiliation (if s/he is not a party member, the following shall be indicated -"non-partisan");
- i) If the candidate is also nominated in a majoritarian election district, the name and number of this district shall be indicated (21.03.2008. N6013);

12 The registration form shall include the following information for each candidate:

- a) The first name and last name;
- b) Date of birth (DAY/MONTH/YEAR);
- c) Gender;
- d) Address (according to their place of registration);
- e) The number of their Georgian Citizen's Identity Card or Georgian Citizen's Passport and personal number;
- f) Education (higher, incomplete higher, vocational, secondary, basic, primary):
- g) Qualification (according, to their education diploma/certificate);
- h) Place of work (name of institution, organization, enterprise etc);
- i) Occupied position (if unemployed, it shall be indicated - "Unemployed");
- j) Party affiliation (if he/she is not a party member, the following shall be indicated -"non-partisan");
- k) Proof of permanent residence in Georgia for at least 10 years, if the candidate has not resided in Georgia for the last two years, there shall be indicated the Consulate of Georgia where s/he has been registered;
- l) Military service;
- m) The name and number of the majoritarian election district where the candidate is nominated (if applicable) (21.03.2008. N6013);
- n) The candidate's consent to participate in the elections under the stated party list (if the candidate is nominated by party list, there shall be noted the name of the party participating independently in the elections/election bloc);
- o) The candidate's consent to participate in the elections at the stated majoritarian election district (21.03.2008. N6013);
- p) Whether the candidate was a Member of the Parliament of Georgia in the last elections;
- q) Signature and date of signature.

13. Registration forms for registration in accordance with Paragraph 9 of the present Article will be provided to the representative of a party/election bloc by the Central Election Commission (14.08.2003 N 2965 rs);

14. Deleted (14.08.2003 N 2965 rs).

Article 97 - Nomination of Candidates in Majoritarian Election Districts (21.03.2008 N 6013)

1. The right to nominate a candidate for parliamentary elections in a majoritarian election district is

granted to (21.03.2008 B 6013):

a) A party participating in elections independently;

b) Election bloc.

2. Any party or election bloc, which participates in the elections independently, has a right to nominate candidates for an MP to be elected in the majoritarian contest in each election district (21.03.08. N6013).

3. The nomination of the majoritarian candidates in the election district by the independent party/election bloc is carried out in a way determined by Paragraphs 9 and 13 of the Article 96 of the present Law;

4. Deleted (21.03.08. N6013);

5. Deleted (21.03.08. N6013);

6. During the elections, next to each sequential number a ballot paper should indicate the names and surnames of a majoritarian candidate and titles of the parties and election blocs, which have nominated the aforementioned candidate (21.03.2008 N6013);

7. An application for nomination of a candidate for election as a Member of the Parliament in a majoritarian election district by a party or election bloc, which has a relevant electoral registration and participates in the elections independently, shall include (for each candidate) (21.03.2008 N6013):

a) 2 registration forms filled in and signed by the candidate;

b) 2 photos of the candidate.

8. The DEC shall forward one copy of the documents mentioned in Subparagraphs (a) and (b) of Paragraph 7 of the present Article to the CEC within 2 days after receiving them (21.03.08. N6013);

9. Deleted (21.03.08. N6013).

Article 98 Verification of Party Lists and Documents of Candidates for MPs Submitted to Majoritarian Election Districts and Electoral registration (21.03.08. N6013)

1. A party list shall be registered by resolution of the CEC, and candidate nominated by a party/election bloc shall be registered by resolution of the appropriated DEC only if all the documents as specified under the present Law comply with the requirements prescribed hereunder. Electoral registration shall not be considered if the timeframes established hereunder for submission of documents is violated (21.03.08. N6013);

2. The party list submitted by the party/election bloc shall be verified by the appropriate department of the CEC within 10 days after the submission of the list, but no later than the 26 days before election day. The above department of the CEC submits its conclusion to the CEC which, within 3 days, but no later than the 25 days before election day, shall:

a) Register the party list and the candidates nominated by a party/ election bloc only if the submitted party list and the documents attached comply with the requirements prescribed hereunder;

b) Give written notice to the representative of the party/election bloc on any inconsistencies that exist between the requirements established by the present Law and the data specified in the party list and the documents attached thereto (with indication of such inconsistencies). Moreover, representative of the party/election bloc has 3 days to correct inconsistencies detected in the party list and other documents;

3. The corrected data specified in subparagraph (b) of Paragraph 2 of the present Article shall be verified and the question of electoral registration shall be resolved within 5 days after their submission, but no later than the 20 days before election day. If the corrected data complies with the requirements of the present Law, the CEO shall register the party list or the part of such a list which complies with the requirements prescribed hereunder (if the number of candidates in this part is not less than the established minimum) and shall issue, within the same period, the resolution on non-acceptance of applications submitted by other candidates (such resolution shall specify reasons for non-acceptance of the application and the provisions of the present Law which caused this non-acceptance). If the number of other candidates in the party list, which complies with the

requirements of the present Law, proves to be less than the established minimum, neither the party list nor the candidates nominated by the party/election bloc shall be registered and the CEC shall, within the period specified above, issue an resolution on non-acceptance for registration of the party list (such resolution shall specify reasons for non-acceptance of the application and the provisions of the present Law which caused this non-acceptance). The representative of the party shall be immediately notified regarding the resolution mentioned in this item; the resolution shall be given to the party immediately upon the request (15.07.2008 N231);

3¹. The issue of registering /not registering of a majoritarian candidate nominated in an election district is decided by a corresponding DEC in accordance with the procedures and terms established by Paragraph 2 and 3 of the present Article. Party/Election Bloc has right to submit registration documents of a majoritarian candidate to the CEC within the deadlines established by the present Law. CEC immediately transfers these documents to a corresponding DEC (15.07.2008 N231);

4. A candidate participating in parliamentary elections shall not be registered, and the registration of any registered candidate shall be cancelled by resolution issued by the CEO (in cases determined by subparagraphs (a) to (e) of the present Paragraph), or by court decision (in case determined by subparagraph (f) of the present Paragraph), if the applications and documents submitted to the relevant election commission fail to comply with all the requirements provided hereunder, or other provisions of the present Law are violated, in particular (15.07.2008 N231):

- a) If the data specified in the applications and documents are incomplete or incorrect;
- b) If the candidate included in the party list is a member of any other party participating in the elections (15.07.2008 N231);
- c) If the candidate is included in more than one party lists and there is, or was, the consent of such candidate for inclusion thereof in one or more lists simultaneously (15.07.2008 N231);
- d) If the candidate included in the party list is nominated for a majoritarian election district by any other party or an election bloc;
- e) If in the period of parliamentary elections, another elections are held and there is, or was, the consent of such candidate for simultaneous participation in both elections as a candidate (15.07.2008 N231);
- f) If the requirements established under Paragraph 9 of Article 73 and/or Article 76 hereof are violated (15.07.2008 N231).

5. The resolution of CEC on dismissal of applications for registration of party lists and candidates nominated by political party/election bloc may be appealed according to the rules prescribed by article 77 and 77¹ (21.03.2008. N6013).

Article 98¹ - Annulment of Electoral registration of Registered Majoritarian Candidate
(21.03.2008 N 6013)

Electoral registration of a registered majoritarian candidate will be annulled by an resolution of DEC:

- a) Based on his/her own application;
- b) In case of prohibition of the party presenting the candidate by the Constitutional Court of Georgia;
- c) If registration of his/her presenter party/election bloc is annulled under Paragraphs 1 and 2 of Article 95² of the present Law;
- d) If the person has died;
- e) In other cases considered by the present Law (21.03.2008. N6013).

Article 99 – Determination of Sequential Number of Election Subjects (22.11.2007 N 5500)

1. The sequence of the electoral subjects shall be established according to the procedure specified by the present Article no later than 30 days before elections. The procedures for defining the sequential number are conducted in the office of CEC with the attendance of the persons who has this right;

2. The political union, which had received the most of the votes at latest proportional elections

of the Parliament, has the right to choose a sequential number at first. The representative of the political union submits the application to the CEC by which the political union keeps the sequential number receives at previous parliamentary elections, or takes the number one. The same right is entitled to those political unions which had taken the second and third places according to the results of the latest parliamentary elections. They have the right to choose their sequential numbers that were effective at the latest parliamentary elections, or to choose the number two or number three consequently, except the cases when the sequential numbers they had at the latest parliamentary elections have been already taken by the political union having better results;

3. If an election bloc had a sequential number at the previous elections, the party that had been the first in the list of parties in this election bloc has the right to use this sequential number. If this party refuses the sequential number in written form, the right to use the number will have the next member in the list of the bloc etc;

4. If the political parties participating in the last parliamentary elections have created election bloc for the elections, they shall specify in the party regulations of the bloc the sequential number of the party they use;

5. The sequence of all electoral subjects, except for the political unions indicated in Paragraph 2 of the present Article is determined by the casting of lots;

6. For the purpose of casting of lots, the Chairman of the election commission writes on/with similar writing material, the numbers corresponding to the quantity of parties, election blocs. Each sheet must be certified by the commission stamp. Then the numbers selected in accordance with the Paragraph 2 of the present Article shall be separated from the other sheets; the rest of sheets are wrapped up in such a way that makes it impossible to read the numbers written on them. The commission Chairman places the filled in sheets into a transparent box, from which representatives of parties and election blocs on by one take the sheets. The number drawn becomes the sequential number of the electoral subject;

7. Majoritarian candidates nominated by party/election bloc have the same sequential number as the political party/election bloc nominating him/her;

8. In case of cancellation of the registration of a party/election bloc, remaining parties/election blocs shall keep their sequential numbers in the election bulletins;

9. The CEC publicizes registered party lists through press and other sources of mass media, and DEC publicize the information of candidates in majoritarian election districts (which will appear on ballot papers) no later than 25 days prior to election day (21.03.2008. N6013).

Article 100 Revocation of Decision on Nomination of Candidate for Membership of the Parliament of Georgia

1 A candidate for membership of the Parliament of Georgia, as well as the nominating party or election bloc, have the right, at any time, but no later than 2 days before election day, to refuse to take part in the elections or to revoke the decision on nomination of a candidate, for the purpose of which they have to apply to the relevant election commission;

2. Party, election bloc, participating independently in the elections, has a right to revoke its decision on the nomination of a candidate for an MP/ Sakrebulo, whose names remained on the party lists, after the recognition of the authorities of elected MPs/sakrebulo members. Party/election bloc may not revoke its decision on nomination of candidates for MP/Sakrebulo, whose names remained on the party lists, when the authority of an MP/ Sakrebulo member elected from this list is terminated, from the moment of termination of the authority until the recognition of the authority of his/ her replacement. His/her candidacy will be removed by the resolution of the CEC of Georgia based on the appeal signed by the head of the party, participating independently in the elections (the person determined by the Charter of the election bloc) within 3 days of the submission- of the appeal. If the appeal is not satisfied in this term, the candidate for an MP/ Sakrebulo will be deemed as removed from the party list from the next day after the expiration of this term (22.11.2007 N 5500);

3. A candidate for membership of the Parliament may withdraw his/her candidacy, no later than 2 days prior to election day for which the candidate must apply to the relevant election commission;

3¹. A candidate for an MP may remove his/her candidacy from the party list after the recognition of the authorities of MPs for which s/he shall address the CEC of Georgia with a relevant appeal. His/her candidacy will be removed by the resolution of the CEC within 3 days of the submission of the appeal. If the appeal is not satisfied in this term, the candidate for an MP will be deemed as removed from the party list from the next day after the expiration of this term (22.11.2007 N 5500);
4. The election commission immediately makes public through the press and other sources of mass media, the information on withdrawal of an electoral subject or a separate candidate from the elections.

Article 101 Dismissal of Candidate for Membership of the Parliament of Georgia from Carrying Out Official Duties

A candidate for membership of the Parliament of Georgia, based on his/her own application and presentation of the relevant license, is given a paid vacation for the period of the pre-election campaign.

Article 102 Immunity of Candidate for Membership of the Parliament of Georgia (14.08.2003წ. N 2965-rs)

1. A candidate running for membership of the Parliament of Georgia, shall not be detained, arrested or checked before the official publication of the final election returns by the CEC, unless the request from the minister of justice is agreed to by the CEC. An exception is the case of being caught at the moment of crime commitment, of which the CEC must be notified immediately. If the CEC issues the relevant resolution, the detained or arrested candidate for the Parliament of Georgia must be released immediately;

2. The resolution of the CEC on the approval as specified in the present Article shall be voted on within 3 calendar days upon the receipt of the request from the minister of justice.

CHAPTER XIV.

SUMMING UP OF THE ELECTION RETURNS FOR THE PARLIAMENT OF GEORGIA

Article 103. Counting of votes at the Precinct Election Commission

1. The PEC shall sum up polling returns and include them in the protocols of election returns held through the majoritarian and proportional systems.

2. The summary protocol of returns of the elections conducted in accordance with the proportional election system shall be compiled according to party lists, while the protocol of returns of the elections conducted in accordance with the majoritarian election system is compiled according to candidates nominated to the majoritarian election district." (21.03.08. N6013)

3. Deleted. (14.08. 2003 N 2965-rs)

Article 104. Summing up of ballot returns at District Election Commission

1. The DEC, based on the protocols of the PECs, shall sum up at its session tie results of voting and shall include them in the protocols of results of voting held in accordance with the majoritarian and proportional systems.

2. In case of existence of any application/complaint or dissenting opinion of any PEC member, which requires revision or invalidation of ballot returns, the DEC shall, by its resolution, decide for or against the opening of the packages and re-counting of the ballot papers received from the PEC, and if the precinct election returns may influence the final election returns, the DEC shall perform the aforementioned action.

3. Deleted. (14.08. 2003 N 2965-rs)

Article 105. Summing up of the Election Returns at the Central Election Commission of Georgia

1. The CEC, based on the protocols received from the DEC and PECs, within 18 days after the

election day shall sum up, at its sessions, the results of the elections for the Parliament of Georgia and shall include them into the protocol.

2. One copy of the protocol shall be kept at the CEC; the second copy is transferred to the Parliament of Georgia, while copies attested by the seal of the CEC are dispatched to representatives of the electoral subjects.

3. deleted (23.06.2006 N3400).

4. deleted (23.06.2006 N3400).

5. A candidate, who receives more votes than others, but not less than 30% of voters participating in the elections in the majoritarian election district, shall be considered to be elected in the majoritarian election district. The number of votes derived from void ballot papers shall be excluded from the number of votes of voters participating in the elections (21.03.2008 N 6013)

6. Mandates of the Members of Parliament of Georgia are awarded only to the party list that receives no less than 5% of votes cast. The number of votes derived from void ballot papers shall be excluded from the number of votes of voters participating in the elections.

7 For the purpose of determining the number of mandates received by a party list, the number of votes received by this list must be multiplied by 75 and divided by the total number of the votes received by such parties. The whole number of the result represents the number of mandates received by the party list. (21.03.2008 N 6013)

8. If the total number of mandates received by parties or election blocs turns out to be less than 75, each mandate from the undistributed mandates shall be awarded to each of those party lists, which have received a higher number of votes in the elections. (21.03.08. N6013)

9. If the number of votes received by one or more party lists turns out to be equal, the mandate shall be awarded to the list which was the first to be registered at the CEC.

10. If a candidate is elected both through majoritarian election system and proportional system, then he/she is considered elected through majoritarian system. His/her place in the party list is taken by another candidate in accordance with Paragraph 7¹ of Article 106 of the present Law. (21.03.08. N6013)

11. Those candidates for membership of the Parliament, whose numbers in this list are less than or equal to the number of mandates received by the list, are considered to be elected through party lists. The number of MPs, elected according to this list, remains unchanged.

12. If, in any election district, as a consequence of gross violation of the present Law, the ballot returns are declared void in more than half of the election precincts or in some precincts, where the number of voters is more than half of the total number of voters in the election district, the election returns in the election district shall be declared void and the CEC shall appoint by-elections.

12¹. If during the elections under the proportional system as a consequence of gross violations of the present Law, the results of the elections have been declared void in more than half of the election districts or in some of the districts, where the number of voters is more than a half of the total number of constituency of Georgia, the results of the elections shall be declared void and the CEC shall announce the new elections. (12.10.2004. N488)

13. If there exists any application/complaint or dissenting opinion of a DEC member, which requires revision or invalidation of ballot returns, the CEC shall make a decision by adopting an resolution, for or against the opening of the packages and re-counting of ballot papers received from the relevant PEC or the CEC delegates the aforementioned activities to the relevant DEC/special group. If necessary, the CEC shall be entitled to sum up the election returns based on the protocols drawn up by the PECs (23.06.2006 N3400).

14. Where the election has been declared void in an election precinct, the CEC appoints the second ballot in this precinct, in cases where the difference between the votes of the candidates who have the best results is less than the total number of voters in this election precinct. In this case, if the results of the second ballot are also declared void, the results of the elections are summed up without taking this precinct into account. (15.07.2008 #231)

15. The second ballot may be appointed both after the first round and the second round of elections. Where necessary, the CEC is authorized to assign to hold the second ballot to the same or

different composition of the PEC. The second ballot is to be held within 2 weeks after the first round (second round) of the elections.

16. The second ballot, in case of the elections held under the proportional system, is appointed in those cases where the total number of voters in these precincts, where the results have been declared void, is more than 10% of the constituency of Georgia. In such cases, the second ballot shall be held within 2 weeks after the general elections. (12.10.2004. N488)

17. If the elections held through the proportional election system are declared to have been held, but none of the parties or election blocs have managed to receive 5% of votes, by resolution of the CEC, a repeated voting shall be held within 2 weeks after the general elections. (21.03.2008 N 6013)

18. Only those parties and election blocs, which have received 2% of the votes in the general elections, have the right to take part in the repeated voting. The party lists of the parties and election blocs participating in the repeated voting shall remain unchanged. Amendments may be introduced to them only in accordance with the general rules established by the present Law.

19. In the summary protocol of the final results of the elections, there must be an indication of the titles and numbers of those election districts and precincts, in which elections were declared void, as well as the number of voters in them, the reason for declaring the elections void, the total number of voters in each election district, the turnout of election participants, the number of Members of Parliament elected and their list arranged in alphabetical order.

20. Within 5 days from the moment of summing up of the final results of the elections, the CEC shall make public the summary protocol of election returns through the press and other sources of mass media.

Article 106. Second Round of Elections, New elections and By-elections. The procedure for Succession of a Retired member of the Parliament (21.03.2008 N 6013)

1. If a member of Parliament is not elected in the first round of elections, the CEC shall appoint the second round of elections along with the approval of the results of the first round. The second round of elections shall be held within 14 days after the first round. 2 candidates, who have gained the best results in the first round, shall participate in the second round of the elections. If more than two candidates have the similar best results or some majoritarian candidates following the candidate with the best results gain an equal number of votes, all the above candidates shall participate in the second round of elections. (21.03.2008 N 6013)

2. The candidate winning the most votes in the second round of elections shall be deemed elected. If the candidates receive equal number of votes, the candidate who had more votes in the first round shall be deemed elected. If the received votes still remain equal, a by-election shall be appointed.

3. If the elections are declared as having been failed, and the election returns in a majoritarian election district are deemed void, new elections shall be held. (21.03.2008 N 6013)

4. New elections shall be held within two months after the declaration of elections as failed or after declaration of the election returns void. By its resolution, the CEC shall announce the election day and timeframes for election arrangements within 7 days after the declaration of the election as failed or recognition of the election returns void. (21.03.2008 N 6013)

5. By its resolution, the CEC shall announce the date of new elections to be held in majoritarian election district along with the timeframes for election arrangements within 2 month before election day. (21.03.2008 N 6013)

6. By its resolution, the CEC shall announce the date of by-elections and timeframes for election arrangements no later than 2 months before the election day. By-elections shall be held in September-October. (21.03.2008 N 6013)

7. (14.08. 2003 N 2965-rs) If a retired member of Parliament was elected through the party list of the independently participating party, his/her seat shall be occupied within a month by the candidate for the membership of the Parliament named next in the list, if he gives his consent within 15 days after the creation of the vacancy. Otherwise, the vacancy is taken up by the next candidate in the list and etc. If there are no candidates remaining in the party list, the mandate of the member of the

Parliament shall be deemed annulled. .

7¹. (14.08. 2003 N 2965-rs) If a retired member of the Parliament was elected through the party list of an election bloc and it was specified in the party list that such member was the member of one of the parties of such election bloc, the seat of such Member shall be occupied within a period of 1 month by the candidate of the same party named next in the list, if such candidate agrees to become a member of the parliament within 15 days after the creation of the vacancy. Otherwise, the vacant seat shall be occupied by the candidate of the same party named next in the list etc. If it was not specified in the party list that such person was a member of one of the parties of the election bloc, his/her successor shall be appointed according to the procedure established by paragraph 7 of the present Article.

8. (14.08. 2003 N 2965-rs) In cases specified in paragraphs 7 and 7¹ of the present Article, the CEC shall submit the relevant documents to the Parliament of Georgia.

9. In case of the withdrawal of a Member of Parliament elected from a majoritariajn election district, by-elections shall be held. By-elections shall be held in September-October in compliance with the rule established by the present Law. If less than 60 days remain before the by-election date, by-elections shall be held in September-October of the next year. (21.03.2008 N 6013)

10. After acknowledgement of the authority of the members by the Parliament of Georgia, the status of the candidate for membership of the Parliament of the persons remaining in the party lists shall be suspended. (14.08. 2003 N 2965-rs].

11. Immediately after the pre-term termination of the authority of an MP elected through a party list, the status of s candidate for the membership of the Parliament shall be reinstated to the person, who represents a successor of such MP according to Paraghraph 7 and 7¹ of the present Article. (21.03.2008 N 6013)

Article 107. Registration of Elected Members of Parliament of Georgia

Within 5 days after summing up of the final results of the elections, the CEC shall register the elected Members of the Parliament of Georgia and shall give them temporary certificate of being elected as a Member of the Parliament.

Article 107¹. Drug Control of the Persons Elected as Members of Parliament of Georgia (15.07.2008 N 231)

1. Within 7 days after the polling day the candidates for membership of the Parliament, who according to the preliminary election returns have become MPs in majoritarian election districts and through the party/election bloc lists, shall pass a drug test and an appropriate certificate shall be drawn up, where it shall be noted that the candidate for the membership of the Parliament is either healthy or a drug user.

2. If a person elected as an MP does not pass the drug test and/ or refuses to pass the drug test, the parliament shall adopt an resolution on refusal to recognize the authority of this MP.

3. The institution authorized to carry out the drug test is obliged to submit to CEC certificates on conduct of the drug test and the list of MPs who have passed the drug test within 14 days after the elections.

4. In cases envisaged in Paragraph 2 of the present Article, where a person has been elected as MP from a majoritarian election district, the CEC shall adopt an resolution on declaration of the election returns void in the mentioned district and on announcement of new elections in accordance with paragraph 5 of Article 106. If a person has been elected as MP through a party/election bloc list, then CEC shall determine his/her successor in compliance with Paragraph 7 and 7¹ of Article 106.

5. The drug test mentioned in the present Article may be carried out only after the election day, by duly authorized institution through commission. This institution shall jointly be selected by the CEC and the Ministry of Labor, Health and Social Affairs no later than 30 days before the election day. The authority to carry out the drug test shall be granted by the CEC resolution.

PART IV

CHAPTER XV
ELECTIONS OF REPRESENTATIVE BODY OF LOCAL SELF-GOVERNMENT -
SAKREBULO

Article 108. Announcement of Elections of Representative Body of Local self-government -- Sakrebulo.

1. Elections of a representative body of local self-government – Sakrebulo shall be held every four years.
2. Elections of a representative body of local self-government – Sakrebulo shall be announced by the President of Georgia no later than 60 days before the expiry of the term of authority of Sakrebulo. (28.12.2009. N2525)
3. Elections of a representative body of local self-government – Sakrebulo - shall not be held during state of emergency or war. If the term for elections coincide with the state of emergency or war, the elections shall be held no later than 60 days after revocation of the state of emergency or war.(28.12.2009. N2525)
4. Information on announcement of elections of a representative body of local self-government - Sakrebulo -- shall be disseminated through press and other media no later a day following its announcement. (28.12.2009. N2525)
5. In the event of early termination of authority of Sakrebulo, extraordinary elections of Sakrebulo shall be held within 45 days.

Article 109. Active and Passive Election Rights

1. A Georgian citizen, who has reached the age of 21 years by the time of the polling day, may be elected as a member of a representative body of local self-government - Sakrebulo. A citizen, who has lived in Georgia at least for five years, may be elected as a member of Sakrebulo. (28.12.2009. N2525)
2. A citizen of Georgia may not at the same time be a member of other representative bodies.
3. Voters, who by the time of announcement of elections permanently or temporarily reside abroad, and voters, who are on board the vessels at the sea, shall not be entitled to participate in the elections of a representative body of local self-government –Sakrebulo and of the Mayor of Tbilisi. (13.03.2010. N2786)
4. Military servicemen in mandatory military service and those serving under contracts shall take part in elections of a representative body of local self-government -- Sakrebulo -- according to the location of the military unit.

Article 110. Term of Authority of Representative Body of Local self-government - Sakrebulo

The authority of a new composition of Sakrebulo shall start and that of old shall terminate immediately after the first assembly of newly-elected Sakrebulo.

Article 111. Incompatibility With Office of Status of Candidate for Membership of Representative Body of Local self-government - Sakrebulo

1. whenever nominated as a candidate for the membership of Sakrebulo, the official capacity of the following persons shall be terminated:
 - a) President of Georgia;
 - b) Deleted (28.12.2009. N2525)
 - c) Ministers of Georgia as well as the Ministers of the Autonomous Republics of Abkhazia and Adjara, Chairs and Deputy Chairs of governmental and state subordinate agencies;
 - d) Members of the Security Council of Georgia;
 - e) Members of the Council of the Citizen Bank of Georgia;
 - f) Chairman and deputy chairmen of the Chamber of Control of Georgia;
 - g) Head of the Staff of the Parliament of Georgia

- h) State Representatives -Governors and their deputies; (11.07.2007 N5246)
 - i) Officers of the Ministry of Interior of Georgia and Ministry of Defense of Georgia as well as of foreign Intelligence and special state security services;
 - j) Judges
 - k) Public Defender of Georgia
 - l) Members of the advisory body of the President of Georgia (other than members of the Parliament)
 - m) Assistants of the President of Georgia
 - n) Members of the Council on Auditing Activities;
 - o) Members of the Commission for Accounting Standards, Georgian Citizen Regulatory Commission for Energy and Water Supply and of other citizen regulatory commissions; (20.11.2007 N5467)
 - p) Chairman and deputy chairmen of the Bureau of Civil Service; (12.06.2009 N 1182 enacted from August 1, 2009)
 - q) Prosecutors, deputy prosecutors, assistants to prosecutors and investigators.
2. The authority of officials referred to in Paragraph 1 of the present Article shall be terminated before their nomination as candidates in the relevant election commission,
3. deleted (23.06.2006 N3400)
4. The same person may not be nominated at a time as a candidate in the elections of the local self-government body – Sakrebulo of the two distinct self-governing units. (28.12.2009. N2525)

CHAPTER XVI ELECTION DISTRICTS AND ELECTION PRECINCTS

Article 112. Election Districts (23.06.2006 N3400)

1. For the elections of the representative body of the local self-government - Sakrebulo, each independent self-governing unit constitutes one election district.
2. Within 2 days from announcement of the elections, the Central Election Commission shall publicize information on election districts indicating their borders through press and other sources of mass media sources.
3. For the elections of the representative body of the local self-government - Sakrebulo, local majoritarian election districts are set up and their borders specified by appropriate district election commissions within 2 days from the announcement of the elections, taking into consideration territorial and administrative peculiarities of the relevant self-government unit.
4. Within 3 days after announcement of the elections, the district election commission shall make public through press and other sources of mass media sources the information concerning local majoritarian election districts with their boarders included.

CHAPTER XVII ELECTIONS OF SAKREBULO OF MUNICIPALITIES AND SELF-GOVERNING CITIES

Article 113. Election System

Elections of a representative body of local self-government - Sakrebulo - shall be held under the proportional and majoritarian election systems.

Article 114. Voting Right

At the elections of Sakrebulo of a municipality or a self-governing city, a voter shall be entitled to one vote under the proportional election system and one vote under the majoritarian election system.

Article 115. Composition of Representative Body of Local self-government - Sakrebulo

1. Sakrebulo of a municipality comprises of 10 members elected through the proportional system and one member from each community and city on the corresponding territory of the given district elected through the majoritarian system.
2. Sakrebulo of a self-governing city comprises of: (28.12.2009. N2525)
 - a) 10 members elected through the majoritarian system and 15 members elected through the proportional system, if the number of voters exceeds 75 000;
 - b) 5 members elected through majoritarian system and 10 members elected through proportional system, if the number of voters does not exceed 75 000.

Article 116. Right to Run for Sakrebulo in the Elections (28.12.2009. N2525)

A party, an election bloc and a candidate, nominated by a party, an election bloc, or an initiative group of voters, registered at the relevant election commission are entitled to run for Sakrebulo in the elections.

Article 117. Registration of Parties/Election Blocs (23.06.2006 N3400)

1. In order to obtain the right to participate in the elections of a representative body of local self-government — Sakrebulo, the party/election bloc registered at the last parliamentary elections shall apply with a written statement signed by its leader(s) to the Central Election Commission after announcement of the election date, but no later than 57 days before the election day. (28.12.2009 N2525)
2. Parties, which have not been registered at the Central Election Commission at the last parliamentary elections, for the purpose of participating in the elections of the representative body of local self-government – Sakrebulo, shall apply to the Central Election Commission after announcement of the election date, but no later than 57 days before the election date. (28.12.2009 N2525)
3. A party, which has no representative in the Parliament of Georgia, is given the sample of the list of supporters by the relevant office of Central Election Commission immediately after the receipt of the application and not later than 57 days before the election day. The party is to submit to the CEC the signatures of 50,000 supporters no later than 50 days before the election day. The relevant office of the CEC shall check the lists within 2 days and submit its conclusion to the CEC. (28.12.2009 N2525)
4. The application shall include either the certificate on registration of the party and the statute, or copies of these documents verified by the notary officer.
5. The application should include the following information about the party:
 - a) Name of the party and, if applied, its abbreviation and/or short form by which it participates in the elections;
 - b) Names of the leader(s), his (their) address (according to the place of registration), telephone numbers and his (their) facsimile(s)
 - c) Name, address (according to the place of registration), telephone number and the extent of the authority conferred.
 - d) If there are several leaders - the limits of authority of each leader with respect to the relations connected to the course of elections.
6. The name, its short form and abbreviation referred to in subparagraph (a) of Paragraph 5 of the present Article should not coincide with:
 - a) Official name, short title or the abbreviation of another party registered by the Ministry of Justice (if it coincides, the party shall have no right to use it)
 - b) Name, short title or the abbreviation of the election bloc by which it participates in the elections, if this bloc has applied to the CEC earlier (if it coincides, the party shall have no right to use it)
 - c) Name, short name of the abbreviation used by another party/election bloc during the last parliamentary elections, unless there is a consent of that party/bloc in this regard.
7. The relevant office of the CEC shall verify the application and the attached documents and shall submit its conclusion to the CEC no later than the next day following the submission to the

Commission of the application. (22.11.2007 N 5500)

8. No later than the next day following the submission of the conclusion referred to in Paragraph 7 of the present Article, the CEC: (22.11.2007 N 5500)

a) Shall register the party and its representative, if submitted application and other documents satisfy the requirements set forth by the present Law

b) Shall inform in writing the representative of the party about the inconsistency (indicating inconsistencies), if such inconsistencies exist, of the application and attached documents with requirements set forth by the present Law and the representative of the party shall be given 2 days for bringing the application and document to order.

c) In case envisaged in Paragraph 3 of the present Article, the Chairman of the CEC shall decide on the registration of the party only after verifying the list of supporters.

9. The verification of the corrected application and attached documents as referred to in subparagraph (b) of Paragraph 8 of the present Article and making of decision on electoral registration shall be effected no later than the next day after their submission. If the corrected application and documents are in compliance with the requirements of the present Law, the CEC shall register the party and its representative (except for cases listed in Paragraph 3 of the present Article). Oppositely, the CEC shall issue an resolution on denial of registration (precisely listing down the reasons for denial and the provisions of the present Law, failure to satisfy which entailed the denial) within the same time-limit. The representative of the party shall immediately be informed of this resolution and upon his/her request the resolution shall be handed over to him/her. informed about this decision immediately and resolution is provided upon request. The above-mentioned procedures shall be completed not later than 37 days before the elections. (28.12.2009 N2525)

10. If the application mentioned in the present Article and the attached documents (or the corrected application and corrected documents) and the list of supporters have been submitted within the time-limit established by the present Law and they satisfy requirements of the present Law, the CEC on the ground of the conclusion of the relevant office of the CEC shall register the party and its representative no later than the next day after the submission of the conclusion. Oppositely, the CEC shall issue an resolution on denial of registration (precisely listing down the reasons for denial and the provisions of the present Law, failure to satisfy which entailed the denial) within the same time-limit. The representative of the party shall immediately be informed of this resolution and upon his/her request, the resolution shall be handed over to him/her (22.11.2007 N 5500)

11. Parties registered by the CEC have the right to set up election blocs and to leave election blocs. To register an election bloc, no later than 43 days before election day the CEC shall be provided with the application signed by all authorized leaders of all parties united in the bloc and the statute of the election bloc (28.12.2009. N2525)

12. The application shall include the following information about the election bloc:

a) Name of the bloc and its short form or abbreviation, by which it participates in the elections, and the list of the parties united in the bloc;

b) The first and last names of the leader(s), address (according to the place of registration), telephone numbers and the extent of the authority conferred;

c) The first and last names of the representative, his/her address (according to the place of registration);

d) If there are several leaders - the limits of the authority of each leader in relation connected to the course of elections.

13. Name of the election bloc, its short form and abbreviation mentioned in subparagraph (a) of Paragraph 12 of the present Article should not coincide with:

a) Official name, short title or the abbreviation of another party registered by the Ministry of Justice (unless the party is the member of the bloc) (if it coincides, the party shall have no right to use it);

b) Name, short title or the abbreviation of the election bloc, by which it participates in the elections, if this bloc has applied to the CEC earlier (if it coincides, the bloc shall have no right to use it)

c) Name, short name of the abbreviation used by another election bloc during the last parliamentary

elections, unless there is a consent of that bloc in this regard.

14. The statute of the election bloc signed by the leaders of all parties united in the election bloc shall include:

- a) The name, short and/or abbreviated name (if applicable) of the election bloc under which the bloc participates in the elections;
- b) List of all parties united in the election bloc;
- c) The administering body (if any) of the election bloc, administrators and their authority;
- d) The procedure for decision-making by the election bloc, including admission of a new members in the bloc, resignation and withdrawal of a party from the bloc, nomination of candidates for the representative body by the bloc and cancellation of nomination;
- e) A person having the right to sign bloc documents;
- f) The rules for using the seal of a party united in the bloc in connection with election activities;
- g) The rules for appointment of the manager and accountant of the pre-election campaign fund;
- h) The rules for making amendments to the statute of the election bloc.

15. A party united in the election bloc shall not join another election bloc or independently participate in the same elections.

16. Upon acceptance of the application and statute mentioned in Paragraph 11 of the present Article the CEC shall provide the representative of the bloc with the document confirming acceptance.

17. The relevant office of the CEC shall check the application and statute mentioned in Paragraph 11 of the present Article and shall submit its conclusion to the CEC no later than the next day after the day of filing of the application at the Commission. The CEC shall, immediately, effect electoral registration of the election bloc and its representative, if the submitted documents meet the requirements established under paragraphs 12 to 15 of the present Article. In case the submitted documents fail to meet the abovementioned requirements, the CEC shall notify in writing the representative of election bloc of inconsistencies of the documents with the provisions of the present Law (specifying those inconsistencies). The corrected documents shall be returned to the CEC no later than the next day following notification. The final decision on registration shall be made by the CEC immediately after the receipt of the corrected documents. If the corrected documents meet the requirements of the present Law, the CEC shall effect electoral registration of the election bloc and its representative. Otherwise, it shall issue the resolution on denial of the registration (the resolution shall reveal in precise manner the reasons for denial of the registration and the provisions of the present Law, failure to meet which has entailed the denial). The resolution shall be immediately notified to the representative of the election bloc and served upon request. The registration procedure described in the present Paragraph shall be completed no later than 37 days prior to election day. (28.12.2009. N2525)

18. A party, which has passed the electoral registration, shall have the right to join registered election bloc before the expiration of the term for registration of election blocs. To that effect, it shall submit to the CEC an appropriate application along with the consent of the election bloc. (22.11.2007 N 5500)

19. Upon completion of electoral registration of the election bloc, by resolution of the CEC, the authorities of the representatives of the party-members of the bloc to the election commissions are terminated and the bloc is entitled to appoint two representatives to each election commission. (22.11.2007 N 5500)

20. In case of resignation or withdrawal of a party (parties) from the election bloc up to expiration of the period for nomination of party lists/candidates, each party will have the right to continue to participate in the elections. If for this reason only one party remains in the bloc, the electoral registration of the bloc will be cancelled, by resolution of the CEC and the parties previously united in it will have the right to continue to participate in the elections. (22.11.2007 N 5500)

21. In case of a party (parties) leaving on its motion or being expelled from the election bloc before the expiration of the term for nomination of party lists/candidates, the electoral registration of this party is cancelled by resolution of the CEC. If for this reason only one party remains in the bloc, the electoral registration of the bloc will be cancelled by the resolution of the CEC and parties

formerly united in the bloc will retain the right to participate in the elections. (22.11.2007 N 5500)
22. No later than 30 days before the election day the CEC shall make public through the press and other sources of mass media the list of registered parties and election blocs made up in chronological order of submission of relevant applications, as well as the list of those parties and blocs, which have been denied to register or electoral registration of which has been revoked accompanied with the reasons for denial to register and revocation of electoral registration. (28.12.2009. N2525)

Article 118. Submission of party lists

1. In order to take part in elections of a representative body of local self-government - Sakrebulo - through the proportional election system, parties that are running in the elections independently and election blocs shall submit the party lists to a corresponding district election commission no later than 30 days before the polling day. (28.12.2009. N2525)

2. All parties running in elections independently and election blocs are entitled to submit only one party list.

3. The number of candidates for the membership of Sakrebulo in the submitted list shall not be less than 10 and not more than 30.

4. A party list may include only a member of the given party or a person who is not a member of another party running in the elections. A party-list submitted by an election bloc may include only a member of party united in the given bloc or a person who is not a member of another party running in the elections.

5. The rule for compiling a party list shall be determined by parties and election blocs. When compiling a party list, it shall be taken into consideration that the mandates acquired by a party or an election bloc on the according to the election returns shall be allocated sequentially from the beginning of the list onwards.

6. The list shall provide each candidate's:

a) name and surname;

b) date of birth;

c) profession;

d) occupation (activities);

e) work place (if he/she is unemployed, it there shall be a note - «unemployed»);

f) party affiliation (in case of he/she is a member of the party and if not, there shall be a note “non-partisan”);

g) personal number and the number of an ID card of a Georgian citizen (of passport of Georgian citizen);

h) place of registration;

i) the number and name of the local majoritarian election district (if submitted). (23.06.2006 N3400)

7. The party list shall be verified by the signature of the head of the party independently participating in the elections. A party list of an election bloc shall be witnessed by signatures of the heads of all parties united in the bloc.

8. The list shall be accompanied with two photos of each candidate and the signed registration card (drawn up in two copies) with the date of filling in.. Along with the candidate s personal data (the name, surname, number of ID card of a Georgian citizen (of a passport of a Georgian citizen) and the personal number, place of registration, date of birth), the registration card shall reveal the fact of the candidate permanently residing in Georgia for 5 years and the consent on running for office through party list. (12.03.2010. N2786)

9. A corresponding district election commission shall give in advance the registration cards for elections of a representative body of local self-government – Sakrebulo to the representative of a party/election bloc. Upon the receipt of documents a representative of a party or election bloc shall given a dated certificate confirming the receipt of the documents.

Article 119. Nomination of Candidates for Membership of Sakrebulo in Majoritarian Election District

1. The following entities have the right to nominate candidates in the relevant election district at the elections of a member of a representative body of local self-government - Sakrebulo:

a) Deleted. (28.12.2009. N2525)

b) a party running in the elections independently;

c) an election bloc.

2. Deleted. (28.12.2009. N2525)

3. For the purpose of nominating a majoritarian candidate in an election district, a party running in elections independently and an election bloc shall address the corresponding district election commission with an application no later than 30 days before the polling day. (28.12.2009. N2525)

4. The application shall provide the majoritarian candidate's:

a) name and surname;

b) date of birth;

c) profession;

d) occupation (activities);

e) work place (if he/she is unemployed, it there shall be a note - «unemployed»);

f) personal number and the number of an ID card of a Georgian citizen (of passport of Georgian citizen);

g) place of registration;

h) the number and name of the election district, where he/she is nominated as a majoritarian candidate;

i) party affiliation (in case of he/she is a member of the party and if not, there shall be a note –“non-partisan”).

5. The application concerning the nomination of candidates for the membership of a representative body of local self-government - Sakrebulo - shall be handed over to the corresponding election commission. It shall be witnessed by the signature of an authorized representative of a party or of authorized representatives of all parties united in the election bloc. (28.12.2009. N2525)

6. The application shall be accompanied with two photos of the candidate and two copies of the registration card signed by him/her which, along with his/her personal details (name, surname, the number of an ID card of a Georgian citizen (of passport of Georgian citizen)) and personal number, place and date of registration, date of birth), shall reveal the fact of the candidate permanently residing in Georgia for 5 years and the consent to run for office in the given election district. (28.12.2009. N2525)

7. Deleted (12.03.2010. N2786).

8. A majoritarian candidate nominated by a party/election bloc in the election district may, at the same time, be included in the party list of the corresponding party/election bloc.

Article 120. Registration of Party Lists and Candidates for Membership of Sakrebulo Nominated through Party Lists in the Majoritarian Election District

1. The party list shall be registered by the relevant DEC within 2 days after its submission. (12.03.2010. N2786)

2. The candidates for the membership of Sakrebulo nominated in a local majoritarian election district shall be registered by a corresponding DEC within 2 days following their nomination. (12.03.2010 N2786)

3. Registration of candidates for the membership of a representative body of local self-government - Sakrebulo - shall be resumed no later than 21 days before the polling day.

4. Within 3 days after registration of candidates for the membership of representative body of local self-government – Sakrebulo, the relevant district election commissions shall issue hand over to the candidates the certificates of a candidate.

5. A candidate nominated in an election district shall be registered if the following is submitted:

- a) A registration card of the candidate revealing the fact he/she permanently residing in Georgia for 5 years; (12.03.2010. N2786)
 - b) Deleted. (28.12.2009. N2525)
 - c) An application concerning nomination of a candidate witnessed by signatures of the leaders of parties/election blocs; (12.03.2010. N2786)
 - d) Deleted. (12.03.2010. N2786)
 - e) Two photos;
 - f) candidate's consent to run for office.
6. Party list or the candidate nominated by the party/election bloc will not be registered if the following is either missing or incompletely included in registration card:
- a) Name, surname;
 - b) personal number and the number of an ID card of a Georgian citizen (of passport of Georgian citizen);
 - c) Date of birth (year/month/day);
 - d) Place of registration;
 - e) An application concerning nomination of a candidate witnessed by signatures of the leaders of parties/election blocs;
 - f) Party affiliation (in case of he/she is a member of the party and if not, there shall be a note –“ non-partisan”);
 - g) Occupation (if he/she is unemployed, it there shall be a note - «unemployed»);
 - h) The fact of having permanently resided in Georgia for 5 years; (12.03.2010. N2786)
 - i) candidate's consent to run for office;
 - J) Number and name of the local majoritarian district, in which the candidate is nominated as a majoritarian candidate
 - k) Date of filling in the registration card.
7. In case of violation of the requirements listed in Paragraph 5 and 6 of this Article, DEC shall refuse to register the candidate.
8. A party/election bloc is entitled to request to participate in the elections under the same list number that was given at the last parliamentary elections. It shall submit a relevant statement to this effect to the CEC no later than 40 days before the election day. If the sequential number in the parliamentary elections was given to an election bloc, the first party on the list of the bloc members is entitled to use the number and if it declines in writing, the right to use the aforementioned number is given to the next party on the list of the bloc members etc. If the right envisaged by the present Paragraph is not used for the elections to be held through the proportional system, the order of election blocs and parties running independently in elections of Sakrebulo shall be determined according to the results of the last parliamentary elections. If a bloc that took part in the last parliamentary elections is participating in Sakrebulo elections, the first party on the list of the bloc members shall be entitled to use its sequential number and if it declines, the right shall be given to the next one etc. If the parties participating in the last parliamentary elections form a bloc for elections of Sakrebulo, they should specify in the bloc's statute which party's sequential number they are going to use. If any party/ election bloc did not use the right to use the sequential number, the parties/election blocs standing next in the list shall be move upward. (28.12.2009. N2525)
9. Sequence of the parties shall be determined through casting of lots held in compliance with rule established by paragraphs 2 to 6 of Article 99 of the present Law no later than 35 days before the election day. The sequential number of these parties/election blocs shall start with a number that is greater than the last sequential number of the electoral subject referred to in Paragraph 8 of the present Article by one. (28.12.2009. N2525)
10. For the elections to be held through majoritarian system, the candidates nominated by parties and election blocs shall be assigned the same number as the electoral subjects nominating them. (28.12.2009. N2525)
11. If the registration of a party/election bloc is annulled assignment of sequential number, the remaining parties/election blocs shall maintain the previously assigned sequential numbers.

12. The information regarding the sequential order of electoral subjects shall be made public through press and other media within 3 days after the expiry of the term for registration. The list of subjects, which have been denied registration, shall also be publicized within the same term.

Article 121. Revocation of the Decision on Nomination of a Candidate

1. After registration, a party/election bloc shall be entitled to revoke its decision on nomination of a candidate no later than 10 days before the polling day. (23.06.2006. N3400)
2. A candidate may withdraw no later than 10 days before the polling day by submitting a relevant statement to the corresponding district election commission. (23.06.2006. N3400)
3. The corresponding district election commission shall publicize immediately the information on registration of a candidate and on revocation of a decision on nomination of a candidate immediately.

Article 122. Ballot Paper

1. Two different types of ballot papers are produced for the elections of a representative body of local self-government – Sakrebulo.
2. The ballot paper designed for the elections of a representative body of the local self-government - Sakrebulo – shall include the names of parties/election blocs (the names of parties united in the bloc shall be mentioned next to the bloc’s name) listed in an established order .
3. A ballot paper designed for elections of a representative body of local self-government ~ Sakrebulo - through the majoritarian election system shall include the list numbers, first names, and last names of all candidates nominated for the membership of the relevant Sakrebulo in the relevant local majoritarian election district. Alongside with the last name(s) of candidate(s) nominated by a party or an election bloc there shall be the name of the corresponding party or election bloc. The information on a candidate shall be included in the ballot paper according to the order determined by the corresponding district election commission through the casting of lots not earlier than 24 days and not later than 20 days before the election day. (28.12.2009. N2525)

Article 123. Determination of Election Returns Held through Proportional Election System

1. deleted. (23.06.2006 N3400)
2. In order to determine the number of mandates acquired by a party list, the number of votes received by a party list shall be multiplied by the number of mandates in the election district and divided by the total number of votes received by the parties/election blocs, which have received at least 5% of the votes cast in the elections. The whole part of the derived number is the number of mandates acquired by the list. The votes derived from void ballot papers are not considered in the amount of votes of voters participating in the elections. (22.11.2007 N 5500)
3. If the total number of mandates acquired by the party lists in an election district turns out to be smaller than the total number of mandates, each of the remaining mandates shall be given sequentially first to the party lists that did not acquire a mandate according to the rule established by Paragraph 2 of the present Article but received more than 5% of the votes cast in the elections and then to the party lists that has already acquired at least one mandate. In this case, one mandate will be given sequentially to the party lists that has received greater number of votes in the elections. The votes derived by void ballot papers are not considered in the amount of votes of voters participating in the elections. (22.11.2007 N 5500)
- 3¹. If more than 10 subjects have received 5% or more votes of the voters participating in the elections, then the rule of distribution described in Paragraph 2 of the present Article shall not apply. In such case one mandate shall be awarded to those ten electoral subjects, which have received more votes than others. The votes derived by void ballot papers are not considered in the amount of votes of voters participating in the elections. (22.11.2007 N 5500)
4. If it turns out to be that two or more party lists have received an equal number of votes, a mandate shall be given to the one that was first to register at the corresponding district election commission for the purpose of participating in the elections of Sakrebulo.

5. The candidates whose sequential numbers on a party list are smaller or equal to the number of mandates acquired by the given party list shall be considered elected to Sakrebulo through the proportional election system.

6. if a candidate of the membership of Sakrebulo is elected both in a local majoritarian district and through a party list, he/she shall be considered elected in the single-mandate local majoritarian election district and shall be removed from the party list, while the next candidate on the list shall move upward.

Article 124. Determination of the Election Returns Held through Majoritarian Election System

1. A candidate who receives more votes than others shall be considered elected to Sakrebulo through the majoritarian election system.

2. If two candidates running in elections receive an equal number of votes, the candidate who was first to register at the corresponding district election commission shall be considered elected.

Article 125. Summing up of Sakrebulo Election returns at District Election Commission

1. A district election commission may annul ballot returns in an election precinct, where the present law has grossly been violated. Election returns shall not be summarized at a district election commission before a decision is made on the appeals that might prompt annulling of ballot returns in a precinct.

2. Elections in an election district shall be declared invalid if the number of ballot papers declared void in the given district is more than half of the total number of voters who took part in elections in the district.

3. A district election commission shall determine election returns and draw up a protocol at its session. (28.12.2009. N2525)

4. At the elections of a representative body of local self-government - Sakrebulo, a district election commission shall determine the following relying on the protocols received from precinct election commissions:

- a) total number of voters;
- b) total number of those participating in elections;
- c) number of unused and spoiled ballot papers; (23.06.2006 N3400)
- d) number of valid ballot papers;
- e) number of void ballot papers;
- f) number of unofficial ballot papers;
- g) number of votes cast for an electoral subject.

5. District election commission shall draw up 3 copies of summary protocols of the election returns, one of which is handed over to the CEC, the second remains in the corresponding district election commission, and the third one is provided to the mandate commission of the relevant Sakrebulo. (28.12.2009. N2525)

6. One copy of the protocol shall be sent to the CEC within 5 days after the end of voting; the second is kept in the relevant district election commission, the third one is provided to the mandate commission of Sakrebulo, and the certified copies of the protocol are sent to the representatives of the parties and election blocs. (28.12.2009. N2525)

7. A District election commission shall, after summarizing the results, immediately post a copy of summary protocol of the election returns in a conspicuous place. (28.12.2009. N2525)

8. Within 10 days from summarizing the elections results, district election commission shall publicize in press and other sources of mass media the notice on the election returns of Sakrebulo in the relevant districts. The notice shall also include party affiliations of the elected members of Sakrebulo (in case of party members and in case of persons not members of a party, there shall be an inscription – “non-partisan”), date of birth, profession, main activities, work place.

Article 125¹. Convocation of the first session of a newly elected representative body of local

self-government – Sakrebulo (23.06.2006 N3400)

The first session of a newly elected representative body of local self-government - Sakrebulo shall be summoned by the president of Georgia within 30 days after the summing up of the final results of the elections on the whole territory of Georgia.

Article 126. Second Ballot and New Ballot (23.06.2006 N3400)

1. If ballot in an election precinct has been declared void, the relevant district election commission shall announce the second ballot, which shall be conducted in 2 weeks after general elections. Second ballot shall be conducted only if the difference between the candidate with the last best result and the following candidate from the candidates to be elected in the representative body of local self-government - Sakrebulo – is less than total number of voters in this district or in the invalidated precincts.

2. In case of declaration of election returns of the by-elections void in election precincts, the relevant district election commission shall summarize the election returns in the districts without considering these precincts.

3. If the elections were annulled in the election district, new ballot shall be conducted within 2 weeks.

Article 126¹. Registration of Elected Members of Representative Body of Local self-government -- Sakrebulo

Within five days from summing up of final results of the election, a corresponding district election commission shall register persons elected as a member of representative body of local self-government - Sakrebulo -- and provide them with relevant certificates.

Article 126². The rule for replacement of the retired members of Sakrebulo (28.12.2009. N2525)

1. If the authority of a member of Sakrebulo elected through proportional system has been terminated before it expiry, a candidate standing next to him/her in the party list up shall take up his place in Sakrebulo within 2 week, if, within 10 days after informing the CEC, he accepts the membership of Sakrebulo. If there is no candidate in the party list, the mandate is annulled.

2. If the person absent in Sakrebulo was elected by the party list of the election bloc and it was indicated in the party list that he is a member of one of the subject-party in the party list, within 1 month his seat shall be occupied by the candidate standing next in the same party list within 10 days after creation of vacancy if he accepts the membership of Sakrebulo. Otherwise, the vacancy will be filled by the next person in the same party list and etc. If it was not mentioned in the party list that he is a member of one of the subject-party in the party list, his successor is nominated according to the rules defined by Paragraph 1 of the present Article.

3. If the authorities of not less than 5 members of the Sakrebulo elected by a majority rule are terminated before expiry of the term, extraordinary elections shall be conducted next September-October under the rule defined by the present Law. If it remains less than 60 days before the extraordinary elections, they shall be conducted September-October of the next year. Extraordinary elections shall not be conducted if less than 2 years remain before the expiration of the term of the authority of Sakrebulo.

4. The date of extraordinary elections shall be set by the decision of the CEC. No later than 2 months before the election day it shall define the terms of election activities.

5. Candidates who have won the extraordinary elections shall take up for the remaining term of authority of Sakrebulo the place of the retired person in Sakrebulo elected through majoritarian system.

CHAPTER XVII¹

ELECTIONS OF SAKREBULO OF THE CAPITAL OF GEORGIA – TBILISI (28.12.2009. N2525)

Article 126³. Elections of the self-government body - Sakrebulo of the capital of Georgia – Tbilisi (28.12.2009. N2525)

1. During elections of the self-government body - Sakrebulo of the capital of Georgia – Tbilisi (hereinafter ‘Tbilisi Sakrebulo’), the norms defined by the present Law shall be applied unless otherwise defined by the present Chapter.
2. During the state of emergency or war, elections to Tbilisi Sakrebulo shall not be conducted. If the term of the elections coincided with the state of emergency or war, the elections shall be held within 60 days after the end of such circumstances.
3. Elections to Tbilisi Sakrebulo are conducted by majoritarian and proportional election systems.
4. There are 50 members in Tbilisi Sakrebulo, out of which 25 members are elected on the territories of single-mandate majoritarian election district, and 25 – through proportional election system on the whole territory of Tbilisi.
5. Taking into account the borders of territorial units of the Tbilisi and the number of voters, within 5 days after announcement of the elections, the CEC shall order creation of single-mandate majoritarian election districts of Tbilisi and define their borders

Article 126⁴. Election districts (28.12.2009. N2525)

1. For elections of Tbilisi Sakrebulo through the proportional election system, 10 election districts shall be created:
 - a) Mtatsminda;
 - b) Vake;
 - c) Saburtalo;
 - g) Krtsanisi;
 - e) Isani;
 - f) Samgori;
 - g) Chughureti;
 - h) Didube;
 - i) Nadzaladevi;
 - j) Gldani.
2. Thee CEC shall exercise the functions of an election commission summarizing election returns of Tbilisi Sakrebulo held through the proportional system.
3. Election Returns of Tbilisi Sakrebulo held through the majoritarian system shall be summarized and established by the relevant district election commission.

Article 126⁵. Right to participate in the elections of Tbilisi Sakrebulo (28.12.2009. N2525)

1. Right to participate in the elections of Tbilisi Sakrebulo shall be given to the party, election bloc, candidates nominated by the party and the election bloc if registered by the election commission defined by the present Law.
2. Right to participate in the elections held through proportional election system and to run for the mandate of Tbilisi Sakrebulo shall be given only to the parties and election blocs.
3. Right to participate in the local single-mandate majoritarian elections of Tbilisi Sakrebulo shall be given to the candidates nominated by parties/election blocs. A person may be nominated only in one single-mandate majoritarian election district.
4. A person nominated as a candidate in the elections of Tbilisi Sakrebulo may not be nominated at the same time as a candidate in the elections of another representative body of local self-government body – Sakrebulo of another self-governing territorial unit.
5. Incompatibility of the status of a candidate in the elections of Tbilisi Sakrebulo with official capacity is defined under the rule defined by Article 111 of the present Law. subparagraph (e) of Paragraph 4 of Article 98 of the present Law does not apply to the incompatibility of the status of a candidate.

Article 126⁶. Submission of party lists (28.12.2009. N2525)

1. For receiving mandates in Tbilisi Sakrebulo through proportional election system the party lists shall be submitted to the CEC by the parties and party blocs no later than 30 days before the polling day.

2. Party lists of the candidates to be elected to Tbilisi Sakrebulo through proportional election system shall include no less than 50 and not more than 100 candidates.

3. Party lists may include the candidates nominated in the single-mandate majoritarian election district. In such cases party lists shall include the notes that the candidates are being nominated in the single-mandate majoritarian election district.

4. Party list may include the members of the party or those individuals who are not members of other parties participating in the elections, and the party list of the election bloc – made up by the members of parties united in the bloc or those individuals who are not members of other parties participating in the elections. The party and election bloc has a right to nominate an able citizen of Georgia who speaks state language and has attained 21 years by the time of polling day as a candidate at the elections of Sakrebulo.

5. A rule for drawing up of the party lists shall be defined by the parties and election blocs. When drafting the party lists, it has to be taken into consideration that the mandates received by the parties, election blocs according to the election returns shall be distributed sequentially from the top of the list downwards.

6. Information of each candidate in the party list shall include:

a) name/surname;

b) date of birth;

c) profession;

d) position (job);

e) work place (if unemployed - „unemployed“ shall be written);

f) party affiliation (in case of party members; in case of not being a party member there shall be an inscription “non-partisan”);

g) Number of ID card of a Georgian citizen (passport of a Georgian citizen) and personal number;

h) place of registration;

i) name of the local single-mandate majoritarian election district, if the person is a majoritarian candidate.

7. Party lists shall be certified by the signature of the leader of the party independently participating in the elections; party list of the election bloc shall be witnessed by signatures of all the leaders of the parties united in the bloc.

8. Party list shall include two photo of each candidate and the registration cards with their signatures (two copies) with indication of the filling date, where, together with the personal data of the candidates (name/surname, number of an ID card of a citizen of Georgia (passport of a citizen of Georgia) and personal number, place of registration, date and place of birth), the fact of their permanent residence in Georgia for 5 years and the consent to be added to the party lists for elections.

Article 126⁷. Nomination of majoritarian candidates for membership of Tbilisi Sakrebulo (28.12.2009. N2525)

1. The right to nominate majoritarian candidates for membership of Tbilisi Sakrebulo shall be granted to:

a) a party independently participating in the elections;

b) election bloc.

2. The party and election bloc shall have a right to nominate as a candidate for elections of Tbilisi Sakrebulo an able citizen of Georgia, who speaks state language and having attained 21 years by the time of polling day.

Article 126⁸. Ballot papers (28.12.2009. N2525)

1. At the elections of Tbilisi Sakrebulo, a voter shall be given one majoritarian and one proportional ballot papers.
2. Voters participating in the elections shall outline only one number in the ballot paper.

Article 126⁹. Determination of result of majoritarian elections of Tbilisi Sakrebulo (28.12.2009. N2525)

A majoritarian candidate, who has received more votes than other in single-mandate majoritarian election district, shall be considered elected to Tbilisi Sakrebulo. If two candidates participating in the elections have received equal votes, the candidate, first to file an application on registration with the relevant district election commission, shall be deemed elected.

Article 126¹⁰. Rule of distribution of mandates for Tbilisi Sakrebulo through proportional election system (28.12.2009. N2525)

1. Mandates for Tbilisi Sakrebulo under proportional election system shall be awarded only to those electoral subjects, which have received at least 4 % votes cast by the voters participating in the elections. Mandates shall be awarded under the rule established by the present Article.
2. For purpose of determination of the number of mandates received by the party lists, the number of votes received by the party lists shall be multiplied by the number of proportional mandates of Tbilisi Sakrebulo and shall be divided by the sum of votes received by those parties/election blocs, which have acquired not less than 4% of the votes cast by the voters participating in the elections. The whole part of the derived number is the number of mandates received by the party lists. The number of votes derived from invalid ballots papers shall not be included in the number of votes cast by voters participating in the elections.
3. If during proportional elections of Tbilisi Sakrebulo the number of mandates received by the party lists is less than the total number of the mandates, each undistributed mandate shall, according to the votes received, be awarded to the party lists, which have received at least one mandate under the rule established by Paragraph 2 of the present Article.
4. If the number of votes received by two or more party lists is equal, the mandate is awarded to the party list, which was first to register at the CEC for the purpose of participation in elections of Tbilisi Sakrebulo.
5. Those candidates, whose number in the party lists is less or equals to the amount of mandates received by the party list, shall be considered elected on the basis of proportional election system in Tbilisi Sakrebulo.
6. If a candidate for Sakrebulo membership is elected both from a single-mandate majoritarian election district and through the party lists, he shall be considered elected from a single-mandate majoritarian election district. he/she shall be removed from the party lists and replaced under the rule established by the present Law.

Article 126¹¹. Registration of persons elected to Tbilisi Sakrebulo (28.12.2009. N2525)

Within 5 days after summarizing the results of the elections, the CEC shall register the members of the Tbilisi Sakrebulo and hand them the relevant certificates. .

Article 126¹². Rule for replacement of retired members of Tbilisi Sakrebulo (28.12.2009. N2525)

1. If the authority of a member of Tbilisi Sakrebulo elected through proportional election system has been terminated before its expiry, within 2 weeks his place in Sakrebulo shall be taken up by his substitute, a candidate next to him in the same party list if, within 10 days after informing the CEC, he accepts the membership of Sakrebulo. If there is no candidate in the party list, the mandate shall be annulled.
2. If the person absent in Tbilisi Sakrebulo was elected through the party list of the election bloc and it was indicated in the party list that he is a member of one of the subject-party in the party list, within 1 month his place shall be given to the candidate to Tbilisi Sakrebulo standing next in the

same party list, if within 10 days after creation of vacancy he accepts the membership of Sakrebulo. Otherwise, the vacancy will be filled by the next person in the same party list and etc. If it was not mentioned in the party list that that he is a member of one of the subject-party in the party list, his successor shall be nominated under the rules defined by Paragraph 1 of the present Article.

3. A successor of the retired member of Tbilisi Sakrebulo elected through proportional system shall within 10 days after informing the CEC, give consent on Sakrebulo membership. Otherwise, the vacancy will be filled by the candidate as defined by the rule established by Paragraph 2 of the present Article. If there is no candidate in the party list, the mandate shall be annulled.

4. If the authorities of not less than 5 members of Tbilisi Sakrebulo elected through majoritarian election system terminated before their expiry and there are more than 2 years left before the expiry of authority of the Sakrebulo, extraordinary elections shall be held in forthcoming September-October under the rule defined by the present Law. If it is less than 60 days remaining before the extraordinary elections, it shall be conducted in September-October of the next year.

5. Date of extraordinary elections shall be announced by the decision of the CEC. No later than 2 months before the election day the CEC shall define the terms of election activities.

6. Candidates, who have won extraordinary elections, take up the place of the retired person in Tbilisi Sakrebulo elected through majoritarian election system for the remaining term of authority of Sakrebulo.

CHAPTER XVII²

ELECTIONS OF THE MAYOR OF TBILISI, CAPITAL OF GEORGIA (28.12.2009. N2525)

Article 126¹³. Elections of the Mayor of Tbilisi, capital of Georgia (28.12.2009. N2525)

1. During the elections of the Mayor of Tbilisi, capital of Georgia (hereinafter – Mayor of Tbilisi) the norms defined by the present Law shall apply, unless otherwise defined by the present Chapter.

2. Mayor of Tbilisi shall be elected for the terms of 4 years on the ground of universal, equal and direct suffrage through secret ballot by the voters of Tbilisi.

3. Election of Mayor of Tbilisi is announced by President of Georgia no later than 60 days before expiration of the office term of the Mayor of Tbilisi.

4. During the state of emergency or wars elections of Mayor of Tbilisi shall not be held. If the term of the elections coincided with the state of emergency or war, the elections shall be conducted within 60 days after the end of such circumstances.

Article 126¹⁴. Election districts (28.12.2009. N2525)

1. For the purposes of conduct of elections of the Mayor of Tbilisi, Tbilisi represents one election district, the borders of which corresponds to the borders of the election districts established on the basis of article 126⁴ of the present Law.

2. Results of Mayor of Tbilisi shall be summarized and publicized by the CEC.

Article 126¹⁵. Registration of the candidates for Mayor of Tbilisi and determination of their numbers (28.12.2009. N2525)

1. A citizen of Georgia above 25 years of age, enjoying electoral rights, permanently residing in Georgia for at least 5 years and speaking Georgian language, may be elected as a Mayor of Tbilisi.

2. The right to nominate candidates for the Mayor of Tbilisi no later than 30 days before the polling day shall be secured for the party/election bloc registered in accordance with Article 117 of the present Law.

3. Incompatibility of the status of a candidate in the elections of the Mayor of Tbilisi with official capacity shall be established under the rule defined by Article 111 of the present Law. subparagraph (e) of Paragraph 4 of Article 98 of the present Law does not apply to incompatibility of the status of a candidate.

4. within 2 days after nomination, candidates for the Mayor of Tbilisi shall be registered by the CEC as provided by the present Article.

5. Candidate for the Mayor of Tbilisi shall have a number of the electoral subject nominating him.
6. Decision of the nominating electoral subject on nomination of the candidate for the Mayor of Tbilisi shall include a registration card containing his/her:
- a) name/surname;
 - b) date of birth (day/month/year);
 - c) sex;
 - d) address (according to the place of registration);
 - e) Number of ID card of a citizen of Georgia (passport of a citizen of Georgia) and a personal number;
 - f) education (high, associate degree, professional degree, secondary, basic, primary);
 - g) major (according to diploma/certificate);
 - h) work place (title of the organization, company, etc.);
 - i) position (if unemployed, inscription - “unemployed”);
 - j) party affiliation (in case of party members; in case of not being a party member, there shall be an inscription – “non-partisan”);
 - k) military service;
 - l) consent to run for the Mayor of Tbilisi;
 - m) signature and date.

7. A candidate for the office of Mayor of Tbilisi shall not be registered, or the electoral registration of the candidate will be revoked by the decision of the CEC (in case of paragraphs „a“ to „c“) or the court (in case of Paragraph „d“), if the application and documents submitted to the election commission fail to satisfy all requirements of the present Law or other terms of this Law have been violated, in particular:

- a) the information contained in the application and documents attached are incomplete or incorrect;
- b) in case there exist the consent of the candidate for the Mayor of Tbilisi both running for the Mayor of Tbilisi and on participation in the elections of another representative body of local self-government– Sakrebulo of another self-governing territorial unit;
- c) requirements set forth by paragraph 3 of the present Law;
- d) requirements set forth by Paragraph 9 of Article 73 and/or Article 76 of the present Law.

Article 126¹⁶. Summing up of the result of elections of the Mayor of Tbilisi (28.12.2009. N2525)

The candidate, who has received more number of votes than others, but no less than 30% of votes cast by the voters participating in the elections, shall be considered elected as a Mayor of Tbilisi. The number of votes of the voters participating in the elections shall not include the number of votes derived from invalid ballot papers.

Article 126¹⁷. Second round of elections of the Mayor of Tbilisi, re-run and extraordinary elections (28.12.2009. N2525)

1. If none of the candidates have received the necessary number of votes in the elections of the Mayor of Tbilisi as required by Article 126¹⁶, the second round of elections shall be announced. 2 candidates with best results shall participate in the second round and the candidate, receiving more votes, shall be considered elected. If the candidates receive equal number of votes, the candidate with higher number of votes in the first round shall be deemed elected. If these numbers also happen to be equal, new elections shall be held in 2 months.
2. The second round of elections of the Mayor of Tbilisi is announced by an resolution of the CEC. The second round of the elections is conducted within a month after the polling day.
3. In case of early termination of the authority of Mayor of Tbilisi, if more than 2 years remain before expiry of its term, extraordinary elections of Mayor of Tbilisi shall be held. Extraordinary elections shall be announced by President of Georgia within 6 months since the termination of the authority of the Mayor of Tbilisi.

CHAPTER XVII³
RESPONSIBILITY FOR VIOLATION OF THE ELECTORAL LEGISLATION
(28.12.2009. N2525)

Article 126¹⁸. Participation in pre-election agitation in violation of Law (28.12.2009. N2525)

Participation of the persons envisaged by Paragraph 5 of Article 73 of the present Law in pre-election agitation –shall be fined by 1500 GEL

Article 126¹⁹. Disruption of Dissemination of Election calls and of dissemination of materials (28.12.2009. N2525)

Under the rule defined by the present law, disruption of dissemination of and expropriation of election calls, statements, graffiti, papers, photo- and other materials, and also expropriation of or hindrance to use transportation means or other kinds of specially equipped means – shall be fined by 1000 GEL.

Article 126²⁰. Conduct of pre-election campaign in institutions, where such pre-election campaign is prohibited (28.12.2009. N2525)

Conduct of pre-election campaign in the buildings of institution, where such pre-election campaign is prohibited by the law and issuance of permit to that effect by an authorized person – shall be fined by 1000 GEL.

Article 126²¹. Violation of the rule of promulgation of the results of the public opinion polls related to the elections (28.12.2009. N2525)

Promulgation of the results of the public opinion polls conducted in relation to the elections within the term defined by law without required information or violation of other rules related to its promulgation – shall be fined by 1500 GEL.

Article 126²². Placement of political/election advertising in violation of requirements of law (28.12.2009. N2525)

Violation of requirement of law related to pre-election agitation, political/election advertising and transmittance of information (or its publicizing) – shall entail fining of electronic media by 1500 GEL and by 500 GEL of the printed media.

Article 126²³. Receipt of prohibited financial and material donations to the pre-election campaign fund and/or concealment of information on such donations (28.12.2009. N2525)

1. Making of financial and material donations prohibited by Georgian legislation by political unions of citizens to the pre-election campaign fund – shall lead to transfer of the prohibited financial donations to the State Budget of Georgia and/or seizure of material donations under the rule established by the legislation of Georgia.

2. Concealment of information on making of prohibited financial and material donations by political unions of citizens to the campaign fund – shall lead to transfer of the prohibited financial donations to the State Budget of Georgia and/or seizure of material donations under the rule established by the legislation of Georgia and a fine of 1500 GEL.

3. Actions envisaged above in Paragraph 1 and 2 conducted by the political unions of citizens, which receives state funding, – shall lead to transfer of the prohibited financial donations to the State Budget of Georgia and/or seizure of material donations under the rule established by the legislation of Georgia and a fine of 3000 GEL.

Article 126²⁴. Failure to fulfill the requirements of law to provide an account on the fund of elections campaign (28.12.2009. N2525)

1. For Failure to fulfill the requirements of law to provide an account on the fund of elections campaign - a Political union of citizens shall be fined by 1500 GEL.

2. The same action conducted by political union of citizens, which receives state funding, – shall lead to fining by 3000 GEL of the political union of citizens.

Article 126²⁵. Refusal to submit materials to the commission for the election, referendum, or plebiscite or failure to fulfill its decisions (28.12.2009. N2525)

Refusal to submit materials to the commission for the election, referendum, or plebiscite or failure to fulfill its decisions - shall lead to fining by 1000 GEL of the officials.

Article 126²⁶. Changing of data included in the summary protocols of voting and elections (28.12.2009. N2525)

Changing of data included in the summary protocols of voting and elections – shall lead to fining of the chairman and/or secretary of the relevant election commission by 2000 GEL each.

Article 126²⁷. Prohibition of abuse of administrative resources during pre-election agitation and campaign and abuse of official capacity (28.12.2009. N2525)

Abuse of administrative resources and abuse of official capacity in violation of the requirements of the present Law during pre-election agitation and campaign – shall be fined by 1000 GEL.

Article 126²⁸. Failure to provide copies of summary protocols of elections, referendum or plebiscite (28.12.2009. N2525)

Failure to provide copies of summary protocols of elections, referendum or plebiscite in violation of the requirements of the present Law – shall lead to fining the chairman and/or secretary of the relevant election commission by 1000 GEL each.

Article 126²⁹. Hindrance of a person with the right to be present in the polling place to make notes in the log-book (28.12.2009. N2525)

Hindrance of a person with the rights to be present in the polling place from making notes in the log-book – Shall lead to fining of relevant persons by 1000 GEL.

Article 126³⁰. Restriction of rights of an observer, electoral subject and representative of mass media (28.12.2009. N2525)

Restriction of rights of a domestic/international observer, electoral subject and representative of mass media set forth by the present Law or disruption of their activities – shall lead to fining of relevant by 500 GEL.

Article 126³¹. Breach of undertaken duties and requirements by an observer, electoral subject and representative of mass media (28.12.2009. N2525)

Violation of requirements set forth by subparagraphs (b) to (d) of Paragraph 2 of Article 70 of the present Law by an observer, electoral subjects and representative of mass media – shall lead to fining of the relevant individuals by 500 GEL.

Article 126³². Legal proceedings (28.12.2009. N2525)

1. Protocols on administrative violations as envisaged by Articles 126¹⁸–126³¹ of the present Law shall be drawn up by the CEC and the persons so authorized by the CEC and the relevant district election commission (officials).
2. Cases of administrative violations envisaged by Articles 126¹⁸–126³¹ of the present Law are heard by the district/city courts.
3. In case of commission of administrative violations as envisaged by the present Article, legal proceedings shall be carried out in accordance with the Code of Administrative Violations of Georgia, unless otherwise envisaged by the present Law”.

CHAPTER XVIII TRANSITIONAL PROVISIONS

Article 127 deleted (16.09.2004 N 420)

Article 127¹. deleted (22.04.2005 N 1427)

Article 128. deleted (22.04.2005 N 1427)

Article 128¹. deleted (22.04.2005 N 1427)

Article 128². deleted (22.04.2005 N 1427)

Article 128³. deleted (22.04.2005 N 1427)

Article 128⁴. deleted (22.04.2005 N 1427)

Article 128⁵. deleted (22.04.2005 N 1427)

Article 128⁶. deleted (22.04.2005 N 1427)

Article 128⁷. deleted (22.04.2005 N 1427)

Article 128⁸. deleted (22.04.2005 N 1427)

Article 128⁹. deleted (22.04.2005 N 1427)

Article 128¹⁰. deleted (22.04.2005 N 1427)

Article 128¹¹. deleted (22.04.2005 N 1427)

Article 128¹². deleted (22.04.2005 N 1427)

Article 128¹³. deleted (11.07.2007 N5250)

Article 128¹⁴. deleted (11.07.2007 N5250)

Article 129

1. An obligation to know Georgian language as defined by Paragraph 1 of Article 92 of the present Law shall be enacted from January 1, 2005. (23.12.2005 N 2441)

2. deleted (11.07.2007 N5250)

3. deleted (22.04.2005 N 1427)

4. In case of emergence of a problem related to the knowledge of the state language in district and precinct election commissions, upon the suggestion of the district election commission, the CEC shall arrange for allocation duly qualified interpreters to these commissions. (23.12.2005 N 2441)

5. Authorities of those members of the Central Election Commission, who do not possess a certificate of an officer of election administration, shall be terminated, if by January 1, 2009 they fail to pass certification or refuse to do so. (15.07.2008 N 231)

Article 129¹. deleted (11.07.2007 N5250)

Article 129². **Measure to be taken before the elections of the Parliament of Georgia** (23.12.2005. N2441)

For the elections of the Parliament of Georgia, the CEC shall provide for setting up of election precincts designed for 1500 voters each.

Article 129³. deleted (11.07.2007 N5250)

Article 129⁴. deleted (21.03.2008 N 6013)

Article 129⁵. deleted (22.11.2007 N 5500)

Article 129⁶. deleted (15.07.2008 N 231)

Article 129⁷. deleted (21.03.2008 N 6013)

Article 129⁸. deleted (15.07.2008 N 231)

Article 129⁹ (10.08.2009 N 1610)

Extraordinary elections of the Parliament of Georgia to be held through majoritarian system in #7 Chugureti, #12 Gurjaani and #60 Ozurgeti election districts on September 27, 2009 shall be held in May-June 2010.

Article 129¹⁰ (28.12.2009. N2525)

1. Authority of members elected in CEC, which expires in 2010, shall be terminated under the rule defined by the present Article on January 1, 2010 and the member shall be considered as members of CEC/substitutes to the relevant officer of the CEC thereafter until enactment of a resolution of the Parliament of Georgia on election of members of the CEC.
2. President of Georgia, no later than in December 31, 2009 shall issue an resolution on conduct of selection for the office of members of the CEC envisaged in Paragraph 1 of the present Article and on setting up of the competition board.
3. The competition board shall be provided with documents as defined by Paragraph 6 of Article 28 of the present Law latest January 8, 2010.
4. No later than January 11, 2010, the competition board shall submit to the President of Georgia not less than 2 and not more than 3 nominations per each vacant position in the CEC; the President of Georgia, in two days, shall make a decision on selection of the candidates and on nomination of 2 candidates per vacant position in the CEC to the Parliament of Georgia.
5. Within 7 days after nomination of the candidates, the Parliament of Georgia shall elect the members of the CEC by an open ballot.

Article 129¹¹ (28.12.2009. N2525)

1. Authority of the chairman of the CEC shall be terminated under the rule defined by the present Article on January 1, 2010 and he shall be considered thereafter as a substitute of the chairman of the CEC until election of a new chairman.
2. With the purpose of selection of three candidates for the position of the chairman of the CEC, the President of Georgia shall start consultations with non-governmental organizations, after which no later than on January 8 shall select and nominate 3 candidates to the CEC.
3. No later than January 14, 2010, the session of the CEC with the purpose of election of the Chairman shall be convened and presided before the election of a new Chairman by the elder member of the CEC appointed by the parties (except for the member appointed by the party, which has gained the best results during the previous parliamentary elections). Decision on election of the chairman of the CEC shall be made by secret ballots by the CEC members appointed by the parties (except for the member appointed by the party, which has gained the best results during previous parliamentary elections) by the majority of votes, but not less than by 4 votes. Each member of CEC has one vote. Decision on election of the chairman of the CEC shall be signed by the president of the session.
4. If, within the terms envisaged by Paragraph 3 of the present Article, no session has been convened, or if the Chairman of the CEC has not been elected as a result of voting at its session, the Parliament of Georgia shall elect within 7 days the Chairman of the CEC out of 3 candidates nominated by the President of Georgia.

Article 129¹² (28.12.2009. N2525)

1. At the elections of a representative body of local self-government – Sakrebulo, Mayor of Tbilisi and extraordinary elections of the Parliament of Georgia., a district election commission shall determine and sum up the returns of the relevant elections within 12 days after polling, and the CEC shall do so within 24 days after polling.
2. Provisions of Article 77 of the present Law shall not apply to the elections of the Parliament of Georgia (except for elections of the Parliament of Georgia).

Article 129¹³ (28.12.2009. N2525)

1. Elections of local self-government shall be conducted before May 30, 2010.
2. Authority of the local self-government bodies elected in 2006 shall be terminated upon the first session of newly elected Sakrebulos.
3. At the elections of local self-government, elections shall take place in the municipalities within

the local majoritarian election districts determined during the elections of local self-government of 2006 taking into consideration the changes to the territory of local self-governing units effected in 2006–2010.

4. The CEC shall determine, before February 1, 2010, the borders of single-mandate majoritarian districts of Tbilisi and self-governing cities.

5. The CEC shall determine the local majoritarian districts no later than March 1, 2010.

6. In 2010 local self-government elections shall not be conducted in Eredvi, Toghvi, Kurta, Azhara and Akhagori municipalities. The local self-government bodies in the mentioned above municipalities retain their authorities.

Article 129¹⁴ (28.12.2009. N2525)

1. For the elections of the local self-government to be conducted in 2010, with the purpose of monitoring of the voters' registers by the parties, Ministry of Finances of Georgia, no later than February 1, 2010, shall allocate additional funding to political parties in 2010 and shall endure its transfer to the account of the CEC.

2. The funding defined by Paragraph 1 of the present Article shall be equally distributed to those parties, which receive their funding from the State Budget of Georgia and, no later than February 1, 2010 apply in written form with a request to participate in the monitoring of the voter's registers.

3. The results of monitoring of the voters' registers defined by the present Article shall be submitted to the CEC in written and electronic form no later than April 10, 2010.

Article 129¹⁵ (28.12.2009. N2525)

1. From January 15, 2010 to June 1, 2010 during registration that is due to the change of the residence registration, instead of an ID card of a citizen of Georgia a temporary ID of a citizen of Georgia shall be issued, which shall have the same legal force as an ID card of the citizen of Georgia, except for purposes related to the exercise of active voting right. The Civil Registry shall ensure issuance of a temporary ID card of a citizen of Georgia (12.03.2010. N2786).

2. Change of the temporary ID card of a citizen of Georgia with an ID card of a citizen of Georgia shall be carried out from June 2010 to September 1, 2010 through employment of sources of the State Budget of Georgia.

3. A citizen of Georgia, whose ID card does not include specific address by January 15, 2010, shall be entitled to participate only the election of representative bodies of local self-government – Sakrebulo through proportional system and in the elections of the Mayor of the city of Tbilisi (12.03.2010. N2786).

Article 129¹⁶ (28.12.2009. N2525)

1. Before February 1, 2010, with the purpose of setting up of the Training Center, the CEC shall provide the following:

- a) approval of the regulation of the Training Center;
- b) compliance of the legal acts with the present Law;
- c) implementation of the measures required for functioning of the Training Center.

2. Before February 1, 2010, with the purpose of setting up of the Training Center, the Government of Georgia shall provide the following:

- a) allocation of appropriated budgetary funds to the Training Center required for its functioning under the rule defined by the legislation of Georgia;
- b) transfer of property to the Training Center required for its functioning of under the rule defined by the legislation of Georgia.

Article 129¹⁷ (28.12.2009. N2525)

1. Free broadcasting time for the elections of local self-government to be held in 2010 shall be divided under the rules of the present Article.

2. The party, which independently participated in the last election of the Parliament of Georgian

held through proportional system and which has received not less than 4% of the votes, or which independently participated in the last elections of local self-government held through proportional system and has received not less than 3% of the votes throughout the country, shall be given free broadcasting time within the amount defined by Article 73¹ of the present Law.

3. Free broadcasting time of those parties, which at the last elections of local self-government through proportional election system were united in an election bloc and has passed 3% threshold, or at the last elections of the Parliament of Georgia held through proportional system was united in an election bloc and has passed 4% threshold, shall be defined through division of the amount of free broadcasting time determined under Article 73¹ of the present Law on the number of parties united in the bloc.

4. Right to make use of free broadcasting time shall be granted to the parties from the moment of their registration as relevant electoral subjects.

5. If several parties have united in an electoral subject, which satisfy the requirements defined by Paragraph 3 of the present Article, free broadcasting time allocated to each of them shall be added up. Thus, free broadcasting time defined for one electoral subject shall not exceed the amount determined under Article 73¹ of the present Law”.

CHAPTER XIX FINAL PROVISIONS

Article 130

Upon enactment of the present Law the following shall cease to be operative:

- a) Organic law of Georgia „On Elections of the Parliament of Georgia“ (Bulletins of the Parliament of Georgia, 1995, N31-33).
- b) Organic law of Georgia „On Elections of the President of Georgia“ (Bulletins of the Parliament of Georgia, 1995, N31-33).
- c) Law of Georgia „On Elections of Representative Body of Local self-government – Sakrebulo“ (Parliamentary Bulletin, 1998, N27-28).

Article 131. Enactment of the Law

The present Law shall be enacted upon its promulgation.

President of Georgia

Eduard Shevardnadze

Tbilisi

August 2, 2001.

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