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EUROPEAN COMMISSION FOR DEMOCRACY THROUGH LAW
(VENICE COMMISSION)

**DRAFT ELECTION CODE
OF GEORGIA
(Official translation)**

DRAFT**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 mayor of Tbilisi, the representative body of local self-government-Sakrebulo as well as of referendum/plebiscite. It provides for 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. Use of Terms

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

a) **Referendum** – a nation-wide polling with the purpose of overall, equal and direct expression of will, by secret vote, for resolution of issues particularly important for the state, which is held on the whole territory of Georgia.

b) **Plebiscite**- a nation-wide polling by vote for learning the opinion of voters or their part, on particularly important state issues, results of which bear a recommendation character for the state government.

c) **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 representative bodies of public Authority and public officials;

d) General elections – the regular or extraordinary elections;

d.a.) Regular elections – 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 Abkhazian and Adjarian autonomous republics, the respective laws;

d.b.) **Extraordinary elections** – elections which are held due to early expiration of the term of office of a representative of public authority or public official;

e) By-elections – elections held through a majoritarian electoral system on the election district in accordance with the procedures prescribed in this Law, to fill a vacant seat at the representative body of the authority;

f) New elections – elections that are held again in accordance with the procedures for the elections:

f.a.) 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; (if the relevant drug institution fails to present the drug test certificate of the elected person to the Central Election Commission within the time frame prescribed by this law the election results will be cancelled by the relevant resolution of the Central Election Commission)

f.b.) if the results of elections were annulled by the decision of the court;

g) 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 mandate;

h) 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;

i) Election day – the day of holding general, by-elections or new elections, the day of second ballot or the day of holding a second round elections;

j) Elections conducted through proportional election system-election of members of Parliament or and the representative body of local self-government of Georgia-Sakrebulo, based on Party lists;

k) 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 a single-mandate election districts;

l) Right to vote – active and passive voting right;

m) Active electoral right – the right of a citizen to participate by casting a vote, in general elections and referendum/plebiscite held for electing the people's representatives to a representative body of public Authorities and for electing public officials;

n) Passive electoral right–the right of a citizen to be eligible to run for a representative state body of public power and to hold a public office;

o) Electoral registration – the registration by the appropriate election commission of parties, election blocs, initiative group of voters and candidates for the participation in elections;

p) Electoral subject candidate – a person proposed for registration in the appropriate election commission with the purpose of running for the elections;

q) Election subject – a candidate for membership of a representative body of public authority or public office, a party, election bloc or initiative group of voters registered by the appropriate election commission;

r) Election administration-the Central Election Commission of Georgia (hereinafter referred to as CEC) and its office, High Election Commissions of the Autonomous Republics of Abkhazia and Adjara (hereinafter referred to as HEC) and their offices, District Election Commissions and Precinct Election Commissions,

s) Election administration official - members of election commission and office staff.

t) 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 running for elections;

u) Election bloc – a union of 2 or more Parties registered by the Central Election Commission of Georgia;

v) 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;

w) Candidate for the post of Mayor of Tbilisi-a citizen of Georgia, presented by a party/election bloc registered by the Central Election Commission of Georgia for the purpose of running in elections for the post of Mayor of Tbilisi;

x) Candidate nominated by party list-a citizen of Georgia entered in a party list registered by the relevant election commission for the purpose of taking part in elections of the Parliament of Georgia and the representative body of local self-government-Sakrebulo;

y) Majoritarian candidate – a citizen of Georgia registered by a relevant election commission to run in the elections of the Parliament of Georgia, representative body of local self-government –Sakrebulo, nominated in an electoral district by a party/electoral bloc;

z) Election district – an operations area-administrative elective division, in which elections and referendum are organized and held;

z¹) Majoritarian election district – single member constituency created for the purpose of election for the Parliament of Georgia;

z²) Local majoritarian election district – single member constituency created for the purpose of election under majoritarian system of members of the body of local self-government –Sakrebulo;

z³) Election precinct –administrative electoral division, created according to the

procedures of the Law, for the purpose of ballot and poll while holding elections or referendum;

z⁴) Representative body of local self-government-Sakrebulo; the Sakrebulo of the capital city of Georgia-Tbilisi, a municipality and a self-governing city;

z⁵) Political public official – the President of Georgia, the member of the Parliament of Georgia, the Prime-Minister of Georgia, other members of Georgian government and their deputies, a member of Highest representative body of Abkhazia and Adjara, heads of governments of Abkhazia and Adjara. The member of local self-government body and head of executive body. State authorized representative-the governor.

z⁶) Political/pre-election advertising - advertising broadcasted by mass communication media (hereinafter referred to as “media”) which aims at promoting/hindering election of election subject in which the election subject or/and his number are shown and which has signs of pre-election campaign, or appeal for or against decision presented for referendum/plebiscite;

z⁷) Pre-election campaign- a unity of measures carried out by electoral subject /electoral subject candidate aimed at contesting and winning in elections, which includes appealing to citizens in favor or against electoral subject/subject candidate;

z⁸) Election/referendum campaign fund – a unity of money resources of election subject/participant of referendum for the election/referendum campaign, as well as all goods and services obtained free of charge (reflected by market prices) except the free air time obtained in accordance with the rule established by this Law.

z⁹) Information on the election/referendum campaign fund-information on the account number of the election/referendum campaign fund, all goods and services obtained free of charge, donation source, amount of donation, date of receipt of donation, opening, closing and balance of the fund account, and proportionally paying back the remaining funds on the account to contributors;

z¹⁰) Election donations to the election/referendum campaign fund-money resources transferred to the account number of election/referendum 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 rule.

z¹¹) Election documents – incoming and outgoing applications, petitions, letters, business correspondence, protocols, ballot papers, special envelopes, legislative acts of the election commission, check-lists, registration books, registers of voters, voters’ cards and other documents at election commission.

Article 3. Basic principles of elections, referendum and plebiscite

The basic principles of conducting elections, referendum and plebiscite in Georgia are:

a) Universal suffrage of participating in elections/referendum:

a.a) Any citizen of Georgia who by the elections/referendum has attained or is on the day of election/referendum attaining the age of 18 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 have restricted suffrage;

a.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, or by the Law of Georgia “on Combating Drugs Crimes” have restricted passive suffrage.

a.c) 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 be eligible to take part in elections/referendum.

b) Equal suffrage

b.a) Voters take part in elections, referendum and plebiscite on equal grounds.

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

c) Direct suffrage

c.a) Elections in Georgia shall be direct.

c.b) The President of Georgia, the members of the Parliament of Georgia, the mayor of Tbilisi, the representative body of local self-government-Sakrebulo members shall be elected directly by voters.

d) Secrecy of the ballot and free expression of the will of voters.

d.a) Elections, referendum/plebiscite in Georgia are held by a secret ballot.

d.b) 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 4. Publicity of elections

Under the rule prescribed by this Law and proceeding from its purposes, the activities of the election commissions, election subjects, bodies of public authority and public officials, non-entrepreneur (non-profit) legal persons registered in compliance with the legislation of Georgia shall be open and public.

Article 5. Calculation of periods prescribed by this Law

1. All periods prescribed by this Law, including the periods of judicial recourse and the periods of a court judgment are counted in calendar days (including days off and holidays as prescribed by the Labor 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. In the expression "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 6. Declaring Election Day as a holiday

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

CHAPTER II

THE ELECTION ADMINISTRATION OF GEORGIA AND ITS AUTHORITY

Article 7. Status, system and composition of the election administration of Georgia

1.The election administration of Georgia is an independent administrative body,which within the limits of its authority is independent from other government agencies and is established in accordance with this Law. The authority of election administration and the rule of its composition are governed by this law.

2. The election administration of Georgia is composed of:

a) The Central Election Commission and its office;

b) The High Election Commission and its office;

c) District election commission;

d) Precinct election commission;

3. The highest body of the election administration of Georgia-CEC shall conduct and control election commissions at all levels, within its terms of reference, and ensure the implementation of the election law throughout the whole territory of Georgia.

4. When general elections and Adjara Highest council elections are held at the same time, the functions of district and precinct commissions are carried out by district and precinct election commissions formed for general elections.

Article 8. Rules of work of the election commissions

1. The rules of work of the election commission shall be determined by this Law and by the regulations of the relevant commissions, which shall be approved by decree of the CEC.

3. The session of the election commission is called by the request of the chairman of the commission or deputy chairman.

4. The meeting is valid if attended by the majority of the full commission.

5. The decision of the commission shall be considered adopted if supported by the majority present (unless this law provides for a higher quorum), but not less than one-third of the members.

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

7. The human resources matters shall be resolved at the session by the majority of the full commission.

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

9. The session minutes shall be compiled within 1 day after the session.

10. 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 action/inaction, the execution of the decision.

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

12. 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.

13. Receiving any document from the commission shall be confirmed by the applicant by signature in the registration journal.

14. The election commission shall be entitled not to consider the application/complaint, if the deadline and procedure for submission has been violated.

15. Election documentation is accessible to all persons. The election commission shall acquaint all interested people with the election documentation and information on elections within 2 days' period from the date of request and in case of demand of copies the amount of payment and the method of payments shall be regulated in compliance with the legislation of Georgia.

16. The session of the election commission is open. The members of the higher election commission and representatives of the commission, relevant and staff of the higher election commissions, representatives of media authorized in relevant commissions, one representative of the election subject in each commission, one observer of the local observation organization registered in the relevant commission, one observer from the international organization with an interpreter, registered in the CEC are authorized to attend the meeting of the election commission. In case of disorder and hindering the activities of the election commission, the chairman is authorized to turn out the disorganizer from the meeting (except for the representatives of the election subject). The commission shall be authorized to take the decision to expel the representative of the election subject from the election precinct, which shall be registered in the minutes of the meeting.

17. The following are authorized to stay in the building of ballot:

- a) Members of central, district and precinct election commissions;
- b) Representatives of central and district election commissions;
- c) Representative of election subject;
- d) Representatives of print media and other mass media, registered in the relevant commissions;
- e) Observers;

18. All people who enjoy the right to stay in the building of the ballot shall have badges indicating their identity and status.

19. The chairman of Election Commission shall have the right in case of obstructing the work of the Commission and violations of the order to expel the offender(except for the representative of the election subject) from the premises of the administrative building, and during meeting to expel from the meeting. The decision to expel the representative of the election subject from the election precinct is taken by the commission, which shall be registered in the protocol.

20. The member of the election commission is obliged to participate in its activities from the very day of appointment (election) in the relevant commission.

21. Member of district or precinct election commission is obliged to sign the results of the consolidated protocol of ballot or results of the elections and if he/she does not agree with the data entered into the protocol, he/she is authorized to indicate thereof in the relevant section of final protocol of ballot and attach the different opinion in written to the protocol.

22. The member of the election commission is not the representative of his appointer/elector subject. He is independent in his activities and is subordinated only to the Constitution of Georgia, law and relevant legislative acts. Influence of the member of the election commission or interference with his activities is forbidden and is punishable by law.

23. 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 by 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 his/her proxy are ceased.

24. If the election commission does not have a chairman or a deputy chairman, the secretary of the commission calls the meeting for the election and chairs it until the election of the chairman, and if the commission does not have a secretary, the commission meeting is called and chaired by the oldest member of the commission.

Article 9. Remuneration

1. In the period of elections/referendum the members of Central Election Commission and District Election Commission and officials, as well as staff of CEC are paid double salaries.

2. Executives/members of Precinct Election Commission and officials 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.

3. The remuneration paid to members of Precinct Election Commissions is determined by the Central Election Commission.

Article 10. Composition of CEC and rule of election of the chairman of the CEC

1. The Central Election 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. 5 members of CEC shall be appointed by the Georgian Parliament upon submission of the President of Georgia and 7 other members are appointed by parties according to the procedure prescribed by this law.

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

3. Not later than 30 days before the expiry of the term of the 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 local non-entrepreneur, non-commercial organizations, shall nominate 3 candidates for the post of the CEC chairman to the CEC.

4. The candidate for the post of chairman of the CEC may be an 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 12 of this law, this paragraph and article 17 of the law of Georgia on Public Service, has a working experience of not less than 3 years and certificate of election administration officer.

5. Decision on the election of 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 presided 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 members shall be carried out simultaneously. CEC chairman shall be considered elected, if any of the candidates receives 4 or more votes. The minutes of the meeting and the resolution shall be signed by the chairmen of meeting _the oldest member of the commission.

6. If within the terms defined by paragraph 5 of this article the CEC chairman failed to be elected out of the 3 nominated candidates, the Parliament of Georgia, within 7 days shall elect the CEC chairman out of the same 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 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 11. Election of deputy Chairman and the Secretary of the Central Election Commission of Georgia

1. At least 2 members of the commission have the right to nominate the deputy chairman and the secretary of the CEC.

2. One and the same candidate can be nominated only twice.

3. If within the established term the commission fails to elect the deputy chairman and the secretary the duties of the mentioned official shall be fulfilled by the member of the commission who received the highest vote, and in case of equality of vote the person defined by casting the lots.

Article 12. Election of the members of the Central Election Commission of Georgia

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. The deadline for the submission of competition documents is no later than 14 days after announcement of the competition.

4. The candidate for the post of the CEC member may be a non-partisan person with higher education, an able citizen of Georgia who has attained the age of 25, who is fluent in the official language of Georgia, has experience of no less than 3 years and certificate of election administration officer.

5. The member of the CEC shall not be elected:

a) A person, who has not the certificate of election administration officer;

b) A person, who has been dismissed from the post in the election commission by the election commission or the court due to violation of the legislation;

c) A person, whose violation of election legislation was confirmed by the court;

d) A person, who has been tried for crime and his previous convictions has not been expunged;

6. If within the terms defined by this Law it is 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.

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

8. Not later than 5 days after the expiry of the nomination of 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 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.

9. Not later than 14 days following the nomination by the President of Georgia of the candidates of 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 shall vote for it. If the number of these persons is more than the number that is to be elected, the candidate 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.

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

11. The same candidate can be nominated only twice.

12. After the pre-term termination of the terms of office of a CEC member elected by the Parliament of Georgia, 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.

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

Article 13. Procedure for appointment and termination of term of office of members of the CEC appointed by political parties

1. 7 members of the CEC shall be appointed by parties according to 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 one which has 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.

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.

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, and there is no such party or the party (parties) refused to appoint a member the procedure established by provision 6 of this article shall apply.

6. A party shall have the 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 suspension or death of the appointed member.

Article 14. Central Election Commission authority

1. CEC shall:

a) Within the limits of its authority, ensure to hold elections and referendum/plebiscite monitor the process of implementation of the electoral legislation throughout Georgia and secure its uniform application.

b) By decree approve election administrative regulations.

c) In exceptional cases, if the requirements/terms established by the law are impossible to meet, be entitled under its resolution to determine the election activities and terms of the forthcoming election/polling. Also, where necessary, under this law, submit to the president of Georgia a proposal about appointment of a new election date.

d) By resolution, determine the rules for the participation and usage of **media** in the election process and monitor its implementation of these rules in accordance with the Law and other Georgian Laws.

e) By resolution set up election districts and specify their boundaries.

f) If necessary, for resolution of issues included in the Code of Legal Acts, be authorized by resolution, which is obtained by the two third of the absolute majority, to set up a special group, define its authority and period of its activity.

g) If the subordinate election commission does not or cannot perform the duties assigned by the law, be entitled by resolution, which is obtained by the two-thirds of the absolute majority, terminate the commission authority and create a special group which will be responsible to carry out the duties until setting up a new commission.

h) By the resolution draw up the schedule of election procedures within terms set by this Law.

i) shall, by resolution and in accordance with the terms prescribed by this Law determine a timetable for election activities;

g) By resolution, appoint extraordinary elections, by-elections, interim-elections, second ballots and second round of elections.

k) by own initiative or on the basis of a application/complaint, in accordance with the procedures for considering election disputes defined by this law, check the legitimacy of the decisions and acts of election commissions and their officials and in the event of violation, invalidate or revise them by resolution; by resolution make decision on opening the parcels received from respective precinct election commissions on the recounting of ballot papers/special envelopes/lists of voters;

l) based on summary protocols of ballot casting DEC and PEC , considering the final decision of court on election violations, 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;

m) shall, by issuing a resolution, grant an election/referendum/plebiscite status of an observer to anon-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;

n) Shall by issuing a resolution determine the rules for allocation and usage of state funds allocated for holding elections and referendum/plebiscite;

o) 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/Mayor 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;

p) 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.

q) ensure computer processing of the voting/election results communicated by DEC's and their immediate publishing on the CEC web page; in case of adoption the decision referred to in subparagraph (p) of this paragraph, - its publication on the CEC web page;

r) Manage the activities of DEC's, regularly hear their reports;

s) Ensure publication and distribution of information.

t) By provision determine the rule of certification of election administration staff and other pre-competition resolutions for choosing CAC board staff and precinct election members.

u) Ensure the monitoring of workshops and training courses held by PLC Electoral Systems Development, Reforms and Training Centre.

v) By this law, consider election-related applications and complaints and take the appropriate decisions within the scope of its authority;

w) be responsible for the formation of the general list of voters, its computer processing and publishing on the internet -CEC web page of the part designated for public inspection (the last name, first name, date of birth, ID registration address, also the actual address for Internally Displaced People (IDPs), the date of registration in the general list of voters).

x) Shall manage the activities of District Election Commissions, regularly hear their reports.

y) By resolution determine the additional rule of creating a unified voters' list and the voting procedures.

z) By resolution determine staff timetable and estimation of funds based on the chairman appointment.

z¹) by resolution determine special trainings and rules for DEC members.

z²) by resolution determine the accounts of expenses related to elections/referendum held by Central Election Committee.

z³) exercise other authority granted under this Law.

2. All the resolutions of the CEC shall be 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 f-l of paragraph 1 of this article shall be published within 3 days from their issue.

3. The Central Election Commission of Georgia is authorized to adopt a resolution on other issues (within the competence of CEC) related to election procedures which have not been envisaged by this Law.

Article 15. Powers and Authorities of the Chairman, Deputy Chairman and Secretary of the Central Election Commission of Georgia

1. The CEC Chairman is the highest official of the Election Administration.

2. The CEC Chairman:

a) administers all administrative functions in the CEC;

b) chairs CEC sessions;

c) disposes the funds of the CEC;

d) registers political parties and blocs taking part in the elections, initiative groups of voters (for presidential elections) and their representatives at CEC as well as majoritarian candidates while elections of the Parliament of Georgia;

e) Registers the presidential candidates of Georgia, candidates nominated by the parties and candidates of mayor of Tbilisi.

f) Issues relevant certificates to the parties and blocs taking part in the elections, representatives of initiative groups of voters (for presidential elections).

g) Issues the appropriate certificates to the presidential candidates of Georgia and candidates of Mayor of Tbilisi, candidates nominated by the parties/election bloc in electoral districts (for parliamentary elections).

h) Issues the appropriate certificate to the elected President of Georgia, members of the Parliament of Georgia, Mayor of Tbilisi, 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.

i) Submits 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.

j) Exercises other powers and authorities granted thereto under Election legislation.

k) except the issues determined by election commission law, on the basis of CEC chairman resolution for a definite period, CEC chairman entrusts the head of the structural unit with administrative and financial duties.

l) Instructs the Deputy Chairman, Secretary, other CEC members and employees of the Apparatus in accordance with the Regulations of Election Administration;

3. The CEC Deputy Chairman:

a) performs the duties assigned to the CEC Chairman, if the CEC has no Chairman;

b) Exercises certain authorities of the CEC Chairman according to a 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:

a) distributes election documents and all correspondences submitted to and addressed to the CEC;

b) Registers the representatives of any party/election bloc participating independently in 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) Registers 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;

d) Makes accreditation of representatives of the mass media and issues to them the accreditation cards;

e) Draws up the summary protocols of the election results;

f) Exercises any other powers and authorities granted under the election Law.

Article 16. Apparatus of the Central Election Commission of Georgia

1. The Apparatus of the Central Election Commission of Georgia is 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. The election administration official (except the case when the member of the commission is appointed by the party in accordance with the regulation of this Law) is limited to be involved in party activities.

4. 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 be determined by the CEC resolution.

Article 17. LEPL the Electoral Systems Development, Reforms and Training Center

1. The powers of the LEPL Electoral Systems Development, Reforms and Training Center (hereinafter – the Training Center) shall be established in compliance with the present Law, its authority shall be defined by the legislation of Georgia and rules of the Training Center.

2. State monitoring of the Training center shall be performed by the Central Election Commission.

3. 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”.

4. 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.

5. 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. Election Districts

Election districts, their boundaries, titles and numbers are determined by CEC resolution in accordance with this Law.

Article 19. Establishment of District Election Commission

1. District election commission represents permanent regional body of election administration of Georgia. District election commissions are created by the majority of the full composition of the CEC.

2. CEC is entitled to set up at least one district election commission in each self-governing unit, and in those self-governing units where more than one majoritarian wins the place in the parliament, the number of the commissions will depend on the number of majoritarian.

3. Chairman/Members of the DEC are elected for the 5 year term, whereas the period of activity of a member of the commission elected by the CEC in accordance with the 5 paragraph of this article, is determined from the moment of the appointment until announcement of final outcome of the relevant elections.

4. 5 members of DEC are elected for 5 year term by the majority of full composition of the CEC.

5. After fixing the Election Day, 7 members of the DEC are appointed by political parties envisaged by article 13 of this Law and 1 member is elected by the majority of full composition of the CEC for the term until announcement of final outcome of the relevant elections.

6. 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.

7. Officials of district election commission are elected by the district election commission from among its members by the majority of its full composition.

8. It is not allowed to accommodate DEC in the building where there are the offices of The State Representative-Governor and self-governing bodies-sakrebulo-municipality, as well as court and Police Services.

Article 20. Election of chairman/member of District Elections Commission

1. DEC consists of 13 members, who are appointed/elected by the subjects defined by this Law in accordance with the regulations and terms defined by the same Law.

2. In case of relevant vacancy, at the first meeting, District Elections Commission elects DEC officials, with the membership authority term, by the majority of the full composition and by a roll-call.

3. Not more than 2 members of the commission can nominate DEC chairman, chairman deputy and secretary candidates.

4. The same candidate may be nominated only twice.

5. If within the established term the commission fails to elect the commission officials, the member of the commission who received the highest vote in the election commission pending the election shall fulfill the duties of the above-mentioned official of the election commission; and in case of equality of votes – the person is defined by casting of lots.

6. 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.

7. 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.

8. 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.

9. In the DEC the authority of 1 member appointed by the CEC in accordance with the procedure prescribed in article 19 of paragraph 5 and the authority of a commission member which is elected by political parties envisaged in Article 13 shall cease immediately after final results of elections are announced.

10. Candidates for district Election Commission Membership shall be selected based on the open competition.

11. Candidate of District Election Commission membership shall be a nonpartisan person with higher education, who is fluent at the state language of Georgia and has a certificate of election official.

12. A Georgian citizen having attained 21 years, who meets the requirements of this Law may participate in the competition.

13. The application 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.

14. 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.

15. A candidate may not be appointed/selected as a member of DEC if:

- a) s/he is not granted the certificate of election administration official.
- b) s/he 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) his/her violating of the election legislation has been confirmed by court;
- d) s/he has a criminal record (except the case, when a fine was imposed as a sanction) whose previous conviction has not been vacated;

Article 21. Powers and Authorities of District Election Commission

1. A district election commission within its scope of authority, in the relevant election territory shall:

- a) Ensure holding of elections and referendum/plebiscite in the election district, monitor the fulfillment of the election legislation and secure its uniform application.
- 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) 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 (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.
- f) based on results of summary protocol of the PEC considering violations of election law, sum up election district voting results during elections/referendum/plebiscite, based on which summary protocol of DEC voting results shall be drawn up;
- g) based on results of summary protocol of PEC, considering violations of election law and regional/city court decision, establish the results of majoritarian system elections of Parliament of Georgia at majoritarian election district during local self-government elections(except Tbilisi sakrebulo elections) at election district based on which summary protocol of DEC voting results be drawn up.
- h) Grant by the resolution the status of local observer of elections/ referendum/plebiscite to local non-profit legal person envisaged by this Law.
- i) Ensure holding extraordinary elections, by-elections, second ballots and second round of elections.
- j) Ensure the release and publication of information related to the elections.

k) Examine the application/complaints related to the elections and within its power take relevant decisions.

l) Assist in compiling the List of Voters in accordance with procedures established by this Law and ensure publicity and accessibility thereof;

m) Ensure organization of workshops and training courses for enhancing the qualification of the candidates of precinct election commission members.

n) Exercise other powers and authorities provided by this law.

Article 22. Powers and Authorities of the Chairman, Deputy Chairman and Secretary of District Election Commission

1. The DEC Chairman shall:

a) Administer all administrative functions in the DEC;

b) Chair DEC sessions;

c) Dispose the funds of the DEC;

d) Instruct the Deputy Chairman, Secretary, other DEC members and auxiliary and technical staff in accordance with the Regulations of Election Administration;

e) Register the candidates nominated at DEC by party/election bloc;

f) Issue the relevant certificates to the candidates nominated by party/election bloc for the election;

g) 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;

h) 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;

i) Exercise other powers and authorities provided by the election law.

2. DEC deputy chairman shall:

a) Perform the duties assigned to the DEC Chairman, if the DEC has no Chairman or the Chairman is unable to perform such duties;

b) Exercise certain authorities of the DEC Chairman according to a 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;

d) Accredite by resolution the representatives of the mass media and issues to them the accreditation cards;

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 23. Election precincts

1. The election district is divided into election precincts to conduct polling process and count the votes.

2. An election precinct is organized for at least 20 and maximum of 1,500 voters. The relevant district election commission determines the boundaries and defines the numbers of the election precincts not later than July 1st of the election year and in 2 days time publishes the information including the boundaries of the election precincts. DEC determines and specifies

the list and addresses of the residential buildings within the election precinct based on the data of the local self-governing bodies as well as all those buildings which the election administration might use for election purposes. In case of extraordinary elections, the election precincts are set up not later than 40 days prior to the Election Day.

3. The information on election precinct boundaries indicating the addresses all the residential buildings (if any) shall be put up in the district election commission building.

4. In exceptional cases, (a military unit with more than 50 voters (servicemen), hospital and other in-patient institutions with more than 50 voters and others) the election precinct may be set up not later than 15 days prior to the polling. A hospital (in-patient institution), a military unit (command) which comprises no more than 50 voters (patients, military servants), by resolution of the DEC shall be attached to the nearest election precinct. At the substantiated written request of the commander of the relevant military unit and by resolution of the DEC, an election precinct may be set up in the military unit (command) where the number of voters exceeds 50 (servicemen).

5. No later than 50 days prior to the Election Day, the relevant DEC specifies the boundaries as well the list of buildings and addresses located within the election precinct based on the data and inspection provided by the municipality, self-governing city, and local regional self-governing bodies of the city. The established boundaries of the election precincts are immediately published.

6. Election precincts in military commands as well as on ships 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.

7. 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 Election precincts constitute a separate electoral district and returns shall be summed up by the Central Election Commission.

8. The district election commission after 5 days from forming the electoral precinct and in the case provided in paragraph 4 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.

Article 24. Creation of polling station commission

1. Polling station commission consists of 13 members, which are elected/appointed according to the terms and conditions defined in this law by subjects, also define by this law.

2. 6 members of polling station commission are elected by majority of full District election commission

3. 6 members of polling station that are outside the country are elected by Central election commission.

4. 7 members are appointed according to article 13 of this law by subjects defined in the same article.

5. Member of the polling station can be any voter, except for:

a. Person, that has been discontinued from his/her position by election commission or court for breaking election laws.

b. Person, whose charge of breaking election law has been proved by court

c. Person who has committed a felony and has not been discharged from it

d. Chairman and deputy chairman of Parliament of Georgia, Chairman and deputy chairman of Commissions and fraction of Parliament of Georgia, Head of administration of Parliament.

e. Ministers and deputy ministers of Georgia and Autonomic republics.

f. Heads of department and directorates of ministries

g. Heads of local municipally representative and executive organs- Head of city council, governor, Mayer and their deputies.

h. Military serving under ministry of Interior of Georgia, Ministry of Defense and Ministry of corrections, probation and legal assistance of Georgia; People serving in special services of Intelligence and state security

i. Judges and their assistants

j. Employees of prosecutor's office

6. Any public official can be appointed as a member of polling station commission, except for people mentioned in sub-paragraphs d-j paragraph 5th of this Article, and the requirements of work inconsistencies defined in law "concerning Public Service" will not be concerning them. During the period of membership in polling station election commission, the plenary powers of the public official should be temporarily terminated. Vacation days are to be used for this period.

Article 25. Appointing/Electing members and heads of polling station commission

1. Head and deputy of the polling station commission, after evolvment of such vacancy, are elected from the members of commission on the first meeting of the commission for a term same as membership, with majority of full commission using unanymous voting.

2. If head and deputy are not chosen before defined deadline, responsibilities of these positions will be given to members with most votes. If the votes are same for two candidates- winner shall be announced through random allotment.

3. Same candidate can be named only twice.

4. District election commission elects 6 members of polling station commission no early than 50th day before election and no later than 46th, except for preliminary presidential elections; in this case District election commission elects 6 members of polling station commission not earlier than 38th day before election day and not later than 36th day. Members of commission for special cases will be elected no earlier than 10th day before the election day and no later than 9th day.

5. Central Election Commission elects 6 members of polling station commission that is outside the country no earlier than 24th day and no later than 20th day.

6. Decision of authorized party, defined in article 24, paragraph 4 of this law, about appointment of polling station commission member shall be introduced to district election commission no earlier than 50th day and no later than 46th day before that election day, except for preliminary presidential election; in case decision of authorized party about appointment if polling station commission member shall be introduced to district election commission no earlier than 14th and no later than 9th day before the election day, and in case of polling station commission operating outside the country –shall be introduced to Central election Commission, after the creation of polling station, no later than 20th day before the election day.

7. List of members of polling station commission is made public by district election commission no later than 29th day of the election case, in case of special commission- no later than 5th day, in case of commission operating outside the country- the list is made public by Central Election Commission no later than 10th day.

8. If by the 30th day before the election day, in cases of special commissions by 8th day and in case of commission operating outside the country by 19th day before the election day there are less members in the polling station commission than is defined by law, in 3 days district commission (in first two cases) and Central Election Commission (third case) has right to choose an already named candidate or appoint a candidate based on new contest. Terms, conditions and dates of the contest for candidates are defined by Central election Commission.

9. Decision of authorized party to change its representative in polling station commission and to appoint new member, shall be introduced to polling station commission and district election commission, in case of commission operation outside of country, it shall be introduced to Central Election Commission.

10. If the authorized party has not used its right to appoint new member after the term of commission member has ended, and also in cases when the member elected by district election commission or Central Election Commission is discontinued from commission and because of this reason there are less members in the commission than defined by law, district election commission or Central Election Commission, respectfully, have right to appoint a new candidate after 5 days of candidate proposal deadline.

11. Members of polling station commission are elected by district election commission and Central Election Commission using unanymous voting. Each candidate will be voted separately. Elected will be candidate, which will have majority votes of the full commission. If number of elected candidates is bigger than number of vacancies, elected will be candidates with best results. If there are equal number of votes for candidates and winner cannot be defined, these candidates will be voted again. If the winner cannot be seen again, it shall be appointed though random allotment. If not all vacancies are filled, decision is made by Central Election Commission.

12. Decision about election/appointment of polling station member should include name and last name of the elected/appointed member and also number of polling station, which will have this member in its commission. Party decision about appointment of member should have contact information of the person, his/her address, phone number and Georgian Citizen Identification Card.

13. Candidate will not be considered to be member of commission, if deadlines for submission of appropriate documentation defined in this article are not followed or the documentation is not full or exact and if the deadline for re-submission defined in this paragraph is not followed. If the submitted documents are not appropriate as defined in this article, head of district election commission or central election commission will inform (mentioning what is not appropriate) whoever elected/appointed member of commission. Corrected documents shall be returned to appropriate district election commission or Central Election Commission.

14. Term of member of polling station commission starts at the first meeting of polling station commission and ends with the creation of the final report of the polling station commission after final count of the votes

15. Secretary of polling station commission is elected from the members appointed by parties (except for the member appointed by party with best results in previous parliamentary elections)

16. Candidate for secretary of polling station commission can be named by at least two members according to paragraph 15 of this article.

17. Members of commission as mentioned in paragraph 15 of this article elect the secretary of polling station commission with unanimous voting, majority if attending members with the term same as membership. Election of the secretary of polling station commission shall be documented as order of commission. If the decision cannot be made, secretary of polling station commission is appointed by majority of full commission.

18. If decision cannot be made according the 17th paragraph of this article, responsibilities of secretary of polling station commission shall be fulfilled by member-candidate with the most votes. If there are equal number of votes two candidates, the winner should be announced through random allotment.

19. If the secretary of the polling station commission cannot be appointed as defined in this article, secretary of the polling station commission will be elected from the members of commission with majority of full commission, any two members can propose a candidate

20. Powers of the polling station commission member is terminated when new member is elected in his/her place.

21. First meeting of polling station commission is to be appointed no later than 34th before the general election day. In special cases and in case when commission operates outside the country, the first meeting of the commission is no later the 3rd day after creation of commission. First meeting of polling station commission is appointed by head of district election commission. First meeting of the commission that operates outside the country is appointed by the head of Central Election Commission.

Article 26. Powers and authorities of Polling Station Commission

1. Polling station commission is temporary territorial organ of election administration of Georgia, which is created by/with subjects, elected/appointed by Central Election Commission and district election commission. According to article 24 of this law.

2. Polling station commission:

a. Within its rights and responsibilities ensures that the elections and referendum/plebiscite are properly administered, election laws are followed, procedure of elections defined by laws are followed, rights of representatives and observers guaranteed by Constitution of Georgia and this law are used and protected

b. Checks if the list of voters is correct, reviews appeals and in case mistakes and inexact information is found reports it to district election commission no later than the day after finding such abnormalities and proposes making changes to the list.

c. Based on reports and appeals of voters makes a list of ballot boxes that are to be moved

d. Finds the results of the polling station and writes a report of polling station commission about the final results

e. Has right with the majority of full commission to propose the district election commission to announce the polling station results void.

f. Gives voters the voting ballots

g. Is responsible for making information about elections as defined in election laws public; to prepare appropriately place where ballots are to be counted; ensure order at the polling station

h. During voting accepts appeals about election procedure and voting preparation and within its rights makes decisions

i. Ensures that rights of the votes are unconditionally protected and is responsible for protection

j. Can annual decision of polling station commission head about temporary closing down of the voting building, stopping voting, reopening the voting building, continuing voting process

k. Follows other powers and authorities defined by election laws

3. Decision taken by polling station commission and its head are to be made public on the second day in the election precinct.

Article 27. Powers and authorities of Polling Station Commission Chairman, Deputy Chairman and Secretary

1. Chairman of polling station commission:

a. Fulfills all administrative functions in polling station commission

b. Chairs meetings of polling station commission

c. Receives and delegates documentation received in polling station commission and all other information received by polling station commission.

d. Is personally responsible for saving and appropriately giving away voting ballots, special envelopes, commission stamp, final reports and other election document ;

e. Gives appropriate tasks defined in polling station commission regulation to deputy chairman, secretary of commission and other members of commission.

f. be responsible for keeping order at the polling place and on the territories adjacent thereto on the election day;

g. Must not allow unauthorized persons without appropriate badge in voting room;

h. Gives final report and all the other election documentation to the district election commission;

i. Follows other powers and authorities defined in election law;

2. Deputy chairman of polling station commission:

- a. Is responsible for acting as a chairman if the commission does not have a chairman or he/she cannot fulfill his/her obligations
- b. Under orders of chairman of polling station fulfills some responsibilities of chairman of polling station (it is crucially important that terms and limits of the specific obligation are given to deputy chairman by the chairman)
3. Secretary of polling station commission:
 - a. Prepares project of polling station commission orders
 - b. Is responsible for publicity of information
 - c. Writes reports and also the final report of polling station commission
 - d. Exercise any other powers and authorities provided by this law.
4. If members of polling station commission do not fulfill the obligations determined by this law they will be punished according to article 28, paragraph one and two.

Article 28. Disciplinary Measures for Members of Polling Station Commission

1. Disciplinary abnormalities for the members of polling station commission shall be defined as:
 - a. Does not fulfill or does not fully fulfill obligations of the office
 - b. Damaging or partner of damager of the property belonging to the election administration
 - c. Being absent at work without appropriate reason
 - d. Being absent at the polling station meeting 3 times without appropriate reason
 - e. Breaking election law and polling station commission regulation
 - f. Refusing to sign final reports of commission member voting and election final results
2. District election commission can take following disciplinary measures against members of polling station commission if there are abnormalities:
 - a. Remark
 - b. Warning
 - c. Blocking salary or part of salary
 - d. early termination of office;
3. For single disciplinary abnormality can be taken only on one disciplinary measure
4. District election commission uses simple administration rule defined in general administration code of Georgia for disciplinary measures against the members of polling station commission.

Article 29. Termination of term of member/chairman of election commission

1. Termination of term of Chairman/member of Central Election Commission is done by resolution of Parliament of Georgia (except for members of Central Election Commission appointed by parties as in Article 13 of this law and other cases mentioned in the article); termination of chairman/member of District election commission or polling station commission is done by orders of higher election authority order (except for cases determined in paragraph 6 of this article and article 13 of this law):
 - a. If the member of polling station commission, 7 days after election, has not stopped activities and/or occupation incompatible with the status of the member of the commission
 - b. If the member of the commission occupies a position incompatible with the status of the member of the election commission defined by this law;
 - c. If the fact of inconsistent work of the member of the polling station commission has been revealed
 - d. If the person has for 2 month fulfilled obligation of chairman/member of Central Election Commission or district election commission or has not attended 3 meetings of Central Election Commission or district election commission

e. If the court has found the person guilty or if the fact of breaking of election law by the member of election commission has been proven by court- in case of enforcement of court ruling

f. If the party which appointed the member has recalled the member of the election commission – if the declaration about recalling has been presented

g. If the voter's status of the member of the election commission has become void

h. If election law, election administration regulation has been systematically broken or if there are any other reasons under Georgian legislation "Concerning Public Service"

2. In case of leaving the office by election commission chairman, deputy chairman or secretary:

a. Declaration about leaving the office by chairman of Central Election Commission is presented to Parliament of Georgia

b. Declaration about leaving the office by deputy chairman of Central Election Commission is presented to Central Election Commission

c. Declaration about leaving the office by chairman, deputy chairman or secretary of district election commission or polling station commission is presented to respectful commission

3. Chairman of Central Election Commission can be terminated based on resolution of Parliament of Georgia, deputy chairman of Central Election Commission, also chairman, deputy chairman, secretary of district election commission or polling station election commission based on order of respectful commission

4. In case elected member of Central Election Commission deceases, notification of the fact is sent to Parliament of Georgia and is attached to report of plenary meeting of parliament of Georgia; in case elected member of district election commission deceases, notification of the fact is sent to Central Election Commission and is attached to Central Election Commission meeting reports.

5. Proposal about termination of chairman, deputy chairman or secretary of election commission, also proposal about termination of member of election commission, based on same reason for more than 2 times in 6 months period is prohibited

6. Members of election commission appointed by parties according to first paragraph of this article (except for cases concerning article 13, article 28 paragraph 2 subparagraph "d" and this article paragraph "g") can be terminated upon court decision

7. In cases of reasons defined in the first paragraph of this law, the issue of termination of chairman, deputy chairman or secretary of election commission or firing member of election commission, is reviewed and ended by: Parliament of Georgia in 15 days or respectful election commission in 5 days. Decision is made by the same way, as appointment

8. If the proposal about termination/firing has not been satisfied in appropriate term, chairman, deputy chairman or secretary are automatically terminated, members of election commission are automatically fired from the day following expiration of this term.

9. Recalling members of election commission 15 days before the election is prohibited

Article 30. Legal acts of the Georgian Electoral Administration

1. Legal acts of Georgian Electoral Administration are the following:

a) Regulations and Resolutions of the CEC, Orders and Regulations issued by the Chairman of the CEC, Resolutions of the Secretary of the CEC, Summary Protocols of the CEC Elections results;

b) Directions of the District Electoral Committee, Directions of the Chairman of the Committee, Directions of the Secretary of the Committee, Summary Protocols of votes and elections of the District Electoral Committee;

c) Directions of the Precinct Electoral Committee, Directions of the Chairman of the Committee, Precinct Protocols of votes and elections of the Precinct Electoral Committee.

2. A Resolution of the CEC represents a subordinate regulatory normative act issued only in cases straightly regulated by the Law, since the beginning till the ending of the elections if it is necessary to resolve issues non-determined by this Law and required for conduction of the elections. The Resolutions may determine separate instructions describing electoral procedures, that shouldn't contain different one from the stated by this Law or new norms and which may contain only detailed description of the procedures stipulated by this Law.

3. Resolution of the CEC is acknowledged as received if it is agreed by 2/3 of the whole membership of the Electoral Committee. The Resolution is signed by the Chairman of the corresponding meeting of the CEC and a secretary of the Committee. Resolution of the CEC enters into force since its publishing in "Georgian Law Bulletin" if this Resolution doesn't define any later date. Appeal against the Resolution is permitted not later than 4 day before the votes. Appeal against Resolution is permitted since the moment of its issuance. The Resolution of the CEC should be published at the web-site of the CEC official web-site within 24 hours since its issuance.

4. Directions of the Electoral Committee, its Chairman and Secretary of the Committee, Summary Protocols of the results of votes/elections represent individual administrative-legal acts issued/published in cases and frames defined by this Law and Resolutions of the CEC. The Direction of the Committee is signed by the Chairman of the corresponding meeting of the Committee and the Secretary of the Committee; however other Directions are signed by its publisher. The summary protocols are signed by bodies authorized by this Law. If this Law doesn't determine any other quorum, the Direction of the Committee will be acknowledged as received if it is agreed by the majority of the attendants at the meeting, but not less than the 1/3 of the whole membership of the Committee.

5. Order of the Chairman of the CEC represents an individual legal act issued internally including issues concerning to the personnel policy.

6. Fulfillment of the Resolutions issued by the authorized bodies (in scopes of their competence) of the Georgian Central, District and Precinct Electoral Committees is correspondingly obligatory within the whole territory of Georgian, Electoral Districts and Electoral Precincts.

CHAPTER III LIST OF VOTERS

Article 31. General List of Voters and its Compilation Procedure

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.

b) Date of birth (day, month, year);

c) Place of registration as shown in identity card (address of the permanent residence);

d) Personal number of the ID of citizen of Georgia;

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);

f) The date of registration of the voter in the general list of voters

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.

4. The Central Election Commission shall be 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, address as shown in Identification Card of citizen of Georgia, for internally

displaced person - also a place of actual residence, the date of registering the voter in the general voter's list) on the CEC website.

5. The general list of voters shall be compiled:

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;

b) based on information from local self-government concerning the persons who passed away, but their relatives have not applied to the territorial bodies of the Ministry of Justice of Georgia for obtaining a death certificate, also the information provided concerning streets and dwelling houses the names/numbers of which were changed;

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 Probation 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;

e) Based on data communicated by heads of the consular offices of Georgia concerning the voters being on the consular registry of Georgia (except for local self-government body – Sakrebulo and Tbilisi City Mayor elections);

f) Based on the data communicated by the Supreme Court concerning the persons who were declared incapable by a court.

g) Following the information provided by the Ministry of Corrections and Legal Assistance of Georgia about those people who have been imprisoned.

6. For the purposes of renewing the entire voters' list the updated or new information regarding the people having voting rights is transmitted to the Central Election Commission of Georgia four times a year – on 01 February, 01 May, 01 August, and 01 November of each year - by the organizations given in paragraphs a, b, and c of the present Article and the information regarding the people without voting rights is transmitted to the CEC four times a year by the organizations listed in paragraphs f and g within the terms indicated in the present paragraph. Based on the data received the CEC provides the update of the electronic database of the entire voters' list.

7. A Party, Electoral Block obtaining electoral registration, Observation Organization and Electorate defined by this Law has a right to familiarize with versions attributed to the public information on the list of electorate obtained by the Georgian Central, District and Precinct Electoral Committees (the electorate has a right to require to be acknowledged about the data only about himself or members of his family and make amendments in it) and in case of any discrepancies, not later than 16 days before the date of elections, and in non-election period - anytime require to make amendments in the voter's data or in the list of electorate. Acquaintance with the data and issuance of the duplicate is made according to the Georgian Law concerning to the acquaintance and issuance of the public information.

8. In the period of elections the Electoral Administration inspects the voters' lists. The results of the inspection are considered and resolved by the District Electoral Committee within 3 calendar days since the receiving of the application, but not later than 14 days before the date of elections. A Direction of this Committee concerning to the refusal on making amendments in the voter's data/ making changes in the lists should be well-grounded and since the following day of the date of its issuance should be sent to the Applicant.

9. A Direction of the District Committee on making amendments in the voter's data/voter's lists will be represented to the CEC and to the corresponding Precinct Electoral Committee within 2 days.

10. A direction of the District Electoral Committee on refusal of making amendments in the voter's data/voters lists can be appealed in an appropriate District/City Court within 2 days. In case of the satisfaction of the claim by the Court, the Resolution of the Court within 2 days,

but not later than 11 days before the date of elections should be provided to the District Electoral Committee obliged to send the appropriate information to the CEC and an appropriate Precinct Electoral Committee immediately. The Electoral Committee should enter corresponding amendments into the voter's data/lists immediately.

11. The Precinct Electoral Committee will be provided with versions attributed to the public information on the entire voter's lists signed by the Chairman of the District Electoral Committee and the Secretary of the Committee, and not later than 2 days before the date of elections – with the accurate final version (versions admitted for the Electoral Committee and attributed to the public information). Versions attributed for the public information should be published in vivid place of the headquarters of the Precinct Electoral Committee.

12. 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, certificate from an inpatient clinic, discharge certificate from penitentiary) shall be decided by resolution of the District Election Commission. 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.

13. 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 12 of this article, and amendments within the 13th to the 10th day before Election Day shall be made only by a court ruling.

Article 32. Special list of Voters

1. The special list of voters includes:

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 not later than 5 days before the Election Day.

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. Their list is drawn up the head of the relevant inpatient centre and not later than 6 days before the Election Day submitted to the relevant District Election Commission.

c) Voters who on Election Day are under preliminary detention. The list is drawn up by the head of the relevant penitentiary institution and not later than 6 days before the Election Day submitted to the relevant District Election Commission.

d) the military personnel of the military (paramilitary) forces and units of the Ministry of Defense and the Ministry of Internal Affairs of Georgia on service for a fixed period and on contractual basis. The list is draw up by the head of the relevant military unit and submitted to the relevant District Election Commission:

d.a.) Not later than the 1st of July of the election year;

d.b.) In case of extraordinary elections within 5 days from the announcement of the elections;

d.c.) Taking into account results of calling up for compulsory military service not later than 6 days before the election day.

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. The list is drawn up by the head of the relevant consular institution and is submitted to the Central Election Commission not later than 20 days before the Election Day. During presidential and parliamentary elections not later than 21 days from the day of fixing the

Election Day till the Election Day, the voter is released from consular tax for registration in the consular institution.

f) Persons listed in the paragraph 7 of this article.

2. 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.

3. Based on the data of the of persons, referred in 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.

4. 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.

5. 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 "d" 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.

6. The voters referred to in subparagraph "d" of paragraph 1 of this article, who by the time of elections of local self-governing body – Sakrebulo and Tbilisi City Mayor, is 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.

7. 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 "d" 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 than 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.

8. If a voter is entered in the mobile ballot box list, "mobile box" shall be indicated in the special list of voters, the ground of the voter's entry 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.

Article 33. The list of the portable electoral box

1. The list of the portable electoral box is drafted on the bases of the joint special lists, if:

a) Due to state of health of being handicapped, the electors cannot independently visit the premises for voting;

b) The elector is in prison;

c) The elector is in hospital for treatment or in the stationary medical institution and the polling station cannot be opened in it;

d) The elector is military serviceman, serves in the military unit, which is located far away from the electoral area;

e) Is on the territory of the electoral district, but the place is difficult to access.

2. In case if it is impossible to visit the voting premises the elector applies to the precinct electoral commission for voting through the portable electoral box two days prior to the day of voting. The district electoral commission transfers the information with regard to the electors being at the stationary medical institution on the day of voting to the precinct electoral commission no later than two days prior. The elector is included into the list of the portable electoral box after:

a) The secretary of the electoral commission enters the written application or the telephone verbal application of the elector into the register, indicating the precise time of the telephone call and relevant telephone number;

b) Transfer of the electors into the list of portable electoral box is entered into the joint special list of electors, which is confirmed under the signature of the chairman of the precinct electoral commission and the secretary.

3. Only those handicapped electors are included into the list of portable electoral box, which are not able to independently visit the electoral commission.

4. In case if the elector is included into the list of portable electoral box, the special note in the joint special list of the electors is confirmed under the signature of the chairman of the precinct electoral commission and the secretary.

5. The number of the electors included into the annex to the list of electors (list of the portable electoral box) shall not exceed 3% of the electors of the relevant electoral precinct.

6. If less than two days are left before the day of voting, or the number of the electors included into the list of the portable electoral box exceeds 3%, the decision on the transfer of the electors into the list of the portable electoral box is made only by the court.

7. The Same data of the electors are entered into the list of the portable electoral box, which are included into the joint list of the electors and the ordinary number is additionally noted in the joint special list.

8. Immediately after the list of the portable electoral box is drafted, it is fixed to the conspicuous place in the premises of voting.

Article 34. Publication of the list of electors

1. The precinct electoral commission is obliged fix the list of the electors and the rule for making claims related to them defined by the law in the conspicuous place on the very first day of gathering of the commission, but the list of portable electoral box shall be fixed in the conspicuous place immediately after it is drafted, in the premises of the electoral commission and voting. The responsibility for non-fulfillment of the mentioned requirement is relied upon the chairman of the precinct electoral commission.

2. In the lists mentioned in the first paragraph of this article, on the basis of inspection of the data included in the lists within the term established under this article, in the graph : "De Facto Status", across the surname of the elector, which:

a) Is registered in the state by the consulate of Georgia, is noted as: "registered by the consulate";

b) is in another state, but registered by the consulate of Georgia, is noted as: "is abroad";

c) Is in the term contract service of the military forces and elements of Georgia, is noted as: "Is in the military service";

d) is included into the special list, noted as: "is the member of commission", "is in hospital", or "imprisoned";

e) Is included into the list of portable electoral box, noted as: "portable box".

Article 35. Electors Card

1. The precinct electoral commission is authorized to transfer the electoral card to all the electors registered on the territory of the electoral precinct and included into the list of electors within no later than 2 days before voting, in which the following will be indicated:

a) Date and time of voting;

b) Address of the premises of voting, floor and room numbers;

c) Number of elector in the list of electors;

d) The rule for making the application for participation in the voting through the portable electoral box due to the state of health or other reason, telephone (fax) numbers of the precinct electoral commission and other details.

e) Number of the electoral precinct;

- f) Surname, first name, date of birth (day, month, year) of the elector;
 - g) Place of registration of electors.
2. Non-receipt of the elector's card does not present the basis for limiting the right to participate in the voting.

CHAPTER IV REGISTRATION OF ELECTORAL SUBJECTS AND LISTS OF SUPPORTERS

Article 36. Registration of the electoral subjects

1. A corresponding Chairman of the Electoral Committee conducts registration of the electoral parties according to this Law to submit a right for participation in the elections.
2. For registration, electoral parties address to the corresponding Electoral Committee with the application and represent a corresponding documentation according to this Law.
3. A corresponding division of the Electoral Committee makes an inspection of all represented documents and provides the Chairman of the Committee with the conclusion according to this Law; the Chairman makes a decision on the registration issue. If the represented documents don't correspond with the requirements stated by this Law, the Chairman of the Committee within 2 days (if there is no other date defined by this Law) informs representatives of the Party/Electoral Body/Electoral Initiative Group about this (indicating the discrepancy) for improvement of these documents within 3 days (if there is no other date defined by this Law). The issue of inspection and registration of the amended documents will be resolved in 2 days (if there is no other date defined by this Law) since their representation. In case of a refusal on registration, the Electoral Committee immediately informs about this resolution representatives of the Party/Electoral Body/Electoral Initiative Group assigned for making a resolution since the requirement.

Article 37. 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 38. Inspection of Lists of Supporters

1. The lists of supporters for any party and any candidate for the election of the resident of Georgia shall be checked by the CEC and the lists of supporters of any other candidates -by relevant DEC.

2. Based on random selection, the election commission inconsistently shall check validity of 20% of established number of signatures of supporters. If not less than its 10% is voided commission additionally shall check the signatures in the same way. If no less than 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 the resolution of election commission chairman is refused for the registration.

3. The signature of a voter in the supporters list shall be considered 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 match 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 written form 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 misleading, intimidation or under pressure, and the signature on this application was certified by a notary;
- h) The personal 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 considered invalid if made on a sheet not verified by the person responsible for collecting the signatures, or when such sheet includes no data or incomplete data as required under paragraph 4 of article 37 of this Law.

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 of the list; while the list of supporters of a candidate shall be checked within 3 days after the submission.

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 the court, if a suit is brought before 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 V MONITORING OF THE ELECTIONS AND MEDIA

Article 39. 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.

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.

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 Ministry of Internal Affairs of Georgia, Ministry of Defence and Ministry of Corrections and Legal Assistance of Georgia, Special Services of International Intelligence and State Security;

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

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.

Article 40. 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.

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.

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.

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).

8. 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 39 of this law.

9. 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.

10. 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 39 of this law.

Article 41. 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;
 - 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;
 - l) Make appeals regarding actions of an election commission according to the rule prescribed by the law;
 - 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;
- e) Be without a badge at the polling place on the polling day.
- f) 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.

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.

Article 42. 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.

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 an observer certificate, which at the same time represents the badge to be worn by the observer.

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 paragraph 1 of the article 41 and paragraph 2 of the article 67 of the present law.

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 43. Funding of a representative of the representative of the election subject

1. Political parties receiving funding according to the Law of Georgia on "Political Unions of citizens", on Election Day for the purpose of providing representation in District Election Commissions and Precinct Election Commissions shall receive GEL 50 on each election precinct and GEL 100 on each election district.

2. The amount of funding of the representative of the qualified election subject, envisaged by paragraph 1 of this article shall be transferred by CEC to the account of the relevant election subject campaign fund within the period of 3 days.

Article 44. 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.

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.

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.

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.

CHAPTER VI PRE-ELECTION CAMPAIGN

Article 45. Pre-election campaign (Agitation)

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.

2. 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.

3. 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.

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

- a) Members of election commissions;
- b) Judges;
- c) Public officials of the Ministries of Internal Affairs and Defense, Special Service of International Intelligence and State Security, Office of Public Prosecutor;
- d) Aliens and foreign organizations;
- e) Charity and religious organizations;
- f) Public officials of bodies of State and local self-government, when they are carrying out their duties;

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

- a) Bodies of executive authority;
- b) Courts;
- c) Military units;

6. 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.

7. 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).

Article 46. Agitation Materials

1. 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.

2. 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.

3. Any bookmaker activity related to any of the issues connected to the elections shall be prohibited.

4. 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.

5. Information on places and/or installed stands allocated for posting and displaying election posters in compliance with this article is published by the body of local authority no later than 10 days before Election Day.

6. 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.

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

8. 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 47. Bribery of the voters

1. 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);

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.

2. 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.

Article 48. Prohibition of use of Administrative Recourses during the Pre-election campaign

1. According to paragraph 4 of article 45 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 election subject:

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.

Article 49. Prohibition of the use of budget funds, official capacity or working status in pre-election agitation and campaign

1. Persons, with the right to participate in the pre-election agitation, holding offices in state or local authorities, are prohibited to use their official capacity and working status in the course of pre-election agitation and campaign in support or against any election subject, 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 this law, as well as to the cases of use of air-time allocated by TV-Radio Broadcasters for pre-election agitation.

3. 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. In case of violation of the present rule the authorized person shall have the right to apply to court and demand to prevent expenses.

4. In the period of the election campaign it is prohibited to prepare printed materials with any election subject or sequential his number in the elections, or/and which include materials for or against any election subject.

5. 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 50. General regulations of media coverage of election campaign

1. 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:

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.

2. 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.

3. All newspapers, except for those partly or totally funded from the state or local budget shall have a right to provide free of charge political advertising to any electoral subject on any terms.

4. 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.

5. 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. 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.

Article 51. Information Support of Pre-election campaign

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 3 and 4 of the present article.

2. For the purposes of the present article, a qualified electoral subject is an electoral subject affiliate party of which satisfies the following requirements:

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.

3. 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.

4. 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.

5. 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.

6. 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.

7. 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.

8. 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.

9. 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. Information on any other important factors, which might have caused significant impact on the results.

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.

12. On Election Day it is prohibited to make any pre-election paid and/or free advertising on TV or radio.

CHAPTER VII ELECTION FUNDING

Article 52. Financial Provision for Preparation for and Holding of Elections/Referendum

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

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. If the budgetary funds allocated for the preparation and conduct of elections/referendum 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.

4. The terms for forcible execution as prescribed under Article 90⁴ 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.

5. 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.

6. The election administration shall have the right to conduct public procurements by means of simplified method envisaged in Georgian law "on public procurements" with the purpose of conducting elections without hindrances.

7. In the election/pre-election period appealing of the actions/resolutions of CEC or tender commission shall not result in suspension of procurement procedures.

Article 53. 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/referendum, 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/referendum 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.

5. Not later than 30 days from the Election Day the District Election Commission ceases all payments to organizations and persons and shall transfer to the account of CEC the remaining fund at its account within 10 days. Within two weeks' period after the transfer of the remaining fund the District Election Commission shall presents to the Central Election Commission a financial report which is approved by a resolution according to the rule prescribed by the law.

Article 54. Election/referendum Campaign Fund

1. An election/referendum fund is the sum of money resources for election referendum 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.

2. It shall be obligatory for the electoral subject to open the election/referendum campaign fund. The Candidate nominated by election subject shall use the election/referendum campaign fund of the nomination election subject. For the elections of local self-government majoritarian candidates nominated by party/election bloc shall establish election/referendum funds voluntarily.

3. Funds received by an election subject shall be deposited to the account of the election/referendum 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.

4. Within 2 days from opening of the election/referendum campaign fund, the election subject shall submit to the relevant election commission a document issued by the bank confirming the opening of an election/referendum campaign fund, the number of the account, also shall notify the identity and address of the manager and accountant of the election campaign fund.

Article 55. 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.

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.

4. 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 - 60 000 Lari;
- b) For each legal entity - 200 000 Lari.

5. 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:

- a) For each natural person - 20,000 Lari;
- b) For each legal person - 60,000 Lari.

6. Restrictions envisaged by provisions 4 and 5 of this article shall not apply to the sums given by parties from their resources for the election fund of their election subject.

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

8. 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 which the State share is at least 50%.

Article 56. Funding of the Election Campaign from State Budget

1. The election subject who will get over 5% election barrier on Parliamentary elections shall receive from the state budget a flat GEL 1000 000 to cover the expenses of the election campaign and GEL 300 000 purposefully to cover expenses of pre-election TV advertising.

2. With the purpose of getting state budget funding for the election campaign the relevant election subject shall apply to CEC in written not later than 38 days prior to elections.

3. The relevant amount envisaged in paragraph 1 of this article shall be transferred to the account of the election subject not later than the 15 the day from summarizing the ballot returns based on the protocol of the CEC.

Article 57. 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.

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. The election subjects not later than one month after the publication of election results, and the election subjects who according to preliminary data, receive the necessary number of votes established by this Law not later than 8 days after the election day 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. An audit examination may be carried out by an auditor (audit company) functioning on the territory of Georgia.

7. 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 10 of this article shall be counted from the day of summing up results of the second round in election districts.

8. Based on courts ruling an electorate subject that does not represent fund account of election commission shall be restricted from participation in future elections.

9. 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 54 of this Law, paragraphs 7 and 8 of article 55, 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.

10. 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.

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

12. Within 5 days after the appointment of the election date, based on a 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 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.

13. 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.

CHAPTER VIII VOTING

Article 58. Arrangement of the premises for voting

1. Local self-governing bodies of state authorities transfer the premises and inventory necessary for preparation and conducting the elections, to the electoral commissions for temporary use, free of charge, at the same time the mentioned bodies are obliged to pay for the utility bills of the transferred premises.

2. The precinct electoral commission shall not allocate the place for voting in the same premises, where the following are located:

a) Party (parties);

b) Local self-governing bodies of state authorities, except for the cases, when there are no other suitable premises on the territory of the electoral precinct for conduction voting in compliance with this law. The district electoral commission makes the relevant decision;

c) Police services (Except for the precinct electoral commissions formed in the exceptional cases.

3. At the request of the precinct electoral commission, the bodies mentioned in the paragraph 1 of this article, are obliged (if the appropriate order of the commission was transferred to them no later than on the 20th day before the day of voting), to provide the temporary, simple adaption of the place of voting , if there are the handicapped electors in the electoral precinct using the carriage and they applied to the precinct electoral commission with the appropriate application no later than 25th day prior to the day of voting.

4. in the premises for voting:

a) Cabins have to be installed for hidden voting. One side of the cabin has to be open up to the half of its height, but the upper half has to be covered with the curtain. No less than one cabin has to be considered for every 500 electors. One pen has to be available in every cabin;

b) A place has to be allocated for registration of the electors and allocation of special envelopes;

c) The transparent electoral box has to be installed in a conspicuous place;

d) The list of electors, party lists, lists of candidates, the rule of filling in the electoral bulletin established by the central electoral commission, as well as the extract from the law, as to in which cases the bulletin and demonstrative protocol (protocols)of the voting results are considered void , have to be shown in a conspicuous place.

5. If any of the electoral subjects included into the electoral bulletin is not participating in the elections, the application on the aforementioned has to be fixed to a conspicuous place in the electoral precinct, as well as in the cabin (room) for the hidden voting.

6. In order the voting to be hidden, it is restricted to take photos of video films within the cabin for voting.

Article 59. Keeping order in the premises for voting on the day of voting

1. Keeping order in the premises for voting on the day of voting is managed by the chairman of the electoral commission and the latter is responsible for it.

2. Fulfillment of the decisions made by the chairman of the precinct electoral commission for the purpose of keeping order in the premises for voting is obligatory for the members of the electoral commission, for all the persons and electors having the right of being in the premises for voting.

3. Armed persons are restricted to enter the premises for voting.

4. Chairman of the precinct electoral commission is authorized to send the violator from the premises where the precinct electoral commission is allocated in case of hindering the operations of the commission and violation of order (except for the representative of the electoral subject), on which the relevant deed is drafted and it is signed by the chairman and the members of the commission. First name and surname of the violator will be mentioned in the deed, as well as the numbers of the electoral district and precinct, precise time of the violation and its committing.

5. Precinct electoral commission makes decision on the issue of sending out of the representative of the electoral subject.

6. In case if in the premises for voting or on the surrounding territory it becomes dangerous to conduct voting and safely transport the electoral documentation in compliance with the requirement of this law, at the request of the chairman of the precinct electoral commission policemen might be called and allocated in the premises for voting and its surrounding territory. The policemen leave the premises for voting and the surrounding territory immediately after the violation of the order is eradicated and in case of consent from the chairman of the electoral commission,

Article 60. Time and place for voting

1. The voting is held in the premises for voting from 8:00 up to 20:00 of the day of elections (voting).

2. It is restricted to lock the premises for voting during the period of voting, to stop or suspend the voting, except for the cases, when it is impossible to provide the universality of elections, equality and free demonstration of the will of the electors.

3. During the process of voting the decision on temporary locking of the premises for voting, stopping or suspending the voting (as well as on opening the premises for voting and continuation of voting) is personally made by the chairman of the electoral commission, which is held fully responsible for decision making.

4. In case if the premises for voting is temporarily locked, the precinct electoral commission is obliged to make the decision in case of temporary locking of the premises for voting and immediately after the voting is stopped with regard to confirmation or cancellation of the decision made by the chairman of the commission. The commission is authorized to make the decision after stopping the voting with regard to stopping the voting and closure of the electoral precinct. Above mentioned decisions are made under the order, in which the reason and time of temporary closure of the premises for voting, stopping the voting has to be mentioned. Immediately after eradication of the reasons for temporary closure of the premises for voting, stopping the voting, it will be resumed under the order of the chairman of the commission. The voting is announced to be stopped and it will not be resumed.

5. The elector may stay in the premises for voting only during the time required for voting.

6. The precinct electoral commission announces the voting to be completed at the electoral precincts set up at military units, hospitals, stationary medical institutions and the places being difficult to access before 20:00 any time, if all the electors included into the list of electors participated in the voting.

7. It is restricted to conduct voting before the day of voting or after the day of voting, except for the cases stipulated by the legislation of Georgia.

Article 61. Opening of the electoral precinct

1. The electoral precinct is opened at 7:00 in the morning. In case if the number of the commission members are less than seven, the information with regard to the aforementioned is provided to the upper district electoral commission, which immediately makes the relevant decision.

2. From opening of the electoral precinct up to starting of the voting the procedures are carried out in the following sequence:

a) Immediately after opening of the electoral precinct the book for the records of the day of voting is opened. On the first and second pages of the book all the persons having the right of being in the premises on the day of voting;

b) Chairman of the precinct electoral commission checks the integrity of the sealed package, in which the special stamp of the precinct electoral commission is placed, opens it and makes the special corner on the stamp, the sample of which is reflected in the book of records of the day of voting.

c) Chairman of the precinct electoral commission prepares the slips for voting on the same sheets, with the same pen, checks them under the special stamp of the commission and folds in such a way that it should be impossible to read it. Total number of the empty and filled in sheets shall be equal to the number of the members of the commission participating in the voting. Voting is conducted by the chairman of the commission, in the presence of the members of the commission and the persons having the right to be in the premises and the chairman of the commission/deputy/ secretary of the commission do not participate in it. The sheets are placed on the desk, which are picked up by the members of the commission participating in the voting, one by one;

d) From the members of the commission of the commission appointed by the parties the chairman identifies 2 members of the commission taking the portable electoral box through voting (in case of necessity). At the same time, they shall not be the members of the electoral commission presented by one electoral subject;

e) The next voting is conducted for distribution of the other function of the commission members, through which the following is selected:

e.a.) Member of the commission sorting out the stream of the electors in the room for voting, which also checks marking of the electors;

e.b) Members of the electors registering commission (at least one member for every 300 electors), which also issue the electoral bulletins after signing and putting stamp on the due place on the reverse side of the bulletin;

e.c.) Members of the commission supervising the electoral box and the special envelopes;

f) After the voting is completed the secretary of the precinct electoral commission records the results of distribution of the functions on the 3rd page of the book of records of voting;

g) Temporary transfer of the functions established through voting of the commission member to another member can be made only under the permission of the chairman if the commission, which is marked on the 5th page of the records of the day of voting by indicating the time.

3. If on the day of voting the number of the commission members in relation to the functions to be distributed on the day of voting:

a) turns out to be less by one, the number of the members of the commission registering the electors is reduced;

b) turns out to be less by two, deputy chairman of the commission performs the function of the commission sorting out the stream of the electors in the room for voting;

c) turns out to be less by three; the chairman of the commission performs the functions of the members of the commission supervising the electoral box and the special envelopes

4. The issue of the labor remuneration of the member of the precinct electoral commission, which appears to the commission after completion of the voting, is addressed by the district electoral commission, but the issue of granting the functions to it is addressed by the chairman of the precinct electoral commission:

5. after completion of the voting procedure the chairman of the precinct electoral commission:

a) announces the number of electors as per the joint and special lists, as well as the list of the portable electoral box;

b) Checks the integrity of the electoral bulletins and the packages of the special envelopes and announces the number of the received electoral bulletins and special envelopes;

c) Checks and seals with the seal having the individual number under the rule established by the central electoral commission the main and portable electoral boxes.

6. Each block-note of all types of the electoral bulletin is given to every registrar of the electors, which is confirmed under the signature of the chairman of the commission and the registrar on its front page. After all bulletins are issued from the block-note another block-note is given to the registrar etc.

7. Chairman of the precinct electoral commission makes a special corner on the stamp of the registrar identified by voting and transfers it to each of the registrars of the electors, the sample of which is reflected in the book of the day's records.

8. The secretary of the precinct electoral commission announces the data mentioned in the paragraphs "a" and "b" of the article 5 and includes into the protocol of the results of voting (except for the number of the special envelopes) and into the book of the records of the day of voting.

9. The first elector and all the members of the precinct electoral commission sign the control sheets; Precise time of inserting into the electoral boxes and the surname, first name of the first elector, place of registration and private number of the citizen of Georgia are marked on them. Before beginning of the voting the chairman of the commission and the secretary fill in the control sheets (except for the data of the first elector) in three copies. The chairman of the commission places one copy of the control sheet into the main electoral box after the first elector appears, another copy is placed into the portable electoral box and the third copy is kept with the control sheets in the electoral boxes for the purpose of further comparison.

10. At 8:00 of the day of voting the voting is starting.

Article 62. The book of the records of the day of voting

1. The process of the voting in the electoral precinct and the claims, remarks regarding the process of voting are reflected in the book of the records of the day of voting (hereinafter – the book of voting).

2. The book of records is maintained in the Georgian language, but for those electoral districts, for which the electoral bulletins are printed in the language to be easily understandable for the local population, the book of records might be maintained in the relevant language, too.

3. The book of records is given to the secretary of the commission, which is obliged to register every electoral procedure of the day of voting in the book of records together with the chairman of the commission and indicate the time of its implementation.

4. Each copy of the book of records together with the electoral bulletin is given to the precinct electoral commissions.

5. The book of records is so called book with the strip. The strip is sealed, the sheet to be sealed is signed by the chairman of the district electoral commission and secretary and the stamp of the district electoral commission is placed on it. Every page of the book of records shall be numbered and the numbers of the electoral district and electoral precinct shall be marked on each page of it.

6. Number of the unused electoral bulletins and the special envelopes existing in the electoral boxes after completion of voting, sent through the members of the commission accompanying the portable electoral box is included into the page 4 of the book of records by the secretary of the commission.

7. The secretary of the commission includes the information on temporary transfer of the functions of established through voting of the commission member to another commission member into the page 5 of the book of records.

8. The secretary of the commission includes each of the data to be included into the protocol while summing up the voting results into the pages 6 and 9 of the book of records.

9. Every person authorized to be present in the premises for voting are authorized to reflect the claims, remarks related to the electoral procedure on the day of voting in the book of records (for which the page 10 and following pages of the book of records is applied), indicate the witnesses (in case if such exists). The persons including the record are obliged to indicate his/her surname, first name as per their ID cards in the book of records.

10. Nobody is authorized to hinder the person with the authority to be present in the premises for voting to include the record into the book of records.

11. The book of records is closed after summing up the voting results, which is signed by the secretary of the electoral commission and secretary and it is verified by the stamp of the precinct electoral commission. The book of records together with the received

applications/claims is sealed and transferred to the upper district electoral commission together with the summing up protocol (s) of the precinct electoral commission.

Article 63. Electoral bulletin and special envelope

1. The electoral bulletin is printed under the order of the central electoral commission, as per the sample established by the latter, in the Georgian language, in Abkhazia – in the Abkhazian language, too, but in case of necessity – in other languages understandable for the local population.

2. For those electoral precincts, where there are handicapped electors due to eye sight, the central electoral commission provides the use of such technologies, which will allow the electors to fill in the electoral bulletin independently.

3. Central electoral commission provides printing of the electoral bulletins and fabrication of the electoral boxes (mostly the portable ones), but the relevant district electoral commission is responsible for accuracy of including the data into the electoral bulletins for the elections of the representatives of the local self-governing body – assembly (except for the capital – Tbilisi self governing body – Assembly). The electoral bulletins are printed by the central electoral commissions and the district electoral commissions under the permanent supervision of the observers. Two members of the commission appointed under the order of the relevant electoral commission are authorized to observe the process of printing of the electoral bulletins, as well as the observer companies established on the basis of this law, which, as per the agreement, introduce no more than three observers.

4. Within two days after the receipt of the relevant order the relevant electoral commission publishes the data with regard to printing of the electoral bulletins and place of fabrication of the electoral boxes, as well as with regard to the responsible person for printing of the electoral bulletins and fabrication of the electoral boxes.

5. Performer of order of printing the electoral bulletins is personally held responsible for the precise compliance of the number of the printed and transferred to the relevant electoral commission bulletins with the number of the ordered ones, so that no extra bulletins to be printed and disseminated.

6. Chairman of the electoral commission and the secretary are personally held responsible for the storage of the electoral bulletins in the electoral commission and their disbursement as per the destination.

7. For the purpose of precise book-keeping of the electoral bulletins, each type of the electoral bulletins are numbers in sequence (the number is marked on the edge of the bulletin; the bulletin and its edge are separated from each other by the perforated line) and are bound in 50-50 copies in the form of the block-note. Every block-note has its front page, on which the type of the electoral bulletin is indicated, the graphs are printed for the block-note number, numbers of the bulletins existing in the block-note, numbers and names of the electoral districts and electoral precincts, the graphs for the signatures of the precinct electoral commission chairman and commission members (registrar of electors), to whom the block-note is given, as well as for marking the number of the unutilized bulletins.

8. Number of the special envelopes given to the each of the precinct electoral commission is equal to the total number of electors, but the number of the block-notes of the electoral bulletins -50 times number of the total number of the electors in the electoral precinct.

9. Central electoral commission gives the electoral bulletins and special envelopes to the district electoral commissions no later than two days before starting the voting. From its part, the district electoral commission gives the electoral bulletins and special envelopes to the precinct electoral commissions no later than two 12 hours before starting the voting.

10. The number of the electoral bulletins and special envelopes are precisely registered. Two copies of the deed of acceptance is drafted when the central electoral commission gives the electoral bulletins and special envelopes to the district electoral commissions and the district electoral commission gives the electoral bulletins and special envelopes to the precinct electoral commissions, in which the names of the commissions issuing and receiving them are mentioned, as well as the number of special envelopes, types of bulletins, number of the block-

notes of the bulletins (through indication of their numbers and the numbers of bulletins), identity of the persons issuing and receiving them. The deed is signed by the persons issuing and receiving the documents (one copy of the deed remains in the commission giving the electoral bulletins and special envelopes, but another copy is given to the recipient of the electoral bulletins and special envelopes). Representative of the electoral commission, to which the electoral bulletins and special envelopes are given, is obliged to demand one copy of the deed of acceptance for transfer to the district/precinct electoral commission. Deed of acceptance is the public information.

11. Before drafting the deed of acceptance mentioned in the paragraph 10 of this article, the signatory parties on the deed, after identification of the compliance of the details of the bulletins, count the number of the electoral bulletins and include the data into the deed of acceptance; after this the electoral bulletins are still sealed, which is confirmed under the signature of the parties.

12. The following has to be mentioned on the front page of the electoral bulletin:

a) Name of the elections/referendum and date of conducting the elections/referendum;
b) Name and number of the electoral district;
c) Number of the electoral precinct (on the edge of the bulletin and on the electoral bulletin itself);

d) In case of the elections of the proportional systems – ordinary number and name of the party/electoral block independently participating in the elections; in case of elections of the President of Georgia, Mayor of the city of Tbilisi and through the majority system – ordinary number, surname, first name of the candidate, name of the presenting electoral subject;

e) The question to the citizens has also to be mentioned in the referendum bulletin and possible option of the answer to this question in conjunction with the issue introduced for referendum: “yes” – “no”.

f) The rule for filling in the electoral bulletin.

13. In case if it turns out, that the electoral bulletin is intended for another electoral district or it does not comply with the indicated number, it has the stamp or other type of error, it shall be immediately notified to the central electoral commission, but the district electoral commission is authorized to include the real number of the bulletins in the summing up protocol on the basis of the appropriate deed.

14. The following has to be marked on the reverse page of the electoral bulletin:

a) Place of the signature of the registrar of electors;
b) Place of verification by the registrar of electors by the special stamp.

15. In case if the electoral subject is removed from the elections, while issuing the electoral bulletin the stamp “Removed from Elections” is placed across the name of the electoral subject in the bulletin.

16. Electoral bulletin is the state property. On the day of voting it is restricted to take it out of the premises without permission or destroy it.

17. The electoral bulletins are printed on the paper having the protective signs and only the central electoral commission is authorized to order and purchase it.

18. Violation of the restriction established under the paragraph 16 of this article, as well as dissemination and utilization of the forged electoral bulletin is the criminal and is punished under the rule established by the law.

Article 64. Issuing voting bulletins and special envelopes

1. Precinct election commission issues voting bulletin (bulletins) and special envelopes on basis of the voters list after providing identity card of Georgian citizen or a passport of a Georgian citizen or IDP certificate in case of internally displaced person (together with an identity card).

2. Each voter is given one special envelope and the respective number of voting bulletins on the voting day.

3. Member of voters' registrar commission verifies delivery of voting bulletin (bulletins) with his/her signature in the voters list.

4. Voter verifies the receipt of voting bulletin (bulletins) by his/her signature in the voters list.

Article 65. Conducting a ballot

1. Each voter gives vote personally. It is prohibited to vote in place of other person.

2. Voting procedure is being conducted under the following rule and sequence:

a) If voter is not marked he/she will be given the right to vote. Commission member who is responsible for order in the election room must let the voter go into the room only in case there are no more than two voters at the registration table;

b) In the election room the voter goes to the registration table corresponding to the first letter of his/her surname existing in the voters list. Voter provides an identity card or a passport of Georgian citizenship or IDP certificate in case of internally displaced person together with an identity card to the voters' registrar. After the registrar verifies the voter's existence in the voters list, he/she conducts marking after which the voters registrar puts his/her signature in the corresponding box of the voters list and after that the voter verifies the receipt of an voting bulletin (bulletins) with his/her signature. When voting bulletins are given out, the voters registrar signs it on the back side in the relevant box and verifies the bulletin (bulletins) with special stamp;

c) After voting bulletin (bulletins) is verified the voter goes into the voting booth and fills the bulletin (bulletins) according to the rule of this law. After filling the voting bulletin (bulletins) the voter should fold it (them) not to show anyone his/her vote;

d) The voter goes to the table standing separately with the folded voting bulletin (bulletins), takes a special envelope from there and puts bulletin (bulletins) into it. Only the voter is entitled to put voting bulletin (bulletins) into the special envelope; election commission member is not entitled to open the filled voting bulletin (bulletins) or violate the secrecy of ballot in some other way;

e) More than ten voters are not allowed to go to the election box at one and the same time;

f) Member of commission supervising the ballot boxes and special envelopes should be permanently present at the ballot box. He/she should keep the section for putting the envelopes closed and should open only after he/she makes sure that the voter has only one envelope in his/her hand;

g) After voting ends the section for putting envelopes into the box is being sealed.

3. It is prohibited to present another person at the moment of filling the voting bulletins. Voter who is not able to fill the voting bulletin independently is entitled to ask any person for help in the voting booth except:

a) A member of election commission;

b) A candidate;

c) A representative of an election subject;

d) An observer.

4. If a voter or a member of precinct election commission damages a voting bulletin or a special envelope, he/she should inform the chairman of precinct election commission on the fact, deliver the damaged voting bulletin or a special envelope and receive a new one. The damaged voting bulletin/special envelope will be cut a corner in the presence of the voter, will be inscribed "damaged", signed by the chairman of precinct election commission and kept separately.

5. Members of precinct election commission and persons authorized to present in the voting building are entitled to ask the voter, before he/she goes into the voting booth and before puts the voting bulletin (bulletins) into the special envelope, to show them that he/she has the exact number of voting bulletin and special envelope at hand as established by this law. The voter is obliged to satisfy this demand.

6. Precinct election commission secretary is obliged to count the number of signatures of voters participating in the voting and given in the voters list twice during the election day, at

12 and at 17 o'clock. After he/she counts the number, this number should be entered into the demonstrative minutes of precinct election commission and records book.

7. If the seal of ballot box is damaged during elections precinct election commission shall stop the voting process and makes decision on sealing the ballot box once again and going on with the elections.

8. The voting building closes at 20:00. If there are voters standing in a queue waiting for their turn for that moment, they can vote. For this purpose one of election commission members registers the names and surnames of voters waiting in the queue by order of precinct election commission chairman, gives their number to the precinct election commission chairman and the commission secretary indicates the number of voters standing in the queue into the records book. Precinct election commission chairman declares that only voters standing in the queue can vote.

9. After the voting building is closed the authorized persons of precinct election commission created in the exceptional case take the ballot box and election documentation of an election precinct created in the exceptional case to the building of election precinct defined preliminarily by the district election commission.

Article 66. Voting by means of a portable ballot box

1. Voting procedure by means of a portable ballot box starts at 9 AM and ends at 7 PM. Portable ballot box should be returned to the election precinct no later than 20:00.

2. Persons defined in the 33th article of this law are authorized to give vote by means of a portable ballot box.

3. From 9 AM of the voting day the Chairman of precinct election commission provides the members of election commission accompanying the portable ballot box with the list of portable ballot boxes, special envelopes and the necessary amount of voting bulletins signed and sealed with a special stamp by the voters registrar.

4. According to the location of voters, two members of precinct election commission revealed by the draw and persons authorized to be present in the voting building are taking part in the ballot at their own will.

5. If an automobile is used during giving a vote by means of a portable ballot box precinct election commission is obliged to allocate a place in the car for two observers revealed as a result of draw from the persons authorized to be present in the voting building.

6. Elector votes by means of a portable ballot box in case his/her actual place of location belongs to the territory of election precinct where he/she is registered.

7. One transparent portable ballot box is used to conduct voting according to the location of voters. In the book of recordings the secretary of precinct election commission indicates the number of voting bulletins and special envelopes delivered to the members of election commission accompanying the portable ballot box. After the voting ends, the number of unused voting bulletins and special envelopes and their number in the ballot box will be summarized for the purpose of making comparison. After the above mentioned procedure is over, unused voting bulletins and special envelopes will be cut a corner, inscribed "damaged", signed by the chairman of precinct election commission and kept separately.

8. If in cases envisaged in the 33th article of this law the location of voter's registration and the actual location of the voter belong to one and the same election district, voter is given the right to participate in elections conducted under the proportional and majoritarian election systems and corresponding voting bulletin and special envelope shall be given to him/her. Otherwise the voter is given right to participate only in elections conducted under proportional election system.

9. Voting procedure envisaged in the 8th paragraph of this article is being conducted by the precinct election commission on the territory of which there is a military base, hospital or other stationary medical institution or a place of imprisonment and which is the place of voter's location at the same time.

10. After the voting procedure ends the section of portable ballot box is being sealed so that it should be impossible to open it without damaging the seal.

Article 67. Procedures to be conducted before opening the ballot box

1. After voting ends the chairman of precinct election commission makes second special pattern to the commission and registrar's seals in the presence of persons authorized to be present in the voting building according to the rule of sub-paragraph "c" of the 2nd paragraph of 61th article of this law, selects no less than three counters by means of a draw and the observers shall select no more than two supervisors on mutual agreement from their membership (if observers are not able to agree, the chairman of precinct election commission will reveal two supervisors from them by drawing). The sample of figured seals will be reflected in the book of records of the voting day.

2. From the representatives being located at the election precinct the chairman of the commission shall reveal no more than two representatives by drawing who will observe the process of counting and in case they wish, they shall be entitled to count voting bulletins once (including actual, void, damaged and unused bulletins). However, the revealed representative and the counter (member of commission) should not be the person represented by one and the same election subject.

3. The counters count successively the total number of voters participating in the ballot according to the voters general and special lists and according to the list of portable ballot box. The secretary of precinct election commission immediately enters the results into the demonstrative minutes and the book of records and after that packs and seals the voters general, special and portable ballot box lists separately.

4. Unused and damaged voting bulletins are being packed separately in separate packages. The name and number of the election precinct, type of voting bulletins and the number of unused and damaged voting bulletins should be indicated on each package.

5. The packages should be sealed and signed by the counters and the chairman of the precinct election commission.

6. At the election precinct created in exceptional cases the voting procedure is being conducted according to the general procedures. After voting ends the precinct election commission created for the exceptional case shall seal the section of the ballot box, the list of voters, unused and damaged voting bulletins. Ballot box, the list of voters, the sealed unused and damaged voting bulletins shall be immediately delivered to the election precinct (main election precinct) defined in advance on basis of a decree issued by the district election commission.

7. According to the rule of 8th sub-paragraph of this article, the main election precinct shall open the ballot box of the election precinct created in exceptional case and shall mix special envelopes and voting bulletins from this box with the special envelopes and voting bulletins existing at the main election precinct.

8. Ballot box of the election precinct created in exceptional case shall be opened after portable and main ballot boxes of the main election precinct are opened. The results of the main election precinct and the election precinct created in exceptional case shall be registered under one summarizing minutes.

Article 68. Opening of the ballot box

1. Chairman of the precinct election commission checks integrity of the seal on the ballot box in presence of precinct election commission members and persons authorized to be present in the voting building.

2. If the seal is not whole and undamaged but the precinct election commission believes that this fact does not violate the demands of this law, the procedures of summarizing results is continued by the order of precinct election commission. Otherwise, the ballot box is sealed and the decree of precinct election commission and the sealed ballot box are immediately delivered to the higher precinct election commission.

3. The counters take ballot boxes to the table standing separately and take their place so that on the opposite side, in two meters there should be the members of precinct election

commission and persons authorized to be present in the voting building. Two supervisors and two representatives revealed by the observers will stand beside these counters.

4. Precinct election commission opens portable ballot box in the first instance. The counters take special envelopes from the portable ballot box and put on the table, check whether there is a control paper in the portable ballot box and compare it with the control paper kept with the purpose of comparison at the precinct election commission. In case there is no difference between these controls papers the counters count the special envelopes which contain voting bulletins. The number of special envelopes should correspond to the number of signatures of voters in the list of portable ballot box. If the number of special envelopes containing voting bulletins appears to be more than the number of signatures of voters participating in the ballot according to the list of portable ballot box, all special envelopes and voting bulletins will be packed in one package, inscribed "void" and after the procedures of voting and counting the votes at the election precinct ends, the package shall be delivered to the higher district election commission. The same rule is applied in case there is difference between the control papers or there is no control paper in the portable ballot box at all. After this procedure ends, the counters open the main ballot box.

5. Counters take special envelopes and voting bulletins from the main ballot box and put on the separate table, check whether there is a control paper in the main ballot box and compare it with the control paper kept by the chairman of precinct election commission. If there is a difference between the control papers or if there is no control paper in the main ballot box at all, all special envelopes and voting bulletins will be packed, sealed, corresponding minutes will be drawn up and shall be immediately delivered to the higher district election commission. If everything is in order, the counters will mix special envelopes from the main and portable ballot boxes and start counting of voting bulletins.

Article 69. Counting of votes

1. The Precinct Election Commission 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 be placed separately.

2. One of the supervisors elected from the observers stands next to the second counting officer as specified under subparagraph (a) of paragraph one 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 Precinct Election Commission before the higher District Election Commission; 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 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 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 Precinct Election Commission. 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 Precinct Election Commission chairman and their quantity is indicated by the secretary of precinct Election Commission 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 in the envelope. 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 of the same article. 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 Precinct Election Commission 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 70. Final minutes of ballot and election results

1. The results of ballot and elections are reflected in the final minutes of ballot and election results of Central Election Commission, District and Region Election Commissions.

2. Final minutes is an individual administrative-legal act verifying ballot and elections results. Final minutes and its copy verified under this law have equal legal force.

3. Making changes to the data entered in the final minutes is prohibited. The issue to make such final minutes void shall be reviewed by higher election commission. Making changes to the data entered in the final minutes shall give responsibility to the chairman and secretary of relevant election commission under the rule established by this law.

4. If a mistake has been made during filling the final minutes, in order to correct it an inscription "corrected" is being put along the relevant data in the final minutes. Election Commission should draw up minutes of correction where the correction of the data entered in the final minutes will be indicated and the date and time of drawing up the minutes as well. All members of the commission attending the meeting are obliged to sign the minutes of correction. Minutes of correction shall be stamped, registered in the election commission registration book and will be attached to the final minutes where the date have been corrected.

5. Each kind of final minutes (final minutes of ballot results of district election commission and final minutes of ballot and election results of region election commission) is given an individual number that should not be repeated.

6. Final minutes are being registered accurately. They are being printed by Central Election Commission. The minutes are printed under constant supervision of Central Election Commission authorized persons and observers. Executor of the order to print the minutes is personally responsible for the number of the printed minutes. The number of printed minutes that are delivered to the Central Election Commission should be exactly the same as ordered. Excess number of minutes should not be printed and distributed.

7. The chairman of election commission is responsible for keeping the minutes with the election commission and distributing them for the purpose intended.

8. Region election commission delivers each kind of final minutes of ballot results of the election district to the District election commission.

9. Final minutes are being printed on paper with defense marks that can be ordered and purchased only by the Central Election Commission.

10. Final minutes are printed in Georgian language, in Abkhazia – in Abkhazian, and for election districts for which the voting bulletins are printed in other language familiar for the local population, final minutes can be printed in the corresponding language as well.

Article 71. Summary protocol of the results of the elections in the precinct election commission

1. After clarification of all the data mentioned in paragraph 3 of 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 precinct created in exceptional circumstances (if any), which shall be attached to the main polling precinct;
- 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 void ballots;
- l) name of election subjects; number of votes given to them;
- m) date and time of drawing up the protocol;
- n) 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);

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 Precinct Election Commission seal.

5. If a Precinct Election Commission 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 District Election Commission, which shall hand the above protocol together with District Election Commission summary protocol to the Central Election Commission.

8. Precinct Election Commission is responsible for placing a copy of the protocol on a visible place for public information. The photocopy of the summary protocol of Precinct Election Commission (enclosed with the dissenting opinions of the commission members) shall be

handed over to the representatives of parties/election blocs/initiative groups or the member of District Election Commission appointed by the party and observers of the observation organization if requested. The photocopy of the protocol shall be certified by Precinct Election Commission stamp and signatures of Precinct Election Commission chairman and secretary (these protocols shall have same legal power as the Precinct Election Commission summary protocols). The representative/observer confirms receipt of the protocol by a signature in the Precinct Election Commission book of records.

9. From the day following the Election Day the photocopies of summary protocols shall be handed over by District Election Commission. District Election Commission hands over the photocopies of Precinct Election Commission summary protocols certified with District Election Commission stamp and signatures of District Election Commission chairman and secretary (these protocols shall have same legal power as the Precinct Election Commission summary protocol). Representative/observer confirms the receipt of a photocopy by a signature in the District Election Commission book of registration.

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 rule prescribed by this law.

11. Together with the summary protocol of voting and election results the District Election Commission shall be forwarded the list of voters with the signatures of the voters who participated in the election. The District Election Commission in turn shall forward those lists to the Central Election Commission 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 72. Rule for drafting and submitting a claim/appeal during elections

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 logbook, and give a (signed) note to the claimant/appellant 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 and place of registration of the claimant/appellant;
- c) number 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 73. Claims and appeals on violation of the procedures of voting and counting of votes

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 72 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 72 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 within 2 calendar days 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, or appeal in the relevant region/city court within 4 calendar days from the Election Day, which will review the appeal according to the rule prescribed by this law.

Article 74. Review of statements/complaint related to the counting of votes and summarizing the voting results

1. Upon receipt of the statement/complaint mentioned in the 73th article of this law in the district election commission the secretary of district election commission will register it in the registration book of the district election commission. Commission will review it and make decision during 1 calendar day from registration of the statement/complaint in the district election commission. District election commission makes decision upon order, which can be appealed only in the court according to the rule established by this law.

2. If the rule of providing information established by "a"- "d" sub-paragraphs of 2nd paragraph of 72th article of this law has been violated, the corresponding official of the election commission who is responsible for the receipt of the statement/complaint is obliged to state the defect to the applicant of the statement/complaint and define the reasonable term to correct it, about which the commission secretary make corresponding record in the commission registration book and which is signed by the applicant of the statement/complaint and the respective official. In case the defect is not corrected during the defined period, the respective election commission will apply the rule established by the 5th paragraph of this article.

3. If the defect is established the applicant of the statement/complaint is entitled to correct the defect in the period established by the authorized official of the election commission by providing the similar statement/complaint which will include the basis of the defect eradicated and/or the applicant is entitled to submit an application indicating the data due to which the defect has been stated.

4. In case of filling the gap, corresponding record is being made into the registration book of the election commission indicating the exact time and date of filling the gap and it is being signed by the person filling the gap and by the respective official of the commission.

5. Statement/complaint submitted by violating the procedures established by 72nd and 73th articles of this law and 3rd and 4th paragraphs of this article shall not be reviewed. The decision on the mentioned is being made by the respective election commission/court.

Article 75. Summarizing ballot and election results at the district election commission

1. On basis of final minutes of district election commissions, taking into account the results of reviewing election legislation violation facts by district election commission and regional/city court, in no more than 10th day after the ballot, district election commission will summarize the results of referendum, presidential elections of Georgia, parliamentary elections of Georgia, Tbilisi City Mayor elections and Tbilisi City Sakrebulo elections, will state the results of elections of Georgian parliament and local self-governance representational organ and will draw up final minutes of the results of Sakrebulo elections and the results of ballot and elections held in the election district, which shall be delivered to the Central Election Commission no later than the following day.

2. Final minutes of district election commission ballot/elections include:

- a) The number and name of the election district;
- b) The name of the election/referendum;
- c) The date of the ballot (if this is repeated ballot or the second tour of elections, this should also be indicated);
- d) The number of voters at the election district;
- e) The number of voters participating in the elections at the election district;
- f) The number of the received voting bulletins;
- g) The number of void voting bulletins;
- h) The name of election subject, the number of votes given to the election subject;
- i) The number of actual bulletins (the sum of votes given to the election subjects);
- j) The number of election precinct, where the results of ballot were considered void, the number of voters in this precinct and the basis for making the results of ballot void;
- k) The number of issued voting bulletins in the election precincts where the results of ballot were made void;
- l) Time and date of drawing up the minutes;
- m) The data of the minutes to which the district election commission member does not agree (this record is being made in the box "different opinion" by the commission member and signs it);
- n) Final minutes of the election results include the data given in the 2nd paragraph of this article, also the names of the selected person (persons), the names of persons who are in the second tour and the name of the person elected in the second tour.

3. If district election commission makes void the results of voting at the election precinct (precincts) and the total number of voters in this precinct (precincts) is that the repeated ballot will have no effect on revealing the elected person at the election precinct or revealing the person (persons) who have moved to the second tour, district election commission will state the elected person or the person (persons) moved into the second tour without taking into consideration this precinct (these precincts).

4. All members of district election commission, attending the commission meeting are obliged to sign the final minutes of ballot/elections. The minutes will be verified by the seal of district election commission.

5. If member of district election commission does not agree to the data put into the final minutes, he/she is entitled to indicate in the minutes to what he/she does not agree and attach different opinion to the minutes in written form.

6. The secretary of district election commission enters the data mentioned in this article as soon as they are established into the demonstrative minutes that will be put up in the district election commission in the visible and accessible place for everyone.

7. The final minutes of district election commission ballot/election results (enclosed with different opinions of the district election commission members), also the decrees of the district election commission on making changes to the final minutes of the precinct election commissions (if such changes have been made) will be immediately delivered to the Central Election Commission.

8. The copy of final minutes of district election commission (enclosed with the different opinions of district election commission members) will be immediately delivered to the representatives of party/election block/initiative group and to the observers of the observing organization in case they request it. The copy of the minutes should be verified by the seal of

the district election commission and the signatures of the chairman of district election commission and the secretary of district election commission (these minutes have the same legal force as the final minutes of the district election commission). The representative/observer verifies the receipt of the minutes with his/her signature in the book of records.

9. If the verified copy of the final minutes or election results requested under the rule of this law is not issued, the commission chairman and secretary shall bear responsibility for the fact according to the rule established by the legislation of Georgia.

Article 76. Summarizing the election results at Central Election Commission

1. On basis of the minutes received from the district and precinct election commissions and not later than 19th day of the ballot, the Central Election Commission will summarize the results parliamentary elections of Georgia, presidential elections of Georgia and Tbilisi City Mayor elections about which it draws up final minutes of the election results.

2. The Central Election Commission summarizes the election results and draws up final minutes of the election results indicating:

- a) The number of voters;
- b) The number of voters participating in the elections;
- c) The number of voting bulletins considered void;
- d) The number of votes given to the election subjects.

3. The final minutes of the election results is signed by the chairman and the secretary of the Central Election Commission. One copy of the minutes is being kept at the Central Election Commission and the second copy is given to the organs stipulated by this law. Copies of the minutes shall be delivered to all interested persons.

4. Central Election Commission ensures upload of the final minutes of the election results on the web site of the commission in parallel with the receipt of the final minutes. The employees of the election administration are prohibited to make announcements about the preliminary results of the elections, if these results have not been published on the Central Election Commission web site in the due manner.

5. It is prohibited to summarize the election results by the Central Election Commission before election complaints in general courts are finalized and unless the decisions made by these courts are not taken into consideration fully.

6. In case there is different statement/complaint and/or Central Election Commission member has different opinion the Central Election Commission can summarize the election results on basis of minutes of precinct election commissions.

7. Upon summarizing the final results of the elections the Central Election Commission will publish on its web site the information about the election results according to each election precinct and not later than the following day delivers this information to the press and other means of mass media.

8. The Central Election Commission is obliged to ensure publicity of minutes defined by 14th paragraph of 71th article of this law, and publish it immediately on its web site. At the same time, if the results of the election precinct have been appealed in the court according to the rule established by the Georgian legislation, the Central Election Commission is obliged to make corresponding note about the minutes published on the web site immediately after receiving the notification.

CHAPTER IX ELECTION DISPUTES RESOLUTION

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 or at the court, in accordance with the rules and timeframes determined by this law, unless otherwise defined by this law.

2. Decision of the Precinct Election Commission may be appealed within 2 calendar days after its adoption by the commission, at a relevant District Election Commission or within 4 calendar days at the relevant district/city court. The decision of the District Election Commission may be appealed within 3 calendar days at the relevant district/city court, which examines the complaint within 1 calendar day. The decision of the district/city court may be appealed at the Court of Appeal within 2 calendar days after its adoption, which examines the complaint within 1 calendar day. The decision of the Court of Appeal is final and may not be appealed.

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.

4. The decision of the District Election Commission may be appealed, within 2 calendar days after its adoption by the commission, at the CEC, which examines the complaint within 1 calendar day. The decision of the CEC may be appealed, within 2 calendar days after its adoption, at Tbilisi City Court. Tbilisi City Court examines the complaint within 2 calendar days. The decision of the Tbilisi City Court may be appealed, within 2 calendar days after decision has been made, at the Court of Appeal, which makes a decision within 2 calendar days after submission of the complaint. The decision of the Court of Appeal is final and may not be appealed.

5. The decision of the CEC may be appealed at the Tbilisi City Court within 2 calendar days after its adoption by the commission. Tbilisi City Court examines a complaint within 2 calendar days. The decision of the Tbilisi City Court may be appealed, within 2 calendar days after decision has been made, at the Court of Appeal, which makes a decision within 2 calendar days after submission of the complaint. The decision of the Court of Appeal is final and may not be appealed.

6. In case of submission of application/complaint to the court, the court is obliged immediately to inform appropriately District/Central Election Commission about acceptance of the application/complaint and after the decision is made – about the decision. The decision of the District/City Court should be dispatched to the parties involved until 12:00 of the next day.

7. During the court hearing if the involved party is absent, the court makes a decision by inquiry the materials included in the case, and according to the provisions of articles 4, 17, 19 of the Administrative Procedural Code of Georgia.

8. Statement/application/complaint is considered to be submitted to the Election Commission/Court after it has been registered in the relevant Election Commission/Court.

9. Submission statement/application/complaint to the Election Commission/Court does not suspend the operation of the appealed decision.

10. It is prohibited to prolong the timeframes of appeal and dispute resolution defined by this law, if other timeframes aren't determined according to this law.

11. Statement/application/complaint on election disputes defined by the article 78 of this law, submitted to the election commission/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 violation of the electoral law, timeframe of consideration of the statement/application/complaint and making decision, group of applicants are determined by the Georgian legislation, unless otherwise determined by this law.

13. Timeframes and rules of appealing violations of the electoral law during the elections held under the competence of the High Election Commission of autonomous republic, is determined according to the rules determined by the legislation of autonomous republic.

Article 78. Election Disputes and Group of Claimants

1. Terms and conditions of submission and review of the constitutional claim on the issue of compliance of norms regulating elections and elections conducted or to be conducted on their basis with the Constitution to the Constitutional Court of Georgia are defined by the organic law of Georgia "On Constitutional Court of Georgia" and the law of Georgia "On Constitutional Legal Proceeding".

2.A registered electoral party/electoral bloc and voters' initiative group representatives in a relevant election commission, organizations with a observer's status at elections, members of the relevant PECs and DEC, and also citizens whose statements on inclusion in the voters' list have not been satisfied by the election commission, have right to submit a constitutional claim about voters' lists.

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 and CEC member.

4. The right to file an appeal to the court within the timeframe provided by this 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 this 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's 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 member of an election commission as well as the failure to take a decision of the pre-term termination of the authority of a member of an election commission (in existence of the grounds provided by article 29 of this law) is granted to a registered party/ election bloc, an organization with election observer's status, and member of a relevant or higher commission, whose authority was terminated by the above-mentioned resolution.

8. The right to file an appeal to the court within the timeframe provided by this law regarding to a resolution issued by the CEC on the pre-term termination of the authority of a subordinated 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 a 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 terminated by this resolution.

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

10. The right to file an appeal to the court with regarding to the registration of an electoral party, electoral bloc, voters' initiative group and their representatives 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) 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 (appointed at the CEC as observers) if they consider that a party, election bloc, voters' initiative group were registered with violation of the provisions of the electoral legislation;

11. The right to file an appeal to the court with regarding 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 electoral district and the candidacy for the Mayor of Tbilisi are 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-Sakrebulo 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's 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, at least 2 persons having election observer's 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, 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 local 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 was 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 local 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 a 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 about the accreditation process was not satisfied 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. The right to file an appeal to the court for the violation of rules of the pre-election campaign established by Paragraph 8 of Article 45 of this Law 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 by a party/election bloc, presidency candidate of Georgia or candidacy of Mayor of Tbilisi;

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. The right to file an appeal for the violations of the provisions of Paragraphs 3 of Article 46 and paragraphs 1, 2, 3 and 4 of Article 50 of this Law by the press and other sources of mass media is granted to the subjects specified by Georgian legislation.

17. Regarding a resolution of the election commission on violations of the provisions of Article 48 and 117 of this 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's status, representative of the voters' initiative group in the DEC (if the case concerns a majoritarian candidate), unless the commission proves the abovementioned violation;

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's status at the precinct or higher level Election Commission;

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

20. In case of appeal on 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 district election commission and the organization holding an observer status;

21. Regarding the resolution of the DEC on declaration of the election results voiding at the election precinct or the resolution upholding the election results, 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 void 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), a candidate for the Mayor of Tbilisi, representative of a voters' initiative group at the DEC (if the case concerns the election district), majoritarian candidate and an organization with election observer status;

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 observer's status;

24. Regarding summary protocol of CEC, 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's status.

CHAPTER X RESPONSIBILITY FOR VIOLATION OF THE ELECTORAL LEGISLATION

Article 79. Participation in pre-election agitation by violation of the requirement of Law

Participation of the persons in pre-election agitation by violating requirements of this law – shall be fined by 1500 GEL.

Article 80. Hindering of dissemination of pre-election materials and calls

Under the rule defined by this law, hindering of dissemination 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 81. Conduct of pre-election campaign in institutions, where such pre-election campaign is prohibited

Conduct of pre-election campaign in the buildings of institution, where such pre-election campaign is prohibited by the law and such permit issued by an authorized person – shall be fined by 1000 GEL.

Article 82. Violation of the rule of promulgation of the results of elections related public opinion polls

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 83. Placement of political/election advertisements by violating the requirements of law

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 84. Receipt of prohibited financial and material donations to the pre-election campaign fund and/or concealment of information on such donations

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 85. Failure to fulfill the requirements of law to provide a report on the fund of elections campaign

1. For Failure to fulfill the requirements of law to provide a report 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 86. Refusal to submit materials to the commission for the election, referendum, or plebiscite or failure to fulfill its decisions

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 87. Changing of data included in the summary protocols of voting and elections

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 88. Prohibition of abuse usage of administrative resources during pre-election agitation and campaign and usage of official capacity

Abuse usage of administrative resources and usage of official capacity by violation of the requirements of this Law during pre-election agitation and campaign – shall be fined by 1000 GEL.

Article 89. Failure to provide copies of summary protocols of elections, referendum or plebiscite

Failure to provide copies of summary protocols of elections, referendum or plebiscite by violation of the requirements of this Law – shall lead to fining the chairman and/or secretary of the relevant election commission by 1000 GEL each.

Article 90. Hindrance of a person with the right to be present in the polling place to make notes in the log-book

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 500 GEL.

Article 91. Restriction of rights of an observer, electoral subject and representative of mass media

Restriction of rights of a domestic/international observer, electoral subject and representative of mass media set forth by this Law or disruption of their activities – shall lead to fining of relevant persons by 500 GEL.

Article 92. Breach of defined duties and requirements by an observer, electoral subject and representative of mass media

Violation of requirements set forth by subparagraphs (b) to (d) of Paragraph 2 of Article 41 of this Law by an observer, electoral subjects and representative of mass media – shall lead to fining of the relevant individuals by 500 GEL.

Article 93. Legal proceedings

1. Protocols on administrative violations as envisaged by Articles 79 - 92 of this Law shall be drawn up by the CEC and the persons authorized by the CEC and the relevant district election commission (officials).

2. Cases of administrative violations envisaged by Articles 79-92 of the present Law are discussed by the district/city courts.

3. In case of commission of administrative violations as envisaged by this Article, legal proceedings shall be carried out in accordance with the Code of Administrative Violations of Georgia, unless otherwise is envisaged by this Law”.

**SPECIAL SECTION
PART II**

**CHAPTER XI
ELECTIONS OF THE PRESIDENT OF GEORGIA**

Article 94. Elections of the President of Georgia

The President of Georgia shall be elected on the basis of universal, equal and direct elections by secret ballot for a term of five years. The same person may be elected the President only for two consecutive terms.

Article 95. Holding of Regular Elections of the President of Georgia

1. Regular elections of the President of Georgia shall be held in October of the calendar year when the presidential authority expires. The President of Georgia shall fix the date of the elections not later than within 60 days before the elections.
2. No election shall be held in case of a state of emergency or martial law.

Article 96. Passive Electoral Right

Any citizen of Georgia, having the right to vote, may be elected the President of Georgia if he/she has attained the age of 35, has lived in Georgia for at least 5 years and has been living in Georgia at the time of the elections for at least 3 years.

Article 97. Right to Nominate Candidate for the Presidency of Georgia

1. A political union (party) of citizens or initiative group consisting of 5 voters has the right to nominate a candidate for the Presidency of Georgia.
2. The nomination of the candidate for the presidency of Georgia shall be confirmed by the signatures of not less than 30,000 voters.

Article 98. Rules for Nomination of Candidate for the Presidency of Georgia

1. A party registered at the CEC, voters' initiative group has the right to nominate one candidate for the Presidency of Georgia.

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

3. The following information about the candidate for the Presidency of Georgia must be indicated in the application:

- a) Name, surname;
- 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, names, surnames, number 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 99. Lists of Supporters of a Candidate for the Presidency of Georgia

1. For the purpose of registering a candidate for the presidency of Georgia, representative of the party, voters' initiative group, must submit to the CEC a list of supporter voters of the candidate, no later than 40 days before the elections.
2. In the supporter voters list no less than 30,000 signatures shall be presented.

Article 100. Registration of a Candidate for the Presidency of Georgia

1. By the order of the CEC, a candidate for the presidency of Georgia is registered no later than 30 days before the elections.
2. Within 3 days after registration, the CEC chairman shall provide candidate for the presidency of Georgia with the relevant certificate.
3. The CEC chairman shall not register a candidate for the presidency of Georgia if:
 - a) The data provided according to the Paragraphs 3-5 of Article 98 of this Law is incomplete or incorrect;
 - b) Less than 30 000 signatures are in he list of supporting voters;
 - c) The timeframes determined by the Paragraph 1 of Article 99 of this Law is violated.
4. 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 name, surname, year of birth, position (activity), places of residence and employment.
5. Candidate for the presidency of Georgia may withdraw his/her candidacy until 12:00 of the day before the balloting by addressing the CEC with the written application. In case 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.

Article 101. Cancellation of the electoral registration of the political party and voters' initiative group

1. Electoral registration of the party shall be cancelled by the order of CEC:
 - a) On the basis of its own application;
 - b) In case of prohibition of the party by the decision of the Constitutional Court of Georgia;
 - c) If it did not present candidate for the presidency of Georgia or its candidate for presidency wasn't registered, or the electoral registration of its candidate for presidency was cancelled.
2. Electoral registration of the initiative group is cancelled by the order of CEC:
 - a) On the basis of its own application;
 - b) If its candidate for presidency wasn't registered, or the electoral registration of its candidate for presidency was cancelled.
3. The decision determined by this Article is made if it is supported by at least 2/3 of all members of CEC.

Article 102. Determining of sequential number of a candidate for the presidency

1. Sequential number of candidate for the presidency is defined according to the rule prescribed by this Article, 25 days before the elections. For the purpose of determining of the sequential number the appropriate procedures are conducted in the CEC building with the persons having right 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. The right to choose a number by sequence according to this rule has also those candidates whose nominating parties took the second and third places during previous parliamentary elections. They have right to choose sequential number

possessed during the previous parliamentary elections or accordingly the second or third numbers, except the case if the number they had during the previous parliamentary elections, was already granted to the candidate of the political union which had received better results.

3. If an election bloc had a sequential number at the previous parliamentary 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.

4. except the cases determined in the Paragraphs 2 and 3 of this Article, the sequential number of a candidate for the presidency will be defined by casting lots.

5. For casting lots, the chairman of CEC writes the numbers conformable to the number of candidates for the presidency on the same types of papers with the same 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 this Article are separated. All other papers 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 representative of the candidates for the presidency takes them from the box one by one. The number of the lots becomes the sequential number of the candidate for the presidency.

6. In case of cancellation of the electoral registration of the candidate for the presidency the rest of candidates keep their sequential numbers.

7. The CEC shall publish the lists of registered candidates for presidency by press and other sources of mass media not later than 24 days before the balloting.

Article 103. Guarantees for activities of a candidate for the presidency of Georgia and their Representatives

1. Since the registration moment at the CEC candidates for the presidency of Georgia take part in the pre-election campaign on equal basis, enjoy equal rights to use the press and other sources of mass media all over the territory of Georgia according to the rules determined by this Law.

2. During the pre-election campaign, candidates for the presidency of Georgia 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 results are published officially by the CEC if there is not consent of CEC on the basis of the submission of the Minister of Justice of Georgia. An exception is the case of being caught at the moment of crime commitment about which the CEC must be informed immediately. If the CEC makes the relevant decision, the detained or arrested candidate shall be released immediately.

4. Order of the CEC on giving consent mentioned in this Article shall be balloted within 3 calendar days from receiving the submission from the Minister of Justice of Georgia.

Article 104. Summing up of the Election Results

1. 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.

2. If none of the candidates has obtained the necessary amount of votes in a first round of elections, a second round is appointed.

3. No later than 20th day after the ballot, the CEC, at its session, shall sum up the election results according to election districts and draw up the relevant summary protocol to be approved by a CEC order.

4. The CEC shall sum up election results in accordance with DEC summary protocols, while in case of the statement/appeal or a commission member's dissenting opinion, results in a certain district are summarized on the basis of PEC summary protocols.

5. PEC and then DEC are obliged to transfer to the CEC sealed packages of voters lists along with summary protocols of voting and election results.

6. Within 5 days since the summing up of the results has been made, the CEC officially publishes results of the elections through the press and other sources of mass media.

Article 105. Second Round of Elections

1. If no candidate gets the necessary amount of votes in the first round of elections, the second round shall be appointed.

2. The second round shall be appointed by the order of the CEC. The second round shall be held after two weeks since it has been announced officially.

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 lots.

4. The candidate who receives the most votes is considered to be elected.

5. If the participating candidates receive equal number of votes in the second round, the candidate who got more votes in the first round is considered to be elected.

Article 106. Re-elections

1. Re-elections are held if in the first or second round of elections all participating candidates withdraw their candidacies.

2. Re-elections are held within 2 months after the general elections (first round).

3. Re-elections are appointed by the Parliament of Georgia.

4. The information about appointment of the re-elections is published through the press and other sources of mass media.

5. Re-elections shall be held under the procedures established for general elections by this Law and within the timeframe determined by the CEC, but no later than 2 months following the general elections.

Article 107. 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 45th 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 Elections for the President of Georgia 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 40th 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 no later than 30th before the extraordinary elections.

7. Candidates for the Presidency of Georgia are registered by the CEC, no later than 25th before the extraordinary elections.

8. During the extraordinary elections of the President of Georgia elections are held within 45 days after the pre-term termination of the authority of the president of Georgia in line with the general elections procedure established by this Law.

CHAPTER XII ELECTIONS OF THE PARLIAMENT OF GEORGIA

Article 108. Appointment of Parliamentary Elections

1. Next Elections for the Parliament of Georgia are held in October of the calendar year in which its authority expires.

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 state of emergency or martial law, elections are held no later than 60 days after the abolition of the abovementioned state.

Article 109. The rule of election of the Parliament of Georgia and its Term of Authority

1. 107 members of the Parliament of Georgia are elected on the basis of a proportional election system, while 83 are elected through the majoritarian election system.

2. The Parliament of Georgia is elected for the period of 4 years.

Article 110. Passive Electoral Right

1. Any citizen of Georgia, having right to vote, may be elected as the member of Parliament if he/she has attained age of 25, has lived in Georgia for no less than 10 years and knows Georgian language.

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.

Article 111. 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 112. Incompatibility of the status of parliamentary candidate with the official position held by the latter

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

- a. The President of Georgia;
- b. Ministers of Georgia and autonomous republics, heads and deputy heads of governmental and state sub-divisions;
- c. Members of the Security Council of Georgia (except MPs);
- d. Members of the Board of the National Bank of Georgia;
- e. The chairman and deputy chairmen of the Chamber of Control of Georgia;
- f. The state representatives - Governors and their deputies;
- g. Chairman of Sakrebulo, head of the local municipality, mayor of the city;
- h. Officers of the Ministry of Interior Affairs of Georgia, Ministry of Defense of Georgia Intelligence Service and Special Service of State Security;
- i. Judges;
- j. Public Defender and Deputy Public Defenders;
- k. Advisors to the President of Georgia;
- l. Members of the High Council of Justice of Georgia (who are not MPs);
- m. Head of public service bureau and his/her deputies;
- n. Prosecutors, their deputies, assistants, and investigators.

2. The relevant legal acts about resignation and dismissal of persons specified in Paragraph 1 of this Article shall be immediately presented to the appropriate election commission. Otherwise, the persons will be denied in registration as the candidate for the membership of the parliament and, if the registration has already taken place, it will be annulled.

CHAPTER XIII REGISTRATION OF ELECTORAL SUBJECTS PARTICIPATING IN PARLIAMENTARY ELECTIONS

Article 113. Registration of Parties, cancellation of registration

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 57th day 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 or it is not receiving a state funding.

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

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

a) Its name and if applicable, it's shorten version and/or abbreviated name 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 this 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 name coincides, the 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. The appropriate CEC department checks the application and enclosed documents and provides its conclusion no later than the next day after the day of filing the application to the Commission.

6. In the case specified by Subparagraph (a) of Paragraph 1 of this Article, the CEC shall, no later than the next day after providing the conclusion mentioned in Paragraph 6 of this Article:

a) Passes the party and its representative through electoral registration, if the filed application and enclosed documents meet the requirements of this Law;

b) Notify, in written form, the party representative of the non-compliance of the application and enclosed documents, with the provisions of this Law (indicating the areas of

noncompliance) if such non-compliance exists and the party shall, within 3 days, improve application and documents.

7. The corrected application and documents as specified in subparagraph (b) of Paragraph 6 of this 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 this Law, the CEC passes the party and its representative through electoral registration; otherwise it, within the same period, will issue order on non-acceptance of the application for electoral registration (the order shall state the exact reasons for non-acceptance of the application for registration and the provisions of this Law that it did not comply with). Notification of the order shall be provided immediately to the party representative and given upon request.

8. In the case specified in subparagraph (b) of Paragraph 1 of this Article, no later than the 3 days after providing the conclusion mentioned in Paragraph 7 of this 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 this Law (indicating the areas of noncompliance), if such noncompliance exists. The corrected application and documents shall be returned to CEC within 3 days.

9. A party which has no representative in the Parliament of Georgia, or it is not a qualified election subject, is obliged, within 60 days after 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 voters supporting party's participation in parliamentary elections. The appropriate CEC department shall check the list of supporters in accordance with the procedures and within the timeframes established by Article 38 of this Law.

10. If the application, enclosed documents (or the corrected application and documents) and the list of supporters specified in this Article, are submitted within the timeframe determined by this Law and meet the requirements of this law, 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 59th day before the election day. Otherwise, it, within the same period, will issue order on non-acceptance of the application for electoral registration (the order shall state the exact reasons for non-acceptance of the application for registration and the provisions of this Law which caused the non-acceptance of the application). Notification of the order shall be provided immediately to the party representative and passed upon request.

24. No later than the 30th before Election Day the CEC through the press and other sources of mass media will make public the list of registered parties according to the sequence of filing of their applications, as well as the list of those parties whose applications for registration were not accepted or whose registrations have been cancelled and reasons for that.

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

- a) Upon its 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 this 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;
- e) If it has failed to submit the party list or the submitted party list has not been registered;
- f) If no later than 2nd before Election Day the number of candidates in its party list was less than the minimum established by this Law;

Article 114. Registration of Election Blocs /cancellation of registration

1. 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

signed by the authorized leaders of all parties constituting the bloc and the election bloc statute, no later than the 43rd day before the forthcoming elections.

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

a) Its name, if applicable its shorten version and/or abbreviated name under which the bloc participates in elections and the list of parties incorporated in the bloc;

b) First name, last name, address (according to the place of registration) of the leader (s);

c) First name, last name, address (according to the place of registration), telephone number and limits of authority of the representative;

d) If there are several leaders - the limits of authority of each leader in the relations related to the election process.

3. The title, short and abbreviated name of the election bloc mentioned in subparagraph (a) of Paragraph 2 of this Article shall not coincide with:

a) The official title, short and abbreviated name of another party registered by the Ministry of Justice of Georgia (except the party which is a member of this bloc) (if the names coincide the second party will not have the right to use this name);

b) The title, short and abbreviated name of another election bloc participating in the elections, if the application of this bloc was filed at the CEC earlier (if the names coincide the bloc will not have the right to use this name);

c) The title, short and abbreviated name used by another election bloc in the last parliamentary elections, unless the consent of that election bloc is available.

4. The election bloc statute signed by the leaders of all parties constituting the election bloc shall include:

a) The title and, if applicable short and/or abbreviated name 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) During the elections the rules for using the stamp of a party united in the bloc;

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 statute.

5. A party united in the election bloc during one and the same elections has not right to integrate into another election bloc or independently participate in the elections.

6. Upon acceptance of the application and the statute mentioned in Paragraph 1 of this Article the CEC will provide the bloc representative with the document certifying its acceptance.

7. The appropriate CEC department will check the application and statute mentioned in Paragraph 1 of this 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 1, 2-5 of this 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 this Law (including the areas of noncompliance). The corrected documents shall be returned to the CEC no later than 2nd day 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 this Law, the CEC chairman shall pass the election bloc and its representative through registration; otherwise he/she will issue an order on non-acceptance of the application for registration (the order shall state the exact reasons for non-acceptance of the application for registration and the provisions of this Law which have

caused the non-acceptance). The order shall be immediately notified to the election bloc representative and provided upon request. The procedures described in this Paragraph shall be completed on the 37th before Election Day.

8. 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.

9. Upon registration of the election bloc by the order of the CEC chairman, 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.

10. In case of withdrawal or dismissal of a party (parties) from the election bloc until expiration of the period for nomination of party lists/candidates, each party has 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 order of the CEC and the parties previously united in the bloc will have the right to continue to participate in the elections.

11. In case of withdrawal or dismissal 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 order of the CEC. If for this reason only one party remains in the bloc, the electoral registration of the bloc will be cancelled by order of the CEC and the remaining party will be the legal successor of the bloc.

12. No later than the 30th day before Election Day the CEC through the press and other sources of mass media will make public the list of registered election blocs according to the sequence of filing of their applications, as well as the list of those blocs whose applications for registration were not accepted or whose registrations have been cancelled and reasons for that.

13. A party/election bloc registered according to this law 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.

14. The electoral registration of an election bloc will be cancelled by order of the CEC:

- a) Based on its own request;
- b) If the election bloc has broken up, or, due to dismissal, withdrawal or cancellation of the electoral registration of the member-party (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 2nd day 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 115. 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 150 or more than 250;

4. A candidate nominated for a majoritarian election district may be included in a party list. In this case there must be an indication on the party list that the candidate is nominated for a majoritarian election district.

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;

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.

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;

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) Place of work (name of institution, organization, enterprise etc);
- f) Occupied position (if unemployed it shall be indicated - "Unemployed");
- g) Party affiliation (if s/he is not a party member, the following shall be indicated -"non-partisan");
- h) If the candidate is also nominated in a majoritarian election district, the name and number of this district shall be indicated.

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 "nonpartisan");
- 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 nominated);
- 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;
- 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 this Article will be provided to the representative of a party/election bloc by the Central Election Commission.

Article 116. Nomination of Candidates in Majoritarian Election Districts

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

- 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 in each election district.

3. The rules for 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 115 of this Law.

4. during the elections, next to sequential number a ballot paper should be indicated the names and surnames of a majoritarian candidate and titles of the parties and election blocs, which have nominated the aforementioned candidate;

5. 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):

a) 2 copies of registration forms filled in and signed by the candidate, one copy shall be delivered to the relevant DEC;

b) 2 photos of the candidate.

Article 117. Verification of Party Lists and Documents of nominated Candidates for MPs Submitted to Majoritarian Election Districts and Electoral registration

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 this Law comply with the requirements prescribed by this law. Electoral registration shall not be considered if the timeframes established by this law for submission of documents is violated;

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 chairman of the CEC who, 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 this law;

b) Give written notice to the representative of the party/election bloc on any inconsistencies that exist between the requirements established by this Law and the data specified in the party list and the documents attached thereto (with indication of such inconsistencies). 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 this 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 this Law, chairman of the CEC shall register the party list or the part of such a list which complies with the requirements prescribed by this law (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 this Law which caused this non-acceptance). If the number of other candidates in the party list, which complies with the requirements of this 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 chairman of 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 paragraph and the resolution shall be given to the party immediately upon the request.

4. The issue of registering /not registering of a majoritarian candidate nominated in an election district is decided by chairman of the CEC in accordance with the procedures and terms established by Paragraph 2 and 3 of this Article. Party/Election Bloc is obliged to submit registration documents of a majoritarian candidate to the CEC within the deadlines established by this Law.

5. A candidate willing to participate in parliamentary elections shall not be registered, and the registration of any registered candidate shall be cancelled by resolution issued by chairman of the CEC (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 by this law, or other provisions of this Law are violated, in particular:

- 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;
- 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;
- 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, other elections are held and there is, or was, the consent of such candidate for simultaneous participation in both elections as a candidate;
- f) If the requirements established under Paragraph 8 of Article 45 and/or Article 48 are violated.

6. The resolution of a chairman of the 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 78.

Article 118. Annulment of Electoral registration of Registered Majoritarian Candidate

Electoral registration of a registered majoritarian candidate will be annulled by a resolution of Chairman of the CEC:

- 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 114 of this Law;
- d) If the person has died;
- e) In other cases considered by this Law.

Article 119. Determination of Sequential Number of Election Subjects

1. The sequence of the electoral subjects shall be determined according to the procedure specified by this 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.

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 this Article is determined by the casting of lots;

6. For the purpose of casting of lots, 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.

Article 120. 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.

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 CEC;

4. 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;

5. 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 121. 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 unpaid vacation for the period of the pre-election campaign.

Article 122. Immunity of Candidate for Membership of the Parliament of Georgia

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 results by the CEC, unless the request from the minister of justice is agreed 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 this Article shall be voted within 3 calendar days upon the receipt of the request from the minister of justice.

CHAPTER XIV

SUMMING UP THE RESULTS OF THE PARLIAMENTARY ELECTIONS OF GEORGIA

Article 123. Counting of votes at the Precinct Election Commissions

1. The PEC shall sum up polling results and include them in the protocols of election results held through the majoritarian and proportional systems.

2. The summary protocol of results of the elections conducted in accordance with the proportional election system shall be compiled according to the party lists, while the summary protocol of results of the elections conducted in accordance with the majoritarian election system is compiled according to the candidates nominated to the majoritarian election district.

Article 124. Summing up of results at District Election Commission

1. The DEC, based on the protocols of the PECs and district/city courts decisions, shall sum up at its session the 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, the DEC shall, by its resolution, decide to open the packages received from Precinct Election Commission and re-count the ballots.

Article 125. Summing up of the Election Results at the Central Election Commission

1. The CEC, based on the protocols received from the DEC, PECs and final decisions of the court no later than on the 19th day after the Election Day shall sum up, at its sessions, the results of the elections of the Parliament of Georgia and shall compile 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. 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.

4. Mandates of the Members of Parliament of Georgia are awarded only to the party list that receives no less than 5% of votes. The number of votes derived from void ballot papers shall be excluded from the number of votes of voters participating in the elections.

5. 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 107 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.

6. If the total number of mandates received by parties or election blocks turns out to be less than 107, 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.

7. 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 registered at the CEC.

8. If a candidate is elected both through majoritarian election system and proportional system, then he/she is considered to be elected through majoritarian system. His/her place in the party list is taken by another candidate in accordance with Paragraph 2 of Article 130 of this Law.

9. 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.

10. 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 results in the election district shall be declared void and the CEC shall appoint re-elections.

11. If during the elections under the proportional system as a consequence of gross violations of this 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. In case of existence of any application/complaint, which requires revision or voiding of ballot results, the CEC shall make a decision by its resolution, for 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 results based on the protocols drawn up by the PECs.

13. In an election precinct where the election has been declared void, the CEC appoints the second ballot in this precinct, in cases when 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.

14. The second ballot may be appointed both after the first round and the second round of elections. If necessary, the CEC is authorized to assign to hold the second ballot to the same or different composition of the PEC. The second ballot shall be held within 2 weeks after the first round (second round) of the elections.

15. 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.

16. 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 voters, the number of Members of Parliament elected and their list arranged in alphabetical order.

17. 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 126. Second Round of Parliamentary Elections

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.

2. The candidate winning the most votes in the second round of elections shall be deemed elected. If the candidates receive an equal number of votes, than the candidate who had more votes in the first round shall be deemed elected. If the votes received in the first round are equal, a new election shall be appointed.

Article 127. New Parliamentary Elections

1. If the elections are declared as having been failed, and the election results in a majoritarian election district are deemed void, new elections shall be held.

2. New elections shall be held within two months after the declaration of elections as failed or after declaration of the election results 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 results void.

3. 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.

4. If the elections held through proportional election system are announced as held, but none of the parties and election blocs received 5% of the votes, by the resolution of the CEC new elections are held in 2 weeks.

5. Right to participate in new elections has only those parties and election blocs, who received 2% of the votes in general elections. The party lists of the parties and election blocs participating in new elections remain unchanged. Changes in the lists shall be made only according to the general rule defined by this law.

Article 128. Extraordinary Parliamentary elections

In case of dismissal of Parliament before the end of the term the extraordinary elections are held on the 60th day after issuance of decree on dismissal of the Parliament and the date of extraordinary elections is appointed by the President upon entering into force of the decree on dismissal.

Article 129. By-elections of the Parliament of Georgia

1. By-elections are held through a majoritarian electoral system to fill a vacant seat of the Member of Parliament. By-elections are held in October according to the rule prescribed in this law. If there are less than 60 days left till by-elections, they are held in October of the following year.

2. The date of the by-elections and the terms of pre-election events are set by the resolution of CEC no later than 2 months prior to the Election Day.

3. With the aim of participating in the parliamentary elections of Georgia, the party/election bloc which was registered in the CEC during the last Parliamentary elections shall approach the CEC with an application signed by the leader(s) after the appointing of by-

elections, but not later than on the 57th day prior to the elections, in order to obtain the right to participate in by-elections.

Article 130. The procedure for Succession of a Retired member of the Parliament

1. 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 period of 1 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 is no candidate remaining in the party list, the mandate of the member of the Parliament shall be deemed annulled.

2. 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 and 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 1 of the present Article.

3. After acknowledgement 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. Immediately after the pre-term termination of the authority of an elected MP through the party list, the status of a candidate for the membership of the Parliament shall be reinstated to the person, who represents a successor of such MP according to the present article.

Article 131. Registration of Elected Members of Parliament of Georgia

Within 2 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 132. Drug Control of the Persons Elected as Members of Parliament of Georgia

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 a 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 elected 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 a resolution on declaration of the election returns void in the mentioned district and on announcement of new elections in accordance with paragraph 3 of Article 127. 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 1 and 2 of Article 130.

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.

**CHAPTER XV
ELECTIONS OF REPRESENTATIVE BODY OF LOCAL SELF-GOVERNMENT -
SAKREBULO**

Article 133. 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.

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 coincides 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.

4. Information on announcement of elections of a representative body of local self-government - Sakrebulo - shall be disseminated through the press and other media no later than the following day after Announcement of elections.

5. In the event of early termination of authority of Sakrebulo, extraordinary elections of Sakrebulo shall be held within 45 days.

Article 134. 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.

2. A citizen of Georgia may not be at the same time a member of other representative bodies.

3. Voters, who by the time of announcement of elections permanently or temporarily reside abroad, shall not be entitled to participate in the elections of a representative body of local self-government –Sakrebulo and of the Mayor of Tbilisi.

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 135. Term of Authority of Representative Body of Local self-government – Sakrebulo

After the first assembly of newly-elected Sakrebulo the authority of a new composition of Sakrebulo starts and old shall terminate immediately.

Article 136. 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) 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;

- c) Members of the Security Council of Georgia;
 - d) Members of the Council of the National Bank of Georgia;
 - e) Chairman and deputy chairmen of the Chamber of Control of Georgia;
 - f) Head of the Staff of the Parliament of Georgia;
 - g) State Representatives -Governors and their deputies;
 - h) Officers of the Ministry of Internal Affairs of Georgia and Ministry of Defense of Georgia as well as of foreign Intelligence and special state security services;
 - i) Judges;
 - j) Public Defender of Georgia and his deputy;
 - k) Members of the advisory body of the President of Georgia (other than members of the Parliament);
 - l) Assistants of the President of Georgia
 - m) Members of the Council on Auditing Activities;
 - n) Members of the Commission for Accounting Standards, Georgian Citizen Regulatory Commission for Energy and Water Supply and of other citizen regulatory commissions;
 - o) Chairman and deputy chairmen of the Bureau of Civil Service;
 - p) 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. The same person may not be nominated at a time as a candidate in the elections of the local selfgovernment body – Sakrebulo of the two distinct self-governing units.

Article 137. Election Districts

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 after announcement of the Election date, the Central Election Commission publicizes 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 the information concerning local majoritarian election districts with their boarders included.

CHAPTER XVI

ELECTIONS OF SAKREBULO OF MUNICIPALITIES AND SELF-GOVERNING CITIES

Article 138. Election System

Elections of a representative body of local self-government - Sakrebulo - shall be held under the proportional and majoritarian election systems.

Article 139. 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 140. 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:
 - 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 141. Right to Run for Sakrebulo in the Elections

A party, an election bloc, a candidate nominated by a party and an election bloc registered at the relevant election commission are entitled to run for Sakrebulo in the elections.

Article 142. Registration of Parties/Election Blocs

1. In order to obtain the right to participate in the elections of a representative body of local selfgovernment — Sakrebulo, the party/election bloc which was 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.

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.

3. A party, which has no representative in the Parliament of Georgia or which does not comply with the requirements of the first paragraph of the present article, is given the sample of the list of supporters by the relevant office of Central Election Commission immediately after the receipt of the application no later than 57 days before the election day. The party is to submit to the CEC the signatures of 30,000 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.

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 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 following day the submission to the Commission of the application.

8. No later than the next following day the submission of the conclusion referred to in Paragraph 7 of the present Article, the CEC:

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 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). Otherwise, the CEC shall issue a 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. The abovementioned procedures shall be completed not later than 37 days before the elections.

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. Otherwise, the CEC shall issue a 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.

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

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);

c) The first and last names of the representative, his/her address (according to the place of registration) telephone numbers and the extent of the authority conferred;

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 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, affect 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 affect 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.

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.

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.

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.

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. 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.

Article 143. 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.

2. All parties and election blocs running in elections independently 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 "nonpartisan");

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).

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 date (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.

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 144. 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) A party running in the elections independently;
- b) An election bloc.

2. 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.

3. 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»).

4. 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.

5. 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.

6. 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 145. 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.

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.

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;
- b) An application concerning nomination of a candidate witnessed by signatures of the leaders of parties/election blocs;
- c) Two photos;

- d) 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;
 - 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. 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.

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 119 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.

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.

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 146. 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.

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.

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 147. 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, through proportional system – 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.

4. In the ballot paper designed for elections of a representative body of self-government-Sakrebulo, held through proportional election system, the voter shall outline no more than the sequential number of 1 party/election bloc.

5. In the ballot paper designed for the elections of Sakrebulo held through majoritarian election system, which includes data about the candidates, the voter shall outline no more than the sequential number of 1 candidate.

6. The voter for the Parlimant of Georgia shall be handed two kinds of ballot papers-ballot papers designed for elections held through majoritarian and proportional election system.

Article 148. Determination of Election Results Held through Proportional Election System

1. 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.

2. 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 1 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 have 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.

3. 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 1 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.

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 according to the rule prescribed by this law.

Article 149. Determination of the Election Results 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 150. Summing up of Sakrebulo Election results 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.

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 void ballot papers;
- d) 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.

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.

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.

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, and work place.

Article 151. Convocation of the first session of a newly elected representative body of local self-government – Sakrebulo

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 152. Second Ballot and New Ballot

1. If ballots in an election precinct have 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 2weeks.

Article 153. Registration of Elected Members of Representative Body of Local selfgovernment - 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 selfgovernment - Sakrebulo -- and provide them with relevant certificates.

Article 154. The rule for replacement of the retired members of Sakrebulo

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 excluded member 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 1month 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 XVII

ELECTIONS OF SAKREBULO OF THE CAPITAL OF GEORGIA – TBILISI

Article 155. Elections of the self-government body - Sakrebulo of the capital of Georgia - Tbilisi

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 of 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 of 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 156. Election districts

1. For elections of Tbilisi Sakrebulo through the proportional election system, 10 election districts shall be created:

- a) Mtatsminda;
- b) Vake;
- c) Saburtalo;
- d) Krtsanisi;
- e) Isani;
- f) Samgori;
- g) Chughureti;
- h) Didube;
- i) Nadzaladevi;
- j) Gldani.

2. The CEC shall exercise the functions of an election commission summarizing election results of Tbilisi Sakrebulo held through the proportional system.

3. Election Results of Tbilisi Sakrebulo held through the majoritarian system shall be summarized and established by the relevant district election commission.

Article 157. Right to take part in elections of Tbilisi Sakrebulo

1. Right to take part 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 take part 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 run for 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 136 of the present Law. Subparagraph (e) of

Paragraph 5 of Article 117 of the present Law does not apply to the incompatibility of the status of a candidate.

Article 158. Submission of party lists

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 for Tbilisi Sakrebulo through proportional election system shall include no less than 50 and not more than 100 candidates.

3. 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 running for elections. The party and election bloc has a right to nominate an able citizen of Georgia who speaks official language and has attained 21 years by the time of polling day as a candidate for Sakrebulo elections.

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 should be taken into account, according to election results, the mandates received by a Party, election blocs according to the election returns shall be distributed sequentially, from the top of the list, according to the sequence.

6. In a Party list must be indicated the following information on each candidate:

a) name/surname;

b) Date of birth;

c) Profession;

d) Position (activity);

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 “no Party Affiliation);

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. The Party list must be confirmed with the signatures of the Head of the Party taking part in the elections independently, and with the signatures of the Heads of all Parties in an election bloc.

8. With the Party list must be attached two photographs of each candidate, registration card (In two copies) signed by the candidate, the date of its filling out, where, along with the biographical data of the candidate (first name, last name, number of the ID of a Georgian citizen (passport of a Georgian citizen) and personal number, place of registration, date of birth) must be included a declaration that the candidate has permanently resided in Georgia for 5 years and consents to stand as a candidate through this Party list.

Article 159. Nomination of majoritarian candidates for membership of Tbilisi Sakrebulo

1. The following entities have the right to nominate majoritarian candidates for membership of Tbilisi Sakrebulo:

a) Party taking part in elections independently;

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 160. Ballot papers

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 161. Determining results of majoritarian elections of Tbilisi Sakrebulo

A majoritarian candidate, who has received more votes than other candidate in single-mandate majoritarian election district, shall be considered elected for 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 162. Rule of distribution of mandates for Tbilisi Sakrebulo through proportional election system

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. During proportional elections of Tbilisi Sakrebulo if the total number of mandates received by the party lists turns out to be less than the total number of the mandates, each undistributed mandate shall be distributed among those party lists, which have obtained 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 turns out to be equal, the mandate is awarded to the one, which was the first to undergo registration at the Central Election Commission, for the purpose of taking part in elections of Tbilisi Sakrebulo.

5. Those candidates, whose number in the party lists is less or equals to the amount of mandates obtained by the party list, will be considered to have been elected into Tbilisi Sakrebulo based on the proportional election system.

6. If a candidate for Sakrebulo membership is elected both from a single-mandate majoritarian election district and through the party lists, he will be considered to have been 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 163. Registration of persons elected to Tbilisi Sakrebulo

Within 5 days of the consolidation of the final results of the elections, the CEC shall register the members of Tbilisi Sakrebulo and issues to them relevant licenses.

Article 164. Rule for replacement of retired members of Tbilisi Sakrebulo

1. If the authority of a member of Tbilisi Sakrebulo elected through proportional election system has been terminated before expiry, within 2 weeks his place in Sakrebulo shall be taken up by his substitute, a candidate named after him in the same party list, if he/she, within 10 days of having been notified by the Central Election Commission of Georgia, declares consent to become a Tbilisi Sakrebulo member. If there are no more candidates in the submitted Party list, the mandate is cancelled;

2. If the excluded member of 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 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 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 excluded member of Tbilisi Sakrebulo elected through proportional system shall, within 10 days of having been notified by the CEC, declares 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 are no more candidates in the submitted Party list, the mandate is cancelled;

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, by-election 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 by- elections, it shall be conducted in September-October of the next year.

5. Date of by-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 by-elections, take up the seats of the excluded members in Tbilisi Sakrebulo elected through majoritarian election system for the remaining term of authority of Sakrebulo.

CHAPTER XVIII ELECTIONS OF TBILISI MAYOR - THE CAPITAL OF GEORGIA

Article 165. Elections of Tbilisi Mayor - the Capital of Georgia

1. During elections of Tbilisi Mayor (hereinafter referred to as – Tbilisi Mayor) the norms established by this law will be used if otherwise not considered by this chapter.

2. Tbilisi Mayor will be selected on basis of universal suffrage, equal and direct right to vote, through a secret ballot by Tbilisi electors for 4 years period.

3. Tbilisi Mayor elections are appointed by the President of Georgia no later than 60 days prior to the Mayor's authority expiry date.

4. During military situation or the state of emergency elections of Tbilisi Mayor are not held. If elections date coincides with military situation or the state of emergency, the elections shall be held no later than 60 days after the state of emergency is abolished.

Article 166. Election Districts

1. Tbilisi will provide one election district for Tbilisi Mayor Elections the borders of which coincides with the borders of election districts formed in accordance with the first paragraph of the 156th article of this law.

2. The results of Tbilisi Mayor Elections are being summarized by Central Election Commission.

Article 167. Registration of Tbilisi Mayor Candidates, Queuing and Definition of their Numbers

1. A citizen of Georgia from the age of 25 having the right of election who has leaved permanently for at least five years in Georgia and knows Georgian can be elected Tbilisi City Mayor.

2. A candidate of Tbilisi mayorship can be introduced by a party or an election bloc registered in accordance with the 142nd article of this law no later than 30 days before the polling day.

3. Incompatibility of the status of Tbilisi mayorship candidate with his official status is being defined in accordance with the rule established by the 136th article of this law. Sub-paragraph "e" of 5th paragraph of the 117th article of this law does not refer to incompatibility of the status of Tbilisi mayorship candidacy.

4. Central Election Commission registers candidates for Tbilisi mayorship within two days since their introduction taking into account the requirements of this article.

5. Candidate of Tbilisi mayorship is given a number of electoral subject introducing him/her.

6. The decision of electoral subject with regard to introducing a candidate of Tbilisi Mayorship should be enclosed with a registration card indicating a candidate's:

- a) Name and surname;
- b) Date of birth (date, month, year);
- c) Gender;
- d) Address (according to the place of registration);
- e) Number of identity card of Georgian citizen (Georgian citizen's passport number) and personal number;
- f) Education (high, incomplete high education, professional, secondary school education, basic and primary education);
- g) Profession (according to the diploma/certificate);
- h) Position (if unemployed, "unemployed" should be indicated);
- i) Work place (name of institution, organization, enterprise, etc.);
- j) Party-membership (if non-party, should be indicated "non-party");
- k) Attitude towards military service;
- l) Agreement for Tbilisi mayorship candidacy;
- m) Signature and the date of signature.

7. If applications and documents submitted to the election commission do not meet all the requirements stated by this law or other conditions of this law have been violated, candidate of Tbilisi mayorship shall not be registered and electoral registration of already registered candidate shall be abolished under the decree of Central Election Commission (in case of "a"- "c" sub-paragraphs of this paragraph) or under the court decision (in case of sub-paragraph "d"). Namely:

- a) The data included in the applications and documents is incomplete or inaccurate;
- b) There is or there was consent of Tbilisi mayorship candidate to participate in the elections of Representative body of local self-governance– Sakrebulo under the status of a candidate;
- c) Requirements of 3rd paragraph of this article;
- d) Requirements of 8th and/or 48th paragraph of the 45th article of this law.

Article 168. Consolidation of the Results of Tbilisi Mayor Elections

A candidate shall be considered elected in Tbilisi Mayor Elections who receives the most number of votes but no less than 30% of votes of election participants. The number of votes of abolished voting bulletins shall not be considered into the total number of votes of election participants.

Article 169. Second round of Tbilisi mayor's elections, repeated and extraordinary elections

1. In Tbilisi mayor elections if none of the candidates have managed to collect necessary number of votes defined by the 168th article of this law, a second round of elections shall be appointed. Two candidates having the best results will participate in the second round and the candidate, who receives more votes, shall be considered as a winner. If candidates receive equal number of votes, the candidate who had received more votes in the first round of elections shall be elected. If this number of votes appears to be the same new elections shall be appointed in two months.

2. A second round of Tbilisi mayor's elections is being appointed under the decree of Central Election Commission. The second round of elections will be held in a months' period since the ballot date.

3. In case the authority of Tbilisi mayor is terminated prior to the expiry date and if more than 2 years are left before expiry of the authority, extraordinary elections of Tbilisi mayor shall be conducted. Extraordinary elections are appointed by the President of Georgia in six months period after termination of authority.

CHAPTER XIX REFERENDUM AND PLEBISCITE

Article 170. General Provisions

The norms regulating preparation, conducting and summarizing the results of elections stipulated in the first chapter of this law shall be used to prepare, conduct and summarize the results of referendum unless otherwise defined by this chapter.

Article 171. Conducting a Referendum

1. Upon the request of Georgian Parliament, with the requests of no less than 200000 electors or by his own initiative, Georgian President appoints referendum on issues defined by constitution and organic law during 30 days from receipt of the request to conduct the referendum.

2. Referendum cannot be conducted:

- a) In case of armed attacks in Georgia;
- b) In case of military situation in the country;
- c) In case of public disorder, military turnover, armed revolts, ecological catastrophes and epidemics or in other cases when state governmental organs have no possibility to apply constitutional authorities in due manner.

3. Referendum cannot be appointed with regard to the same issue during one year since the date when the results of referendum conducted concerning this issue are published.

4. Referendum is prepared and held in Georgian in Georgia and in Abkhazia – in Abkhazia.

Article 172. Referendum Issues

1. Referendum can be held on very important state issues, including the issues and principles stipulated by Georgian constitution, Georgian laws, international agreements and contracts.

2. Referendum cannot be held:

- a) To adopt or abolish a law;
- b) For amnesty or act of grace;
- c) About ratification and denouncing international contracts and agreements;
- d) On issues, which constrain basic constitutional rights and independence of people.

Article 173. Appointment of Plebiscite and the Rules to Conduct It

1. Plebiscite is a public opinion poll by ballot in order to learn opinion of Georgian electors or a part of them with regard to particularly important governmental issues.

2. Plebiscite is being appointed by the President of Georgia by his own initiative.

3. The results of plebiscite are of recommendation character for state governmental bodies.

4. The rules established by this law are applied to the plebiscite except the 171st article.

Article 174. Appointment of Referendum

1. Referendum is appointed by the President of Georgia;
2. Referendum is prepared and held by the Central Election Commission.

Article 175. Referendum Initiative Group

1. If initiative to conduct referendum comes from the electors an initiative group will be formed. Name, surname and place of residence of each member should be indicated in the list of initiative group. Initiative group has to formulate issues proposed for referendum clearly and definitely.

2. Initiative group applies to the Central Election Commission with a request to register the issue proposed by the initiative group for referendum. The issue should be formulated in agreement with the initiative group.

3. Central Election Commission shall register the issue proposed for referendum and the membership of the initiative group and publishes information in this regard and the address of initiative group in official media.

4. The issue proposed for referendum shall be included in the papers of electors' signatures.

5. Document of registration will be given to the initiative group in a month after applying for registration. Denial to registration is possible if the requirements of this law have been violated.

6. Initiative group can appeal the denial to registration in five days period after the receipt of denial in the corresponding regional (city) court, which shall review the appeal and make decision that can be appealed according to the rule of legislation.

Article 176. Rule and Terms to Collect Signatures

1. Initiative group starts collection of signatures from the day of receipt of registration certificate.

2. Signatures should be collected on a sample paper defined by the Central Election Commission and agreed with the initiative group. There should be no more than 50 signatures of citizens on each of this papers, who have to write their name, surname, date of birth, number of identity card, address and the date of signature themselves. Every paper filled with all the above mentioned information should be signed by the person responsible to collect signatures who should indicate the address as well and his/her signature should be verified by a notary or at a local self-governing organ.

Article 177. Analyzing the Results of Collecting the Signatures

1. The filled papers of signatures shall be sent to the initiative group that defines the summary results of collecting signatures and together with the signature papers send to the Central Election Commission no later than three months from the date of registration certificate.

2. Central Election Commission checks the received data and information and if it considers that no data violate the requirements of this law, shall provide its conclusion and the requirement of the initiative group to conduct referendum to the president no later than one month from the receipt of materials.

3. If a citizen signs a statement twice or more to conduct referendum, all his/her signatures shall be considered annulled and void.

Article 178. Making Decision with Regard to the Request to Conduct Referendum

1. Central Election Commission shall provide the issue about the referendum to the President of Georgia.

2. President of Georgia shall make one of the following decisions with regard to request to conduct referendum:

a) About appointment of the referendum date and about organizational issues to conduct it;

b) About justified denial to the request of conducting the referendum. This decision can be made only in case the requirements of Georgian constitution and this law have been violated.

3. Decision on conducting the referendum shall be published under the decree of Georgian President during 30 days after receipt of the request on conducting the referendum.

4. Decree on conducting the referendum should include the date of conducting and exact formulation of the issue to be discussed at the referendum, other issues regarding with financing of the referendum should be defined as well. The citizens shall be informed about this decree by means of official press and other means of mass media in no later than 7 days after the receipt of the decree.

Article 179. Terms of Conducting the Referendum

1. Referendum shall be held no earlier than two months and no later than six months since the President of Georgia makes decision about the date conducting the referendum.

2. In particular case the President of Georgia can define other date of referendum.

Article 180. Solicitation of Decision on Conducting Referendum

The initiative group can solicit the decision on conducting the referendum before the President of Georgia makes this decision.

Article 181. Election Commissions

Central, district and precinct election commissions of Georgia ensure the preparation and conducting of the referendum.

Article 182. Participation of Initiative Group Members in the Activities of Referendum Commissions

In case referendum has been appointed on basis of the electors' request, the initiative group is eligible to appoint its representative in the election commissions.

Article 183. Summarizing the Results of Referendum and Enforcement of the Decision

1. Referendum issue shall be considered positively resolved in case more than half referendum participants have voted for it. The number of votes of the abolished voting bulletins shall not be considered in the total number of referendum participants.

2. It is not possible to make decision with regard to the referendum issue from appointment of referendum and before publishing the referendum results.

3. The decision made as a result of referendum shall come into force from the date it is published it has legal force and is final. The results of referendum have direct action force.

4. Legislative and executive authority of Georgia is obliged to put Georgian legislation and other acts into conformity in one month based on the referendum results.

5. Decision made as a result of referendum can be changed or abolished only on basis of referendum.

6. The results of referendum can be announced void by Georgian constitutional court in accordance with the rule established by the law.

Article 184. Transitional Provisions

1. Legislative acts issued by Central Election Commission before this law comes into force shall remain legal force after this law comes into force.

2. Central election Commission should bring previously issued legislative acts into conformity with this law in two months period after this law comes into force.

Article 185. Enforcement of the Law

This law shall enter into force upon its publication.

President of Georgia

Mikheil Saakashvili