



COUNCIL OF EUROPE
CONSEIL DE L'EUROPE

Strasbourg, 9 October 2002

Opinion no. 214/2002_aze

Restricted
CDL (2002) 130
Engl. only

EUROPEAN COMMISSION FOR DEMOCRACY THROUGH LAW

(VENICE COMMISSION)

REPUBLIC OF AZERBAIJAN

ELECTION CODE

DRAFT



ELECTION CODE

DRAFT

GENERAL PART	16
SECTION ONE. Main definitions	16
CHAPTER One. Main definitions and principles	16
Article 1. Main terms used in this Code	16
Article 2. Principles of participation in elections and referendum	18
Article 3. Universal suffrage	19
Article 4. Equal suffrage	19
Article 5. Direct suffrage	19
Article 6. Secret voting	19
Article 7. Obligation of holding of elections and referenda	19
Article 8. Timeframe for announcement of elections (referenda)	20
Article 9. Place of exercising of suffrage	20
Article 10. Voting during election and referendum	20
Article 11. Right for pre-election (pre-referendum) campaign	20
CHAPTER Two. Suffrage insuring. Limitations	20
Article 12. Belonging of the active suffrage	20
Article 13. Belonging of the passive suffrage	20
Article 14. Cases of limitation of the suffrage	21
Article 15. Prohibition to foreigners, stateless persons and foreign legal entities to participate in elections (referenda)	21
SECTION TWO. General provisions	22
CHAPTER Three. Election and referendum bodies	22
Article 16. Principles of election (referendum) bodies' activity	22
Article 17. Structure of election (referendum) commissions	23
Article 18. General rules of organization of election commissions' activity	23
Article 19. Allocation of space in press to election commissions	25
Article 20. Representation in election commissions	25

Article 21. Status of election commission member	26
Article 22. Term of authority of election commissions.....	28
Article 23. Terms of activity of election commissions.....	28
CHAPTER Four. The Central Election Commission of Azerbaijan Republic.....	29
Article 24. The Rule of Formation of the Central Election Commission.....	29
Article 25. Authorities of the Central Election Commission.....	30
Article 26. Directions of activity of the Central Election Commission	31
Article 27. Ensuring of Activity of Members of The Central Election Commission	33
Article 28. Organization of Activity of the Central Election Commission	33
CHAPTER Five. Election (referendum) constituencies and constituency election commissions	34
Article 29. Formation of election (referendum) constituencies	34
Article 30. Unified election constituency.....	35
Article 31. Organization of Constituency Election Commissions.....	36
Article 32. Authorities and directions of activity of election commissions	36
Article 33. Organization of the Functions of the Constituency Election Commission	39
CHAPTER Six. Voting (referendum) Stations and Precinct Election Commissions	39
Article 34. Establishment of Voting (referendum) Stations.....	39
Article 35. Formation of Precinct Election Commissions	41
Article 36. Powers of the Precinct Election Commission	42
Article 37. Organization of the Functions of the Precinct Election Commission.....	42
CHAPTER Seven. Transparency During Preparation and Conduct of Elections (Referenda)	43
Article 38. Transparency in the Activity of the Election Commissions	43
Article 39. Principles of Observation	45
Article 40. Observers' Rights and Duties	45
Article 41. Representatives of the Mass Media	46
Article 42. International (foreign) Observers.....	46

CHAPTER Eight. Voters (citizens who have the right to participate in referendum)	
Lists	47
Article 43. Compilation of Voters (citizens who have the right to participate in referendum) Lists.....	47
Article 44. Rules for Citizens’ Inclusion In and Exclusion from Voters List.....	49
Article 45. Public Display of Voters Lists	50
CHAPTER Nine. Basis for Participation of Political Parties and Blocks of Political Parties in Elections (Referendum).....	51
Article 46. Terms for Possibilities of Political Parties to Participate in Elections	51
Article 47. Participation of a Political Party (<i>block of political parties</i>) in Referendum	51
Article 48. Principles of Participation of Political Parties (<i>block of political parties</i>) in Elections (referendum campaigning)	51
Article 49. Block of Political Parties.....	52
Article 50. Name and Emblem of Block of Political Parties	53
Article 51. Authorized Representatives of a Political Party and a Block of Political Parties.....	54
CHAPTER Ten. Nomination and Registration of Candidates During the Elections.....	55
Article 52. General Conditions for Nomination of Candidates During the Elections	55
Article 53. Nomination of Candidates <i>on Their Own Initiative or</i> Directly by Voters	55
Article 54. Nomination of Candidates by Political Parties and Blocks of Political Parties..	57
Article 55. Ensuring Equal Status for Candidates During their Nomination	59
Article 56. Conditions for Collecting Voters Signatures in Support of Candidates (list of candidates).....	60
Article 57. Rules for Collecting Signatures in Support of Candidates (list of candidates)..	61
Article 58. Submission of election documents for registration of a candidate (list of candidates).....	63
Article 59. Checking accuracy by Election Commissions of signature sheets and documents submitted by candidates, political parties, block of political parties.....	64
Article 60. Registration of Candidate (List of Candidates).....	66
CHAPTER Eleven. Registration and Establishing of Campaign Groups on Referendum.	68
Article 61. Meaning of campaign group on referendum.....	68

Article 62. Activity principles of Campaign Groups on Referendum.....	68
Article 63. Establishing Initiators of a Campaign Group on Referendum.....	69
Article 64. The Limitations of the Establishing of a Campaign Group on Referendum.....	69
Article 65. The Authorized Representatives of the Initiators of Campaign Group (campaign group) on Referendum	70
Article 66. Collection Rule of Voters Signatures for Establishing of a Campaign Group on Referendum.....	71
Article 67. Submission of Documents for Registration of a Campaign Group on Referendum.	72
Article 68. Examination of Voter Signatures Required for the Registration of Campaign Groups on Referendum.	73
Article 69. Registration of Campaign Group on Referendum.	73
CHAPTER Twelve. Status of Registered Candidates and Referendum Campaign Groups	74
Article 70. Equality of Registered Candidates and Referendum Campaign Groups	74
Article 71. Insurance of Registered Candidate's Activity.....	75
Article 72. Participation Principles of Registered Candidate in Elections.....	76
Article 73. Agents.....	77
Article 74. Candidate's Refusal from the Status of Candidacy.....	78
CHAPTER Thirteen. PRELECTION (PREREFERENDUM) CAMPAIGN.....	79
Article 75. Conducting of Pre-election (Pre-referendum) Campaign.....	79
Article 76. The Period of Pre-Election Campaigning.....	80
Article 77. Public Opinion Survey.....	80
Article 78. Basic Duties of Mass Media during Pre-Election Campaign.....	80
Article 79. Common Terms of Pre-election Campaign in Mass Media on the Paid Basis	81
Article 80. Registration of cost and volume of space in periodicals and airtime, which allocated for pre-election campaign in Mass Media.....	82
Article 81. Allocating Terms of Free Airtime of conducting Pre-Election Campaign on TV and Radio.....	82
Article 82. Conditions for Allocation of Paid Airtime for Conduct of Election Campaign on TV and Radio	83

Article 83. Requirements for Transmission of Election Campaign Programs via TV and Radio	85
Article 84. Conditions for conduct of Pre-election Campaign via Periodicals on a Free Basis.....	85
Article 85. The Rules for Paid Pre-Election Campaign Using Periodicals.....	86
Article 86. Pre-Election Campaigning Rules for Using Periodicals	87
Article 87. Election Campaign Using Mass Actions	88
Article 88. Production and Distribution of Printed Audiovisual and Other Pre-Election Campaign Materials	89
Article 89. Preventing Abuse to Conduct Pre-Election Campaign.	90
CHAPTER Fourteen. Financing Elections.....	92
Article 90. Financing Preparation and Conduct of Elections	92
Article 91. Election (Referendum) funds of Candidates, Registered Candidates, Political Parties, Blocks of Political Parties and Initiative Groups on Referendum	92
Article 92. Special Election (Referendum) Accounts.....	94
Article 93. Basis for Prolonging of Financial Operations	95
Article 94. Voluntary Donations to Election (Referendum) Fund	95
Article 95. Report on Election Funds	97
Article 96. Openness in spending of election funds.....	97
Article 97. Financial provision of election commissions' activity.....	98
Article 98. Supervisory and Audit services of election commissions.....	100
SECTION FOUR. Holding of elections (referendum).....	101
CHAPTER Fifteen. Voting	101
Article 99. Voting Room	101
Article 100. Election (referendum) ballot papers.....	102
Article 101. De-registration card for voting	103
Article 102. Rules for voting	104
Article 103. Voting outside the voting room.....	105
Article 104. Vote counting in the voting station	106

Article 105. Use of State Automated Information Systems during the Elections (Referendum).....	108
Article 106. Security of Election Documents	109
CHAPTER Sixteen. Complaints on and Accountability for Violation of Citizens' Rights to Elect.....	110
Article 107. Filing Complaints on Actions (Lack of Actions) and Decisions that Violate Citizens' Rights to Elect	110
Article 108. Cancellation of Registration of Registered Candidates, List of Candidates, Referendum Campaigning Groups and Refusal of Registration of Candidates (List of Candidates).....	112
Article 109. Cancellation of Decisions of Election Commissions On Voting Results and Election (Referendum) Returns.....	114
Article 110. Liability for Violation of Citizens' Rights to Vote	115
SPECIAL SECTION	116
SECTION FIVE. Referendum.....	116
CHAPTER Sixteen. General Provisions on Referendum	116
Article 111. Issues put for Referendum	116
Article 112. Issues That Cannot Be Put On for Referendum	117
Article 113. Rules of the Constitutional Court of the Republic of Azerbaijan on conduct of referendum for making changes to the content of the Constitution of the Republic of Azerbaijan	117
Article 114. Necessity for Conduct of Referendum.....	117
Article 115. Cases Excluding Conduct of Referendum	117
CHAPTER Seventeen. Determination of referendum	117
Article 116. Making decision on Conduct of Referendum	117
Article 117. Requirements on Decision to Conduct Referendum.....	118
Article 118. Familiarization with the Issues Offered in Referendum	118
CHAPTER Eighteen. Preparation for Conduct of Referendum.....	118
Article 119. Registration of Referendum Campaign Groups	118
Article 120. Special Requirements for Conduct of Pre – Referendum Campaign in Mass Media.....	118

Article 121. Referendum Financial Funds of Referendum Campaign Groups	119
Article 122. Special Accounts on Referendum	120
Article 123. Transparency in using of referendum funds	120
Article 124. Order of returning the funds received by referendum campaign groups	121
Article 125. The Cases When Referendum Campaign Groups Do not Return Funds Received from Budget.....	121
Article 126. Payment for Free Airtime and Space on Periodicals by Referendum Campaign Groups.....	121
Article 127. Money left unused in Special Accounts of Election Funds of Referendum Campaign Groups.....	122
Article 128. Returning Money to the Funds of Initiators of Establishment of Referendum Campaign Groups by Referendum Campaign Groups	122
CHAPTER Nineteen. Conduct of Referendum and Determination Referendum Results	123
Article 129. Referendum Voting Room.....	123
Article 130. Referendum Voting Paper.....	123
Article 131. Voting Procedure during a Referendum.....	123
Article 132. Vote Counting in Referendum Station.....	124
Article 133. Vote Counting in Constituency Referendum Commission.....	124
Article 134. Void Voting on Referendum in Referendum Constituency and Consideration of Referendum Results Invalid	124
Article 135. Completion and submission of protocols on vote counting to Central Referendum Commission by Constituency Referendum Commission	125
Article 136. Determination of a referendum	126
Article 137. Invalidation of a referendum's outcomes by the Central Referendum Commission	126
Article 138. Publication of a decision on outcomes of a referendum	126
CHAPTER Twenty. Acts accepted by means of a referendum	127
Article 139. Coming into force of decisions made by means of a referendum	127
Article 140. Legal force of decisions made by means of a referendum.....	127
Article 141. Cancellation of decisions of the Central Referendum Commission and invalidation of a referendum.....	127

SECTION SIX. Elections to the Milli Majlis of the Azerbaijan Republic	127
CHAPTER Twenty One. General provisions on elections of deputies of the Milli Majlis of the Azerbaijan Republic	127
Article 142. Elections to the Milli Majlis of the Azerbaijan Republic	127
Article 143. Right of citizens of the Azerbaijan Republic to be elected to the Milli Majlis	127
Article 144. Assignment of Elections to the Milli Majlis	128
CHAPTER Twenty Two. Nomination of candidates during elections to the Milli Majlis.	128
Article 145. Nomination of candidates on single-mandate constituencies.....	128
Article 146. List of candidates nominated by political parties and blocks of political parties for a nationwide constituency during the elections to the Milli Majlis	129
Article 147. Collection of voters signatures in support of candidates nominated for a single-mandate constituency during the elections to the Milli Majlis.....	130
Article 148. Collection of voters signatures in support of candidates nominated by the list of political parties, blocks of political parties during the elections to the Milli Majlis	130
CHAPTER Twenty Three. Candidates for deputy registered during the elections to the Milli Majlis	131
Article 149. Registration of a candidate, list of candidates during the elections to the Milli Majlis	131
Article 150. Postponement of elections to the Milli Majlis.....	131
Article 151. Reimbursement of transport expenses of a registered candidate during the elections to the Milli Majlis	132
Article 152. Immunity of a registered candidate during elections to the Milli Majlis.....	132
Article 153. Number of agents of registered candidates, political parties, blocks of political parties during elections to the Milli Majlis	132
Article 154. Refusal of the candidate status by the candidates, their withdrawal from the list of candidates (withdrawal of the list of candidates)	133
CHAPTER Twenty Four. Preparation to elections to the Milli Majlis	134
Article 155. Special requirements for conduct of pre-election campaign in mass media during elections to the Milli Majlis.....	134
Article 156. Election funds of candidates, registered candidates, political parties, blocks of political parties during elections to the Milli Majlis.....	135
Article 157. Special Election Accounts during Elections to the Milli Majlis.....	136

Article 158. Transparency in Use of Election Funds during Elections to the Milli Majlis	137
Article 159. Order of Return of Money Received by Candidates, Registered Candidates, Political Parties and Block of Political Parties during the Elections to the Milli Majlis....	137
Article 160. Obligation of Return of Budget Funds Received by Candidates, Registered Candidates, Political Parties and Blocks of Political Parties during the Elections to the Milli Majlis	138
Article 161. Payment of cost of Free Airtime and Free Space Allocated by Periodicals for Registered Candidates, Political Parties, Blocks of Political Parties	138
Article 162. Money Remained in Special Accounts of Election Funds of Candidates, Registered Candidates, Political Parties, Blocks of Political Parties during Elections to the Milli Majlis	139
Article 163. Return of Money Received by Candidates, Registered Candidates, Political Parties and Blocks of Political Parties to Their Own Accounts during the Elections to the Milli Majlis	140
CHAPTER Thirty. Conduct of Elections to the Milli Majlis	141
Article 164. Voting Room during the Elections to the Milli Majlis.....	141
Article 165. Ballot Papers during the Elections to the Milli Majlis.....	142
Article 166. Voting Rules during the Elections to the Milli Majlis	143
Article 167. Count of Votes during the Elections to the Milli Majlis	143
Article 168. Determination of Voting Results and Election Returns for Single-Mandate Constituencies during the Elections to the Milli Majlis	144
Article 169. Determination of Voting Results of Elections to the Milli Majlis in Nationwide Constituency.....	146
CHAPTER Thirty One. Results of Elections to the Milli Majlis.....	148
Article 170. Determination of General Results of Elections to the Milli Majlis.....	148
Article 171. Checking and Approval of Results of Elections to the Milli Majlis	148
Article 172. Repeat Elections to the Milli Majlis	149
Article 173. Registration of Deputies Elected to the Milli Majlis	149
Article 174. Publication of Election Returns and Voting Results of Elections to the Milli Majlis.....	150
CHAPTER Thirty Two. Distribution of Vacant Mandates, Conduct of Additional Elections to the Milli Majlis	151

Article 175. Distribution of Vacant Deputy Mandates for Nationwide Constituency and Conduct of Additional Elections to the Milli Majlis	151
Article 176. Conduct of Additional Elections for Single-Mandate Constituencies in Elections to the Milli Majlis.	151
SECTION SEVEN. Election of President of the Republic of Azerbaijan	152
CHAPTER Thirty Three. General Provisions.	152
Article 177. Basic Principles of the Election of the President of the Republic of Azerbaijan	152
Article 178. Nationwide constituency for Presidential elections.....	152
Article 179. Rights of the Citizens of the Republic of Azerbaijan to be Elected as the President	153
Article 180. Determination of the Presidential Elections	153
Article 181. Conduct of Early Presidential Elections	153
CHAPTER Thirty Four. Candidates for the Presidency. Preparation of Conduct of Presidential Elections.....	153
Article 182. Nomination of a Candidate for the Presidency	153
Article 183. Collection of Signatures in Support of a Candidate for the Presidency	154
Article 184. Registration of a Candidate for the Presidency	154
Article 185. Postponement of the Presidential Elections.....	155
Article 186. Reimbursement of Transport Expenses of a Candidate for the Presidency... 	155
Article 187. Providing Compensation to a Candidate for the Presidency	155
Article 188. Immunity and Security of a Candidate for the Presidency.....	155
Article 189. Number of Agents of a Candidate for the Presidency	155
Article 190. Refusal of a Candidate for the Presidency from the Candidacy Status.....	156
Article 191. Refusal of Political Party, Block of Political Parties to Participate in the Presidential Elections.....	156
CHAPTER Thirty Nine. Preparation of Presidential Elections.....	156
Article 192. Specific Requirements for Conduct of Election Campaign through the Mass Media during the Presidential Elections.....	156
Article 193. Election Funds of Candidates for the Presidency	157

Article 194. Special Election Accounts during the Presidential Elections.....	157
Article 195. Transparency in Usage of Election Funds while Presidential Elections	158
Article 196. Order of return of Money Received by Candidates for the Presidency, Registered Candidates for the Presidency during the Presidential Elections.....	158
Article 197. Obligation of Return of Budget Funds Received by Candidates for the Presidency, Registered Candidates for the Presidency during the Presidential Elections	159
Article 198. Payment for Free Airtime and Free Space Allocated in Periodicals for Candidates for the Presidency during the Presidential Elections	159
Article 199. Money Remained in Special Accounts of Election Funds of Candidates for the Presidency, registered Candidates for the Presidency	160
Article 200. Return of Money Received by Citizens Nominated as a Candidate for Presidency to Their Own Accounts.....	160
Article 201. Voting Room during the Presidential Elections	161
Article 202. Ballot Papers for the Presidential Elections	162
Article 203. Rules for Voting during the Presidential Elections.....	162
Article 204. Count of Votes in the Voting Station during the Presidential Elections.....	162
Article 205. Determination of Results of Voting for the Constituency during the Presidential Elections.....	163
CHAPTER Forty One. Results of Presidential Elections.....	164
Article 206. Determination of Results of Presidential Elections.....	164
Article 207. Repeat voting during the Presidential elections	166
Article 208. Repeat Presidential elections.....	167
Article 209. Publication of outcomes of the Presidential elections and voting results.....	167
Article 210. Commencement of the President's power.....	168
SECTION EIGHT. Municipal elections	168
CHAPTER Forty Four. General Provisions on municipal elections	168
Article 211. Main principles of the Municipal Elections.....	168
Article 212. Term of Office Municipalities	168
Article 213. Right to be elected as a member of Municipalities.....	169
Article 214. Determination of Elections to Municipalities	169

CHAPTER Forty Three. Rules for Nominating Candidates for a Member of Municipality.....	169
Article 215. Nomination of candidates for a member of municipalities	169
Article 216. Rule for Collecting Voters Signatures for Support of candidate for member of municipality.....	170
CHAPTER Forty Four. Registered Candidates for member for Municipality	170
Article 217. Registration of candidate for member of municipality	170
Article 218. Reimbursement of Transport Expenses of Registered Candidates for a Member of Municipality.....	171
Article 219. Number of Agents of Candidates for Member of Municipality.....	171
Article 220. Refusal of Candidates for Member of Municipality from Status of Candidacy	171
Article 221. Immunity of a Candidate for a Member of Municipality	172
CHAPTER Forty Five. Preparation to municipality elections.....	172
Article 222. Special requirements for candidates for member of a municipality for conducting pre-election campaign.....	172
Article 223. Election funds of candidates for member of a municipality	173
Article 224. Special Accounts of Candidates for Member of Municipality	175
Article 225. Transparency in Usage of Money from Election Funds of Candidates for Member of Municipality.....	175
Article 226. Order of Return of Funds Received by Candidates for Member of Municipality.....	176
Article 227. Obligation of Return of Budget Funds Received by Candidates for Member of Municipality and Registered Candidates for Member of Municipality	176
Article 228. Payment for the costs of free airtime and free space on periodicals by candidates for a member of municipality	177
Article 229. money left in special account of election funds of candidates for a member of municipality.....	177
Article 230. Returning money from the their own funds by the candidates for a member of municipality.....	177
CHAPTER Forty Five. Conduct of municipality elections and determination of the election results	178
Article 231. Voting room during the elections to municipalities	178

Article 232. Ballot papers during municipality elections 178

Article 233. Rule of voting during municipality elections 179

Article 234. Counting of votes in election precinct during municipality elections..... 179

Article 235. Determination of Voting Results by the Constituency Election Commission 180

Article 236. Announcement of results of elections to municipalities..... 181

Article 237. Card for being elected as municipal member 182

Article 238. Repeat elections 182

Article 239. Additional elections 182

Article 240. Publication of returns of elections to municipalities and voting results 182

Article 241. Filling Vacancies of Municipal member 182

The will of the people of the Azerbaijan Republic constitutes the basis of the Azerbaijan Republic's State Power. The will of the people of Azerbaijan Republic is expressed in fair and regular elections based on general, equal and direct suffrage by means of secret and personal vote as well as in nationwide opinion poll - referendum based on general, equal and direct suffrage by means of secret and personal vote. The Azerbaijan State guarantees free expression of the will of the people of Azerbaijan Republic by protection of principles and norms of universal suffrage. The present Code establishes the rules for the organization and conduct of elections of the parliament of Azerbaijan Republic – the Milli Majlis, the President of Azerbaijan Republic, municipalities and nationwide opinion poll – referendum

GENERAL PART

SECTION ONE. Main definitions

CHAPTER One. Main definitions and principles

Article 1. Main terms used in this Code

The following main terms shall be used in this Code:

Campaign materials – printed, audio-visual and the kind of other materials devoted to pre-election (pre-referendum) campaign envisaged to be disseminated by publication and other means during election (referendum) campaign;

Pre-referendum campaign – activity of referendum campaign groups of citizens of the Azerbaijan Republic with purpose to call or not to call upon to the referendum participants to participate or reject the referendum, to poll or not to poll during the referendum, to support or not to support the issues to be discussed in the referendum;

Pre-election campaign – activity of citizens and political parties of the Azerbaijan Republic calling or having the purpose to call upon to citizens of the Azerbaijan Republic to participate or not to participate in the election, to vote for or against either, one or another candidate (list of candidates).

Elections – elections of deputies of the Milli Majlis of the Azerbaijan Republic, the President of the Azerbaijan Republic, members of municipalities in the Azerbaijan Republic held on the basis of the Constitution of the Azerbaijan Republic and the present Code;

Referendum – voting of the citizens of the Republic of Azerbaijan on the issues determined by the Constitution of the Republic of Azerbaijan;

Election constituency – geographical unit where the voters electing a representative (representatives) to any elective state body are registered;

Electoral territory - geographical unit where the voters electing representatives to municipalities are registered;

Nomination of candidates – initiative as well as collection of signatures directed to support the initiative on determination of persons envisaged to be elected as an deputy of the Milli

Majlis of the Azerbaijan Republic, President of the Azerbaijan Republic and a municipality member, or other methods of carrying out of an initiative come forward in accordance with provision provided for in this Code;

Ensuring suffrage – legal, organizational, information and other ensuring suffrage of citizens of the Azerbaijan Republic;

Voter – a citizen of the Azerbaijan Republic possessing the active universal suffrage

Election (referendum) campaign – election (referendum) actions carried out within the period from the day of publication of an authorized State body's decision on assignment of election (referendum) till the publication of results of the election (referendum);

Suffrage – the right to elect deputies of the Milli Majlis of the Azerbaijan Republic, President of the Azerbaijan Republic, members to municipalities and the right to be elected to the same bodies, as a President of the Azerbaijan Republic, as well as the right to participate in nomination of candidates (list of candidates), pre-election (pre-referendum) campaign, in work of election (referendum) commissions, in observation of elections (referenda) (including, determination of election (referendum) results), in polling, and in carrying out of other election (referendum) actions.

Active suffrage – the right to elect citizens of the Azerbaijan Republic as deputies of the Milli Majlis of the Azerbaijan Republic, for the post of the President of the Azerbaijan Republic and to municipalities; to vote for or against the issues to be discussed for referendum;

Passive suffrage – suffrage of citizens of the Azerbaijan Republic to be elected as deputies of the Milli Majlis of the Azerbaijan Republic, President of the Azerbaijan Republic, members of municipalities, the right to be an initiator of development of pre-referendum campaign groups;

Election (referendum) commissions - corporate bodies organizing and providing realization of elections (referenda) and being formed in accordance with provisions set forth in this Code;

Election block – joining of two or more political parties, with the same rights as political parties during election, for joint participation in elections;

Election (referendum) constituency – an area organized in conformity with the present Code for conducting of elections (referenda),

Candidate – person nominated for member of the Milli Majlis of the Azerbaijan Republic, President of the Azerbaijan Republic, member of municipality in accordance with this Code;

Registered candidate - candidates registered for member of the Milli Majlis of the Azerbaijan Republic, President of the Azerbaijan Republic, member of a municipality in accordance with this Code;

List of candidates: candidates nominated for nationwide election constituency by a political party, a block of political parties during the elections to the Milli Majlis

Initiators of a referendum campaign group – citizens of the Azerbaijan Republic initiating development of a referendum campaign group and signed a notification on development of the group submitted to the relevant election commission;

Members of a referendum campaign group - citizens of the Azerbaijan Republic signing the signature lists necessary for registration of a referendum campaign group;

Election (referendum) complaint – appeal directed to cancellation or revision of documents, decisions, results of actions related to elections (referendum);

Voter lists – list of citizens of the Azerbaijan Republic living in the territory of the relevant election (referendum) precinct of an election (referendum) constituency having universal suffrage;

Signature sheets – lists with voters' signatures directed to support either one or another candidate during election, or about a referendum campaign group for its participation;

Observation – preparation of expert opinion based on gathering and assessment of information;

Observers – persons appointed by political parties, public organization, referendum campaign groups, candidates and accredited in the relevant election (referendum) commission in cases provided for by this Code for elections (referenda) observation during holding of elections (referenda);

International (foreign) observers – persons acquiring the right to observe elections (referenda) and representing a foreign or international organization;

Persons having the right to participate in conducting of election actions – observers, foreign observers, agents, authorized representatives, media representatives;

Elective bodies –the Milli Majlis of the Azerbaijan Republic, the President of the Azerbaijan Republic, municipalities;

Subordination – means official relations between a manager and subordinate, including directive authorities of the first on the latter, i.e. the first should have the right to employ, dismiss the latter within his official authorities, give obligatory orders, instructions and directions, reward and impose on him disciplinary punishments.

Announcing (publication) – official bringing to attention of population the election-related (referendum-related) decisions of election commissions and other state bodies participating in conduct of elections (referendum)

Article 2. Principles of participation in elections and referendum

2.1. Citizens of the Azerbaijan Republic participate in elections and referenda based on general, equal and direct suffrage by means of secret and personal vote.

2.2. The participation of citizens of the Azerbaijan Republic in elections and referenda is free and voluntary. Nobody has the right to put pressure upon a citizen of the

Azerbaijan Republic to participate or not in elections and referendum and nobody can impede him to express his will freely.

- 2.3. Citizens of the Azerbaijan Republic residing outside the Azerbaijan Republic have full suffrage during holding of elections and referenda. During holding of elections and referendum, diplomatic representations and consulates of the Azerbaijan Republic should facilitate implementation of rights of citizens of the Azerbaijan Republic envisaged in Articles 3 and 56.
- 2.4. Elections cannot be held on the same day as a referendum.
- 2.5. Preparation and holding of elections and referenda, vote counting, definition of voting results and results of elections and referenda is carried out freely and publicly.

Article 3. Universal suffrage

Irrespective to their race, nationality, religion, language, gender, origin, property status, office position, persuasions, belonging to political parties, trade unions and other public unions, Azerbaijan Republic's citizens have the universal suffrage, the right to be elected and participate in referendum.

Article 4. Equal suffrage

- 4.1. Azerbaijan Republic's citizens participate in elections and referendum on equal terms.
- 4.2. Each citizen of the Azerbaijan Republic has a single vote during each voting.
- 4.3. Any vote of citizens of the Azerbaijan Republic has the equal validity.

Article 5. Direct suffrage

- 5.1. Citizens of the Azerbaijan Republic personally vote for a candidate (list of candidates) or against all candidate (list of candidates) during elections and for or against issues to be discussed by referendum.
- 5.2. Voting in place of other persons is forbidden

Article 6. Secret voting

Voting during elections and referenda must be secret and any control on expression of a voter's will should be excluded.

Article 7. Obligation of holding of elections and referenda

- 7.1. It is obligatory to hold elections to elective bodies within time periods indicated in the Constitution of the Azerbaijan Republic and the present Code.
- 7.2. It is obligatory to hold referenda on the issues indicated in Item 2 of Article 3, and Article 152 of the Constitution of the Azerbaijan Republic.

Article 8. Timeframe for announcement of elections (referenda)

Elections (referenda) are announced no later than 120 days before polling day.

Article 9. Place of exercising of suffrage

Unless otherwise stipulated in this Code, suffrage is exercised in the permanent place of residence of the Azerbaijan Republic's citizens

Article 10. Voting during election and referendum

- 10.1 Citizens of the Azerbaijan Republic can vote for or against only one candidate (list of candidates) when participating in elections.
- 10.2. When participating in elections the citizens of the Republic of Azerbaijan can vote against all candidates (lists of candidates)
- 10.3 When participating in referendum, citizens of the Azerbaijan Republic can give only one answer to each question to be discussed by referendum.

Article 11. Right for pre-election (pre-referendum) campaign

- 11.1 State secures free conducting of pre-election (pre-referendum) campaign for citizens of the Azerbaijan Republic, political parties, and referendum campaign groups.
- 11.2 Citizens of the Azerbaijan Republic, political parties, referendum campaign groups have the right to encourage voters to participate (not to participate) in elections (referendum), to conduct pre-election (pre-referendum) campaign in the form of appeals for or against a candidate (list of candidates), (an issue to be discussed by referendum), to vote for or against any registered candidate (list of candidates) and an issue to be discussed by referendum, in the manner and method allowed by Law.
- 11.3 State defines conditions for equal use of media branches by a registered candidate, as well as political parties, blocks of political parties, referendum campaign groups for pre-election (pre-referendum) campaign in accordance with Articles 78-86 of this Code.

CHAPTER Two. Suffrage insuring. Limitations.**Article 12. Belonging of the active suffrage**

Except for the cases stipulated by Article 56 of the Constitution of the Azerbaijan Republic and by this Code, every citizen of the Azerbaijan Republic, who attained 18 on the day of election, having the universal suffrage, has the right to vote in referendum, to observe elections (referendum process), to participate in carrying out of actions related to the election actions and preparation of referendum provided for in this Code.

Article 13. Belonging of the passive suffrage

Except for the cases stipulated by Article 56 of the Constitution of Azerbaijan Republic and by this Code, every citizen of the Azerbaijan Republic, having active suffrage, has the right to be elected to elective bodies and to be an initiator of a referendum campaign group, if he meets requirements of the Constitution of the Azerbaijan Republic and this Code concerning candidates.

Article 14. Cases of limitation of the suffrage

- 14.1. Pursuant to Part 2 of Article 56 of the Constitution of the Azerbaijan Republic, persons recognized as incapacitated by a court decision do not have the right to participate in elections as well as in referendum, i.e. do not have the active suffrage.
- 14.2. Limitations related to the passive suffrage shall be established by Articles 56, 85, 100 of the Constitution of the Azerbaijan Republic and by this Code.
- 14.3. Pursuant to Part 3 of Article 56 of the Constitution of the Azerbaijan Republic the following persons do not have the right to be elected as deputy of the Milli Majlis of the Azerbaijan Republic, President of the Azerbaijan Republic, member of a municipality, to be an initiator of development of referendum campaign groups, i.e. they do not have the passive suffrage:
 - 14.3.1. Citizens of the Azerbaijan Republic with dual citizenship;
 - 14.3.2. military servants;
 - 14.3.3. judges;
 - 14.3.4. State servants;
 - 14.3.5. clergymen;
 - 14.3.6. people sentenced to prison by an official and valid court decision
 - 14.3.7. persons who did not completely served their sentences or not remitted from the sentences
 - 14.3.8. irrespective to complete serve or remission of sentence, persons sentenced to prison for the crimes indicated in Articles 15.3 – 15.5 of the Criminal Code of the Azerbaijan Republic;
 - 14.3.9. other persons specified by Article 213 of this Code.

Article 15. Prohibition to foreigners, stateless persons and foreign legal entities to participate in elections (referenda)

- 15.1. Foreigners, stateless persons and foreign legal entities, their branches and representative offices may not assist or impede the nomination, registration of candidates and election of registered candidates during elections.
- 15.2. Foreigners, stateless persons and foreign legal entities, their branches and representative offices (hereinafter – foreign legal entities) during referendum do not have the right to conduct a campaign for or against issues to be discussed by referendum, to be a member of referendum campaign groups, including their initiators or to take part in their activity in any form.
- 15.3. The foreigners, stateless persons and foreign legal entities not following the requirements shall be called to account in accordance with the Law.

SECTION TWO. General provisions**CHAPTER Three. Election and referendum bodies****Article 16. Principles of election (referendum) bodies' activity**

- 16.1. Elections and referenda in the Azerbaijan Republic shall be represented and held by election (referendum) commissions.
- 16.2. Within the authorities established by this Code, election (referendum) bodies – election (referendum) commissions shall ensure the preparation and holding of elections (referendum), realization and protection of citizens' suffrage, and control the observation of the mentioned rights.
- 16.3. Within the boundaries of authorities established by this Code, election (referendum) commissions do not depend on State , local self-governance bodies, political parties, non-government organizations, legal entities and physical persons concerning the preparation and holding of elections (referendum). The above-mentioned bodies and their officials are not allowed to intervene in the activity of election (referendum) commissions. Persons intervening in or influence on the work of election commissions shall bear administrative or criminal liability.
- 16.4. Decisions and acts adopted by election commission within the boundaries of authorities established by this Code shall be obligatory for municipalities, candidates, registered candidates, parties, blocks of political parties, referendum campaign groups, officials and voters.
- 16.5. Within the boundaries of authorities established by this Code, election commissions have the right to use the State Automated Information System during preparation and holding of elections (referenda) with the purpose to give information about the course of preparation and holding, results of the elections, to obtain, collect, complete, re-process, transmit and preserve the information used during preparation and holding of elections (referenda), to provide information about activity of election commissions.
- 16.6. During organization and holding of elections (referenda), election commissions, their members and other officials build their activity on the basis of following principles:
 - 16.6.1. organization and holding of elections (referenda) should be based on the Law; laws must be applied fully, equally and impartially within the Law;
 - 16.6.2. Every party, referendum campaign group, candidate, voter and other participants of election (referendum) campaign should be treated fairly and equally.
 - 16.6.3. attitude towards a candidate, political party, referendum campaign groups and voter should be neutral and impartial;
 - 16.6.4. should not admit any actions directed to or that can be understood as support of any candidate, political party, referendum campaign group;
 - 16.6.5. should not admit a conflict of office and personal interests as a preparatory of elections (referenda);
 - 16.6.6. should not take any presents or gifts from participators of election (referendum) campaign;

- 16.6.7. should not execute illegal directions or instructions contradicting their duties;
- 16.6.8. should not take part in any actions and acts that conflict with their duties;
- 16.6.9. should not take part in activity (including private activity) that can lead to emergence of a preconceived position towards any candidate, political party, referendum campaign group;
- 16.6.10. should not express its position within any political disputes related to elections (referenda);
- 16.6.11. should not have any relation with voter concerning the matters of political nature;
- 16.6.12. should not carry or disseminate symbols or somehow express their attitude to any political party;
- 16.6.13. should not explain decisions made;
- 16.6.14. should make possible acquirement of the information that can affect taking of any decision;
- 16.6.15. should create opportunities to get acquainted with documents and information based on Law
- 16.6.16. should guarantee collection, investigation, and distinct, clear and regular publication of information
- 16.6.17. should take possible measures to ensure voters' participation in elections (referendum)
- 16.6.18. should ensure correct understanding of election (referendum) campaign by voters
- 16.6.19. should give all guarantees for participation of disabled voters or voters with other physical deficiencies living in distant or almost impassable places and who need special voting conditions

Article 17. Structure of election (referendum) commissions

- 17.1. Structure of election (referendum) commissions includes the following election commission:
 - 17.1.1. Central Election (Referendum) Commission of the Azerbaijan Republic (hereinafter – Central Election Commission)
 - 17.1.2. constituency election (referendum) commissions (hereinafter - constituency election commissions)
 - 17.1.3. precinct election (referendum) commissions (hereinafter - precinct election commissions)
- 17.2. Central Election Commission manages the activity of election commissions. Central Election Commission of the Azerbaijan Republic is a standing State body functioning in accordance with Articles 3, 83, 101 and 142 of the Constitution of the Azerbaijan Republic.

Article 18. General rules of organization of election commissions' activity

- 18.1. Election commissions function collectively;

- 18.2. Relevant election commission assembles for its first meeting not later than 5 days after appointment of members with decisive voting right.
- 18.3. Chairman of election commission and secretaries, as well as deputy chairperson in the Central Election Commission are elected in the meeting of election commission. Until chairperson of election commission is selected, the oldest member of the commission chairs its first meeting.
- 18.4. Election commissions take decisions within their authority.
- 18.5. Election commission's meeting shall be convened by the chairperson, as well as upon requirement of at least one third of the commission members with decisive voting right.
- 18.6. Member of election commission with decisive voting right is obliged to participate in all meetings of the commission (except the cases when he/she is ill and other same kind of good reasons).
- 18.7. A meeting of election commission is considered valid upon attendance of two thirds of the members with decisive voting right.
- 18.8. For validation of the meeting of the election commission at least two thirds of its members with decisive voting right should be appointed.
- 18.9. Any issue, raised by a request of a member of election commission or any member of a superior election commission attending the meeting, and pertinent to the authority of the commission and relevant to approved agenda, should be voted upon.
- 18.10. Minutes of all meetings of election commissions shall be taken, and all documents entering the commission shall be registered.
- 18.11. Decisions of election commission and minutes of its protocols shall be signed by commission chairperson and secretaries. In case when the mentioned persons do not sign the relevant decisions and protocols, the members of the election commission who voted for it shall sign the documents.
- 18.12. Members of the election commission not in favor with the decision made by the election commission, can express their opinion in writing and the opinion shall be attached to the commission's protocol. Special comment should be submitted to a superior election commission within 3 days, and information about the opinion should be given on the voting day or the day after.
- 18.13. In connection with carrying out of works related to preparation and holding of elections (referenda), election commission can hire supernumerary workers based on labor and civil contract, and within funds allocated from budget for the mentioned activities.
- 18.14. During the period of preparation and holding of elections, broadcasting organizations, mentioned in Article 78.2 of this Code, shall give the Central Election Commission 15 minutes free air (*broadcasting*) time per week for explanation of the election

(referendum) legislation, rules and time frame for implementation of important election actions, as well as dissemination of information about the course of the election (referendum) campaign, for responding of voters' questions; the broadcasting organizations, mentioned in Article 78.3 of this Code shall grant not less than 10 minutes free air (*broadcasting*) time to constituency election commissions for the same purpose.

18.15. Information about the time of the election commission's meeting is given to members of the commission personally in writing or by means of electronic communication facilities in accordance with Articles 28.3, 33.3 and 37.1 of this Code.

Article 19. Allocation of space in press to election commissions

19.1. During the week indicated in Article 78.2 of this Code, editorial offices of periodicals that have at least one issues per week should allocate to the Central Election Commission a space not less than one page of the their weekly issues, during the period of preparation and holding of elections.

19.2. Periodicals being issues at least once in a week and indicated in Article 78.3 of this Code should allocate to the Constituency Election Commissions a space not less than one page of their weekly issues and to the Precinct Election Commissions - a space not less than one page of their weekly issues, during the period of preparation and holding of elections.

19.3. Election commissions shall use the mentioned spaces for explanation of election (referendum) legislation, to answer the questions of voters, referendum campaign groups about rules and schedule of election actions, candidates, registered candidates, political parties, blocks of political parties, course of election (referendum) campaign.

Article 20. Representation in election commissions

20.1. Registered candidates, political parties and blocks of political parties registered their lists of candidates during elections, and referendum campaign groups during referendum can appoint one representative to the staff of a relevant election commission with consultative voting right.

20.2. Within 3 days, the relevant election commission shall approve the representatives nominated by registered candidates, political parties and blocks of political parties registered their lists of candidates and referendum campaign groups. In cases where the relevant election commission does not approve the representatives, within the above-stated period, the candidate, political party, blocks of political parties, referendum campaign groups shall be sent a written reply with indication of the ground for rejection.

20.3. If referendum campaign groups are merged, in this case, all other representatives except a one shall be recalled from the staff of election commissions.. If a referendum campaign group does not meet the requirement, the relevant election commissions withdraw the persons to be recalled from the commission on the basis of their own considerations.

Article 21. Status of election commission member

- 21.1. Elected members and officials of State power bodies and municipalities, judges, prosecutors, members of political parties, initiators of organization of referendum campaign groups, authorized representatives and agents of candidates, registered candidates, as well as parties nominated a candidate (list of candidates), blocks of political parties, referendum campaign groups, members of election commissions with consultative voting right, persons directly subordinate to candidates and registered candidates, kin, wives and wives' kin of the mentioned persons (children, parents, adopted children, brothers, sisters, grandchildren, grandfathers, grandmothers) persons who previously violated the election legislation and were withdrawn from the membership of the commission by a decision of a superior election commission or the violations of election legislation of which have been confirmed by court cannot be a member of election commission with decisive voting right.
- 21.2. A member of election commission with decisive or consultative voting right cannot be at the same time a member of another election commission with decisive or consultative voting right.
- 21.3. A member of election commission with decisive voting right shall be dismissed from his position based on the decision of a relevant election commission within a month, and during preparation and holding of election – within three days, in the following cases:
- 21.3.1. on submission of written application for resignation;
- 21.3.2. when there are grounds provided for in paragraph 1 and 2 of this Article.
- 21.4 Powers of a member of election commission with decisive voting right shall immediately be terminated in the following cases:
- 21.4.1. on written renunciation of his/her powers;
- 21.4.2. becoming a candidate for the post of President of the Azerbaijan Republic, deputy of the Milli Majlis of the Azerbaijan Republic or for a member of municipality;
- 21.4.3. being a member of a political party;
- 21.4.4. if he is a close relative or an agent of candidates for the post of President of the Azerbaijan Republic, for deputies of the Milli Majlis of the Azerbaijan Republic, for a candidate of a municipality, and if he passes to direct subordination to the mentioned officials and political parties.
- 21.4.5. if they are authorized representatives, agents or observers of candidates for the post of President of the Azerbaijan Republic, for deputy of the Milli Majlis of the Azerbaijan Republic, initiative groups of voters, referendum campaign groups, municipalities, political parties.
- 21.4.6. when he/she lose his/her citizenship of the Azerbaijan Republic or if he is a citizen of other country;
- 21.4.7. when accusatory court sentence comes into force;
- 21.4.8. when he/she is recognized by legal court decision as incapacitated, with limited incapacity, considered missing or dead;
- 21.4.9. when he/she dies;
- 21.4.10. when decision of election commission on regular non-fulfillment of his/her duties is confirmed by the relevant court decision;

- 21.5. A new member shall be appointed in the place of the member with decisive voting right, who has left election commission in the above-mentioned cases, not later than a month after the resignation day and not later than 3 days after his resignation during preparation and holding of elections according to procedures established in this Code.
- 21.6. Election commissions and their members shall bear responsibility established by Azerbaijan Republic's legislation for officials for violation of requirements of this Code.
- 21.7. A member with decisive voting right cannot be imposed with criminal liability or administrative penalty during preparation and holding of election without relevant consent of prosecutor.
- 21.8. A member of an election commission with decisive voting right cannot be put on another position by employer's initiative before termination of his powers, and a member of election commission with consultative voting right cannot be put on another position by employer's initiative during the activity of the commission without their own consent.
- 21.9. A member of an election commission with consultative voting right has the same rights with a member of election commission with decisive voting right, excluding issuance of ballots and de-registration card for voting, counting of ballots, cancellation of ballots and de-registration cards, to draw up protocols about outcomes and results of voting, to vote during making decisions on issues concerning authorities of the election commission, the right to sign decisions of the relevant election commission.
- 21.10. Members of election commissions with decisive and consulting voting right:
 - 21.10.1. are timely informed about meetings of the relevant election commission;
 - 21.10.2. can give proposals on issues related to authorities of the relevant election commission, make a speech in the meeting of election commission and require voting on the issues;
 - 21.10.3. can ask questions to other participants of the meeting of election commission related to the agenda issues and get answers on them.
 - 21.10.4. can be familiarized with any election document (including voters lists, ballots), election documents of a lower election commissions, can get copies of the documents (excluding voters lists, signature sheets, ballots and voter verifications), can get familiarized with documents reflecting information that is not considered by Law as State, commercial secret or other secret;
 - 21.10.5. can complain of decisions or action (lack of action) of election commission to a relevant superior election commission defined in this Code and to court;
- 21.11. Authorities of a member of election commission with consulting voting right are remain valid till the end of registration of candidates (list of candidates), if the candidate, appointed him, was elected or if candidates nominated by a political party, blocks of political parties can participate in distribution of deputy mandates. Authorities of members of election commission with consulting voting right are terminated 30 days after official announcement of overall results of election

(referendum), but if superior election commission receives a complaint on decision, action (lack of action) of a lower election commission, rules of voting or vote counting were violated and court investigation is conducted on these facts, the authorities are terminated only after making decision by the superior election commission or the court.

- 21.12 A member of an election commission with consulting voting right appointed to election commission in relation with holding of referendum can participate in actions of the election commissions related only to referendum, member of election commission with consulting voting right appointed to election commission in relation with holding of presidential elections can participate in actions of the election commissions related only to presidential elections, a member of an election commission with consulting voting right appointed to election commission in relation with holding of elections to the Milli Majlis of the Azerbaijan Republic can participate in actions of the election commissions related only to elections to the Milli Majlis of the Azerbaijan Republic, a member of an election commission with consulting voting right appointed to election commission in relation with holding of municipality elections can participate in actions of the election commissions related only to municipality elections.
- 21.13 Authorities of a member of election commission with consulting voting right can be terminated or given to other person by decision of a person or body that appointed the member.

Article 22. Term of authority of election commissions

- 22.1. The term of election commissions' authority is 6 years.
- 22.2. If the right of citizens to participate in election and referendum was violated by a lower election commission and as a result of such actions the Central Election Commission annulled the results of voting in the relevant constituency, the Central Election Commission can dissolve this lower election commission. Persons established by legislation can complain on decision of the Central Election Commission to the Appeal Court of Azerbaijan Republic. The complaint shall be accepted immediately for consideration and a relevant decision shall be made not later than a week after. Within a week after coming into force of a decision of the Appeal Court of Azerbaijan Republic on the issue, the lower election commission should be formed.
- 22.3. If an election commission is dissolved and formed again as in cases mentioned in this Code, the term of authority of a newly formed election commission shall be limited to the terms of authority of the old one.

Article 23. Terms of activity of election commissions

- 23.1. Pursuant to Article 17.2 of this Code, the Central Election Commission shall function permanently.
- 23.2. If there is not a complain about a decision (action, lack of action) of a constituency election commission, voting or vote counting procedures were not violated and no court case is conducted on these facts, the activity of the constituency election

commissions comes to end 15 days after the official announcement of the Central Election Commission on the outcomes of the elections (referendum). In case of emergence of any complaint about the activity of constituency election commission its activity is terminated after decision made by the superior election commission and the court on the essence of the complaint.

- 23.3. If there is not a complain about decision (action, lack of action) of a precinct election commission, voting or vote counting procedures were not violated and no court case is conducted on these facts, activity of the constituency election commissions comes to end 10 days after official announcement of the Central Election Commission on the outcomes of the elections (referendum). In case of emergence of any complaint about the activity of precinct election commission its activity is terminated after decision made by the superior election commission and the court on the essence of the complaint.
- 23.4. According to Article 43 of this Code and in connection with approval of voters lists, constituency and precinct election commissions function from January 10 teal March 10 each year.

CHAPTER Four. The Central Election Commission of Azerbaijan Republic

Article 24. The Rule of Formation of the Central Election Commission

- 24.1. The Central Election Commission comprises 18 members. One third of the Central Election Commission's members represents the political party, which deputies elected on nationwide constituency, constitute majority in the Milli Majlis and presents their candidacy, one third of the Central Election Commission members represents the non-partisan deputies presenting their candidacy, and 1/3 of the Central Election Commission members the political parties, which deputies elected on single-mandate constituency, constitute minority in the Milli Majlis and present their candidacy. Non-partisan deputies are represented in the Central Election Commission by independent lawyers that are nominated by such deputies.
- 24.2. 9 members of the Central Election Commission are appointed by the Milli Majlis, and the rest 9 members are appointed pursuant to paragraph 32 of Article 109 of the Constitution of Azerbaijan Republic. The Central Election Commission members cannot be members of any party.
- 24.3. One third of the Central Election Commission members shall be re-appointed by the state body that appoints them every two years in accordance with the rule set forth in this Article.
- 24.4. Chairman, deputies and secretaries of the chairman of the Central Election Commission are elected by members of the Central Election Commission voting by show at its first meeting in accordance with the rule set forth in Article 28.2 of this Code.
- 24.5. Members of the Central Election Commission should have higher education.

Article 25. Authorities of the Central Election Commission

- 25.1. The Central Election Commission ensures preparation and holding of presidential elections, elections of deputies of the Milli Majlis of the Azerbaijan Republic, as well as referenda and municipality elections. The Central Election Commission carries out the following general authorities:
- 25.1.1. supervises the observation of people's suffrage during preparation and holding of elections (referenda), carries out the actions related to determination of elections (referenda), ensures the identical and correct application of the relevant Articles of this Code.
 - 25.1.2. forms constituency election commissions in accordance with its formation principles.
 - 25.1.3. manages the activity of constituency and precinct election commissions;
 - 25.1.4. works out standards for technical equipment necessary for the activity of election commissions, approves the standards and supervises their observation;
 - 25.1.5. ensures preparation and holding of elections (referenda), implementation of the programs related to development of the election (referendum) system, legal education of voters, professional qualification of members of election commissions;
 - 25.1.6. creates conditions for pre-election campaign of all candidates, registered candidates, political parties, blocks of political parties and pre-referendum campaign of referendum campaign groups; approves the unified regulations for distribution of air (*broadcasting*) time between registered candidates, political parties, blocks of political parties and referendum campaign groups, specifies the rules of publication of voting and referendum results;
 - 25.1.7. distributes funds allocated from the State budget to preparation and holding of elections (referenda), and supervises their usage for the specified purpose.
 - 25.1.8. renders legal, methodical, technical and organizational assistance to election commissions;
 - 25.1.9. approves samples of election (referendum) ballot papers, voters lists, de-registration cards, and insures their preparation and protection; provides delivery of election (referendum) ballot papers, de-registration cards and other election (referendum) papers to precinct election commissions;
 - 25.1.10. approves rules for storage of election materials and keeping them in archives;
 - 25.1.11. approves standards for technical supply of election commissions and supervises their observation; approves samples of seals of election commissions;
 - 25.1.12. supervises funding of pre-election campaign;
 - 25.1.13. provides voters with information about terms, rules and course of holding of elections (referenda);
 - 25.1.14. supervises ensuring of provision of election commissions with premises, transport and communication means, and solves other logistic issues related to elections (referendum);

- 25.1.15. considers complaints on decisions and actions (inactions) of election commissions and their officials, and takes well-grounded decisions on the complaints;
 - 25.1.16. forms a unified registration system for voters together with relevant executive authorities and local self-governance bodies; gets information from relevant executive authorities and local self-governance bodies about issues related to preparation and holding of elections;
 - 25.1.17. ensures use of the State Automated Information System on a basis of common rules;
 - 25.1.18. carries out other authorities in accordance with this Code.
- 25.2. Within its authorities, the Central Election Commission can adopt regulations and methodic directions about implementation of this Code.

Article 26. Directions of activity of the Central Election Commission

- 26.1. The Central Election Commission exercises the following authorities during preparation and holding of referendum:
- 26.1.1. supervises compliance of holding of referendum to this Code;
 - 26.1.2. registers referendum campaign groups in cases stipulated by this Code;
 - 26.1.3. publishes overall lists of registered referendum campaign group;
 - 26.1.4. ensures distribution air (*broadcasting*) time among referendum campaign group for pre-referendum campaign on a basis of common rules;
 - 26.1.5. determines unified rules for preparation of voting results;
 - 26.1.6. guarantees supervision on spending of monetary means entered to referendum funds;
 - 26.1.7. cancels illegal decisions of the lower elections commissions on its own initiative;
 - 26.1.8. defines results of referendum and publishes them in press;
 - 26.1.9. organizes holding of re-voting;
 - 26.1.10. exercises other authorities in accordance with this Code;
- 26.2. The Central Election Commission exercises the following authorities during preparation and holding of elections to the Milli Majlis of the Azerbaijan Republic:
- 26.2.1. supervises compliance of holding of election to the Milli Majlis of the Azerbaijan Republic to this Code;
 - 26.2.2. approves lists of candidates nominated on single-mandate constituencies by political parties and blocks of political parties;
 - 26.2.3. registers lists of candidates nominated on nationwide constituencies by political parties and blocks of political parties;
 - 26.2.4. publishes overall lists of registered candidates;
 - 26.2.5. registers authorized representatives and agents of candidates of political parties and blocks of political parties;
 - 26.2.6. issues verifications to candidates, agents, authorized representatives nominated on nationwide constituencies;
 - 26.2.7. ensures observation of conditions of pre-election activities, established by this Code, by all candidates, registered candidates, political parties, blocks of political parties, referendum campaign groups;

- 26.2.8. ensures carrying out of distribution of air (*broadcasting*) time for pre-election campaign between political parties, blocks of political parties and registered candidates on a basis of equal rules;
 - 26.2.9. ensures supervision on spending of monetary means entered to election funds;
 - 26.2.10. determines elected deputies among candidates registered in the single-mandate election constituencies and candidates in the lists of registered candidates nominated by political parties and blocks of political parties in the nationwide constituencies, and issues them the appropriate verification;
 - 26.2.11. officially publishes results of elections to the Milli Majlis of Azerbaijan Republic, including protocols of precinct election commissions;
 - 26.2.12. draws up list of the elected deputies, submits these lists and necessary documents to the Milli Majlis;
 - 26.2.13. organizes holding of repeat elections and by-elections for places occurring after the leaving of deputies;
 - 26.2.14. exercises other authorities in accordance with this Code;
- 26.3. The Central Election Commission exercises the following authorities during preparation and holding of elections of the President of the Azerbaijan Republic:
- 26.3.1. supervises holding of elections of the President of the Azerbaijan Republic in compliance with this Code;
 - 26.3.2. registers initiative group of voters;
 - 26.3.3. registers candidates for Presidency, their agents, authorized representatives;
 - 26.3.4. issues verification in established form to candidates for presidency and their agents;
 - 26.3.5. publishes overall lists of registered candidates;
 - 26.3.6. ensures equal condition for pre-election campaign to all candidates for presidency;
 - 26.3.7. ensures observation of pre-election activity conditions, established by this Code, by all candidates, registered candidates, political parties and blocks of political parties, initiative groups of voters;
 - 26.3.8. ensures distribution air (*broadcasting*) time among registered candidates on a basis of common rules;
 - 26.3.9. guarantees supervision on spending of monetary means entered to the funds of candidates for presidency;
 - 26.3.10. determines unified rules for preparation of voting results;
 - 26.3.11. defines the results of presidential elections;
 - 26.3.12. issues verification to the candidate elected as the President;
 - 26.3.13. officially publishes results of presidential elections, including protocols of precinct election commissions;
 - 26.3.14. prepares holding of repeat voting on presidential elections
 - 26.3.15. prepares holding of presidential elections;
 - 26.3.16. exercises other authorities in accordance with this Code;
- 26.4. The Central Election Commission exercises the following authorities during preparation and holding of municipality elections:

- 26.4.1. supervises compliance of holding of municipality elections to this Code;
- 26.4.2. makes a decision on holding of repeat elections and by-elections on the basis of information received from the constituency election commission;
- 26.4.3. determines unified rules for preparation of voting and election results;
- 26.4.4. officially publishes results of elections, including protocols of precinct election commissions;
- 26.4.5. exercises other authorities in accordance with this Code;

Article 27. Ensuring of Activity of Members of The Central Election Commission

- 27.1. Members of the Central Election Commission receive salary during the period of their authority;
- 27.2. Member of the Central Election Commission of the Azerbaijan Republic cannot be subject to criminal liability without the consent of a general prosecutor or administrative penalties as may be determined in a court procedure.
- 27.3. Members of the Central Election Commission have right to free use of inter-cities transport and any public transport (except taxi and ordered trips) within the country during elections (referendum). Expenses within the country shall be paid from the funds allocated by the Central Election Commission.

Article 28. Organization of Activity of the Central Election Commission

- 28.1. The Chairman, deputy Chairman and secretaries of the Central Election Commission assign duties to members of the Central Election Commission;
- 28.2. The Chairman of the Central Election Commission represents the political party, whose deputies elected by a nationwide constituency constitute majority in the Milli Majlis, one of the secretaries of the Central Election Commission represents non-partisan deputies, and others represent the political party, which deputies elected by a nationwide constituency constitute minority in the Milli Majlis.
- 28.3. Members of the Central Election Commission shall be informed by the Chairman of the Central Election Commission on meeting of the Commission at the latest 24 hours before the conduct of the meeting.
- 28.4. Decisions of the Central Election Commission shall be made by a two thirds majority of votes of its members present at the meeting upon voting by show: if 12 members of the Central Election Commission are present at the meeting of the Central Election Commission – by a majority of at least 8 of its members, if 13 members are present - by a majority of at least 9 of its members, if 14 or 15 members are present - by a majority of at least 10 of its members, if 16 members are present - by a majority of at least 11 of its members, and if 17 or 18 members are present - by a majority of at least 12 of its members.
- 28.5. Decision of the Central Election Commission should be officially published at the latest two days and the decision shall enter into force upon adopting.

- 28.6. The Central Election Commission forms its Secretariat. Rules of activity of Secretariat of the Commission are established in accordance with the Regulations approved by the Central Election Commission. The Central Election Commission determines the structure and established posts of the Secretariat within funds allocated to the Central Election Commission from State budget.
- 28.7. The Central Election Commission of the Azerbaijan Republic has its official publishing organ.
- 28.8. The Central Election Commission is a legal entity.

CHAPTER Five. Election (referendum) constituencies and constituency election commissions

Article 29. Formation of election (referendum) constituencies

- 29.1. The Central Election Commission forms 100 election (referendum) constituencies (hereinafter – election constituencies) every 5 year based on the information about the number of voters actually residing and registered in the relevant territorial units provided by the municipalities of relevant executive bodies assigned for holding of elections. Elections constituencies as a rule are formed on the basis of average representation norm. The average representation norm is specified by division of total number of registered voters to 100. Election constituencies function as single-mandate constituencies during the elections of deputies of the Milli Majlis, and as election territories during the elections of municipality members.
- 29.2. Voters residing outside the Azerbaijan Republic shall be included on the voters lists in election constituencies. Information about the number of voters permanently residing outside the Azerbaijan Republic, or being on long-term business trips and registered in the relevant diplomatic representations and consulate departments of Azerbaijan Republic shall be submitted to the Central Election Commission by a relevant executive power body. Based on the same information, the Central Election Commission shall approve list of the relevant election constituencies for inclusion of the voters on the voters lists. Number of voters in election constituencies where the voters residing outside Azerbaijan Republic are included on the lists should not be less than the average norm of voters. Number of voters residing outside Azerbaijan Republic and included on the voters lists in election constituencies should not be more than 5% of voters registered in each election constituency.
- 29.3. Election constituencies shall be formed upon observation of the following requirements:
- 29.3.1. As a rule, number of voters registered on the territory of administrative-territorial units of the Azerbaijan Republic should be approximately the same under the condition that their number should not be 5 % more (less) than the average representation norm and 10% more (less) than the average representation norm in distant places and places having impassable roads;

- 29.3.2. Formation of election constituencies in the territories not having boundaries between each other is prohibited.
- 29.4. Upon observation of requirements on formation of election constituencies indicated in paragraph 2 and 3 of this Article, necessity of intersection of the boundaries of municipality should be taken into consideration.
- 29.5. The Central Election Commission should approve the scheme of formation of election constituencies and their graphic images on the basis of information about voters obtained every 5-years on 10th Wednesday of the year. During this period the scheme of formation of election constituencies and their graphic images can be re-approved taking into consideration the provisions of Article 43 of this Code. If election constituencies are formed right before holding of election (referendum), the scheme of formation of election constituencies and their graphic images should be approved at least 115 days before election (referendum) day and be published at least 105 days before election (referendum) day.
- 29.6. The following should be indicated in the scheme of formation of election constituencies:
- 29.6.1. name and number of each election constituency;
 - 29.6.2. list of municipalities of administrative-territorial units, or towns, district, districts in towns located in every election constituency (if election constituency includes a part of an administrative-territorial unit, municipality, and settlement, the boundaries of the part of the administrative-territorial unit, municipality, and settlement should be outlined in the scheme. If one election constituencies is formed in one administrative-territorial unit, list of municipalities located in the election constituency shall not be included in the scheme of formation of single-mandate election constituency);
 - 29.6.3. center of each election constituency;
 - 29.6.4. number of voters registered in each election constituency, number of voters registered in each municipality included in election constituency, in case of formation of more than one single-mandate election constituency in administrative-territorial unit;
 - 29.6.5. number of voters included on the lists in the relevant election constituencies in accordance with Article 2 of this Code, with indication of foreign countries where the voters residing outside the Azerbaijan Republic live.
- 29.7. At formation of election constituencies and specification of scheme of their formation, the State Automated Information System can be used.

Article 30. Unified election constituency

- 30.1. The nationwide constituency for election of deputies to the Milli Majlis on the basis of proportional number of votes given to the lists of candidates nominate by political parties and blocks of political parties shall cover whole territory of the Azerbaijan Republic;

- 30.2. Unified election constituency for election of the President of the Azerbaijan Republic shall cover whole territory of the Azerbaijan Republic;
- 30.3. According to Article 43 of this Code, voters included on the voters list in a constituency are considered as voters included on the voters list in unified election constituency.

Article 31. Organization of Constituency Election Commissions

- 31.1. Election constituencies shall be organized by the Central Election Commission consisting 9 persons and at least 90 days before election (referendum). If election constituencies are organized immediately before elections (referendum) they should be organized not later than 90 days before voting day.
- 31.2. Members of the Constituency Election Commissions are appointed by the Central Election Commission. Members of the Constituency Election Commissions cannot be a partisan.
- 31.3. Candidacy of 3 members of election constituency shall be presented by the members of the Central Election Commission who represent the political party, whose deputies elected on nationwide constituency constitute majority in the Milli Majlis, candidacy of 3 other members of election constituency shall be presented by the members of the Central Election Commission who represent the political parties, whose deputies elected on nationwide constituency constitute minority in the Milli Majlis and candidacy of the rest 3 members shall be presented by the members of the Central Election Commission who represent non-partisan deputies of the Milli Majlis.
- 31.4. Candidates to the membership of election constituency can be presented by local branches of the political parties, which are represented in the Central Election Commission by the corresponding members. 2 candidates nominated by the members of the Central Election Commission representing non-partisan deputies shall be agreed with the interested parties: one of them shall be agreed with the members of the Central Election Commission who represent the political party, whose deputies elected on nationwide constituency constitute majority in the Milli Majlis, and the other candidate shall be agreed with who represent the political parties, whose deputies elected on nationwide constituency constitute minority in the Milli Majlis.
- 31.5. In case the members representing a political party do not nominate a candidate to the membership of an election constituency 95 days before the voting day, the candidate shall be presented by the non-partisan deputies.
- 31.6. Members of election constituency receives an appropriate verification card from the Central Election Commission.

Article 32. Authorities and directions of activity of election commissions

- 32.1. The Constituency Election Commission performs the following general authorities:
- 32.1.1. supervises observation of suffrage of citizens of the Azerbaijan Republic on the territory of election constituency;

- 32.1.2. creates conditions for all candidates, registered candidates, political parties, blocks of political parties on the territory of election constituency for their pre-election activities and for pre-referendum activities of referendum campaign groups;
 - 32.1.3. names precinct election commissions on the territory of election constituency and ensures numbering of precinct commissions on the base of unified rule;
 - 32.1.4. ensures delivery of election (referenda) ballots, de-registration cards and other election (referendum) documents to precinct election commissions;
 - 32.1.5. distributes funds allocated for preparation and holding of elections (referenda) among precinct election commissions, supervises use of the funds for the specified purpose;
 - 32.1.6. receives information from the relevant executive authority bodies and municipalities related to preparation and holding of elections (referenda);
 - 32.1.7. informs voters about rule and term of performance of election actions in the course of elections (referenda);
 - 32.1.8. supervises provision of precinct election commissions with premises, transport and communication means, fulfillment of relevant decisions made in relation with material and technical supply of elections;
 - 32.1.9. render organizational and technical assistance to precinct election commissions on the territory of election constituency in holding of voting in election precincts;
 - 32.1.10. co-ordinates activity of precinct election commissions, considers complaints regarding decision and actions (inaction) of the commissions and their officials, and makes well-grounded decisions on the complaints;
 - 32.1.11. ensures storage of election (referendum) documents in accordance with rules approved by the Central Election Commission;
 - 32.1.12. ensures submission of documents related to preparation and holding of elections (referenda) to the Central Election Commission, including protocols on outcomes of voting ;
 - 32.1.13. ensures use of the State Automated Information System on the territory of election constituency on the basis of a unified rule;
- 32.2. Constituency Election Commissions shall perform the following authorities during preparation and holding of referendum:
- 32.2.1. registers referendum campaign groups in cases stipulated by this Code;
 - 32.2.2. defines results of vote counting in referendum constituencies;
 - 32.2.3. cancels illegal decisions of precinct referendum commissions in referendum constituencies on its own initiative;
 - 32.2.4. ensures control on spending of election funds of referendum campaign groups in referendum constituencies;
 - 32.2.5. defines voting results in referendum constituencies, and gives information about voting results to the Central Election Commission;
 - 32.2.6. performs other authorities in accordance with this Code.
- 32.3. Election constituency performs the following authorities during preparation and holding of elections of deputies of the Milli Majlis:

- 32.3.1. ensures reception of information about candidates nominated on corresponding single-mandate election constituency, publishes information about registered candidates;
 - 32.3.2. registers candidates on single-mandate constituency, their authorized representatives and agents, cancels their registration and issues them verifications in established form;
 - 32.3.3. ensures control on spending of election funds of candidates, registered candidates, political parties, blocks of political parties on the territory of election constituencies;
 - 32.3.4. ensures observation of pre-election activity conditions, specified by this Code and other laws, for candidates, registered candidates, political parties, blocks of political parties on the territory of election constituencies;
 - 32.3.5. defines outcomes of elections on single-mandate constituency and voting results in nationwide election constituency, gives information to the Central Election Commission about voting results in single-mandate and nationwide constituency;
 - 32.3.6. summarizes and publishes information from protocols of precinct election commissions on voting results with indication of voting results in accordance with the rule established in this Code;
 - 32.3.7. holds repeat and additional elections;
 - 32.3.8. performs other duties in accordance with this Code.
- 32.4. The Constituency Election Commissions implements the following duties regarding preparation and conduct of the Presidential Elections:
- 32.4.1. creates equal conditions for pre-election campaign activities of the candidates for the President within the constituency;
 - 32.4.2. ensures that all candidates, registered candidates follow rules of this Code and conditions of pre-election activities established by other laws within the constituency;
 - 32.4.3. organizes transfer of ballot papers and other documents to the Precinct Election Commissions within the constituency;
 - 32.4.4. determines results of Presidential elections within the constituency, informs the mass media about it and submits protocols on voting results to the Central Election Commission;
 - 32.4.5. performs other duties in accordance with this Code.
- 32.5. The Constituency Election Commission implements the following duties during preparation and conduct of elections to municipalities:
- 32.5.1. registers candidates for a member of municipality within the constituency and announces it; cancels the registration of candidates for member of a municipality in the circumstances considered by this Code;
 - 32.5.2. ensures obtaining of information about candidates nominated for municipality on an election territory, publishes information about registered candidates;
 - 32.5.3. registers candidates for member of a municipality, their authorized representatives, their agents and issues them established sample verification cards;
 - 32.5.4. controls that pre-election activities of candidates for member of a municipality within the constituency can be conducted equally;
 - 32.5.5. distributes the funds allocated for preparation and conduct of elections amongst Precinct Election Commissions and controls its expenditure for election purposes within the constituency;

- 32.5.6. determines the voting results based on information received by Precinct Election Commissions within the constituency, informs voters and the mass media of these;
- 32.5.7. organizes repeat elections and additional elections;
- 32.5.8. performs other duties in accordance with this Code.

Article 33. Organization of the Functions of the Constituency Election Commission

- 33.1. The oldest member of the Constituency Election Commission chairs the first meeting of the Constituency Election Commission.
- 33.2. Chairperson and secretaries of the Constituency Election Commission are selected during the commission's first meeting in accordance with the rules of Article 28.4 of this Code.
- 33.3. Members of the Constituency Election Commission are informed about the meeting of the Constituency Election Commission by the chairperson of the commission at least 24 hours prior to the meeting.
- 33.4. Decisions of the Constituency Election Commission are adopted during the meeting of the Constituency Election Commission as follows:
 - by majority of votes of at least 6 members if attended by 9 or 8 members;
 - by majority of votes of at least 5 members if attended by 7 members;
 - by majority of votes of at least 4 members if attended by 6 members.
- 33.5. Decisions of the Constituency Election Commission are signed by the chairperson and secretaries of the Constituency Election Commission. If decisions of the Constituency Election Commission are not signed by the persons mentioned above, it should be signed by the members who voted for that decision.
- 33.6. Decisions of the Constituency Election Commission must be published within a 24 hour period.

CHAPTER Six. Voting (referendum) Stations and Precinct Election Commissions

Article 34. Establishment of Voting (referendum) Stations

- 34.1. Voting (referendum) stations (hereafter referred to as voting stations) shall be formed in every 5 years with the purpose of conduct of voting and count of votes, taking into account number of voters registered within the territories of the municipality. Separate voting stations can be formed before abovementioned period expires with a purpose to insure the conformity of the requirements of paragraph 3.1 of this Article.
- 34.2. Voting stations shall be created by the relevant Constituency Election Commissions, agreed with heads of the relevant executive body and municipality, taking into account necessity of creation of maximum convenience for electors and local and other conditions. If voting stations are created right (just) before the elections (referendum) then they must be established at least 50 days prior to the election day.

- 34.3. The following requirements must be followed when creating the voting stations:
- 34.3.1. at most 1500 voters must be registered within the territory of each voting station;
 - 34.3.2. borders of voting stations must not cross the borders of the constituencies.
- 34.4. Voting stations can be created in the places where voters are temporarily located (hospitals, sanatoriums, rest homes etc.), in remote and difficult to access districts, in the ships that sail on the election day, in conformity with the rules defined by the Central Election Commission and within the period defined by paragraph 2 of this Article. They can be created at least 5 days prior to the election day only in exceptional circumstances defined by the Central Election Commission. Such voting stations shall be included in the single-mandate constituency created within their location or within territory of which the ship is registered.
- 34.5. Military servants should vote in ordinary voting stations. Rules for transferring citizens of the Republic of Azerbaijan who are in limited military service are defined by the Central Election Commission. Voting stations can be created in the military units located outside of the settlements only in a circumstances if it is needed more than 3 hours to transport military servants by means of public transport to ordinary election precincts. In exceptional circumstances defined by the Central Election Commission voting stations can be created in the military units located outside of the settlements. In such circumstances, voting stations are created within the period defined by the paragraph 2 of this Article, in exceptional cases, they are created at least 5 days prior to the election day by the commanders of the military units in accordance with the decision of relevant Constituency Election Commission. All members of the Precinct and superior election commissions, registered candidates and their representatives, authorized representatives of political parties and blocks of political parties and observers must be created conditions to access working rooms of election commission and voting rooms easily in conformity with the rules defined by this Code.
- 34.6. Voting stations for organizing voting for voters located in foreign states and counting of these votes shall be created in the territories where these voters reside by the heads of diplomatic representations or consular offices, at least 30 days prior to the election day. Paragraph 3.1 of this Article shall be applied for determination of the number of registered voters in such circumstances.
- 34.7. List of voting stations, stating their number and borders (if voting station occupies a part of territory of a settlement), list of settlements (if voting station covers several settlements), places of Precinct Election Commission and voting rooms, and telephone numbers of Precinct Election Commission should be published by the Constituency Election Commission at least 45 days prior to the election day. Information about voting stations established within the period considered by paragraphs 4 and 5 of this Article should be published at least 2 days after the day of their establishment.
- 34.8. Issues on publishing information mentioned in paragraph 7 of this Article about the voting stations established outside of the Republic of Azerbaijan and information to

be published should be resolved by heads of relevant diplomatic representations or consular offices. Local conditions should be taken into account.

Article 35. Formation of Precinct Election Commissions

- 35.1. Precinct Election Commissions, comprising 6 members, are formed by the relevant Constituency Election Commission. If Precinct Election Commissions are established right before the elections (referenda) then they must be formed at least 40 days prior to the voting day.
- 35.2. Members of the Precinct Election Commission are appointed by the relevant Constituency Election Commission. Members of the Precinct Election Commission cannot be members of any political party.
- 35.3. 2 members of the Precinct Election Commission shall be presented by the Constituency Election Commission members who represent the political party which has a majority of deputies in the Milli Majlis who have been elected from the nationwide constituency. Another 2 members are nominated by the Constituency Election Commission members who represent the political parties that have a minority of deputies in the Milli Majlis who have been elected from the nationwide constituency. The other 2 members are nominated by the Constituency Election Commission members who represent non-partisan deputies in the Milli Majlis.
- 35.4. Candidates for membership of the Precinct Election Commission to be represented by political parties shall be nominated by the local branches of political parties that are represented in the Constituency Election Commission. Candidates for membership of the Precinct Election Commission to be represented by non-partisan deputies of the Milli Majlis shall be nominated by initiative group of voters created in accordance with Article 53 of this Code. These candidates must be citizens of the Republic of Azerbaijan who reside within the territory of relevant constituency permanently or mostly.
- 35.5. If a local branch of a political party does not nominate its candidate to membership of the Precinct Election Commission at least 45 days prior to the election day, that candidate will be nominated by the Constituency Election Commission members who represent non-partisan deputies.
- 35.6. In the precincts created on the ships that sail under the state flag of the Republic of Azerbaijan, the Precinct Election Commissions are not formed and the captain of the ship assumes the powers of the commission in accordance with the rules defined by this Code.
- 35.7. Powers of the Precinct Election Commissions created outside of the Republic of Azerbaijan are assumed by heads of relevant diplomatic representation or consular office in accordance with the rules defined by this Code.
- 35.8. Precinct Election Commission members obtain verification cards in accordance with the rules defined by the Central Election Commission.

- 35.9. Each registered candidate, political party, block of political parties, initiative groups of voters have the right to appoint one observer to the election precincts from the time voting commences and until the voting results are made official.
- 35.10. Paragraph 2 of this Article is not applied to the Precinct Election Commissions created within the places where voters are temporarily located and within military units, as mentioned in Article 34.4. and 34.5.

Article 36. Powers of the Precinct Election Commission

- 36.1. Precinct Election Commission performs the following duties during preparation and conduct of referendum, elections to the Milli Majlis, Presidential elections and elections to municipalities:
- 36.1.1. informs the public about the address of the Precinct Election Commission, its telephone number, business hours, and also about date of voting and voting station location;
 - 36.1.2. approves and verifies the voters list; displays this list for voters information; examines applications about mistakes and errors on the voters list and makes relevant changes;
 - 36.1.3. ensures preparation of the place for voting as well as ballot box and other equipment;
 - 36.1.4. informs the voters about the issues to be discussed by a referendum, about registered candidates and list of registered candidates;
 - 36.1.5. controls compliance with the rules for election and referendum campaigning within the territory of electoral precinct;
 - 36.1.6. issues de-registration cards for voting;
 - 36.1.7. organizes voting on the election day at the electoral precinct;
 - 36.1.8. determines the voting results for the electoral precinct, counts votes and submits protocols on voting results to the Constituency Election Commission;
 - 36.1.9. examines complaints on violation of this Code within its powers and makes appropriate decision based on complaints;
 - 36.1.10. ensures preservation of documents on preparation and conduct of elections in accordance with the rules approved by the Central Election Commission and of their transfer in accordance with the relevant rules;
 - 36.1.11. performs other duties in conformity with this Code.

Article 37. Organization of the Functions of the Precinct Election Commission

- 37.1. Members of Precinct Election Commission are informed about conduct of commission's meeting by the chairperson the Precinct Election Commission at least 12 hours prior to the meeting.
- 37.2. Chairperson and secretaries of Precinct Election Commission are selected at commission's first meeting in conformity with the rules mentioned in Article 28.2 of this Code.
- 37.3. Decisions of the Precinct Election Commission are made as follows during the commission's meeting:

- by a majority of votes at least 4 members if attended by 6 members;
 - by a majority of votes at least 3 members if attended by 5 or 4 members.
- 37.4. Decisions of the Precinct Election Commission are signed by its chairperson and secretaries. If decisions of the Precinct Election Commission are not signed by the persons mentioned above then they should be signed by members who voted for those decisions.
- 37.5. Decision of the Precinct Election Commission must be published at latest 12 hour period.

CHAPTER Seven. Transparency During Preparation and Conduct of Elections (Referendum)

Article 38. Transparency in the Activity of the Election Commissions

- 38.1. Members of election commissions, candidates registered within the relevant constituency and their authorized representatives or on a list or their agents, or agents of referendum campaigning groups, agents of political parties and blocks of political parties have the right:
- to be present in the meetings of any election commission; counting of votes; processing ballot papers, voters lists, de-registration cards for voting, protocols on voting results and voting results and get familiarized with all mentioned above in the Precinct and Constituency Election Commissions;
 - to obtain copies of the decisions and other election (referendum) documents (hereafter referred to as election documents) (except for voters lists, copies of de-registration cards for voting, election (referendum) ballot papers (hereafter referred to as ballot papers) signature sheets) of the Constituency and Precinct Election Commissions;
 - to observe other election activities.
- 38.2. Persons mentioned in the paragraph 1 of this Article are not required any additional permission of the election commission for attendance in the meetings and of the relevant election commissions or for becoming familiarized with the documents mentioned above. A relevant election commission ensures free access of persons mentioned in paragraph 1 of this Article to the locations where election documents are being processed and votes are being counted.
- 38.3. Citizens of the Republic of Azerbaijan having the active suffrage, including the persons mentioned in Article 42 of this Code can act as observers. Only observers who have been registered by the Central Election Commission in accordance with the rules defined by the Central Election Commission for getting the following rights and who have specific permission, have the right to be present in the meetings of the election commission up to the day of election. A registration card issued by the Central Election Commission must contain the numbers of the Constituency and Precinct Election Commissions that are allowed to be observed. Representatives of

mass media shall have the right to participate at meetings of election commissions in regard with elections documents and vote counting process.

- 38.4. The relevant election commission informs the superior election commissions, each registered candidate and his/her authorized representative, agents of political parties blocks of political parties which have registered list of candidates, agents of referendum campaigning groups about the time of processing election documents mentioned above and of election commission meetings in accordance with the rules considered by Article 18.15 of this Code.
- 38.5. Representatives of interested parties have the right to be present in the elections commission while it is investigating relevant complaints.
- 38.6. Election commissions inform the public about:
- biography of each candidate registered in accordance with this Code;
 - results of registration;
 - list of candidates and other information received by the election commission about them;
 - results of voting regarding referendum or candidates.
- 38.7. Persons mentioned in the first paragraph of this Article, as well as observers, including international observers, on the election day, can observe all processes implemented within the electoral precinct, from time the Precinct Election Commission commences work and seals ballot boxes, until protocols on voting results has been received by the superior election commission; they can observe as well as recount of votes.
- 38.8. Observers, including international observers mentioned in [Article 42](#) of this Code, representatives of the mass media can observe determination of voting results and election (referendum) returns, completion of protocols of voting results and election (referendum) returns, as well as the recount of votes in other election commissions on all levels.
- 38.9. All election commission members, persons mentioned in paragraph 1 of this Article and observers must be ensured access to voting rooms of the electoral precincts established in military units, hospitals, sanatoriums, rest homes and other places where people are temporarily located as well as voting rooms of voting stations.
- 38.8. Registered candidates, political parties and blocks of political parties with registered list of candidates, referendum campaigning groups, each initiative group of voters can appoint an observer to the relevant Precinct Election Commission, in conformity with the rules defined by this Code, to observe the process in the voting room on the election day or during early voting, within the period mentioned in paragraph 5 of this Article.
- 38.9. An observer must have a written document containing his/her surname, name, father's name, address, number of election commission and voting station he/she is assigned to, and approved by the registered candidate, political party, block of political parties, referendum campaigning groups whose interests the observe represents. This

document is valid only if it is supported by an identification card or other substitute document. Advance information about observer's visit is not required.

- 38.10. Documents mentioned in paragraph 6 of this Article can be submitted to the relevant election commission any time starting from when a relevant election commission has its first meeting, until the time of completion of protocols on voting results and election (referendum) returns, including completion of protocols on results of the recount of votes.

Article 39. Principles of Observation

- 39.1. Observation must be based on the following principles:

- 39.1.1. it must be objective and non-partisan;
- 39.1.2. all circumstances and facts regarding the activities to be observed must be taken into consideration;
- 39.1.3. it must be open;
- 39.1.4. it must be in accordance with truth.

Article 40. Observers' Rights and Duties

- 40.1. Observers, including international observers have the following rights:

- 40.1.1. to become familiar with voters lists;
- 40.1.2. to be present in the voting room of the relevant electoral precinct any time within the period mentioned in Article 38.7 of this Code;
- 40.1.3. to observe the issuance of ballot papers to voters;
- 40.1.4. to observe voting outside of voting stations;
- 40.1.5. to observe number of voters, count of ballot papers and cancelled ballot papers;
- 40.1.6. to look through the marked and unmarked ballot papers during the vote count in a condition ensuring observation of vote count and from certain distance; to become familiar with the documents mentioned in Article 37.6 of this Code, with election commission's protocols on voting results and election (referendum) returns and with other documents;
- 40.1.7. to apply to the chairperson of the Precinct Election Commission regarding suggestions and comments about organization of voting, if he/she is not available, to a person who assumes the chairperson's powers;
- 40.1.8. Starting from the commencement of election commission's activity on the voting day and the ballot boxes are sealed and till the reception of protocols on voting results by election commissions, to make or obtain copies of protocols on voting results and election (referendum) returns, documents and attached documents prepared by election commissions within the period mentioned in Article 38.7 of this Code after fee defined by the Central Election Commission is paid; to become familiar with the list of voters vote; election commission must verify copies of the above mentioned documents at the request of an observer or provide the observer with verified copies of these documents after relevant fee has been paid.

- 40.1.9. to file complaints about actions (lack of actions) or decisions of the Precinct or other election commissions directly with superior election commissions or the court;
- 40.1.10. to be present during the recount of votes in the relevant election commissions.
- 40.2.1. The observer is prohibited:
- 40.2.2. to issue ballot papers to voters;
- 40.2.3. to sign a receipt of a ballot paper on behalf of a voter who requests it;
- 40.2.4. to mark a ballot paper on behalf of a voter who requests it;
- 40.2.5. to participate directly in the counting of ballot papers together with the commission members with decisive voting right;
- 40.2.6. to obstruct the work of an election commission;
- 40.2.7. to conduct election campaign among the voters;
- 40.2.8. make actions or calls directed to supporting any candidate or political party or make actions or calls that can be understood as support of candidate or political party;
- 40.2.9. to participate in making decisions by the relevant election commissions.
- 40.3. The chairperson or members with decisive voting right and secretary who assumes relevant powers can verify copies of protocols and other documents of election commissions. In such cases the above mentioned person first records “matches with original” on a copy, then signs it, verifies with the stamp of the election commission and puts date of verification. Persons mentioned in Article 38.1 of this Code should pay the fees defined by the Central Election Commission for obtaining verified copy of the document.
- 40.4. Commission members with a consultative voting right who are present during voting and vote count processes in the voting station, observers, representative of the mass media and other persons mentioned in Article 38.1 of this Code must have badges which do not campaign and which show the status of representation. Samples of such badges must be issued by the Central Election Commission.

Article 41. Representatives of the Mass Media

Representatives of the mass media can:

- get familiarized with protocols on voting results and election (referendum) returns and with decisions of all elections commissions;
- make or obtain copies of election commission’s decision, protocol or document to be attached after the fee defined by the Central Election Commission has been paid.

Election commission must verify copies of decisions, protocols on voting results and election returns at the request of the representatives of the mass media.

Article 42. International (foreign) Observers

- 42.1. International (foreign) observers (hereafter referred to as international observers) receive permission from the relevant executive authority bodies for coming to the

Republic of Azerbaijan in accordance with the rules defined by legislation and on the basis of invitation and they shall be registered by the Central Election Commission.

- 42.2. The Milli Majlis, relevant executive authority bodies and the Central Election Commission can invite them after a decision on determination of elections has been officially published.
- 42.3. Proposals on inviting international observers can be made by international, government and non-government organizations which have reputation in the field of protection of citizens' rights and freedom.
- 42.4. The Central Election Commission issues a specific verification card to the international observer based on the documents submitted by him/her. This card allows the international observer to function in accordance with Articles 38-40 of this Code during preparation and conduct of elections.
- 42.5. The term of authority of the international observer commences from the time he/she is registered by the Central Election Commission and finishes on the day general results of the elections are officially published.
- 42.6. The international observer functions independently and freely, his/her activity is financed by the organization assigned him/her or from his/her personal funds.
- 42.7. The international observer is under the protection of the State while he/she is within the territory of the Republic of Azerbaijan. Election commissions, state government bodies and municipalities are obliged to render necessary assistance to them.
- 42.8. The international observers can conduct press conferences on election legislation, preparation and conduct of elections and make statements to the mass media after the election day.
- 42.9. The international observers have the right to meet with candidates, registered candidates, authorized representatives of political parties, blocks of political parties, referendum campaigning groups, agents of registered candidates, political parties, blocks of political parties, referendum campaigning groups.
- 42.10. The international observers cannot use their status for activities not related to election campaign, preparation and conduct of elections.
- 42.11. The Central Election Commission can cancel the registration of the international observer if he/she violates laws and international legal norms.

CHAPTER Eight. Voters (citizens who have the right to participate in referendum) Lists

Article 43. Compilation of Voters (citizens who have the right to participate in referendum) Lists

- 43.1. Voters (citizens who have the right to participate in referendum) lists (hereafter referred to as voters lists) for a precinct are approved by the Precinct Election Commission in conformity with the format defined by the Central Election Commission on 10th of March of each year and they are specified at least 35 days prior to the election day. Any additions and amendments to voters' list on the voting day cannot be made.
- 43.2. Voters lists include information on voters who have active suffrage provided by heads of the relevant executive authority bodies and municipalities, commanders of military units as well as by heads of the enterprises where voters are temporarily located.
- 43.3. Voters lists of the precincts established in remote and difficult to access districts are specified by the Precinct Election Commission on the basis of information on voters provided by heads of relevant executive authority body and municipality at least 25 days prior to the election day, in exceptional circumstances 2 days after the Precinct Election Commission has been formed.
- 43.4. Voters (military servants of military unit, military servants' family members who reside within the territory of military unit and other voters) lists for the precincts established within the territory of military units are specified by the Precinct Election Commissions on the basis of information on voters provided by the commanders of military units at least 25 days prior to the election day.
- 43.5. Voters lists for the precincts where voters are temporarily located (hospitals, sanatoriums, rest homes and other temporary places), ships that are sailing on the election day are approved by the relevant Precinct Election Commission on the basis of information on voters provided by heads of the offices where voters are located temporarily, captain of the ship at least 5 days prior to the election day.
- 43.6. Voters lists for electoral precincts created outside of the Republic of Azerbaijan are approved by relevant Precinct Election Commission on the basis of information on voters provided by heads of the diplomatic representation and consular office of the Republic of Azerbaijan at least 25 days prior to the election day.
- 43.7. Officials mentioned in paragraphs 2-6 of this Article collect and specify information on voters in accordance with the rules defined by the Central Election Commission and then submit it to the Precinct Election Commission at least 35 days prior to the election day, if no other rule is not provided by this Code.
- 43.8. Voters lists are prepared in 2 copies. Information on voters who have been included in the voters lists should be in alphabetical or in other order (according to settlements, streets, houses, apartments). The voters lists contain the voter's name, surname, father's name, year of birth (for those who are 18 years old – date and month of birth), permanent address or address of a place where the voter mostly resides.
- 43.9. State Automated Information Systems can be used while compilation of voters lists. The voters lists shall be prepared in a typewritten format. Only in the exceptional circumstances defined by the Central Election Commission, they can be written by hand.

- 43.10. The first copy of the voters list prepared in conformity with the paragraph 2 of this Article is preserved by the Precinct Election Commission, a relevant act is made on this. The second copy is transferred to the Constituency Election Commission not later than 20th of January of each year, but at least 25 days prior to the election day, and it is used in conformity with the rules defined by the Central Election Commission. Voters lists for the constituency are signed by the chairperson and secretaries of the Constituency Election Commission and verified with the stamp of the election commission.
- 43.11. Voters lists for the electoral precincts created in conformity with Article 34.4-6 of this Code are signed by chairperson and secretaries of the Precinct Election Commission and verified by the stamp of the commission.
- 43.12. Precinct Election Commissions, after they specify voters lists, examine and consider the changes to be made on the voters lists at the requests of voters or changes necessary to be made in conformity with Article 45 of this Code. They also make investigation on the basis of relevant documents submitted by the officials, municipalities, civilian registration offices and bodies which register citizens' addresses and place of residence.
- 43.13. A person who provides information on voters bears responsibility defined by legislation for the accuracy, completeness and timely provision of the relevant information.

Article 44. Rules for Citizens' Inclusion In and Exclusion from Voters List

- 44.1. All citizens of the Republic of Azerbaijan who have active suffrage shall be included in the voters lists.
- 44.2. Residence of a voter or the fact that a voter is residing permanently or mostly within the territory of relevant electoral precinct (residing in precinct territory at least 6 months out of 12 months prior to announcement of elections) defined by the body which registers residence is sufficient basis for inclusion of voter in the voters list for the relevant precinct.
- 44.3. Military servants who reside outside of the military unit are included in the voters list on a common basis for their place of residence. Basis for inclusion of military servants, their family members in a military unit and other voters who reside within the territory of the military unit in the voters list is the fact of permanent or mostly place of residence defined by the bodies which register place of residence of the citizens of the Republic of Azerbaijan or defined by order of the commander of a military unit on inclusion of persons in the military staff who are in military service.
- 44.4. The basis for inclusion of citizens of the Azerbaijan Republic residing outside the Republic of Azerbaijan and those who are on a long-term foreign business trip in the voters list is the fact that a person is residing outside of the Republic of Azerbaijan permanently or mostly or the fact that a voter is on a long-term business trip as determined by the diplomatic representation or consular office of the Republic of Azerbaijan.

- 44.5. Voters who are in hospitals, sanatoriums, rest homes and other temporary places of residence are included in the voters lists on the basis of a de-registration card for voting, identification document or other substitute document.
- 44.6. Citizens of the Republic of Azerbaijan, who have active suffrage and who are in foreign countries, are included in the voters list on the basis of their identification document or substitute document and de-registration card for voting when they come to the voting station.
- 44.7. Voters who are residing within the territory of the electoral precinct or who have not been included in the voters list for any reason are included in the voters list by the Precinct Election Commission on the basis of their passport or other substitute document, after the voters list has been submitted for public display. If necessary, other documents which confirm that the voter lives mostly within the territory of that electoral precinct may be required.
- 44.8. A voter can be included in the voters list for one precinct only.
- 44.9. After voters lists are approved, a voter can be excluded from the voters list on the basis of official documents as well as on a de-registration card for voting issued to the voter in conformity with the rules defined by this Code. In such circumstances, date and reason for exclusion of voter from the voters list must be recorded in the voters list. This fact shall be verified by the signatures of chairperson and secretaries of the Precinct Election Commission. When issuing de-registration card for voting it shall be verified with the signature of the commission members who issues it.

Article 45. Public Display of Voters Lists

- 45.1. The Precinct Election Commission submits the voters lists for public display and for additional verification by informing the voters at least 35 days prior to the election day and creates relevant conditions for that. The voters lists must be displayed outside of the voting room, on boards, in a convenient place for voters to see and to have access to it.
- 45.2. A citizen of the Republic of Azerbaijan who has active suffrage can inform about he/she is not included in the voters list, about mistakes and errors he/she has found in the voters list. The Precinct Election Commission must check submitted application and documents regarding the voter's information within one day from when it is received, on the election day – immediately but before voting is terminated; correct mistake or error or must provide the voter with written document containing reason of rejection of voter's application.
- 45.3. A complaint about a decision of the Precinct Election Commission on citizen's inclusion in or exclusion from the voters list can be filed with the superior election commission or with the court which located within the territory of electoral precinct. Such complaint must be investigated within a 3 day period. It must be investigated immediately if three days are remaining to the election day or on the election day. If the decision is in favour of the claimant, the Precinct Election Commission must make the relevant changes to the voters list immediately.

CHAPTER Nine. Basis for Participation of Political Parties and Blocks of Political Parties in Elections (Referendum)

Article 46. Terms for Possibilities of Political Parties to Participate in Elections

46.1. A political party which:

- is established in conformity with the legislation of the Republic of Azerbaijan;
- has obtained a defined certificate on registration from a relevant executive authority at least 6 months prior to the announcement of the election day;
- intends to participate in the elections

shall be registered by the Central Election Commission.

46.2. A political party shall be registered within 3 days starting the date of a political party submitted its decision on participation in the elections to the Central Election Commission.

46.3. A document on registration of a political party is presented to an authorized representative who represents the political party and has power of attorney verified in conformity with the rules defined by legislation.

46.4. Political parties and blocks of political parties participate in the elections in conformity with the rules defined by this Code and equally.

Article 47. Participation of a Political Party (*block of political parties*) in Referendum

Political parties create referendum campaigning groups for or against the issues to be discussed by referendum and can participate in referendum to campaign via the groups mentioned above.

Article 48. Principles of Participation of Political Parties (*block of political parties*) in Elections (referendum campaigning)

48.1. Political party (block of political parties) which participate in elections (referendum campaigning) must follow the following principles:

- 48.1.1. to respect right of other political parties (block of political parties) to freely and independently express views during election (referendum) campaign;
- 48.1.2. to respect rights of other political parties (block of political parties), voters and public organizations;
- 48.1.3. to respect freedom of press;
- 48.1.4. to create all necessary conditions, within the possibilities, for other political parties for establishing free communication with voters;
- 48.1.5. to ensure voters who intend to participate in political activities with free conduct of those activities;
- 48.1.6. not to obstruct professional activities of representatives of the mass media; not to violate or breach election (referendum) campaign of other parties;

- 48.1.7. not to obstruct distribution of election campaign materials, referendum campaign materials of other parties (block of political parties) and candidates;
 - 48.1.8. not to destroy or to spoil election campaign posters, referendum campaign posters and other campaigning materials of other parties (block of political parties) and candidates;
 - 48.1.9. not to obstruct pre-election (pre-referendum) mass activities of other parties;
 - 48.1.10. to cooperate with election (referendum) bodies and their officials for conduct of free, peaceful and organized elections;
 - 48.1.11. not to obstruct the voters to express their will freely;
 - 48.1.12. to respect authorized persons and observers and to cooperate with them;
 - 48.1.13. to follow secrecy of voting and to assist in maintaining it;
 - 48.1.14. not to win over voter to its side by illegal activities;
 - 48.1.15. not to interfere activities of authorized persons, election (referendum) commissions groundlessly; no to violate process of voting and vote count;
 - 48.1.16. to accept legally approved results of elections (referendum), to present each complaint regarding the elections (referendum) to authorized body and to observe the decision of that body regarding the relevant complaint;
 - 48.1.17. not to make speeches which intimidate, slander or call upon violence or distribute materials of this content;
 - 48.1.18. not to use its political influence for offering any rewards or for intimidating with punishment;
 - 48.1.19. not to use state, municipal or other public resources in circumstances not established in this Code;
 - 48.1.20. not to provoke voters to vote for or against a definite party (block of political parties) or candidate by using pressure or offering presents or by other methods that contradict the legislation or not to provoke the voters not to vote;
 - 48.1.21. not to make voters self-nominate or not self-nominate, withdraw or not withdraw their candidacy by using pressure or offering presents or by other methods that contradict the legislation;
 - 48.1.22. not to use assistance or activities rendered by any official for supporting or not supporting the candidate.
- 48.2. Follow of the principles mentioned by paragraph 1 of current Article by the political parties (block of political parties) is voluntary, except compulsory circumstances defined by the laws of the Republic of Azerbaijan.

Article 49. Block of Political Parties

- 49.1. At least two political parties registered in accordance with Article 46 of this Code can create block of political parties. If a political party is a member of the block, it cannot function as an independent political party or join another block during the conduct of elections. A decision on joining the block of political parties is made in conformity with the charter of each political party which intends to join the block of political parties. After a relevant decision is adopted, authorized representatives of political parties sign joint decision on establishment of the block.
- 49.2. An authorized representative of the block of political parties submits the following documents to the Central Election Commission for registration:

- 49.2.1. copies of charters of political parties which included in the block, verified by the notary office;
 - 49.2.2. decisions of political parties on joining the block;
 - 49.2.3. a joint decision on establishment of a block signed by the authorized representatives of political parties and verified by the stamp of those parties.
- 49.3. Blocks of political parties must be registered within 5 days starting from the day they submit relevant documents to the Central Election Commission.
- 49.4. Blocks of political parties can be refused registration if:
- documents mentioned in paragraph 2 of current Article are not formally prepared or they are not complete;
 - political parties included in the block of political parties do not meet the requirements of Article 46 of this Code.
- 49.5. No other political party can be included in the block of political parties after the latter has been registered by the Central Election Commission.

Article 50. Name and Emblem of Block of Political Parties

- 50.1. The block of political parties submits information about its full and abbreviated name to the Central Election Commission.
- 50.2. The name of the block of political parties is defined in the joint meeting of representatives of political parties which joined that block. Names of political parties which are not included in that block (regardless of whether they participate in the elections or not) or of other political parties that participated in previous elections cannot be used. If a new registered block of political parties does not include a majority of political parties that joined the block during previous elections, a newly established block cannot be named by its previous name. Name or surname of a physical individual can be used by the block of political parties on the basis of that individual's written consent.
- 50.3. A block of political parties can also submit its emblem to the Central Election Commission. A block of political parties can submit any emblem except for registered emblem of any political party that is included in the block or the same emblems used by other political parties and blocks of political parties for previous or being used for current elections (taking into consideration paragraph 2 of this Article). Symbols of the block of political party must not:
- violate intellectual property rights, trademark rights;
 - insult state symbols of the Republic of Azerbaijan or other countries, religious symbols;
 - violate common accepted moral norms.

The block of political parties must make agreement with the Central Election Commission usage of block's name, which cannot contain more than 5 words and its emblem in the election documents.

50.4. It is not allowed to change the names and emblems of blocks of political parties during the election processes.

Article 51. Authorized Representatives of a Political Party and a Block of Political Parties

51.1. Political parties and blocks of political parties appoint authorized representatives for participation in elections and for financial issues, in conformity with this Code.

51.2. The authorized representatives are appointed due to the decision of joint meeting of relevant political parties included in the block or representatives of political parties, or to the decision of their congress, conference or meeting of a managing body.

51.3. The authorized representative of a political party and block of political parties performs his/her functions on the basis of decision considered by paragraph 2 of this Article which contains the following:

- his/her powers;
- his/her name, surname, father's name, date of birth;
- the serial and batch number of his/her identification document or substitute document;
- address of residence;
- working place, occupation or official duty (service job) (if he/she does not have them – type of activity).

The authorized representative of a political party of block of political parties on financial issues performs his/her functions on the basis of decision considered by paragraph 2 of this Article which contains the following:

- samples of financial documents;
- samples of stamps for those documents.

51.4. The list of authorized representatives appointed by political parties and blocks of political parties shall be submitted to the Central Election Commission. Except for the authorized representatives of political parties and blocks of political parties on financial issues, the list of other authorized representatives is submitted to the Constituency Election Commission as well. The list of authorized representatives and blocks of political representatives must contain the following information upon each authorized representative:

- name, surname, father's name, birth date;
- serial and batch number of identification document or substitute document and date of issue;
- address of residence;
- main working place and occupation (if he/she does not have them – type of activity);
- telephone number.

The relevant list submitted to the Central Election Commission must be attached a written consent to be an authorized representative of each person.

- 51.5. Powers of representative can be terminated by the decision of authorized body of political parties and blocks of political parties, informing in writing. Copy of the decision on that must be transferred to the Central Election Commission.
- 51.6. The authorized representatives of political parties and blocks of political parties who are still working for government or municipality cannot use their occupation or service position during the elections processes.
- 51.7. Term of office of the authorized representatives of political parties and blocks of political parties commences from the day they are appointed and ends by the finish of status of candidacy of all candidates as well as candidates listed in the list nominated by political parties and blocks of political parties not later than general results of elections are officially published.

CHAPTER Ten. Nomination and Registration of Candidates During the Elections

Article 52. General Conditions for Nomination of Candidates During the Elections

- 52.1. Candidates can be nominated by voters or self-nominated during the elections. Candidates (list of candidates) can be nominated by political parties and blocks of political parties as well.
- 52.2. Nomination of candidates is possible after the following documents are submitted to the relevant Election Commission:
 - person's consent to participate in the elections as a candidate;
 - application on termination of activities incompatible with the elected post in elective government or municipal bodies.

A notification on start of collecting necessary signatures must be submitted to the relevant election commission at the same time of submission of abovementioned application.

Article 53. Nomination of Candidates *on Their Own Initiative or Directly by Voters*

- 53.1. Nomination of candidates is possible with the following conditions:
 - self-nomination or nomination by voters who have active suffrage;
 - submission of notification on collection of necessary signatures in support of candidate within their territory and on intention of registration of candidate.
- 53.2. Candidate or initiative group of voters which nominates a candidate notifies the relevant election commission on his/her/its initiative in writing. The notification must contain the following about each initiator and candidate:
 - name, surname, father's name, birth date;

- address of residence;
- serial and batch number of identification or substitute document

as well as the following about nominated candidate:

- name, surname, father's name, birth date;
- main working place or official duty (service job) (if he/she does not have them – type of activity);
- address of residence.

- 53.3. An application containing written consent of candidate on undertaking to terminate activities which are incompatible with the elected post in elective government or municipal bodies must be submitted together with the notification mentioned in paragraph 2 of this Article. This application contains information about his/her biography (name, surname, father's name, birth date, address of residence, education, main working place or official duty (service job), (if he/she does not have them – type of activity)). If candidates have sentence which is not served or cancelled, name and number of the relevant Article of the Criminal Code of the Republic of Azerbaijan must be recorded in their application. If a candidate has committed an action abroad which imposes a criminal liability and if the same action imposes liability established by the Criminal Code of the Republic of Azerbaijan, the application must contain name of the relevant law of the foreign country. The application of the candidate must also contain information about candidate's citizenship of the Republic of Azerbaijan as well as information about if a candidate has foreign citizenship or obligations in foreign countries.
- 53.4. A candidate can include information in the application on the basis of document which certifies his/her party affiliation, the party which was registered at least 6 months before the date of determination of the election day. In such circumstances a candidate comes to an agreement with the relevant election commission about naming his/her political party with not more than 5 words.
- 53.5. The relevant election commission must inform the candidate and initiative group of voters in writing about receipt of submitted documents, in conformity with the requirements of this Article.
- 53.6. The relevant election commission examines submitted documents within a 5 day period and makes a decision to the candidate or his/her authorized representative certifying nomination from the relevant constituencies. The relevant election commission cannot refuse from receipt of submitted documents.
- 53.7. Basis for refusal from submission of decision which certifies nomination of candidate can only be:
- documents mentioned in paragraphs 2-3 of this Article are not formalized as required;
 - violation of rules for nomination of candidates defined by this Code.

Article 54. Nomination of Candidates by Political Parties and Blocks of Political Parties

- 54.1. A political party makes a decision on nomination of candidate (list of candidates) in conformity with the charter of the political party. Such a decision must be made by voting, in a collegial order.
- 54.2. A candidate (list of candidates) nominated by block of political party shall be approved by each political party which is included in the block. A decision on nominating candidates (list of candidates) by the blocks of political parties is made in the meeting (congress, conference, meeting of managing body) of representatives of political parties. Authorized representatives who shall have the powers to make a decision on approval of candidate (list of candidates) nominated during the meeting of representatives of political parties included in the block of political parties will be determined during the congress (conference, meeting of managing body) of political parties.
- 54.3. The decision of political party and block of political party on nomination of a candidate (list of candidates) is formalized by the minutes. The minutes contain the following:
- 54.3.1. number of registered participants to take part in the meeting (congress, conference, meeting of managing body);
 - 54.3.2. number of participants required for adoption of decision considered by the agreement on creation of block of political parties;
 - 54.3.3. decision on nomination of candidates and results of voting for this decision;
 - 54.3.4. date of adoption of a decision.
- 54.4. A political party, block of political parties and a political party included in the block of political parties can nominate persons who are not members of relevant political party.
- 54.5. Authorized representatives submit the documents on candidates (list of candidates) nominated by political parties and blocks of political parties to the relevant election commission. These documents contain the following information about each candidate:
- name, surname, father's name, date of birth;
 - education;
 - main working place or official duty (if he/she does not have them – type of activity);
 - address of residence;
 - party affiliation with his/her own consent;
 - status or legal status in the political party.

Names (lists) of candidates are submitted in a format defined by the Central Election Commission, in typing or in another manner which can be read by machine.

- 54.6. Together with the names (lists) of candidates, the authorized representatives of the political party submits the following documents.

- 54.6.1. copy of certificate on registration of political party verified by notary office;
 - 54.6.2. copy of charter in effect of political party verified by notary office;
 - 54.6.3. decision of congress (conference, meeting of managing body) on nominating candidates and minutes of relevant meeting;
 - 54.6.4. power of attorney of authorized representatives of political parties, formalized in conformity with the rules defined by this Code.
- 54.7. Together with the names (lists) of candidates, the authorized representatives of the block of political parties submits the following documents:
- 54.7.1. decisions of congresses (conferences, meetings of managing bodies) of political parties included in the block of political parties on nomination of candidates and minutes of relevant meeting;
 - 54.7.2. decision, made at the meeting (congress, conference) of the representatives of political parties included in the block of political parties, on nomination of single list of candidates on behalf of block of political parties and minutes of relevant meeting;
 - 54.7.3. power of attorney of authorized representatives of block of political parties issued in conformity with the rules defined by this Code.
- 54.8. The authorized representative of political party and block of political parties submits documents mentioned in paragraphs 1-3 of this Article together with the candidate's application which contains:
- undertaking to terminate activities incompatible with the position if he/she is elected;
 - consent to be nominated as a candidate.

This application must also contain candidate's:

- surname, name, father's name, date of birth;
- address of residence;
- education;
- main working place or official duty including occupation (if he/se does not have it – type of activity);
- party affiliation with candidate's own consent, if the party is registered 6 months prior to the date of determination of the election day.

If candidates have a sentence which is not served or cancelled, name and number of the relevant Article of the Criminal Code of the Republic of Azerbaijan must be recorded in their application. If a candidate has committed an action abroad which imposes a criminal liability and if the same action provides for liability established by the Criminal Code of the Republic of Azerbaijan, the application must contain name of the relevant law of the foreign country. The application of the candidate must also contain information about candidate's citizenship of the Republic of Azerbaijan as well as information about if a candidate has foreign citizenship or obligations in foreign countries. If a candidates have a sentence which is not served or cancelled, this information must be recorded in the list.

54.9. The relevant election commission examines the submitted document within 5 days period and makes a decision to the authorized representatives of political parties and blocks of political parties on approval of candidates (list of candidates) nominated for relevant constituency or on refusal from approval of candidates (list of candidates), which is based on evidence. The relevant election commission cannot refuse the receipt of submitted documents.

54.10 The basis for refusal for submission of verified copy of names (list) of candidates to political party and block of political party can only be:

- documents mentioned in paragraphs 1-4 of this Article are not formalized as required;
- violation of rules for nomination of candidates defined by this Code.

54.10. The Central Election Commission and Constituency Election Commissions must create conditions for receipt of information about relevant nominated candidates.

Article 55. Ensuring Equal Status for Candidates During their Nomination

55.1. Except the circumstances defined by this Code, all candidates have equal rights and obligations. Candidates who occupy government or municipal positions are prohibited from abusing their position for getting superiority.

55.2. The following actions are considered an abuse of position or official duty for getting superiority by this Code:

55.2.1. to engage state or municipal officials who are subordinate employees with an activity which assists to be nominated as a candidate or to be elected as a deputy during their business hours;

55.2.2. to use buildings, where state bodies or municipalities are located, for the activities assisting to nominate a candidate or to be elected if other candidates or registered candidates cannot use them with the same conditions;

55.2.3. to use communication, information and telephone services which ensure activities of state bodies, state organizations or municipalities for the purposes of collecting signatures and election campaigning;

55.2.4. to use transport, which is state or municipal property, free of charge or with privileged conditions for the activities assisting to be nominated or to be elected (above mentioned circumstances do not concern the persons who use transport in conformity with the legislation of the Republic of Azerbaijan on state protection);

55.2.5. to involve state or municipal officials in collecting signatures or election campaigning during the period of their business trip;

55.2.6. to use mass media mentioned in Article 78.1 of this Code for collecting signatures or election campaigning with privileged conditions.

55.3. The following cannot implement charitable activities during the election campaigning processes:

- candidates;

- political parties and blocks of political parties which have nominated list of candidates;
- authorized representatives of political parties and blocks of political parties; as well as their founders, owners and proprietors;
- legal entities who are persons or organizations mentioned above;
- other physical or legal entities that are functioning on the request or task of persons mentioned above.

Persons and organizations mentioned above are prohibited to offer rendering financial and material assistance to other physical and legal entities, rendering financial and material assistance or services to voters or organizations. Physical and legal entities are prohibited from implementing charitable activities on behalf of political parties, blocks of political parties, their authorized representative and candidates or with the purposes of supporting them.

Article 56. Conditions for Collecting Voters Signatures in Support of Candidates (list of candidates)

- 56.1. Collection of signatures in support of candidates nominated by initiative groups of voters or self-nominated candidates starts from the day a relevant election commissions are informed about this in conformity with the rules defined by this Code. Collection of signatures in support of candidates (list of candidates) nominated by political parties and blocks of political parties from the date a decision mentioned in Article 54.9 of this Code has been adopted.
- 56.2. Signatures in support of candidates (list of candidates) must be collected within the area they have been nominated.
- 56.3. Signature sheets are prepared in a format attached to this Code. Each signature sheet must contain the following information about the candidate:
- working place or official duty (if he/she does not have them – type of activity);
 - address of residence;
 - name and number of constituency he/she has been nominated for.

If a candidate has a sentence which is not served or cancelled, name and number of the relevant Article of the Criminal Code of the Republic of Azerbaijan must be recorded in the signature sheet. If a candidate has committed an action which imposes a criminal liability and if the same action imposes liability considered by the Criminal Code of the Republic of Azerbaijan, the signature sheet must contain name of the relevant law of the foreign country.

- 56.4. The signature sheet may also contain name of the political party which has been recorded in the candidate's consent to be a candidate.
- 56.5. If a political party or a block of political parties collect signatures in support of a candidate within the relevant constituency, besides information about the candidates the signature sheet may contain name of a political party or a block of political parties which has nominated the very candidate; name of a political party and candidate's status in the political party if his/her application contains such information. A person

who shall collect signatures for a list of candidates must present a copy of the list of candidates verified by the Central Election Commission at the request of a voter.

Article 57. Rules for Collecting Signatures in Support of Candidates (list of candidates)

57.1. State bodies, municipalities and legal entities regardless their form of property are prohibited from participating in collection of signatures. It is prohibited to make voters sign the signature sheet or to pay any kind of rewards to them during signature collecting processes. If non observance of this prohibition is approved by a relevant court, it can be basis for:

- considering the collected signatures invalid;
- refusal from or cancellation of registering a candidate, registration of candidates, registration of a list of candidates and registered list of candidates.

57.2. A citizen of the Republic of Azerbaijan who is 18 years old and has active suffrage can collect voters' signatures. A candidate, political party and block of political parties can sign an agreement on collecting signatures with a person who shall collect voters' signatures. Payment for this job can be paid only from the election fund of a candidate, political party and block of political parties.

57.3. Signatures in support of candidates (list of candidates) can be collected in educational institutions, residential areas as well as other places which are not prohibited to conduct election campaign by the law.

57.4. A voter has the right to sign only once in support of a candidate or list of candidates (except the case mentioned in Article 216 of this Code), in accordance to his/her will. A voter records the following information upon signing the signature sheet:

- name, surname, father's name, date of birth;
- address of residence;
- serial and batch number of identification or substitute document; date of issue;
- date of signing the signature sheet.

Information about the voters required to be recorded can be recorded on the signature sheets by a person who collects signatures. Information mentioned above shall be recorded in handwriting.

57.5. While collecting signatures in support of candidates (list of candidates), each signature sheet must contain the following information about the candidate (first 3 candidates in the list of candidates):

- name, surname, father's name, birth date;
- main working place or official duty, occupation (if it does not exist - type of activity).

If the candidate (candidates) has a sentence which is not served or cancelled, name and number of the relevant Article of the Criminal Code of the Republic of Azerbaijan must be recorded in the signature sheet. If a candidate has committed an action abroad which imposes a criminal liability and if the same action imposes

liability considered by the Criminal Code of the Republic of Azerbaijan, the signature sheet must contain name of the relevant law of the foreign country and name (number) of the constituency.

57.6. While collecting voters' signatures in support of a candidate (list of candidates), the signatures can be recorded on front or reverse side of signature sheets. In such cases, the reverse side of the signatures sheets is considered a continuation of the front page and verifying signatures are recorded on the reverse side.

57.7. A signature sheet is signed by a person who collected the signatures and by a candidate after collection of signatures has been completed. Before signing the signature sheet, a person who collected them records the following information about him/her:

- surname, name, father's name;
- address of residence;
- serial and batch number of identification or substitute document; date of issue.

The signature sheet contains also a candidate's surname, name, father's name and date of signing.

57.8. A signature sheet is signed by a person who collected signatures in support of list of candidates and by an authorized representative of a political party or block of political parties after collection of signatures has been completed. Before signing the signature sheet, a person who collected them records the following information about him/her:

- surname, name, father's name;
- address of residence;
- serial and batch number of identification or substitute document; date of issue.

Relevant authorized representative records his/her surname, name, father's name and date of signing.

57.9. After a political party, block of political parties and initiative group of voters which has nominated a candidate informs the relevant election commission about nomination of the same candidate in writing, they can collect necessary number of signatures in support of the candidate together. In such cases, it is not allowed to bring together voter's signatures in support of the candidates collected by different person.

57.10. Initiators of the nomination of a candidate, authorized representatives of a candidate, political party or block of political parties shall count the number of voters' signatures collected in support of the nominee, draw up and sign the protocol on results of collection of voters' signatures.

57.11. After signatures in support of list of candidates have been collected, authorized representatives of political parties and block of political parties calculate the total number of signatures. A protocol on results of calculations of signatures shall be drawn up and signed by the authorized representatives of political party, block of political parties.

- 57.12. The number of voters signatures on signature sheets submitted to the election commissions should not exceed 15% than the required number defined by this Code.
- 57.13. Signature sheets submitted to relevant election commissions should be numbered and paged. Signature sheets in support of list of candidates should be paged in the form of a folder.

Article 58. Submission of election documents for registration of a candidate (list of candidates)

- 58.1. For registration of nominated candidates, authorized representatives of the candidates, political party and block of political parties shall submit the following documents to the relevant constituency election commission at earliest 55 days and at latest 35 days prior to the voting day before 1800:
- 58.1.1. signature sheets, which include voters signatures in support of candidates;
 - 58.1.2. 2 copies of protocols on results of collecting signatures prepared in a form defined by the Central Election Commission;
 - 58.1.3. notification on changes made to the information about the candidates, submitted according to the Articles 53.3. and 54.8. of this Code;
 - 58.1.4. information on the amount and sources of candidate's income;
 - 58.1.5. information on the candidate's property on the basis of ownership right;
 - 58.1.6. candidate's initial financial report (including information on funds spent for organization of collection of voters signatures).
- 58.2. Authorized representatives of political party and block of political parties should submit the following documents to the Central Election Commission at earliest 105 and at latest 55 days prior to the election day before 1800 for registration of list of candidates:
- 58.2.1. signature sheets, which include voters signatures in support of a list of candidates;
 - 58.2.2. 2 copies of protocols on results of collecting signatures prepared in a form defined by the Central Election Commission;
 - 58.2.3. information on changes made later to the copies of a list of candidates submitted before in accordance with the Articles 54 of this Code;
 - 58.2.4. information on amount and sources of income of each candidate;
 - 58.2.5. information on property of each candidate, on the basis of ownership right;
 - 58.2.6. initial financial report of political party and block of political parties (including information on funds spent for organization of collection of voters' signatures).
- 58.3. Information on amount and sources of income of the candidate for the period of the previous one year should be submitted in a format defined by the Central Election Commission starting from the day of determination of the Election Day. At the same time, a reference on summary of annual income from the income source organizations should be submitted. Information on property owned by the candidate should be submitted in a form mentioned "Annex #4". The Central Election Commission shall define the list of information of candidate's property and income to be published.

- 58.4. When receiving election documents, election commissions shall approve each folder containing signature sheets with their stamp, check if number of submitted signature sheets match with the number recorded in the protocol on results of collecting signatures, then having recorded the date and time of their receipt and provide the candidate, authorized representatives of political party and block of political parties with a reference on receipt of election documents with indication of number of the signature sheets and number of announced signatures. If above-mentioned persons submit relevant documents to relevant election commission before the time mentioned in the paragraphs 1-2 of this Article, they cannot be refused receipt of documents; authorized representatives of a candidate, political party and block of political parties cannot be obstructed to enter a relevant building.
- 58.5. A bank document on transfer of voluntary registration deposit at the amount of 25% of the relevant election fund's threshold to the account of the election commission carrying out the registration can be presented to the relevant election commission when submitting the election documents for registration of a candidate (list of candidates). Cases of return of the registration deposit by the election commission is determined by Article 60.3 of this Code.

Article 59. Checking accuracy by Election Commissions of signature sheets and documents submitted by candidates, political parties, block of political parties

- 59.1. The relevant election commission shall check correctness of the information in the documents defined by this Code and in the signature sheets of each candidate and whether the information of nominating the candidates in compliance with the requirements of this Code. According to this Code, the relevant election commission has the right to check accuracy of information about biography and other information submitted by a candidate, political party, block of political parties in accordance with this Code.
- 59.2. The election commission can apply to the relevant bodies with a purpose to check accuracy of information and facts submitted in accordance with this Code. Those bodies must inform the election commissions about the results of examination within the period defined by the election commission, but if there are 45 days remaining prior to the voting day the information must be provided within a one-day period. The relevant election commission can make a decision on creating working groups consisting of experts invited to check accuracy of signatures and relevant information. The (The Such) working groups should be chaired by the member of the commission that forms the group. Independent experts, experts of the relevant bodies as well as specialists of bodies and organizations carrying out registration of population can be invited after (being paid) ~~payment~~ of a fee established by the Central Election Commission. Their opinion shall be accepted, as a basis, which approves that information in the signature sheets, is not accurate. The election commissions can use the state voters registration system to check accuracy of information in signature sheets.
- 59.3. At least 15% of signatures required for registration of each candidate (list of candidates) must be checked. For initial examination, an equal number of signatures collected in support of each candidate (list of candidates) should be investigated. Signature sheets to be examined shall be selected by draw. Rules for draw shall be

defined by the Central Election Commission. Candidates, their authorized representatives, authorized representatives of political party, block of political parties, authorized representatives of political party and block of political parties which have nominated list of candidates can be present in the relevant election commission while casting lots and checking signature sheets. The relevant election commission must inform the above-mentioned persons about each draw and examination of documents in advance. The election commission cannot refuse or obstruct above-mentioned persons sent by a candidate, political party and block of political parties to participate in these actions. All signatures selected for investigation must be examined.

- 59.4. Accuracy or incorrectness of voters' signatures can be approved due to results of investigation.
- 59.5. Crossed out signatures in the signature sheets of the persons who have nominated a candidate (a list of candidates) are not checked and registered if persons who collect signatures made relevant notes on it before they submit the signatures sheets to the relevant election commission.
- 59.6. If a signature of one person appears several times while checking them, only one signature is considered valid, others are considered incorrect.
- 59.7. The following signatures are also considered incorrect:
 - 59.8.1 The signatures of voters who do not have the right to vote or noted incorrect information based on the opinion of invited specialists to the work of election commission according to the 3rd paragraph of this Article or based on the reference given by relevant executive authority;
 - 59.8.2. Signatures of voter entered into signature sheets (before the approval of the copies of candidates' list) before the invitation about notification of the candidate is sent to relevant election commission;
 - 59.8.3. Signatures of voters who did not record relevant information required by this code;
 - 59.8.4. Signatures considered invalid in accordance with violation of requirements of Articles 57.1 and 57.4 of this Code;
 - 59.8.5. Signatures recorded by one person on behalf of several persons;
 - 59.8.6. Signatures, which are not recorded in hand writing or recorded by pencil;
 - 59.8.7. If dates of signatures have been changed in the signature sheets, these signatures are considered correct if the person who approves signature sheets certifies them also;
- 59.9. All of the signatures in the signature sheets are considered invalid if signature sheets are not certified with signature of the person who collected them, also by the authorized representative of candidate, political party, a block of political party or if signature of authorized representative is not correct.
- 59.10. If several persons sign for one voter or one person signs for several voters all of these signatures are considered invalid in accordance with written conclusion of experts invited according to the 2nd paragraph of this Article;

- 59.11. If a written line in a signature sheet does not fulfill the requirements of this law only this line where signature is invalid, except the cases mentioned in paragraph 6 & 9 of this Article;
- 59.12. According to the 6th and 9th paragraph of this Article if signatures are not defined during examining accuracy of signatures and calculating accuracy of quantity of signatures, changes and notes made by determined way in signature list shouldn't be reason to consider the signature invalid.
- 59.13. During checking of signatures if the quantity of invalid signatures is more than 10% of selected signatures for check, the additional 10% of voter signatures required for registration should be examined in above mentioned way.
- 59.14. According to the 13th paragraph of this article, the checking process is stopped and candidate (list of candidates) is not registered if the quantity of incorrect signatures is more than 10% of total quantity of the checked signatures.
- 59.15. Candidate (list of candidates) is not registered if the number of signatures is less than required number for registration after invalid signatures have been removed.
- 59.16. Head of working group and member of relevant election commission who has decisive right to vote prepare a protocol on results of checking signature sheets of each candidate (list of candidates), then sign it and give to Election Commission for a relevant decision. The protocol indicates the number of checked signatures of voters and number of invalid signatures with a note of reason. The protocol is attached to the relevant decision of Election Commission. A copy of the protocol is submitted to a candidate, authorized representative of political party, a block of political parties at least 24 hours prior to the meeting of election commission, which deals with registration of candidate (list of candidates). A candidate, a political party, a block of political parties have the right to get following documents if signatures are less than the required quantity of voter signatures or if more than 10% of signatures have been considered invalid during examination of signatures:
- Copy of the protocol approved by the head of working group.
 - Reasons for considering signatures invalid including number of a relevant folder and number of line in relevant signature sheet
 - Copy of the working-table on results of examination.

Article 60. Registration of Candidate (List of Candidates)

- 60.1. The relevant election commission has to make a decision based on registration or refusal of submitted list of registration of candidate (list of candidates) after receiving of signature sheets and other required documents for the registration of candidate (list of candidates) within a 10 days period. If the registered candidate is nominated by political parties or block of political parties, relevant election commission mentions in registration report, that candidate is nominated by political party, block of political parties. Registration date and time is indicated in decision of registration or refusal of registration.

- 60.2. Relevant election commission has to submit the copy of the decision on registration of candidate (list of candidates) after acceptance of decision within 1 day to the following and if there is a refusal of registration the reasons must be clarified:
- To a candidate, elector that nominated candidate and voters
 - Authorized representatives of political parties or block of political parties that nominated candidate.

The followings can be reasons for the refusal:

- 60.2.1 Violation of the rules of collecting signatures determined by this Code;
- 60.2.2 Incorrect formalizing and lack of documents mentioned in Articles 43, 54 and 58 of this Code.
- 60.2.3 If number of submitted valid signatures of voters in support of candidate (list of candidates) is less than required number or if more than 10% of checked signatures of voters are invalid;
- 60.2.4. If information submitted by the candidates, political parties and block of political parties is not correct according to this Code (if the information about separate candidates is not correct in the list of candidates nominated by political parties, block of political parties only these candidates' names can be crossed out from approved list of candidates by this reason.)
- 60.2.5. If the rules for the creation of election funds of candidate, political party, block of political party and expenditure rule of relevant election fund have been violated;
- 60.2.6. Violation of the requirements of Article 55 of this Code by the authorized representatives of political party, block of political parties as well as by candidate, political parties or block of political parties;
- 60.2.7. Other reasons established by this Code.
- 60.3. If a candidate (list of candidates) are not registered based on grounds indicated in Article 60.2.1. of this Code, within 3 days after reception of a copy of the refusal on registration a candidate, managing body of a political party (block of political parties) that nominated the list of candidates can apply to the relevant election commission for registration on condition of return of the registration deposit. In such case, the relevant election commission registers the candidate (list of candidates) within 2 days. In all other cases, the registration deposit is returned to the relevant candidate, the political party (block of political parties) that nominated the list of candidates 3 days after the election commissions makes decision on registration or refusal on registration.
- 60.4. If the cases of legal violation subject to criminal and administrative liabilities have been established, the election commission transfers relevant document and materials to law enforcement bodies to investigate the case and institute proceedings against these persons being guilty on violation of this Code.
- 60.5. If the election commission establishes that the information submitted by a candidate, political party, block of political parties, according to the Articles 53, 53 and 58 of this Code, is invalid after the registration of candidate (list of candidates), the election commission can make a decision to cancel a candidate's registration up to 10 days prior to election day. The election commission can apply to the court inviting the

cancellation of candidate's registration (to remove the candidate's name from list of candidates) if less than 10 days are left to the Election Day.

- 60.6. The card of registration is issued to each registered candidate. Relevant election commissions inform mass media about registered candidates (candidates existing in the list of candidates) in a relevant constituency, within 48 hours after registration. The Constituency Election Commissions display the information about registered candidates (list of candidates) on special boards, indicated in the Article 99 of this Code, in the rooms of election commission at least 15 days prior to the Election Day. The information about canceling of registration of candidate (list of candidates), about the changes in the structure of block of political parties, removing candidate from the registered list of candidates is displayed with same way.

CHAPTER Eleven. Registration and Establishing of Campaign Groups on Referendum.

Article 61. Meaning of campaign group on referendum.

A campaign group on referendum is an organization established by the citizens of the Azerbaijan Republic having an active election rights with the reason of conducting for or against a campaign of the issues to be discussed at a referendum.

Article 62. Activity principles of Campaign Groups on Referendum.

- 62.1. The campaign groups on referendum taking part in referendum campaign must follow the following principles:
- 62.1.1. To respect the right of other referendum campaign groups to freely and independently express their views during the referendum campaign;
 - 62.1.2. To respect freedom of the press;
 - 62.1.3. To establish all of the required and possible conditions to other referendum campaign groups for establishing independent communication with voters;
 - 62.1.4. Not to hamper to the work of the representatives of mass media, engaged in their professional activities and not violate and interfere with the campaigns of other referendum campaign groups;
 - 62.1.5. Not to hamper the distribution of pre-referendum campaign materials of other referendum campaign groups;
 - 62.1.6. Not to destroy and spoil pre-referendum campaign poster and other kind of campaign materials of other referendum campaign groups;
 - 62.1.7. Not to hamper to conduct of pre-referendum mass-actions of campaign groups on other referendum;
 - 62.1.8. To cooperate with election organs and their official persons for the conducting of referendum independent, free, organized and safe;
 - 62.1.9. Not to interfere with voters to freely and independently express their will;
 - 62.1.10. To respect observers and authorized persons and to cooperate with them;
 - 62.1.11. To keep the secrecy of voting and to assist in maintaining it;
 - 62.1.12. Not to win over to voters to their side by the ways of illegal actions;
 - 62.1.13. Not to interfere with the activities of authorized persons, election (referendum) commissions without grounds. Not to violate the process of voting and calculating of votes;

- 62.1.14. To accept legally approved results of referendum, to submit every single complaint regarding the referendum to authorized bodies and to follow the decision regarding this complaint of the same body;
 - 62.1.15. Not to make a speech calling to violence, threat or characterized with slander and not to distribute such kind of materials during referendum campaign;
 - 62.1.18. Not to use government, municipality and other public resources, which are not provided for in this Code;
 - 62.1.19. Not to persuade voters to vote or not to vote for or against of the issues to be discussed at referendum by offering a gift to them or by other ways;
 - 62.1.20. Not to use the activity or assistance of any official person, directed to support or not to support of the issues to be discussed at referendum;
- 62.2. To follow the principles mentioned in the paragraph 1 of this Article by the campaign groups on referendum is voluntarily, except the compulsory cases determined by the law of Azerbaijan Republic.

Article 63. Establishing Initiators of a Campaign Group on Referendum.

- 63.1. The initiators of establishing of a campaign group on referendum can be citizens of Azerbaijan Republic and have an active voting right.
- 63.2. The initiators of establishing of a campaign group on referendum, which are no less than two thousand (2000), submit a written notification to Central Election Commission. The notification is submitted to the Constituency Election Commission which is situated in territory inhabited by 75% of initiators, if the number of the initiators of establishing of campaign group on referendum is more than 500 and less than 2000. The following details of each initiator should be mentioned in the notification:
- Name, surname, father's name,
 - Date of birth
 - Address
 - The serial and number of ID or substitute document
 - Permanent work or service place
 - Rank (if no rank – type of activity)

The list of the authorized representatives of the initiators of establishing of campaign group on referendum is attached to the notification.

- 63.3. Within 5 days the relevant election commission has to give written information to the initiators about the received notification.

Article 64. The Limitations of the Establishing of a Campaign Group on Referendum.

The following people cannot be initiators of establishing of campaign group on referendum:

- The citizens of Azerbaijan Republic who dual citizenship,
- Military servants,
- State servants

- Clerics
- Persons who are sentenced on custodial by the law of the court, which came into force
- judges

Article 65. The Authorized Representatives of the Initiators of Campaign Group (campaign group) on Referendum

- 65.1. The initiators of a campaign group on referendum can appoint an authorized representative (representatives) in order to organize the collection of the required signatures and with the purpose of conducting other actions provided for this Code, on behalf of the initiators of campaign group on referendum. The number of the authorized representatives of campaign groups on referendum, which are registered in the Central Election Commission, must not be more than 25 persons. But the number of the authorized representatives of campaign groups on referendum, which are registered in Constituency Election Commission, must not be more than 5 persons.
- 65.2. After the registration of a campaign group, the authorized representatives of the campaign groups on referendum, mentioned in the paragraph 1 of this article, can maintain their authorities according to the decision of initiative group on referendum.
- 65.3. The appointment of the authorized representative of campaign group on referendum is conducted by the way of giving power of attorney approved by notary office to a person, who meets the requirements of Article 64 of this Code. That power of attorney must be given on behalf of all initiators of campaign groups on referendum.
- 65.4. The authorized representative of a campaign group on referendum is carrying out his functions, describing his authorities, name, surname, father's name, date of birth, serial and number of ID, work place, duty or service job ((official duty) if no duty - type of activity) based on the document in accordance with the 2nd paragraph of this Article. The authorized representative on finance is carrying out his functions, describing the samples of the finance documents and stamps, based on the document in accordance with the 2nd paragraph of this Article.
- 65.5. The lists of the authorized representatives, which are appointed by a campaign group on referendum, are submitted to the election commission that registered same group. The list of other authorized representatives is submitted to Constituency Election Commission, except the authorized representatives of a campaign group on referendum on finance matters. The following information about the authorized representatives must be mentioned in the list of authorized representatives of a campaign group on referendum:
- Name, surname, father's name,
 - Date of birth,
 - Serial, number and issue date of ID or a substitute document,
 - Home address,
 - Place of work or duty (if no duty – type of activity)
 - Phone number.

The written consent letter of being an authorized representative for each person should be attached to the relevant list submitted to relevant election commission.

- 65.6. It is possible to put an end to the authorities of a representative by informing him of the decision of campaign group on referendum in written form. The copy of this decision should be sent to the election commission and the constituency election commissions, which registered this group in. The members of campaign group on referendum accept this decision with the majority of members voting and sign it.
- 65.7. The authorized representatives of a campaign group on referendum, still working as state and municipality officials, cannot use from their duties or official position during the process of referendum.
- 65.8. The term of power of the authorized representatives of a campaign group on referendum begins from their appointed time and finishes no later than official publication of the results of referendum.

Article 66. Collection Rule of Voters Signatures for Establishing of a Campaign Group on Referendum

- 66.1. Government bodies, municipalities and the legal entities regardless of the form of their ownership are not permitted to take in part in the collection signatures. During the collection of signatures, to enforce the voter to vote or to give a gift to them for this purpose is prohibited. If the violation of these requirements is proved by the relevant court, it can be a reason to consider invalid the collected signatures, for the refusal of campaign group on referendum from registration or for the canceling of registration.
- 66.2. A citizen of Azerbaijan, who is 18 years old and fully capacitated, can collect signatures. A campaign group can conclude a contract with the person who is collecting signatures about the collection of signatures. Such kind of expenses may be paid from the special fund of campaign group on referendum.
- 66.3. Signatures of voters can be collected in educational institutions, places of residence and in the places of not prohibited by law for conduction of the pre-election (pre-referendum) campaign.
- 66.4. If the initiators establishing a campaign group on referendum intend to conduct pre-referendum campaign in all territory of Azerbaijan Republic, they have to collect minimum 51,000 voters signatures about the agreement to membership in campaign group on referendum from territory of 51 election constituencies. In this case the number of the potential members of campaign group on referendum cannot be less than 500 persons from one election constituency.
- 66.5. If the initiators establishing a campaign group on referendum intend to conduct pre-referendum campaign in one part of the territory of Azerbaijan Republic, they have to collect minimum 1,000 voters signatures of the membership in the campaign group on referendum, in the territory of every single election constituency, which is provided to conduct pre-referendum campaign.

- 66.6. The number of the required voter signatures for the establishment of a campaign group on a referendum must not be more than 15 per cent of the number determined by this Code.
- 66.7. According to his will, the voter has a right to sign only once to the membership in campaign group on referendum. Voter writes down his name, surname, father's name, date of birth, home address, serial, number and issue date of ID or a substitute document and names the date, while he signs the signature sheet. The data considered necessary to be written down about signing voters, can be fulfilled into the signature sheets by signature collecting person. The aforementioned data are written by hand.
- 66.8. Signatures are signed on the front and back sides of signatures sheet during collecting of voter signatures. In this case the back side of the sheet is continuation of front side and approving signatures are signed on the back side.
- 66.9. After the collecting of signatures, the signature sheet is signed by the authorized representative of initiators of campaign group on referendum and a person who collected signature. Signature collector writes down his name, surname, father's name, home address, serial, number and issue date of ID or a substitute document before he signs the signature sheet.
- 66.10. The authorized representative of initiators of a campaign group on referendum calculates the quantity of collected signatures, compiles the protocol of the results of collected voter signatures and signs it.
- 66.11. Signature sheets, which are submitted to Central Election Commissions and constituency election commission must be numbered and paged. Signature sheets must be paged in the form of folder for the registration of the campaign group on referendum.

Article 67. Submission of Documents for Registration of a Campaign Group on Referendum.

- 67.1. If the signatures necessary for registration of a referendum campaign group have been collected in one or more than one constituency's territory in accordance with Article 66.5 of this Code, the documents mentioned in the paragraph 2 of this Article shall be submitted to relevant constituency election commission on the territory where these signatures were collected; the initiators establishing the campaign groups on referendum, who collected voter signatures as mentioned rule in the article 66.4 of this Code, shall submit the documents to Central Election Commission, as mentioned in the paragraph 2 of this article.
- 67.2. The authorized representative of the campaign group on referendum has to submit the following documents to the relevant election commission before 1800 at the earliest 65 days and no later than 45 days before to the election day for the registration of above mentioned group:
- 67.2.1. Signature sheets with the collected signatures;

- 67.2.2. Two copies of protocol compiled in the form of determined by Central Election Commission about results of collection of voter signature;
- 67.2.6. The initial finance report of the initiators of the campaign group on referendum (including information about the expenses spent for collection of voters signatures)
- 67.3. Upon accepting documents, election commissions verify each folder by affixing a stamp. Then election commissions shall check the conformity of the quantity of signature sheets with protocols on results of the collection of voters' signatures. Then, election commissions shall provide authorized representatives of initiators of a campaign group on referendum with written notification of acceptance of election documents and with indication of numbers of signatures sheets and announced numbers of signatories and time of acceptance. If relevant documents submitted by these persons to relevant election commission before expired time as mentioned in Paragraph 1 and 2 of this Article, the acceptance of these cannot be refused and there will not be any restriction for the entrance of authorized representative of initiators of campaign group on referendum to the relevant building.
- 67.4. Registration of a campaign group on referendum is conducted after submission of voters' signatures to the relevant election commission.

Article 68. Examination of Voter Signatures Required for the Registration of Campaign Groups on Referendum.

The examination of required voter signatures for the registration of campaign groups on referendum is carried out according to the rules of article 59 of this Code.

Article 69. Registration of Campaign Group on Referendum.

- 69.1. The relevant election commission has to make a decision on registration or refusal of registration of a campaign group on referendum after receiving signature sheets and other required documents for the registration of campaign group on referendum within a 10 days. The date and time is indicated on the decision of registration or refusal of registration. The registration of a campaign groups on referendum continues until 60 days before election day.
- 69.2. The relevant election commission has to submit the copy of the decision on registration of a campaign group on referendum after acceptance of decision within 1 day to the authorized representatives of the campaign group on referendum and if there is a refusal of registration the reasons must be clarified. The followings can be reasons for the refusal:
 - 69.2.1. Violation of the rules on collecting signatures determined by this Code;
 - 69.2.2. Incorrect formalizing and lack of documents mentioned in Articles 64, 65.4, 66.4, 66.5 and 67.2 of this Code.
 - 69.2.3. If number of submitted valid signatures of voters in support of the registration of campaign groups on referendum is less than required number or if more than 10% of checked signatures of voters are invalid;

- 69.2.4. If the rule for the creation of finance funds of campaign group on referendum and expenditure rule of that fund have been violated;
 - 69.2.5. Violations on the requirements of the Article 65 of this Code by the authorized representatives of initiators of campaign group on referendum;
 - 69.2.6. Other reasons considered by this Code.
- 69.3. If the cases of legal violation are subject to criminal and administrative liability, the election commission transfers relevant document and materials to law enforcement bodies to investigate the case and institute proceedings against these persons being guilty on violation of this Code.
- 69.4. The card of registration is issued to each registered authorized representative of campaign group on referendum. Central Election Commission submits the information about registered campaign groups on referendum to mass media, within 48 hours after registration. The Constituency Election Commissions display the information about campaign groups on referendum on a special boards, in accordance with this Code, in the rooms of election commission minimum 15 days before voting day.

CHAPTER Twelve. Status of Registered Candidates and Referendum Campaign Groups

Article 70. Equality of Registered Candidates and Referendum Campaign Groups

- 70.1. All of the registered candidates and campaign groups on referendum have equal rights and responsibilities except in cases defined by this Code.
- 70.2. Registered candidates, the initiators of campaign group on referendum working in state bodies and municipality organizations or in mass media on the legal basis of labor and civil contract are released from their employment during the participation in election (referendum) campaign. The approved copy of relevant order (statement) is submitted to election commission who registered them, at the latest within 3 days from the day of registration. They are prohibited to abuse their positions of authority to gain privileges.
- 70.3. The registered candidates fulfill their duties working in state positions determined by relevant executive authority as well as the candidates, initiators of campaign group on referendum who are elected municipal officials are prohibited to abuse their positions of authority to gain privileges.
- 70.4. The violation cases of equality principles with the purpose of getting privileges by abusing occupation and position is determined by the article 55.2. of this Code.
- 70.5. The registered candidate, the initiators of campaign group on referendum who occupy state positions determined by relevant executive authorities and elected municipal officials have the right to conduct pre-election (pre-referendum) campaign, when they are released from the fulfillment of their duties. According to the article 81 of this Code the free usage of TV and radio programs by registered candidate and registered campaign groups on referendum are not regulated by these rules.

- 70.6. If the officials, journalists working in TV and mass media, or creative persons are registered candidates, the initiators of campaign group on referendum or the agents of the registered candidates, political parties, blocks of political parties, campaign groups of on referendum or the authorized representatives of the political party, block of political parties, campaign groups of on referendum, they are prohibited to participate in reporting of elections (referendum) by the means of mass media.
- 70.7. Observation of limitation specified by this Code should not impede deputies and municipal members to perform their authorities and duties before voters.
- 70.8. The following persons are not permitted to conduct charity activities:
- Registered candidates, political parties and blocks of political parties,
 - The agents and authorized representatives of political parties, blocks of political parties and campaign groups on referendum,
 - The agents of registered candidates,
 - The initiators of establishing of campaign groups on referendum,
 - Organizations, which are founders, owners, members or employees of abovementioned persons.
 - Other physical or legal entities who function due to the instruction of abovementioned persons or organizations

The aforementioned persons and organizations are prohibited to apply to legal entities and individuals and voters for proposals to render material, financial or other services. The legal and physical entities are prohibited to conduct charity activity in support and on behalf of the candidates, registered candidates, political party, block of political parties, members of campaign group on referendum, their authorized representatives and agents.

Article 71. Insurance of Registered Candidate's Activity.

- 71.1. The management bodies of relevant organization, where the candidate is studying, working, serving or commander of military unit where candidate is serving must release the candidate for the period mentioned in their report, effective from the day of registration of candidate until the day of official announcement of results of elections. Relevant election commission has to pay to candidates average wage in amount of salary that is no more than 20 times of minimum salary determined by legislation, unless other amount stipulated by this Code, from the budget allocated for the preparation and conduction of election, during his release from employment. Money compensation is paid to registered candidate on the basis of statement which proves the unpaid leave from their working (studying) or servicing place for the period of his release from employment.
- 71.2. Transport expenses are paid to registered candidate from the day of registration of candidature until the day of official announcement of results of elections determined by this Code. Expenses spent for taxi and ordered transport services are not paid. Expenditures for travels in cities and inter cities are paid on the basis of submitted travel tickets.

- 71.4. Registered candidate cannot be dismissed from his/her job, service, educational institution on the initiative of his/her employer, cannot be transferred to another job (to study or to serve) in other place without his agreement or cannot be sent on business trip and cannot be conscripted to military service military courses of instruction within the period of time mentioned in the 1st paragraph of this Article. The participation time of registered candidate in elections is included in his/her professional service years from the day of registration.
- 71.5. Within the period of time mentioned in the 1st paragraph of this Article, the registered candidate cannot be indicted for a crime without the permission of the relevant prosecutor or be arrested and subjected to administrative penalties without the decision of the court after he/ she has been registered. If the relevant prosecutor or court give such kind of permission or makes decision, they have immediately to inform the election commission where the candidate has been registered.
- 71.6. The registered candidate, the political party which has registered list of candidates, the authorized representatives of block of political parties can obtain the list of precinct election commission, the addresses of voting stations and an information about the territory, address and phone numbers of electoral precincts from relevant Constituency Election Commission.

Article 72. Participation Principles of Registered Candidate in Elections.

- 72.1. The registered candidate participating in elections has to obey the following principles:
- 72.1.1. To respect the political ideas and opinions to be distributed independently and freely by other registered candidates during election campaign;
 - 72.1.2. To respect the rights of other registered candidates, political parties, voters and social organizations;
 - 72.1.3. To respect the freedom of the press;
 - 72.1.4. To establish all of the required and possible condition to other registered candidates for establishing independent communication with voters;
 - 72.1.5. Not to obstruct to the work of the representatives of mass media, which are engaged in their professional activities and not violate and interfere with the election campaigns of other registered candidates;
 - 72.1.6. Not to obstruct to the distribution of pre-election campaign materials of other registered candidates;
 - 72.1.7. Not to destroy and spoil pre-election campaign posters and other kind of campaign materials of other registered candidates;
 - 72.1.8. Not to obstruct the conduct of pre-election mass-actions of other registered candidates;
 - 72.1.9. To cooperate with election organs and their official persons for the conducting of elections independent, free, organized and safe;
 - 72.1.10. Not to interfere with voters while they are expressing their will freely and independently;
 - 72.1.11. To respect observers, authorized persons and to cooperate with them;
 - 72.1.12. To keep the secrecy of voting and to assist in keeping it;
 - 72.1.13. Not to win over voters by the ways of illegal actions;

- 72.1.14. Not to interfere to the activities of authorized persons, election commissions. Not to violate the process of voting and calculating of votes;
 - 72.1.15. To accept the legally approved results of elections, to submit every single complaint regarding to elections to authorized bodies and to follow the decision regarding to this complaint of same body;
 - 72.1.16. Not to make a speech calling to violence, threat or characterized with slander and not to distribute such kind of materials during election campaign;
 - 72.1.17. Not to use from his/her political authority for offering reward or for threatening someone;
 - 72.1.18. Not to use state, municipality and other social resources, which are not provided for in this Code;
 - 72.1.19. Not to inveigle voters not to vote or to vote for or against of the registered candidate and registered party for candidacy, by putting pressure on voters, offering a gift to them or by other ways;
 - 72.1.20. Not to force voters to nominate or not to nominate their candidacy, to withdraw or not to withdraw their candidacy by putting pressure on voters, offering a gift to them or by other ways;
 - 72.1.21. Not to use from the activity or help of each official person, directed to support or not to support of candidate;
- 72.2. To follow the principles mentioned in the paragraph 1 of this article by candidates is voluntarily, except the compulsory cases determined by the law of the Azerbaijan Republic.

Article 73. Agents.

73.1. The registered candidate, political party or block of political parties which have registered list of candidates, campaign group on referendum have the right to appoint an agent. The agents are registered by relevant election commission which registered a candidate (list of candidates) , campaign group on referendum. The agents are registered within three days from the day of receipt of written application of candidate or application about the appointment of agents of political party, block of political parties, campaign group on referendum as well as written consent of being agent. The following information about each agent must be mentioned in presentation or in requisition:

- Name, surname, father's name,
- Date of birth,
- Work place,
- Occupation (type of activity)
- Home address
- Serial, number and issue date of ID or substitute document

The rules, defined in the Articles 51 and 65 of this Code, apply to relevant applications of political parties, block of political parties and campaign groups on referendum.

73.2. The agents receive a verification card from relevant election commission.

- 73.3. The agent conducts campaigning on referendum and other kind of activities in assisting for the election of registered candidate, candidates in list of candidates. The agents have observer rights.
- 73.4. Registered candidates, political parties, block of political parties, campaign group on referendum, which appointed the agents, can withdraw these persons and appoint another persons instead of them by the way of informing relevant election commission. If there is such kind of information, election commission cancels the verification card of withdrawn agent. Anytime with his/her own initiative, the agent can resign from his/her position and return his/her card to relevant election commission by informing registered candidate, as well as political party, block of political parties and a campaign group on referendum.
- 73.5. The authorities of agent commence from the day of their registration by the relevant election commission and shall finish no later than the official publication of election (referendum) results, including not later than the day when the final decision of court is made in case of investigating complaints on violation of this Code, except the cases mentioned in the 4th paragraph of this Article. Authorities of agent also finish when the status of all candidates and referendum campaign groups that agents represent is lost.

Article 74. Candidate's Refusal from the Status of Candidacy.

- 74.1. The nominated candidate can withdraw his /her application of consent to be candidate any time, by informing the relevant election commission. Such kind of written information cannot be withdrawn.
- 74.2. The registered candidate (who is in the list of single candidates) can withdraw his/her candidacy by submitting a written application to the relevant election commission minimum three days prior to election day. Such kind of application cannot be withdrawn. The Constituency Election Commission makes a decision on canceling of candidate's registration within one day on the basis of received application. The relevant election commission has to get the fund back, given to him from the budget, if a registered candidate withdraws his/her candidacy without compelling reasons.
- 74.3. The compelling reasons for withdrawing candidacy of registered candidate as well as the compelling reasons withdrawing candidates of political party, block of political parties are meant:
- If a registered candidate has been found incapacitated by the court,
 - If he/she has an illness that seriously affects his/her health.

The compelling reasons of withdrawing the list of candidates of political party, block of political parties are meant the death of the first three candidates or they are considered dead or more than 25% of them to be removed from the list of candidates by this reason.

CHAPTER Thirteen. PRELECTION (PREREFERENDUM) CAMPAIGN

Article 75. Conducting of Pre-election (Pre-referendum) Campaign.

75.1. The followings have the right to conduct pre-election and pre-referendum (hereinafter pre-election campaign) campaign:

75.1.1. Campaign groups on referendum;

75.1.2. The registered candidates for participating in the elections of deputies of the Milli Majlis;

75.1.3. The political parties, blocks of political parties, which have the registered list of candidates for participating in the elections of deputies of the Milli Majlis;

75.1.4. The registered candidates for participating in the presidential elections;

75.1.5. The registered candidates for participating in the municipality elections;

75.2. The pre-election campaign can be conducted by:

75.2.1. Mass media,

75.2.2. Conducting of pre-election mass activities (gatherings and meetings with citizens, mass discussions and talks, etc.);

75.2.3. Distributing and producing of printed, audiovisual and other campaign materials;

75.2.4. By other means not prohibited by law.

75.3. The pre-election campaign by mass media is conducted by:

- Open discussions, round tables, press conferences;
- Interviews, speeches, political advertisings, TV spots;
- Video films about the registered candidate, political party, block of political parties;
- Other ways not prohibited by the law.

The registered candidate, political party, block of political parties determine the forms and the ways of pre-election campaign independently.

75.4. Conducting of pre-election campaign, publishing and distributing of every kind of campaign materials is prohibited to the followings:

75.4.1. State government bodies and municipalities;

75.4.2. State and municipal officials, state and municipal employees, military persons (abusing their positions and privileges while they are performing their duties

75.4.3. Military persons, military units and organizations;

75.4.4. Religious and charity organizations, organizations established by them.

75.4.5. Election commissions, the members of election commission with decisive voting right and other official persons of election commissions.

Article 76. The Period of Pre-Election Campaigning.

- 76.1. Conducting of all types of pre-election campaign is prohibited on election day or the day before election.
- 76.2. Pre-referendum campaign commences 65 days prior to the election day and finishes 1 day prior to the Election Day at 00.00 o'clock (12 midnight).
- 76.3. The pre-election campaign related to the election of deputies to the Milli Majlis commences 45 days prior to the election day for the registered candidates and 65 days prior to the election day for the political parties and block of political parties, which have the registered list of candidates except the cases determined by this Code and finishes 1 day prior to the Election Day at 00.00 o'clock (12 midnight).
- 76.4. The pre-election campaign during the presidential election commences 65 days prior to the election day for the registered candidates except the cases determined by this Code and finishes 1 day prior to the Election Day at 00. o'clock (12 midnight).
- 76.5. The pre-election campaign during the municipality election commences 45 days prior to the election day for the registered candidates except the cases determined by this Code and finishes 1 day prior to the Election Day at 00. o'clock (12 midnight).
- 76.6. Pre-election campaign materials displayed outside of buildings and rooms of the election commissions according to this Code cannot stay in their places on the Election Day.

Article 77. Public Opinion Survey.

- 77.1. The mass media must mention the following information, when it publishes the results of public opinion survey related with elections:
- The organizations, where the public opinion survey has been conducted,
 - Date of conduct,
 - Exact questions,
 - The number of respondents,
 - The method of collecting information,
 - The statistic figures of future results
- 77.2. The publication of the results of public opinion survey, forecast of election results and other investigations related with elections in mass media is prohibited 3 days prior to Election Day as well as on the Election Day.

Article 78. Basic Duties of Mass Media during Pre-Election Campaign.

- 78.1. If founders of TV, radio companies or periodicals are state bodies and organizations, those TV, radio companies and editorial offices of the periodicals create equal conditions for registered candidates, political parties and block of political parties to conduct their election campaign, and for referendum campaign groups having 25,000 members and more to conduct their pre-referendum campaign for or against issues to be discussed at a referendum, using allocations from the government budget.

Organizations mentioned above cannot campaign for or against the registered candidates, political parties and block of political parties, issues to be discussed at a referendum on their own initiative.

- 78.2. TV, radio companies and periodicals mentioned in the 1st paragraph of this article which are aired and distributed in half or in more than half of the territory of the Azerbaijan Republic are to create conditions for registered candidates for presidential elections, political parties, block of political parties with registered list of candidates or registered candidates in more than a half of single mandate election constituencies and the campaign groups on referendum, which have 51,000 or more members, to conduct pre-election campaign. The Central Election Commission publishes the list of TV-radio companies, periodicals mentioned above on the basis of document submitted by relevant executive authority no later than 20 days after the decision on determination of elections has been officially published.
- 78.3 TV and radio companies aired in less than half of the territory of Azerbaijan Republic, as well as the relevant branches of TV and radio companies mentioned in the 2nd paragraph of this Article and periodical mentioned in the 1st paragraph of this Article which distributed in less than half of the territory of Azerbaijan Republic are to create conditions for candidates for single mandate which collected required number of voter signatures determined by this Code and the campaign groups on referendum, which have 25,000 or more members to conduct their election campaign within the territory of relevant administrative unit. The list of TV-radio companies, periodicals should be published by the relevant Constituency Election Commission on the basis of a document submitted by the relevant executive authority at least within 50 days after a decision on determination of elections has been officially published.
- 78.4 If founders of the TV, radio companies and periodicals not considered by paragraph 1 of this article are municipalities, they have to create equal conditions for the campaign groups on referendum, which have 2,000 or more members, registered candidates to the relevant municipality which were covered by the relevant constituency to conduct their election campaign. They have to create equal conditions for the registered candidate, political parties, block of political parties and campaign group on referendum with the reason of conducting campaign in territory of the relevant municipality, If TV- radio companies and periodicals do not participate in the campaign activities at all, they can refuse to publish any materials or to allocate airtime regardless of their status.

Article 79. Common Terms of Pre-election Campaign in Mass Media on the Paid Basis

- 79.1. The TV- radio companies and periodicals, mentioned in the articles 78.1 and 78.4 of this Code, have the right to allocate paid airtime and place in periodicals for the registered candidates, registered candidates (list of candidates) of political parties, block of political parties and campaign groups on referendum on the basis of contract.
- 79.2. The amount and the terms of payment must be equal for the relevant registered candidates, political parties, block of political parties and campaign groups on referendum.

79.3. The relevant TV-radio companies and periodicals have to send a notification to Central Election Commission and to Constituency Election Commission about the possibilities of allocating airtime and place in periodicals for the registered candidates, political parties, block of political parties campaign groups on referendum. The information about the amount of the payment must be published at least within 50 days after a decision of determination of elections has been published.

79.4 The private TV and radio companies and mass media organizations can refuse to publish the materials of the pre-election campaign if they do not participate in the process of election campaign.

Article 80. Registration of cost and volume of space in periodicals and airtime, which allocated for pre-election campaign in Mass Media.

80.1. The TV-radio companies and periodicals allocating free or paid airtime or space in periodicals for registered candidates, political parties, and campaign group on referendum have to conduct the registration of the cost and volume of allocated spaces and airtime in the form of determined by Central Election Commission and have to inform the election commission which is carrying out their registration, latest 5 days prior to Election Day, earliest 5 days after the Election Day about this records.

80.2. The registered candidates, political parties, blocks of political parties, campaign groups on referendum are to submit the documents approving consent of payment of paid airtime and space in periodicals on the inquiry of the relevant election commission.

Article 81. Allocating Terms of Free Airtime of conducting Pre-Election Campaign on TV and Radio.

81.1. The candidates for presidential elections or political parties, block of political parties with registered list of candidates or registered candidates in more than a half of single mandate election constituencies and the initiative groups of citizens on referendum, which have 51,000 or more members, have the right to use free airtime on TV and radio companies for conducting free pre-election campaign according to the Article 78.2 of this Code.

81.2. Candidates registered for single-mandate constituencies and the campaign groups on referendum, which have 25,000 or more members, have the right to use free airtime on TV and radio companies for conducting free pre-election campaign according to the Article 78.3 of this Code.

81.3. 81.3. The candidates to membership of municipality and the initiative groups of citizens on referendum, which have 2,000 or more members, have the right to use free airtime on TV and radio companies with the purpose of conducting pre-election campaign according to Article 78.4 of this Code.

81.4. A draw is conducted among the registered candidates, political parties, blocks of political parties with the reason of time division of allocated free airtime according to the 7th paragraph of this Article on the basis of submitted application during one week after the commencement of the period according to Article 76 of this Code.

- 81.5. The total volume of allocated free airtime by the TV and radio companies must not be less than 3 hours in a week for pre-election campaign according to Article 78.2 of this Code; According to Article 78.3 of this Code, the total volume of allocated free airtime by the TV and radio companies must not be less than 1 hour and 30 minutes in a week for pre-election campaign. If the total airtime of those broadcasting companies is less than 2 hours during a day, the mentioned airtime must not be less than $\frac{1}{4}$ part of total volume of programs. The allocated free air time should be within the time when most of the viewers can watch it.
- 81.6. The free airtime provided by broadcasting companies is divided on equal terms and equal volume among the registered candidates, political parties, blocks of political parties and campaign groups on referendum.
- 81.7. Date and time of airing of pre-election materials are defined by draw conducted by the relevant election commission with participation of representatives of TV and radio companies. The information about the time and place of draw is officially published. The persons mentioned in the Articles 38.1 and 38.8 of this Code have the right to participate in draw. The results of draw are formalized by protocol. The table of division of airtime defined by the draw should be published by the periodicals mentioned in the Articles 78.2 and 78.3 of this Code.
- 81.8. Expenses spent by TV and Radio companies regarding the allocation of free airtime to candidates, political parties, block of political parties and referendum campaigning groups will be reimbursed from the state budget to those TV and Radio companies.

Article 82. Conditions for Allocation of Paid Airtime for Conduct of Election Campaign on TV and Radio

- 82.1. Election campaign on TV and Radio companies not considered by Articles 78.1 and 78.4 of this Code shall start in accordance with the contract signed with TV and Radio companies.
- 82.2. TV and Radio companies considered by Article 78.1 of this Code must keep airtime in reserve for conduct of paid election campaign. Candidates for member of municipality and referendum campaigning groups members of which are more than 25 thousand cannot use this airtime. The amount and terms of payment must be equal for all registered candidates, political parties, blocks of political parties, referendum campaigning groups and relevant information about this must be published at least within 50 days after the decision on determination of election day has been officially published. Total volume of airtime for paid purposes reserved by each TV and Radio companies cannot be less or twice more than the total volume of free airtime allocated in conformity with Article 81.5 of this Code.
- 82.3. Norms of usage of airtime reserved for paid purposes for each registered candidate, political party, block of political parties, referendum campaigning groups are defined by dividing its total volume by total number of registered candidates or political parties and blocks of political parties with registered list of candidates.
- 82.4. Airtime mentioned in paragraph 2 of this Article must be presented by TV and Radio companies within the period mentioned in Article 81.4 of this Code. Time and date of

election campaign products to be aired is determined by TV and Radio companies based on results of lottery conducted in the presence of authorized representatives of candidates, political parties, blocks of political parties and referendum campaigning groups who have submitted relevant notification. The lottery must be conducted within the period determined by Article 81.4 of this Code. Airtime shall be presented on the basis of contract signed after conduct of lottery.

- 82.5. If a registered candidate, political party, block of political parties or referendum campaigning group refuse using airtime after lottery has been conducted, they must inform the relevant TV and Radio companies about this two days prior to the day of air. TV and Radio companies decide themselves how to use the vacant airtime except for election campaign purposes.
- 82.6. Allocation of airtime on TV and Radio companies not considered by Articles 78.1 and 78.4 of this Code for registered candidates, political parties, blocks of political parties, referendum campaigning groups and its payment shall be performed on equal basis and conditions. TV and Radio companies that do not observe these requirements and requirements of Article 79.2 of this Code cannot allocate airtime for election campaign purposes for registered candidates, political parties, blocks of political parties and referendum campaigning groups.
- 82.7. Contract on allocation of paid airtime must consider the following:
- 82.7.1. method of election campaign;
 - 82.7.2. time and date of airtime;
 - 82.7.3. period of airtime provided, its terms and amount of payment;
 - 82.7.4. After fulfillment of the form of participation and conditions of participation of a leading journalist with indication of conditions of the agreement, an act on using of air-time with indication of the list of programs, name of the program and its broadcasting time shall be drawn up.
- 82.8. A registered candidate, political party, block of political parties, referendum campaigning groups must submit the payment order on transferring full amount of money for airtime to the relevant bank at least 48 hours prior to the day or air. The relevant bank must transfer money immediately after it gets the payment order. Period of bank transfer must not be more than two banking days.
- 82.9. Payment for cost of airtime must be paid from the election fund of a registered candidate, political party, block of political parties and from financial fund (hereafter referred to as election fund) of referendum campaigning groups.
- 82.10. If a registered candidate, political party, block of political parties and referendum campaigning group violate conditions defined by this Code while use of paid airtime, TV and Radio companies can appeal to the court for termination of the contract on allocation of airtime. TV and Radio companies do not have right to use that vacant time for election campaign purposes after termination of the contract.

Article 83. Requirements for Transmission of Election Campaign Programs via TV and Radio

- 83.1. It is prohibited to interrupt transmission of election campaign programs of a registered candidate, political party, block of political parties, referendum campaigning group with advertisements for goods, works and services or with broadcasting other programs.
- 83.2. It is prohibited to interrupt election campaign programs of a registered candidate, political party, block of political parties, referendum campaigning groups, transmitted by TV and Radio companies mentioned in Article 78.2 of this Code, with broadcasting programs of other TV or Radio programs.
- 83.3. Information on conduct of election campaigning activities of registered candidates, political parties, blocks of political parties and referendum campaigning groups must be announced, as a rule, at the beginning of telecast which is broadcasted without any comments. Candidates, registered candidates, political parties, block of political parties, referendum campaigning groups shall not pay for airtime spent for such information. In such cases, any of registered candidates, political parties, block of political parties, referendum campaigning groups must not be given preference while reporting election campaigning.
- 83.4. Election campaign telecasts or radiocasts shall be video/audio taped. They shall be preserved by TV and Radio companies for 12 months from the day they have been aired. TV and Radio companies must preserve reports on allocation of free and paid airtime for 5 years starting from the election day.

Article 84. Conditions for conduct of Pre-election Campaign via Periodicals on a Free Basis

- 84.1. Registered candidates, parties with registered list of candidates, blocks of political parties, campaign groups on referendum mentioned in the Articles 78.2 and 78.3 of this Code have the right to equal free usage of the periodicals which mentioned in the Article 78.1 of this Code and published at least once in a week.
- 84.2. After the period mentioned in the Article 76 of this Code starts, a draw, rules of which are determined by the Central Election Commission, is conducted within a week amongst registered candidates, political parties, blocks of political parties and campaign groups on referendum for free use of periodicals, according to their applications.
- 84.3. Periodicals mentioned in the Article 78.1 of this Code allocate relevant pages for free usage.
- 84.4. Total weekly volume of space allocated by every periodical mentioned in the Article 78.1 of this Code for free usage of registered candidates, political parties, blocks of political parties, campaign groups on referendum must be at least 10% of the weekly published pages in the period determined by the Article 76 of this Code. The total volume of free space offered by the periodical for pre-election campaign in that period is announced by the periodical not later than 50 days after a decision on

determination of elections has been officially published. Periodicals allocate equal volume of space for the registered candidates, political parties, blocks of political parties and campaign groups on referendum.

- 84.5. Total volume of free space allocated by periodicals mentioned in the Articles 78.2 and 78.3 of this Code is determined by dividing the total volume of space by total number of the appropriately registered candidates, political parties, blocks of political parties and campaign groups on referendum which have the right to publish pre-election campaign materials freely on these periodicals.
- 84.6. The date for free publication of pre-election campaign materials of registered candidates, political parties, blocks of political parties and campaign groups on referendum is determined by the draw conducted by the periodicals with the participation of interested persons. The draw is conducted on the day of the commencement of period mentioned in the Article 76 of this Code. Members of the relevant election commissions, as well as the persons mentioned in the Articles 38.1 and 38.8 of this Code can be present during the process draw Official protocol is made on results of the draw.
- 84.7. The expenses spent by periodicals for allocation of free space on the periodicals for registered candidates, political parties, blocks of political parties and referendum campaign groups are paid from the state budget.

Article 85. The Rules for Paid Pre-Election Campaign Using Periodicals

- 85.1. The periodicals mentioned in the Article 78.1 of this Code are obliged to allocate paid pages for pre-election campaign of the registered candidates, political parties, blocks of political parties and campaign groups on referendum. The basis, conditions and amount of payment for allocated space must be equal for all registered candidates, political parties, blocks of political parties and campaign groups on referendum and must be published by the periodicals not later than 50 days after a decision on determination of elections has been officially published. Total volume of space allocated on paid pages of the periodicals should not be less than total amount of free allocated space according to the Article 84.4 of this Code.
- 85.2. Every registered candidate, political party, block of political parties and campaign groups on referendum for certain amount of payment may have a volume of space which is determined by dividing total amount of space allocated for reserve on the page into total number of appropriately registered candidates, political parties with registered candidates (list of candidates), blocks of political parties, campaign groups of referendum.
- 85.3. The periodicals that are not mentioned in the Articles 78.1 and 78.4 of this Code can publish campaign materials of the registered candidates, political party, block of political parties, campaign group on referendum according to the contract signed with them.
- 85.4. Periodicals, which are not mentioned in the Articles 78.1 and 78.4 of this Code, are paid on equal basis and conditions for the cost of offered volume of space to registered candidates, political parties, blocks of political parties and campaign groups on

referendum. Periodicals that do not follow these rules and requirements of the Article 79.2 of this Code cannot allocate space for pre-election campaign materials of registered candidate, political party, block of political parties and campaign groups on referendum.

- 85.5. After the draw, registered candidates, political parties, blocks of political parties and campaign groups on referendum pay the cost of allocated space on periodicals based on the contract with periodicals. Registered candidate, political party, block of political parties and campaign group on referendum must submit payment order on full payment of the cost for allocated space to the relevant bank at least two days prior publication day. When these rules are violated a space cannot be allocated by periodicals. Relevant bank must transfer money immediately starting the day of the receipt of payment order, but not later than the next banking day. In this case bank transfer cannot take more than two banking days.
- 85.6. Expenses for allocated space by the periodicals are paid from the election funds of registered candidate, political party, block of political parties, campaign group on referendum.
- 85.7. Periodicals must provide a space, considered by the Article 85.2 of this Code within the period mentioned in the Article 76 of this Code.
- 85.8. Date of paid publication of pre-election campaign materials of registered candidate, political party, block of political party, campaign groups on referendum is determined by the lottery conducted by periodicals, on the basis of written requests of their authorised representatives, with participation of interested persons. The draw is conducted within the period defined by the Article 76 of this Code. Members of the relevant election commissions, as well as persons mentioned in the Articles 38.1 and 38.8 of this Code have the right to be present during the process of draw. Official protocol is made on results of the lottery.

Article 86. Pre-Election Campaigning Rules for Using Periodicals

- 86.1. If a registered candidate, political party, block of political parties refuse to use the space allocated by the periodicals after the draw, they must inform relevant periodical about this at least five days prior the date of publication. Periodical decides itself how to use the vacant space; except for pre -election campaigning purposes.
- 86.2. According to this Article no editing can be made without consent of candidates, political party, block of political parties, campaign group on referendum during publication of pre-election materials.
- 86.3. If periodicals founded by legislative, executive bodies, court bodies and municipalities, officially print founders' official materials, information, normative and other acts, these periodicals cannot print pre-election campaign and other materials.
- 86.4. If periodicals have been founded by registered candidates, political parties, blocks of political parties or political parties which are member of block of political parties, rules on equal allocation of space and Articles 79.1 and 79.3 of this Code are not applied to these periodicals.

- 86.5. Pre-election campaign materials of candidate, registered candidate, political party, block of political party, campaign groups on referendum published by the periodical must contain information about covering expenses of publication from election funds of which registered candidate, political party, block of political parties, campaign group on referendum. According to the Article 78.1 of this Code, when pre-election campaign materials are published freely, materials must reflect which candidate, political party, block of political parties, campaign group on referendum they belong to.

Article 87. Election Campaign Using Mass Actions

- 87.1. State bodies and municipalities must assist the registered candidates, political party, block of political parties, and campaign groups on referendum in organizing and holding meetings with citizens and open debates.
- 87.2. Applications of registered candidates, political party, block of political party, authorized representatives of campaign group, and their agents with a request to allocate venue for meetings with electors, are considered by the relevant executive authority in accordance with the legislation of the Republic of Azerbaijan.
- 87.3. Venues (building, room) which are suitable for holding meetings with electors and which are owned by state or municipalities are provided free of charge by the owners, at times agreed by registered candidates, political parties, blocks of political parties, authorized representatives of campaign groups on referendum, their agents and the election commission. If a venue (building, room) has been allocated to one of the registered candidates, political party, block of political parties, campaign group on referendum for conducting pre-election (pre-referendum) campaign, the owner cannot refuse, to allocate the same venue (building, room) with the equal conditions to another candidate, political party, block of political parties, campaign group on referendum. Election commissions create equal conditions for registered candidates, political parties, blocks of political parties, and campaign groups on referendum to conduct pre-election campaign using mass actions.
- 87.4. Registered candidates, political parties, blocks of political parties, and campaign groups on referendum have the right, regardless of the form of ownership, to lease, based on contract, building and rooms owned by citizens and organizations.
- 87.5. Buildings and equipment, which are considered cultural facilities in accordance with the relevant State register, cannot be used for the purpose of holding pre-election campaign.
- 87.6. It is prohibited to conduct a pre-election campaign in the territory of military units, military organizations and military institutions. Registered candidates, political party, block of political parties, campaign groups on referendum, their authorized representatives and agents can conduct meetings with electors who are in military service within the territory of military unit, when such meetings are arranged by the commanders of those military units together with the Constituency Election Commission, if only all registered candidates, all political parties with registered candidates (list of candidates), blocks of political parties, campaign group on referendum for this constituency are necessarily invited or informed about this

meeting at least three days prior to this meeting. Persons mentioned above, political parties, blocks of political parties, and citizens initiative groups on referendum must be created equal conditions for conducting such meetings and possibilities for observers to observe them.

- 87.7. According to the legislation, relevant executive bodies ensure security and public order during pre-election mass actions.

Article 88. Production and Distribution of Printed Audiovisual and Other Pre-Election Campaign Materials

- 88.1. Registered candidates, political parties with registered candidates (list of candidates), blocks of political parties, campaign groups on referendum have the right to produce printed, audiovisual and other pre-election campaign materials in accordance with rules defined by the legislation.
- 88.2. Before the day of official publication of a decision on the determination of elections, advertising organizations, founders (co-founders) that are state bodies or municipalities or their organizations must create equal conditions for candidates registered for relevant constituencies, political parties, blocks of political parties, campaign groups on referendum from the funds allocated by state bodies and municipalities.
- 88.3. Printed and audiovisual pre-election campaign materials must contain information on:
- The company which produced it;
 - The organization which ordered to produce it;
 - The quantity of issues;
 - The date of production.
- 88.4. Registered candidate, political party, block of political parties, and campaign group on referendum must submit a sample or a copy of printed pre-election campaign materials to election commission. Besides these materials, they must submit addresses of organizations, which ordered and produced them, to the relevant election commission. It is prohibited to produce and to distribute pre-election campaign print materials without written consent of registered candidates, political parties, blocks of political parties, and citizens initiative group on referendum.
- 88.5. It is prohibited to distribute pre-election campaign materials violating rules defined by paragraphs 3 and 4 of this Article.
- 88.6. At least 30 days prior the Election Day, relevant executive authorities and municipalities, with a request from the Constituency Election Commission, must allocate locations for display of pre-election campaign materials within the territory of each voting station. These places must be accessible for voters and information displayed there must be easily read. Registered candidates, authorized representatives of a political party, block of political parties and campaign groups on referendum have the right to obtain list of locations allocated for displaying pre-election campaign materials from the Constituency Election Commission.

- 88.7. In the cases not mentioned in the paragraph 6 of this Article, pre-election campaign materials can be displayed (hung, stuck, etc.) in the rooms, buildings and other places if the owners of these places permit.
- 88.8. It is prohibited to display pre-election campaign materials on historical or cultural monuments, buildings, constructions and rooms included in the relevant state register, as well as in rooms used by election commissions, in the voting rooms and their entrances.
- 88.9. If the election commission has the information about distribution of spurious printed, audiovisual and other pre-election campaign materials or violation of rules defined by paragraphs 3,4,7, and 8 of this Article, election commission must take necessary measures, and must apply to law enforcement and other bodies to stop such campaign activities which contradict the law and to remove the pre-election campaign materials distributed illegally.

Article 89. Preventing Abuse to Conduct Pre-Election Campaign.

- 89.1. It is prohibited to abuse the mass media during the conduct of pre-election campaign. Pre-election programs (pre-referendum calls) of registered candidates, political parties, blocks of political parties and campaign groups on referendum, meetings and pre – election campaign materials distributed by mass media and speeches must not contain incitements to capture the government by force, to change the constitutional system by force, to violate the territorial integrity of the country, to insult citizens honor and dignity. It is prohibited to abuse the mass media using methods, which incite social, racial, national and religious hostility or other campaign forms that prohibited by law. It is prohibited to conduct campaign which violate intellectual property rights.
- 89.2. Candidates, registered candidates, political party, block of political parties, campaign group on referendum and their agents as well as other persons and organizations who participates in pre-election campaign directly or indirectly are prohibited from:
- 89.2.1 giving money, giving gifts and other valuable things to voters, except for performance of organizational works;
 - 89.2.2 rewarding the voters who performed organizational works, or promising to reward them depending on results of voting;
 - 89.2.3 selling goods at a discount, providing goods (except printed materials) free of charge;
 - 89.2.4 providing free or discounted services;
 - 89.2.5 influencing to the voters during the pre-election campaign by promising them securities, as well as other goods, money and other services that contradict the legislation.
- 89.3. Registered candidates, agents and authorized representatives of political parties, blocks of political parties as well as their founders, owners, and members of managing bodies, initiators of established campaign groups on referendum, or legal entities, persons and organizations, which are mentioned as authorized representatives of such groups and their commercial and other activities can be advertised according to the rules mentioned in the Articles 82.3, 85.4 and 86 of this Code from the relevant

election funds. Such advertisement should be terminated 24 hours prior to the voting day.

- 89.4.If TV and radio companies and periodicals mentioned in the Articles 78.1 and 78.4 of this Code participate in the pre-election campaign and do not create conditions for registered candidate, before the pre-election campaign finishes, to defend his/her prestige, dignity and honor or to disprove misinformation about him/her during the pre-election campaign, TVs, radio companies and periodicals must prevent distribution and broadcast of information which impugns the prestige, dignity and honor of the candidate. If TV and radio companies and periodicals mentioned in the Articles 78.1 and 78.4 of this Code do not provide a registered candidate with conditions to defend his/her prestige, dignity and honor on the air and periodicals by the end of the pre-election campaign, TV and radio companies and periodicals and their high officials can be subject to liability established by legislation.
- 89.5.If registered candidate, political party, block of political parties, and campaign group on referendum violate paragraph 1 of this Article, the relevant election commission must apply to the court to cancel the registration of candidates, single list of candidates, campaign group on referendum, other state bodies can use this right as well. If registered candidate, political party, block of political parties, and campaign group on referendum violate other rules defined by this Code for conduct of pre-election campaign relevant election commission warns by its decision registered candidates, political party, block of political party, and campaign group on referendum or applies to the relevant law enforcement and other bodies to stop illegal campaign, at the same time, can cancel the decision about the registration of candidate, single list of candidates, campaign group on referendum. The relevant decision of election commission is published on press.
- 89.6.Law enforcement and other state and municipal bodies must take measures to prevent illegal pre-election activities and production of spurious and illegal pre-election publications, audiovisual and other pre-election campaign materials,, must find out producers and financial sources of these materials, and inform relevant election commission about this.
- 89.7.If TV, radio companies and periodicals violate the rules for pre-election campaigning defined by this Code, relevant election commission has the right to apply to law enforcement bodies, court and the relevant executive authorities with a request to stop illegal pre-election campaigning, and to take necessary measures about these companies and periodicals and their officials. For this purpose, ~~special~~ (relevant) working groups can be established within election commissions. The working groups established within the Central Election Commission observe pre-election campaign conducted in the mass media outlets indicated in Articles 78.1. and 78.2. of this Code and the working groups established within the Constituency Election Commission observe pre-election campaign conducted in the mass media outlets indicated in Articles 78.3. and 78.4. of this Code. A member of the relevant election commission should ~~lead~~ (head/or manage) the working groups

CHAPTER Fourteen. Financing Elections

Article 90. Financing Preparation and Conduct of Elections

- 90.1. Preparation and conduct of elections (referendum) (hereafter referred to as –elections), and the activities of election commissions during their term of office are financed from the state budget. Expenses mentioned above are considered by the state budget in accordance with the budget division of the Republic of Azerbaijan.
- 90.2. Funds allocated for preparation and conduct of elections are transferred to the relevant bank account of the Central Election Commission within 10 days after the decision to determine elections has been officially published.
- 90.3. If the budget has not allocated the required amount of money for preparation and conduct of elections or money was not transferred in time or fully, the Central Election Commission has the right to declare a tender for taking credit from banks. In this case, the total amount of money required for preparation and conduct of elections cannot be more than the total amount of money required on the day of official publication of decision to determine previous elections. The relevant executive authority must undertake obligations to return the credit (including interest) not later than 10 days after Central Election Commission makes request. The received credits, including interest, are paid back from the state budget. Amount of covering such credits is approved annually according to the law on state budget.
- 90.4. The Central Election Commission transfers funds requires for preparation and conduct of elections to the Constituency Election Commissions at least 90 days prior to the voting day, and the Constituency Election Commissions distribute the received funds among the Precinct Election Commissions at least 10 days prior to the voting day. In case of additional elections, or if funds have not been transferred in time or completely, election commissions distribute and transfer funds on their receipt.
- 90.5. The chairpersons of the election commissions give instructions on how to use these allocated funds for preparation and conduct of elections, and they are responsible for ensuring that financial statements correspond with the decisions of election commission and for submission of financial statements on expenses according to the rules and period defined by this Code.
- 90.6. Unused funds of the election commissions should be transferred to the account of the Central Election Commission at latest within 60 days after the Election Day to be used for purposes defined by this Code and should remain in this account. Unused credits are returned to the relevant bank, which allocated them, by the Central Election Commission at least within three months after the final results of elections are officially published.

Article 91. Election (Referendum) funds of Candidates, Registered Candidates, Political Parties, Blocks of Political Parties and Initiative Groups on Referendum

- 91.1. To finance activities of candidates, registered candidates, political parties, blocks of political parties and campaign groups on referendum election (referendum) funds (hereafter referred to as election funds) are created.

91.6. The following are prohibited from rendering voluntary donations and assistance to election funds of candidates, political parties, blocks of political parties, and campaign groups on referendum:

- 91.6.1. Foreign countries and foreign legal entities;
- 91.6.2. Foreign citizens;
- 91.6.3. Persons without citizenship;
- 91.6.4. Citizens who are under 18 years of age;
- 91.6.5. Legal entities of the Republic of Azerbaijan, if on the day of official publication of the decision to define elections, more than 30% of the charter capital of the legal entity of the Republic of Azerbaijan belongs to the persons mentioned in subparagraphs 1, 2, and 3 of this paragraph;
- 91.6.6. International organizations and international public movements;
- 91.6.7. State bodies, and municipalities;
- 91.6.8. State and municipal organizations and offices;
- 91.6.9. If on the day of official publication of the decision to define elections, legal entities, with more than 30% of the charter capital belonging to state or municipality;
- 91.6.10. Military units;
- 91.6.11. Charitable organizations, religious associations, offices and organizations;
- 91.6.12. Anonymous donation provider who does not indicate one of the following pieces of information:

for citizen:

- Name, surname, middle name;
- Series and serial number, date of issue, of his/her identification document or a document substituting it;
- His/her address;
- Birth of date;

For legal entity:

- Identification number of taxpayer;
- Name;
- Date of registration;
- Bank account;
- About shares owned by state or municipalities in their charter capital and their amount, and amount of foreign shares in their chartered capital – misinforming or not informing thereabout

91.7. Candidate, registered candidate, political party, block of political parties, and campaign group on referendum have the right to give instructions on how to use the election fund created by themselves. Election funds should be spent for special purposes. They can be used only for the following purposes:

- 91.7.1. To finance organizational-technical actions for collection of signatures, to support nomination of candidates and list of candidates and to get approval

- for becoming a member of a referendum campaign group, as well as to pay for relevant signature collectors;
- 91.7.2. To pay expenses regarding pre-election campaign, as well as information and consulting services;
- 91.7.3. Expenses regarding other works during the pre-election campaign performed by legal entities and citizens;
- 91.8 Candidates, registered candidates, political parties, blocks of political parties, campaign groups on referendum use money transferred to their election funds accounts in accordance with the rule defined by this Code up to the voting day. Candidates, registered candidates, political parties, blocks of political parties, campaign groups on referendum are prohibited from using other funds, besides the election funds, for the purposes mentioned in paragraph 7 of this article. These rules, except the cases mentioned in the Articles 55.3 and 70.8 of this Code, do not concern the funds used by the political parties for their other purposes not related to the election campaign and not considered pre – election campaign.

Article 92. Special Election (Referendum) Accounts

- 92.1. Special election (referendum) accounts (hereafter referred as election accounts) is opened in relevant bank to form election fund. This account must be opened at the latest 24 hours prior to the collection of voters' signatures, which is necessary for registration of candidate (list of candidates), and a campaign group on referendum. Candidate, political party, block of political parties and campaign group on referendum can open only one special account.
- 92.2. The relevant bank must open special election account for candidate, political party, block of political parties, and campaign group on referendum after they submit documents established in accordance with the rule defined by this Code. Bank operations and services for opening bank account are free. No interest or charges are paid to the bank for use of funds available in a special election account. All funds are transferred in manats to special election account.
- 92.3. All financial transactions of registered candidates, political parties with registered candidate (list of candidates), blocks of political parties, initiative groups on referendum are stopped on voting day.
- 92.4 The relevant bank with the instruction of the relevant election commission stops financial transactions to pay expenses from the specific election accounts of candidates, registered candidates, political party, block of political party and a campaign group on referendum in the following cases:
- If necessary documents for registration defined in accordance with the rule in this Code was not submitted to relevant election commission or person refused to be registered;
 - If the person who wanted to become a candidate withdraws his/her application of consent or candidacy;
 - If initiators of campaign group on referendum apply to the relevant election commission to withdraw their membership from this group and in this case, if the

number of initiators of campaign group on referendum is less than the number defined in the Article 63 of this Code; or

- if decision was made to cancel the registration.

Article 93. Basis for Prolonging of Financial Operations

93.1. The Central Election Commission can prolong the period of financial operations based on the appeal (request) of candidate, registered candidate, political party, block of political parties and campaign group on referendum in the following cases:

93.1.1. For covering expenses of candidate, political party with registered candidate (list of candidates) block of political parties and campaign group on referendum for the implemented activities, before they received refusal of registration; if a candidate withdraws his/her application on his/her consent to be a candidate; or if a political party and block of political parties withdraw their candidacy; political party and block of political parties withdraw their candidate (list of candidates); when initiators of campaign group on referendum apply to the relevant election commission to leave from membership of this group and if, in such case, the number of initiators of campaign group on referendum is less than the number identified in the Article 63 of this Code; for covering expenses of work performed before signature sheets and other documents for registration are submitted within the period defined by this Code;

93.1.2 In connection with payment of costs for works done (performed) by

- A candidate, who withdrew his/her candidacy;
- Political parties, block of political parties that withdrew its registered candidate (list of candidates);
- A candidate whose registration was cancelled;
- Political parties, block of political parties, referendum campaign group, single list of candidates of which was cancelled,

and spent for implementation of their activities before the decision on refusal of registration of the candidate, list of candidate was made.

93.1.3 other cases, which require covering the expenses spent for the actions up to the Election Day by registered candidate, political party, block of political parties, and campaign groups on referendum.

Article 94. Voluntary Donations to Election (Referendum) Fund

94.1. Voluntary donations to the election fund of candidate, registered candidate, political party, block of political parties, and campaign group on referendum are transferred through the post offices, banks and credit organizations. These donations are accepted only from the citizens of the Republic of Azerbaijan and they should contain the following information about them:

- Name, surname, middle name;
- Date of birth;
- Address
- Batch and serial number of identification document or a document which substitutes it.

94.2. Voluntary donations of legal entities are received by bank transfer to the election fund of candidate, political party, block of political parties, and campaign group on referendum recording the following information:

- Whether legal entities have state, municipal or foreign share in their charter capital;
- Its name;
- Date of registration, identification number of taxpayer;
- Bank account information.

94.3. Voluntary donations of physical and legal entities are transferred to the specific election account through post offices and banks not later than next banking day after they receive the relevant payment document. In this case, period for bank transfer cannot be more than 2 days.

94.4. Candidate, registered candidate, political party, block of political parties, campaign group on referendum have the right to return any donations to the donator, except for anonymous ones.

94.5. If donations are transferred to the election funds of candidates, registered candidates, political parties, blocks of political parties, and initiative groups on referendum by citizens or legal entities who do not have right to do that, or if amount of donation is more than the amount mentioned in this Code, the candidate, registered candidate, political party, block of political parties, and campaign groups on referendum must return the whole amount or a part of it which exceeds the required amount to the donator within 10 days after its receipt, indicating the reasons for bank transfer and deducting expenses for transfer.

94.6. Candidate, registered candidate, political parties, block of political parties, and campaign group on referendum are not responsible for accepting the donations due to the inaccurate information mentioned in paragraphs 1 and 2 of article only when they did not receive the information about inaccurate documents in time.

94.7. Anonymous donations are transferred to the state budget by the candidate, registered candidate, political party, block of political party, and campaign group on referendum within 10 days after receipt of such donations.

94.8. Citizens and legal entities can assist to nomination and election of candidate, registered candidate, single list of candidates by transferring donations to the relevant election funds.

94.9. If candidates, registered candidate or political party, block of political parties, campaign group on referendum or their authorized representatives on finance do not agree officially, it is prohibited:

- To render paid services regarding the elections;
- To sell goods;
- To provide services and to cover expenses for that from election fund.

Legal entities, their branches, representations and other organizations are prohibited from rendering assistance free or at a baseless discount regarding the elections and referendum.

- 94.10. A citizen can render free, voluntary assistance to the candidate, registered candidate, political party, block of political parties, and campaign group on referendum him/herself, not inviting third person during the election campaigning.

Article 95. Report on Election Funds

- 95.1. Registration of opening and use of specific bank accounts, rules for reporting, as well as rules for collection and expenditure of election funds of candidates, registered candidates, political parties, blocks of political parties, and campaign groups on referendum are defined by the Central Election Commission with an agreement of National Bank at least 110 days prior to the Election Day.
- 95.2. Candidate, registered candidate, political party, block of political parties, and campaign group on referendum must register the collection and expenditure of their election funds.
- 95.3. Candidates, registered candidates, political parties submit their financial report to the relevant election commission as follows:
- 95.3.1. first initial financial report is submitted to the relevant election commission in accordance with the rule defined by this Code together with the required documents for registration; this report contains information for two days prior to filing;
 - 95.3.2. second initial financial report is submitted to the relevant election commission at earliest 20 days and at least 10 days prior to the Election Day; this report contains the information for 7 days prior to filing;
 - 95.3.3. final financial report is submitted at latest 10 days after final results of elections (referendum) officially published; initial financial documents on the collection and expenditure of election funds are attached to the final financial report.
- 95.4. If a candidate, registered candidate lose his/her status, the duties for financial reporting shall be assumed by citizens who have been a candidate, registered candidate. The duties for financial reporting of political parties, block of political parties and referendum campaign group shall be carried out by their representatives authorized for financial issues. If there is no such authorized representative, financial reporting can be made by other persons who are included in the staff of political parties or block of political parties, and participated in the election (referendum) campaign and who are authorized to represent political parties, referendum campaign group.

Article 96. Openness in spending of election funds

- 96.1. Copies of financial reports of registered candidates, political parties and blocks of political parties which have a registered candidate (list of candidates), referendum campaign groups shall be published within 5 days after their receipt by the relevant election commissions.

- 96.2. The relevant bank shall inform the Central Election Commission about the funds entered and spent from the special funds of candidates, registered candidates, political parties and blocks of political parties not less than once a week; within 10 days prior to the election day – not less than once in three banking days. State automated information systems can be used for these purposes. Accordingly, constituency election commissions and the Central Election Commission shall submit the information on collecting and expenditure of election funds to the mass media, regularly, not less than once every two weeks up to the election day. The relevant election commission shall inform registered candidates, political parties and blocks of political parties with a registered single list of candidates, about their collection and expenditure of election funds, provided by the relevant bank, on their official request.
- 96.3. The periodicals considered by the Articles 78.2. and 78.3. of this Code are to publish information on the receipt and expenditure of funds given to them by relevant election commissions.
- 96.4. Relevant executive authorities shall submit information on founders of legal entity legal entities, presence or lack of state, municipal or foreign share in legal entities charter capital, name of legal entity, date of registration of legal entity to the relevant election commissions within five days after the list of legal entities which have contributed donations to the candidates, political parties and blocks of political parties is received from the relevant election commissions. This information is submitted in accordance with format defined by the Central Election Commission. State automated information system can be used for these purposes.
- 96.5. The relevant election commission shall provide candidates, registered candidates, political parties and blocks of political parties with information received by the commission immediately, in accordance with their request.
- 96.6. If the election commission receives information about contribution that violates the requirements of the Articles 91 and 94 of this Code, the relevant candidate, registered candidate, political parties and blocks of political parties shall be informed about this immediately.

Article 97. Financial provision of election commissions' activity

- 97.1. Funds allocated for preparation and holding of elections (referendum) and for organization of election commissions' activities shall be used by the election commissions independently for the purposes defined by this Code.
- 97.2. The following directions of activities of election commission shall be financed from the state budget including balance of funds from the previous elections (referendum):
- 97.2.1. participation of registered candidates, political parties and blocks of political parties, referendum campaign groups which have a registered single lists of candidates in formation of election funds, in accordance with the rules and amount defined by this Code;

- 97.2.2. transport expenditures and compensations paid for candidates registered for an election constituency (constituencies) in accordance with the rules and amount determined in Article 71 of this Code;
 - 97.2.3. payment of salaries for members of election commissions with decisive voting rights, employees of election commissions or supernumerary employees who work in election commission on the basis of civil contract;
 - 97.2.4. producing stamps, implementing printing activities, acquiring technical equipment and its installation;
 - 97.2.5. transport expenditures, as well as transport expenditures in remote and difficult to access districts;
 - 97.2.6. transportation and security of election documents;
 - 97.2.7. implementation of proposed programs in the field of development of election systems, voters education and election organizers' education;
 - 97.2.8. payment of business trips and other expenses regarding the elections; other expenses regarding powers and functions of election commissions.
- 97.3. Average monthly salary of election commission member with a decisive voting right who is released from his/her employment during the preparation and holding of elections should remain with his/her employer at his/her main working place and they shall be paid additional salary by the relevant election commission in accordance with rules and amount defined by the Central Election Commission.
- 97.4. Rules for transfer of money allocated by the Central Election Commission for other election commissions, report, registration, opening and closing of bank accounts are defined by the Central Election Commission together with the National Bank at least 90 days prior to the voting day. The bank shall not charge election commissions for opening a bank account or for conducting bank operations. No interest is paid for use of these accounts. Election commissions conduct financial records of expenditure of funds allocated from the state budget.
- 97.5. The Central Election Commission together with the National Bank shall define the samples of financial reports of election commissions on receipt and expenditure of funds allocated for preparation and conduct of elections, document on receipt and expenditure of election funds of candidates, registered candidates, political parties, blocks of political parties at least 90 days prior to the voting day.
- 97.6. Precinct election commission shall submit its financial report on receipt and expenditure of election funds allocated from the state budget to the constituency election commission within 5 days after the voting day.
- 97.7. Constituency election commission shall submit to the Central Election Commission its financial report on receipt and expenditure of funds allocated from the state budget within 10 days after the voting day.
- 97.8. Constituency election commission shall submit information on receipt and expenditure of election funds of candidates and registered candidates to the Central Election Commission within 10 days after final results of elections for single-mandate constituencies are officially published.

97.9. The Central Election Commission provides the President of the Republic of Azerbaijan, the Milli Majlis and the mass media with the information about use of funds in the budget amounts, use of election funds by candidates, registered candidates, expenditure of election funds of political parties and blocks of political parties, referendum campaign groups within three months after official results of elections are published. Information mentioned above must be published by the official press of the Central Election Commission within a month starting the date it submitted this information to the President of the Republic of Azerbaijan and to the Milli Majlis.

Article 98. Supervisory and Audit services of election commissions

98.1. A supervisory and audit service shall be established in the Central Election Commission and constituency election commissions to ensure the control of expenditure of funding allocated to election commissions for election purposes, correct registration and use of election funds, and sources of funding.

98.2. Supervisory and audit service includes the following:

98.2.1. head of the supervisory and audit service;

98.2.2. election commission members appointed to that service, experts involved from the government, National Bank and other organizations and institutions. According to the request of relevant election commissions, and starting the date of official publication of decision on assignment of the election (referendum), bodies mentioned above must send relevant specialists to the Central Election Commission and to the Constituency Election Commission for the period of elections (referendum).

98.3. When experts involved with the supervisory and audit service are temporarily released from their employment, their salaries and other payments shall be preserved in their permanent working place and they shall be paid additional salary from the relevant election commission in accordance with the rules and amount defined by the Central Election Commission.

98.4. The Central Election Commission shall approve the statute of the supervisory and audit service. The relevant election commissions shall implement activities regarding the organizational, legal, material and technical insurance of the control and inspection service.

98.5. The supervisory and audit service has the right to control receipt of funding to the election funds of candidates, registered candidates, political parties and blocks of political parties, referendum campaign groups, registration of these funds and their purposed expenditure, as well as purposed expenditure of funds allocated for subordinate election commissions. For these purposes the supervisory and audit service:

98.5.1. shall audit financial reports of candidates, registered candidates, political parties and blocks of political parties, referendum campaign groups and lower level election commissions;

- 98.5.2. shall obtain information on all issues within its powers from the candidates, registered candidates, political parties and blocks of political parties, referendum campaign groups and election commissions;
- 98.5.3. shall obtain necessary information on issues concerning this service and finance of elections from the executive authorities, municipalities, organizations and citizens: requests of supervisory and audit service should be answered within 10 days, but 5 days prior to the voting day and on the voting day – immediately;
- 98.5.4. shall prepare documents on financial violations that occurred during the finance of elections (referendum);
- 98.5.5. shall raise a matter before the relevant election commission on implementation of accountability measures for the violations occurred during finance of elections by physical and legal entities, candidates, registered candidates, political parties and blocks of political parties, referendum campaign groups;
- 98.5.6. shall involve experts for conducting investigations and for preparing expert considerations.

SECTION FOUR. Holding of elections (referendum)

CHAPTER Fifteen. Voting

Article 99. Voting Room

- 99.1. Voting room shall be presented to the Precinct Election Commission by relevant executive body or municipality free of charge.
- 99.2. There must be a hall equipped with ballot boxes, voting compartment and other specific equipment for secret ballot in the voting room. Or there must be rooms useful for secret ballot equipped with light, desk and writing materials there.
- 99.3. Specific notice boards for displaying information about candidates, rules for completing ballot paper in the voting room. Notice board mentioned above must be placed so that voters can read the materials on it easily. Samples of ballot paper cannot contain names of registered candidates (political parties and blocks of political parties). Referendum ballot papers cannot be marked. Information on criminal and administration legislations which impose liability for violation of voters' rights to elect must not be displayed on the notice board.
- 99.4. Enlarged samples of protocol on results of voting must be displayed in the voting room from time the voting commences, for the purposes to demonstrate results of voting.
- 99.5. Voting room must be located in a place that Precinct Election Commission members and observers can easily observe a place where ballot papers shall be issued, voting compartments, other places for voting and ballot boxes.
- 99.6. Ballot boxes must be prepared in such way that it will allow to observe whether they are full after being sealed.

Article 100. Election (referendum) ballot papers

- 100.1. Rules for preparation of election (referendum) ballot papers (hereinafter – ballot paper), their number and requirements for preparation shall be approved by the Central Election Commission at least 35 days prior to the voting day.
- 100.2. Each ballot paper must be numbered in accordance with the rule established by the Central Election Commission and must contain instructions on how to complete it.
- 100.3. Ballot paper shall be printed in the State language. At the same time, can be printed in the language that most commonly used by the population.
- 100.4. Ballot papers shall be published on a decision of the Central Election Commission in printing houses not later than 22 days prior to the voting date and under observation of members of the Central Election Commission. Accordingly, the number of prepared ballot papers cannot exceed the number of voters registered in election constituencies (nationwide constituency) by more than 3%
- 100.5. Printing house shall ensure sorting out of defected ballot papers from the usable ones and submits the ballot papers to the authorized representative of election commission according to the act containing indication of their number, date and time of issuance. Having submitted ballot papers in accordance with order, employees of the printing house destroy defective and extra ballot papers and draws up an act about this signed by all participants. The relevant members of election commission and persons indicated in Articles 38.1 and 38.8 can oversee execution of actions that accord this Code. Relevant election commission should give information to registered candidates, political parties, blocks of political parties about place and time of distribution of ballot papers.
- 100.6. After receipt of ballot papers from the printing house, at least 20 days prior to the voting day, the Central Election Commission in presence of chairman and secretaries of constituency election commission shall draw an act containing information about number of ballot papers, date and time of their issuance, and hand out the ballot papers to the chairman. The constituency election commission shall submit the ballot papers to precinct election commission in accordance with established procedure 4 days prior to the voting day. The number of ballot papers given to precinct election commissions cannot be less than 90% or 0,5% more than the number of voters included on the list of a election precinct by the day of submission of the ballot papers. Top right corner of the ballot papers is verified by seal of precinct election commission.
- 100.7. Chairpersons of election commissions that submit, receive and protect ballot papers shall bear responsibility for submission and storage of the ballot papers.
- 100.8. In exceptional cases and if technical facilities are available, in ships navigating on the voting day and in election precincts organized outside the Azerbaijan Republic, precinct election commissions are allowed to produce election documents, including ballot papers. Decision on production of election documents with indication of

appropriate circulation shall be made by a relevant precinct election commission on agreement with the Central Election Commission.

- 100.9. After the end of voting time on the voting day all unused ballot papers in constituency election commission shall be cancelled and the constituency election commission shall draw an act about this fact. Persons indicated in Articles 38.1 and 38.8 can participate at cancellation of the ballot papers. Cancelled ballot papers shall be stored in the secretariat of the commission together with other documents.

Article 101. De-registration card for voting

- 101.1. Requirements on form, rule of their preparation of de-registration card for voting (hereinafter – voting card), form and preparation of issuance register shall be approved by the Central Election Commission not later than 60 days prior to the voting day. Voting cards shall be issued by superior election commissions to the lower election commissions in accordance with rules for ballot papers established by this Code. Chairpersons of relevant election commission shall be responsible for issuance and storage of the voting cards.
- 101.2. A voter included on the voters list and not having possibility to vote in the election precinct on the voting day, can get a voting card in the relevant constituency election commission (45-25 days prior to the voting day) or in the relevant precinct election commission (24-1 days prior to the voting day), and can vote on the basis of the voting card in the election precinct of the territory where he is on the voting day.
- 101.3. The voting card shall be issued to a voter on his or her application by the relevant election commission or to his representative on the basis of power of attorney certified by a notary. Reasons for receiving the voting card by the voter should be indicated in the application. If a voter is in a medical facility or prison, the power of attorney can be verified by administration of the facility.
- 101.4. The constituency election commission shall draw up the voting cards register. Surname, name, patronymic, date of birth, residential address of the voters received the voting card should be indicated in the register. 25 days prior to the voting day, constituency election commission shall send approved extracts from the register together with the voters list to precinct election commissions. Precinct election commission can make corresponding notes in the voters list based on the extracts.
- 101.5. A voter or his/her representative shall sign in register (constituency election commission) or in voters list (precinct election commission) indicating serial and batch number of identification or substitute document on receipt of the voting card. On this ground the voter shall be removed from the voters list of the relevant election precinct, shall not be taken into consideration when calculation of the number of registered voters and not be included in the relevant protocol.
- 101.6. The voting card should be verified by the seal of the election commission issuing the card, the signature of a member of the relevant constituency or precinct election commission should be on it.

- 101.7. Upon presenting the voting card, the voter should be included on the voters list. After that, the voting card shall be submitted to the relevant precinct election commissions. In such case, the voter should indicate his residential address in the de-registration card when receiving ballot paper on the voting day.
- 101.8. Top right corners of unused voting cards shall be cut before the commencement of voting on the voting day and the relevant act on this shall be drawn up by constituency or precinct election commission.

Article 102. Rules for voting

- 102.1. Voting shall be held from 0800 till 1900 on the voting day. Precinct election commission should inform the voters of the place and time of voting not later than 25 days prior to the voting day via mass media or other means.
- 102.2. If all voters being in the voters list took part in the voting, precinct election commissions of election precincts organized on ships navigating under the State Flag of the Azerbaijan Republic, in military units, in almost impassable distant places can give information about early ending of the voting.
- 102.3. If voter ascertain that he/she will not be able to go to the polling station on the voting day because of health state or other good reasons, he/she should express to precinct election commission the will to vote outside the voting room at least 24 hours prior to the voting day. Constituency election commissions can issue permission to expeditions, ships navigating under the State Flag of the Azerbaijan Republic and almost impassable distant places to hold the voting not later than 10 days prior to the voting day.
- 102.4. At 0800 on the voting day the chairperson shall declare the election precinct open, shall show empty ballot boxes to the members of the election commission, the voters being there, observers, and seal them, then he shall invite the members of the precinct election commission to commence the voting.
- 102.5. Voters shall sign the voters list on receipt of the ballot paper, and serial and batch number of their identification or substitute document shall be recorded in the voters list. Serial and batch number of their identification or substitute document shall be input in the voters list by a member of the precinct election commission. The voter shall check correctness of the records and take out a subscription. If voter has not the opportunity to receive a ballot paper independently, he/she can use the help of other persons, except members of precinct election commission and observers. The person who helps the voter should put down his/her surname and initials and sign the column "signature of voters on receipt of ballot paper".
- 102.6. On issuance of ballot paper a member of precinct election commission shall sign the left hatched corner of the ballot paper, cut and keep it.
- 102.7. Every voter shall vote in person and alone. To vote in place of other persons is prohibited. Ballot paper shall be marked in a place where nobody is authorized to enter and equipped with special technical means for the secret vote. A voter, who is not able to mark the ballot paper without assistance, can invite any other person to the

voting booth, except members of precinct election commission and observers. The surname and initials of this person shall be indicated together with the voter's signature on receipt of the ballot paper in the voters list.

- 102.8. A voter shall place the marked ballot paper in an envelope stamped by the seal of precinct election commission and drop it to the box considered for voting.
- 102.9. Ballot boxes should be placed in the area where members of the precinct election commission and observers can easily observe it.
- 102.10 The chairperson of precinct election commission shall oversee the order in the voting place. His directions are obligatory for persons in the voting room. If the chairperson of the precinct election commission is out, his powers shall be assumed by his deputy, secretary or any member of the commission charged for this purpose.
- 102.11 member of precinct election commission who attempts to influence on voter to express his will or violates the secrecy of the vote shall be dismissed from his position, and a person mentioned in Article 38.1 and 38.8 of this Code shall immediately removed from the voting room. The precinct election commission shall take a decision on the case.
- 102.12 No other person should be in election precinct, except voters participating in the voting, members of the precinct election commission, and person mentioned in Article 38.1 and 38.8 of this Code. State bodies' officials shall not be allowed to participate in the voting except the cases when they participate in the voting as voters. Officials of the relevant executive authority can be present in voting station if they preserve law and order there or relevant specialists if they solve some technical problems, if the chairperson of the Precinct Election Commission invites them and they must leave the voting station immediately after they finish to perform their duties.
- 102.13 If a voter realizes that he/she has made an error in marking his/her ballot paper, he/she can ask for a new ballot paper from the commission member who issued the original ballot paper. In this case the Precinct Election Commission member cancels the spoiled ballot paper by cutting it in half, puts it in a separate envelope, gives him/her a new ballot paper and makes the necessary note to the right of the voters surname on the voters list. Later, a separate document is *immediately* prepared recording this.

Article 103. Voting outside the voting room

- 103.1. Precinct election commission should create possibilities to all voters, including those who cannot come to the voting room because of the state of health and other reasons specified as good ones by the Central Election Commission. A mobile box for this purpose should be available in election precinct.
- 103.2. The will of a voter to vote outside the voting room should be confirmed again by his written application to be sent to the precinct election commission, in the presence of not less than 2 members of the precinct and observers. If a voter did not make a written request for a mobile ballot box, he/she must make an application in the presence of Precinct Election Commission members. The voter records the receipt of his/her ballot paper in the request and verifies this with his/her signature.

- 103.3. Members of precinct election commission who accompany the mobile ballot box should take the number of ballot papers equal to the number of requests. The number of used and returned ballot papers from voters requesting a mobile ballot box must be recorded in a separate document. At the same time, the voters voting using the mobile ballot box are marked on the voters list. After the mobile ballot box is returned by the Precinct Election Commission members to the voting station, it is not opened until vote counting commences.
- 103.4. The mobile ballot box voting must be organized so that there are no violations of the voter's right to vote or the requirements for a secret ballot and not influencing the voter's choice.

Article 104. Vote counting in the voting station

- 104.1. When voting hours end, the precinct election commission chairperson announces loudly: "only voters who have already received ballot papers and those in the voting compartments (booth) can vote." Before opening the ballot box, precinct election commission members count and cancel unused ballot papers in the presence of observers in the voting station. The number of unused ballot papers is announced and recorded in the final protocol of voting results. At the same time, the number of signatures of voters who have received ballot papers is recorded in the final protocol on results of voting. Then the precinct election commission chairperson examines the stamps and seals of the ballot boxes, shows these to the precinct election commission members and observers and opens the ballot boxes.
- 104.2. Ballot boxes are opened one by one: first the mobile ballot box, then the ballot box. Ballot papers in the mobile ballot box are counted first. Their number must not exceed the number of requests. When counting ballot papers from the mobile ballot box, if the number of ballot papers is more than the number of requests, then all ballot papers in the mobile ballot box are considered to be invalid by decision of the precinct election commission. An act on this, which includes a list of the surnames of the commission members that accompanied the mobile ballot box, is attached to the final protocol. Number of voters who have voted with a voting card is added to the number of voters who appear on the voters list of the precinct (number of voters who have been issued voting card from this precinct is not included).
- 104.3. When counting the votes of voters of the precinct election commission, ballot papers of indeterminate form, including unofficially produced, incorrectly numbered or having uncertain numbers, have not been verified by the precinct election commission and considered to be invalid shall be separated first of all.
- 104.4. If the voting intention of the voter is clear, the ballot paper is valid. If there is more than one ballot paper in the envelop, if it is difficult to determine the intention of the voter in the ballot paper, if more than one box is marked or if the ballot is not marked at all, the ballot paper is considered to be invalid. If there are doubts about the validity of a ballot paper, the precinct election commission votes to determine if the ballot paper is considered valid. If a decision is made to consider the ballot paper invalid, the reasons for the decision are recorded on the reverse side of the ballot paper. Such

record must be approved by the signatures of chairperson and secretary of the precinct election commission. Invalid ballot papers are packed separately.

- 104.5. Counting of votes by the precinct election commission chairperson, with the participation of precinct election commission members, continues without a break until the count is finished. All precinct election commission members and observers are advised of the results of voting.
- 104.6. The final protocol on voting results is completed in three copies using carbonized paper in the voting station, with the participation of precinct election commission members and in the presence of observers, and is signed by all precinct election commission members with decisive voting right after completing of protocol is finalized. If a precinct election commission member does not agree with the protocol or some parts of it, he/she can add his/her opinion to the protocol, and this is noted in the protocol. It is prohibited to complete a protocol on voting results in pencil or to make corrections on it.
- 104.7. If a superior election commission has doubts about the protocol from a precinct election commission, it can make a decision on recounting the votes in that voting station. Votes are recounted by the precinct election commission with the participation of superior election commission members.
- 104.8. First copies of each protocol together with complaints (applications) about violations of this law received by the precinct election commission and decisions made by the precinct election commission with respect to these complaints and applications, an act on receipt of ballot papers by the precinct election commission, an act on canceling the unused ballot papers (recording their number), an act on issuing voting cards and on canceling unused voting cards (recording their number), an act the number of torn off left corners of the ballot papers, an act on the number of spoiled ballot papers mentioned in the Article 102.13 of this Code shall immediately be sent to the constituency election commission. All documents mentioned above should be signed by the chairperson and secretaries of the precinct election commission. Verified copies of complaints (applications), decisions of precinct election commissions and acts mentioned above shall be attached to the second copy of the protocol.
- 104.9. The second copy of each protocol together with the packaged and sealed ballot papers, the torn off left corners of those ballot papers, the torn off pieces of spoiled ballot papers as well as with list of persons who observed vote count and of those mentioned in Article 38.1 and 38.8 of this Code are kept by the secretary of the Precinct Election Commission until the commission has finished its activities.
- 104.10. After the Precinct Election Commission signs first copy of each protocol it transfers them to the relevant Constituency Election Commission not later than 24 hours after the election day.
- 104.11. The third copy of each protocol on voting results are displayed on the board for information.

- 104.12.If a Precinct Election Commission member with decisive voting right does not agree with the whole protocol or with some parts of it, he/she can add his/her specific opinion to the protocol and relevant notes are made on the protocol about it.
- 104.13.Other election documents not indicated in Article 104.8 and 104.10, including ballot papers shall be transferred to the relevant Constituency Election Commission not later than 10 days after results of elections are officially announced.
- 104.14.Precinct Election Commission established outside of the Republic of Azerbaijan shall send the first copy of the protocol on voting results together with the attached documents to the Constituency Election Commission determined by the Central Election Commission within 3 days starting from the election day.
- 104.15.If the Precinct Election Commission finds mistakes and inaccuracies in the protocol after it has been signed, this matter must be discussed in the commission's meeting. Persons mentioned in Article 38.4 of this Code must be informed about place and time of the meeting. In such circumstances a new protocol which contains a word "repeated" shall be completed and must be transferred to the Constituency Election Commission immediately.

Article 105. Use of State Automated Information Systems during the Elections (Referendum)

- 105.1. The state automated information systems can be used completely or some of its technical facilities for obtaining, transferring or redeveloping information in time while conduct of elections (referendum) (hereafter referred to as elections) including voter registration, compilation of voters lists, determination of voting results and election returns. Requirements regarding the state automated systems and rules for use of it are determined by the Central Election Commission.
- 105.2. The relevant election commission creates a specific group comprised of members of the election commission with decisive and consultative voting right with the purposes of controlling use of state automated systems or some of its technical facilities. This group:
- checks if complex of automated facilities is ready for operation; if information from protocols of election commissions entered the systems and information added to the protocol is accurate;
 - controls if instructions of the Central Election Commission on use of state automated systems and its other documents are observed and
 - controls if documents about actions considered for usage of information systems are completed in accordance with time limits and plans of the relevant election commission.

The controlling group can involve specialists on automated information systems in its activities.

- 105.3. All members of the election commission and observers have the right to become familiar with any information received by and extracted from the state automated information systems.

105.4. Election commission members with decisive and consultative voting rights who have been included in the controlling group have equal rights. They can:

- become familiar with any information transferred to the election commission through technical communication channels;
- demand explanation about technical documentation of state automated information systems or about all actions of the technical personnel of information systems;
- compare information prepared by technical facilities or in handwriting.

If any actions of the personnel of state automated information systems contradict the law, the controlling group informs the chairperson of the election commission about this and proposes motions on correction of those irregularities or on dismissal of the persons who committed those irregularities. Results of investigations held by the controlling group must be recorded in the current documents of relevant election commissions.

105.5. The state automated systems shall be used for observing the voting process and its results by the relevant election commissions based on information transferred by subordinate election commissions to the superior election commission, from the time voting commences including until protocols on election returns and voting results are signed. It is prohibited to transfer any information except for the signals confirmed by the superior election commissions on receipt of information from subordinate election commissions.

105.6. Information on voting process and results of voting obtained from the state automated information systems is considered preliminary information which does not have legal importance.

105.7. Protocols of the election commission preserved by the secretary of the election commission shall be attached text of information entered the state automated information systems which will be printed out through the computer. Accuracy of information in a printed out paper shall be verified by signature of a person who is responsible for information and by members of the controlling group.

105.8. Information on voters turnout, initial and final results of voting, returns of elections that are entered the state automated information systems must be included in the information-communication lines of common use for getting prompt information by person intending to have the information, in conformity with the rules defined by the Central Election Commission.

Article 106. Security of Election Documents

106.1. Documents of Precinct Election Commissions and Constituency Election Commissions shall be kept in a secured place and shall be transferred to the Central Election Commission before terms of office of Precinct and Constituency Election Commissions are finished.

106.2. Documents of the election commissions shall be stored by the Central Election Commission for the period determined by the legislation.

106.3. Ballot papers and voting cards shall be kept for at least 6 months from the date results of elections are officially published. Protocols on voting results of election commissions shall be kept at least a year starting the date a decision on determination of the election day for the next elections is officially published. Financial reports of the election commissions, final financial document of registered candidates, political parties, blocks of political parties with registered single list of candidates shall be stored at least a year after a decision on determination of the election day for the next elections (referendum) is officially published. Voters lists shall be preserved for 5 years.

106.4. The following are considered to be official documents:

- ballot papers;
- voting cards;
- voters lists;
- protocols of election commissions on results of voting and documents attached;
- financial reports of election commissions;
- final financial reports of registered candidates, political parties and blocks of political parties with registered single list of candidates, referendum campaigning groups.

The chairperson and secretaries of the relevant election commission shall be responsible for security and storage of election documents until these documents are transferred to the superior election commission or to the archive.

CHAPTER Sixteen. Complaints on and Accountability for Violation of Citizens' Rights to Elect

Article 107. Filing Complaints on Actions (Lack of Actions) and Decisions that Violate Citizens' Rights to Elect

107.1. Voters, candidates, registered candidates, political parties, blocks of political parties, referendum campaigning groups, agents of registered candidates, political parties, blocks of political parties, referendum campaigning groups, observers as well as election commissions can file complaints about decision and actions (lack of actions) which violate citizens' right to elect within 7 days after the date the very decision is published or made or the date actions (lack of actions) occurred.

107.2. If the complaint is not satisfied by the election commission which made that decision or actions (lack of actions) at first, one can appeal to the superior election commission. If the Central Election Commission does not satisfy the complaint finally, persons mentioned in paragraph 1 of this Article shall have the right to appeal to the Court of Appeal. Circumstances defined in Article 45.3 of this Code are excepted from the rules mentioned above. Complaints about decisions and actions of the Central Election Commission shall be filed with the Court of Appeal.

- 107.3 If the violation of law specified in the complaint concerns major part of citizens or has special public importance, the Central Election Commission shall have the right to apply to the Court of Appeal for the purpose of considering the complaint in essence.
- 107.4 A complaint about decisions and actions (lack of actions), that violate citizens' right to elect, made by state bodies, municipalities, political parties and officials as well as decisions and actions (lack of actions) made by election commission and their officials can be filed with the court.
- 107.5 The court can cancel decisions (including decisions on results of voting, election returns) of the relevant election commissions in the circumstances considered by this Code and other laws.
- 107.6 If the court cancels the decision of the election commission, the same election commission must make a new decision regarding the same issue, or superior election commission must make a relevant decision based on the decision of the court. If such a decision is not made within 5 days after the court's decision comes into force, the court can make a decision on this matter.
- 107.7 Examination of complaint about the decision on voting results and election returns or investigation of the facts regarding violation of this Code is not considered as violation of immunity of candidates considered to be elected in conformity with this Code. A candidate considered to be elected cannot refuse from testifying as a witness during administrative, civil or criminal investigations regarding the complaints about violation of citizens' right to elect while he/she was being elected.
- 107.8 The election commission has the right to receive citizens' and officials' information and to require necessary documents and materials while the court examines the following:
- issues on cancellation of registration of list of candidates, registered candidates, referendum campaigning groups;
 - issues on refusal of registration of candidates, list of candidates, referendum campaigning groups;
 - appeals on invalidation of election of a registered candidate or list of registered candidates.
- 107.9 The superior election commission has the right to cancel decision of the subordinate election commission or to make a decision regarding the complaint or to instruct to reexamine the very issue.
- 107.10 A decision on complaints received by the election commission during the election processes shall be made within 5 days. It shall be made immediately if complaints are received on election day or the day after the election day. If facts mentioned in the complaint need additional investigations, a decision on those complaints shall be made within not later than 10 days. The court is to make a decision at least within 10 days after receipt of complaint about the decision of election commission on voting results and election returns.

Article 108. Cancellation of Registration of Registered Candidates, List of Candidates, Referendum Campaigning Groups and Refusal of Registration of Candidates (List of Candidates)

108.1. If a candidate, registered candidate, political party, block of political parties, referendum campaigning group violate this Code, the relevant election commission warns the candidate, registered candidate, political party, block of political parties, referendum campaigning group by informing the voters through the mass media. The election commission has the right to make a decision about the following issues irrespective of whether or not a complaint was made about them:

- refusal of registration of a candidate (list of candidates), referendum campaigning group;
- cancellation of registration of registered candidate (list of candidates), referendum campaigning groups;
- invalidation of election of registered list of candidates and a candidate;
- cancellation of decision on voting results and election returns.

108.2. The election commission can refuse to register a candidate (list of candidates) and referendum campaigning groups under the following circumstances:

- 108.2.1. if information submitted by a candidate, political party, block of political parties, referendum campaigning group in conformity with this Code is not accurate and if their invalidity is of importance;
- 108.2.2. if a candidate, political party, block of political parties, list of candidates nominated by them, referendum campaigning groups are found out to conduct election campaign before they are registered or before the period considered by Article 76 of this Code;
- 108.2.3. the fact of winning over the voter to its side i.e. actions prohibited by Article 89.2 of this Code committed by a candidate, political party, block of political parties, referendum campaigning group or their authorized representatives are found out;
- 108.2.4. participation of organizations in collection of signatures, regardless their form of property; if the fact of forcing the voters sign while collecting the signatures is found out; reward of voters for their signatures;
- 108.2.5. if a candidate nominated for a relevant constituency uses other funds for financing his/her election campaign which exceed more than 0.05% of the highest limit of expenses from election fund defined by this Code;
- 108.2.6. if a political party, block of political parties, referendum campaigning group uses other funds for financing their election (referendum) campaign which exceed more than 0.05% of the limit of expenses from election funds defined by this Code;
- 108.2.7. if a candidate nominated for a relevant constituency exceeds more than 0.05% of the highest limit of expenses from election fund defined by this Code;
- 108.2.8. if a political party, block of political parties, referendum campaigning group exceeds more than 0.05% of the highest limit of expenses from election fund defined by this Code;
- 108.2.9. if a candidate, political party, block of political parties, referendum campaigning group, as well as political parties included in the block of

political parties, authorized representative or members of political parties, blocks of political parties, referendum campaigning groups:

- are proprietors, founders, owners of relevant organizations or they participate in managing boards;
- conduct charitable activities during the election (referendum) campaign;
- render financial and material assistance to physical or legal entities; or renders services to voters;
- assist to render such assistance to physical and legal entities or physical and legal entities render assistance on behalf of them;

108.2.10. if a candidate, political party, block of political parties and referendum campaigning groups do not submit their initial financial report;

108.2.11. if a candidate, authorized representatives of a political party, block of political parties and referendum campaigning groups use their occupation or service position during election campaigning;

108.2.12. other basis considered by this Code.

108.3. Registration of a candidate, list of candidates can be cancelled by election commission or the court until a day prior to the election day in the following circumstances:

108.3.1 if circumstances mentioned in paragraph 2 of this Article are found out after a candidate, list of candidates have been registered;

108.3.2 if a registered candidate, political party, block of political parties, agent of the registered candidate, authorized representative or agent of a political party or block of political parties campaign within the territory where military unit is located, in military organizations or military offices;

108.3.3 if a registered candidate, political party and block of political parties and their agents produce and distribute printed, audiovisual election materials, violating rules of Article 88 of this Code;

108.3.4 if a registered candidate, political party, block of political parties, authorized representative of a registered candidate, political party and block of political parties, organization (members of organization) in managing board of which these persons participate:

- conducted charitable activities;
- offered other organizations to render financial or material assistance to physical or legal entities;
- agreed to render such an assistance to physical or legal entities.

108.3.5 if a registered candidate, authorized representative of political party and block of political parties use their occupation or service position during election campaigning;

108.3.6 if a registered candidate, political party and block of political parties do not present their financial report within the defined period;

108.3.7 if a registered candidate who is on government or municipal service does not stop implementation of functions of service while he/she participates in elections;

- 108.3.8 the fact of winning over the voter to its side i.e. actions prohibited by Article 89.2 of this Code made by registered candidates, political party or block of political parties with registered single list of candidates, as well as by political parties included in the block, their authorized representatives, agents of a registered candidate, political party and block of political parties or by other persons at their request are found out;
- 108.3.9 if a candidate registered for the relevant constituency uses other funds for financing his/her election campaign which is more than 0.05% of the highest limit of expenses of candidates and registered candidates from the election fund defined by this Code;
- 108.3.10 if a political party or block of political parties with registered list of candidates uses other funds for financing their election campaign which is more than 0.05% of the highest limit of expenses of election fund defined by this Code;
- 108.3.11 if a candidate registered for the relevant constituency exceeds 0.05% of expenses of registered candidate's election fund defined by this Code;
- 108.3.12 if a candidate, political party or block of political parties exceeds 0.05% of expenses defined by this Code;
- 108.3.13 if a registered candidate, political party or block of political parties with registered list of candidates use illegal donations transferred to their funds.
- 108.4 Central Election Commission can cancel registration of list of candidates in the circumstances considered by Article 74.3 of this Code.
- 108.5 If a candidate, registered candidate, political party, block of political parties, referendum campaigning group abuse the mass media, the election commission can cancel registration of the candidate and list of candidates or appeal to the court about this. Executive authority bodies, legal and physical entities can appeal to the court in such circumstances as well. If the court finds out the fact of abusing the mass media, it cancels registration of the candidate and single list of candidates.

Article 109. Cancellation of Decisions of Election Commissions On Voting Results and Election (Referendum) Returns

- 109.1. If violations mentioned in Article 108 of this Code made by a registered candidate, political party, block of political parties or referendum campaigning group are found out after election results are published officially, the Central Election Commission can appeal to the Court of Appeal about cancellation of election of a candidate or list of candidates or about results of referendum.
- 109.2. The court defines if violations mentioned in Article 108 of this Code are occurred. If it considers that determination of voters' intention is not possible due to those irregularities, then the court can cancel decision of the relevant election commission on election (referendum) results. In such circumstances the elected candidate is considered to have lost his/her authority.

- 109.3. The relevant court can cancel the decision of the election commission on voting results and election (referendum) results for a single-mandate or nationwide constituencies if:
- rules for compilation of voters list, for formation of election commissions, for voting, for count of votes or for determination of election (referendum) results are violated;
 - other violations defined by this Code occur;
 - it is impossible to determine voters' intention due to these actions (lack of actions).
- 109.4. The relevant court or the Central Election Commission can cancel a decision of the Precinct or Constituency Election Commissions on voting results or election results in the circumstances considered by this Code.
- 109.5. If results of voting are considered invalid in more than $\frac{1}{4}$ of precincts, elections can be considered invalid in the constituency. Accordingly, if results of elections are considered invalid in more than $\frac{1}{2}$ of constituencies, elections (referendum) can be considered invalid in nationwide constituency.
- 109.6. If the facts about irregularities regarding assistance to elect not elect candidates or candidates in the not elected list of candidates are found out, they cannot be basis for cancellation of the decision on election results.

Article 110. Liability for Violation of Citizens' Rights to Vote

- 110.1. The following persons can be subject to criminal, administrative or other liabilities in conformity with this Code:
- 110.1.1. who have obstructed the voters' rights to elect and to be elected by use of force, deceit, intimidation or other methods;
 - 110.1.2. who have abused their occupation or service position as privileges for being elected;
 - 110.1.3. who have forced citizens in support of a candidate (list of candidates), who have obstructed collection of signatures in support of a candidate, political party and block of political parties or who have participated in falsifying those signatures;
 - 110.1.4. who have won over the voters to their side, i.e. who have committed actions prohibited by Article 89.2 of this Code;
 - 110.1.5. who have not formalized information about registered candidates in time or who have done so inaccurately;
 - 110.1.6. who have intentionally disseminated misinformation about candidates or who have impugned the honor and dignity of the candidate;
 - 110.1.7. who have violated rights of commission members, observers, agents, authorized representatives of candidates, political parties, blocks of political parties, referendum campaigning groups, representatives of mass media, including those who have violated rights to obtain copies of election documents and information and other rights regarding verification of election documents;

- 110.1.8. who have violated rules for election campaigning, including those who have conducted election campaign a day prior to election day or on voting day;
- 110.1.9. who have produced and distributed commercial or other advertisements which violates this Code, or those who have rendered charitable assistance;
- 110.1.10. who have violated rules for financing election (referendum) campaign defined by this Code;
- 110.1.11. who have hidden remaining ballot papers or those who have produced additional issues of ballot papers which were not registered by the election commission and of voting cards;
- 110.1.12. who have obstructed the election commission's work or those who have illegally interfered with performance of functions of commission members;
- 110.1.13. who have obstructed voting in the precincts;
- 110.1.14. who have violated the secrecy of voting;
- 110.1.15. who have forced voters to vote against voters' choice;
- 110.1.16. who have falsified election documents, produced and presented fake documents (including ballot stuffing), miscounted votes or those who have not submitted or published election results intentionally;
- 110.1.17. who have violated citizens' rights to become familiar with voters lists;
- 110.1.18. who have issued ballot papers to citizens with a purpose to create conditions for them to vote for others, who have issued ready-marked ballot papers or those who have created conditions to receive more than one ballot paper;
- 110.1.19. who have not submitted or published report on expenditure of funds allocated for preparation and conduct of elections or financial report of candidates, registered candidates, political parties, blocks of political parties and referendum campaigning groups;
- 110.1.20. employers who have not provided employees with leave with in respect to participation in elections or who have not released employees to implement their state functions, in circumstances considered by this Code;
- 110.1.21. state officials who have not investigated information about violation of this Code provided by the election commissions.

110.2. The Precinct, Constituency Election Commissions and the Central Election Commission have the right to prepare a protocol of administrative violations based on the Code of the Republic of Azerbaijan On Administrative violations for the violations made by a candidate, registered candidate, authorized representative of a political party or block of political parties, in the circumstances considered by this Code.

SPECIAL SECTION

SECTION FIVE. Referendum

CHAPTER Sixteen. General Provisions on Referendum

Article 111. Issues put for Referendum

111.1 Any issue related to the rights and interests of Azerbaijan people can be solved by referendum according to first part of Article 3 of the Constitution of the Republic of Azerbaijan.

111.2 Issues regarding adoption of the Constitution of the Republic of Azerbaijan and making changes to it, and changing state borders of the Republic of Azerbaijan can be solved by referendum according to the second part of Article 3 of the Constitution of the Republic of Azerbaijan.

111.3 Issues discussed on referendum must be developed in a way that excludes ambiguous interpretation of these issues.

Article 112. Issues That Cannot Be Put On for Referendum

Issues directed to cancellation of human rights and freedoms or excessive limitation of human rights generally recognized by international legal norms and international agreements, which the Republic of Azerbaijan is a party to, cannot be put for referendum.

Article 113. Rules of the Constitutional Court of the Republic of Azerbaijan on conduct of referendum for making changes to the content of the Constitution of the Republic of Azerbaijan

Prior conduct of referendum on making changes to the text of the Constitution of the Republic of Azerbaijan, ruling of Constitutional Court of the Republic of Azerbaijan is obtained regarding changes offered. Rules for obtaining resolution (ruling) of Constitutional Court of the Republic of Azerbaijan is regulated by the law of Republic of Azerbaijan “on Constitutional Court.”

Article 114. Necessity for Conduct of Referendum

The decision of legislative and executive bodies of the Republic of Azerbaijan on either one or another issue cannot exclude conduct of referendum on the same issues.

Article 115. Cases Excluding Conduct of Referendum

115.1. Referendum cannot be conducted:

- If martial law or state of emergency is declared in the territory or in more than 25% of the territory of Republic of Azerbaijan;
- During martial law and state of emergency;
- As well as, three months after cancellation of martial law and state of emergency.

115.2. Repeat referendum on the same issue can be conducted only 2 years after publication of the act adopted in preliminary referendum.

CHAPTER Seventeen. Determination of referendum

Article 116. Making decision on Conduct of Referendum

116.1. Decision on conduct of referendum can be made by the Milli Majlis and the President of the Republic of Azerbaijan according to the Articles 95.18 and 109.18 respectively of the Constitution of the Republic of Azerbaijan.

116.2. A decision cannot be made for conduct of elections on the following issues:

- 116.2.1. taxes and state budget of the Republic of Azerbaijan;
- 116.2.2. amnesty and pardon;
- 116.2.3. immediate measures for ensuring public order, health and security;
- 116.2.4. election (approval) or appointment of officials to whom the Milli Majlis of Republic of Azerbaijan is authorized or elect (approve) to whom the President of Republic of Azerbaijan is authorized to appoint;
- 116.2.5. ruling of the court bodies of the Republic of Azerbaijan (except rulings of the Constitutional Court of Republic of Azerbaijan).

Article 117. Requirements on Decision to Conduct Referendum

117.1. The following must be mentioned in the decision for conduct of referendum:

- 117.1.1 date of conduct of referendum;
- 117.1.2 name of act put for referendum;
- 117.1.3 short summary of the act offered in referendum;
- 117.1.4 rule of financing referendum.

117.2. draft of act put for referendum is attached to decision for conduct of referendum.

Article 118. Familiarization with the Issues Offered in Referendum

118.1. Draft act put for referendum must be published together with the decision on determination of referendum in mass media. This publication must create necessary conditions for as many voters as possible to become familiar with the text of the referendum act.

118.2. A voter has the right to get a draft of a referendum act not later than 30 days prior to the voting day from relevant local executive body. Central Election Commission is responsible for publication and distribution of draft of referendum act in this case.

CHAPTER Eighteen. Preparation for Conduct of Referendum

Article 119. Registration of Referendum Campaign Groups

Registration of referendum campaign groups carried out according to the rule provided for in Chapter 11 of this Code.

Article 120. Special Requirements for Conduct of Pre – Referendum Campaign in Mass Media

120.1 Participation of referendum campaign groups is regulated by Chapter 13 of this Code.

- 120.2 Referendum campaign groups independently determine the form of use of TV and radio organizations' airtime and periodicals.
- 120.3 If referendum campaign groups refused to use free airtime or free space allocated on periodicals after the conduct of draw mentioned in the Article s 81.7 and 84.6 of this Code, TV and radio organizations and periodicals can decide to use free (vacant) airtime and space at their own discretion except pre-referendum campaign purposes.
- 120.4 1/3 of total volume of free airtime of TV and radio organizations is allocated for referendum campaign groups to hold joint discussions, round tables and other such kind of campaigning activities. Airtime for conduct of joint campaigning activities on channels of each TV and radio companies mentioned in Article 78.3 of this Code is allocated and counted for referendum campaign groups . Registered referendum campaign groups must equally use this free airtime. In this case volume of airtime to be used by each referendum campaign group is determined separately.
- 120.5 Norm for using paid airtime mentioned in Article 82.1 of this Code is determined by dividing its total volume by total number of referendum groups mentioned in Article s 78.2 and 78.3 of this Code.
- 120.6 Referendum campaign groups can use space which is determined by dividing total volume of space allocated by periodicals mentioned in Article 85.1 of this Code by total number of referendum campaign groups mentioned in Articles 78.2 and 78.3 of this Code by paying appropriate amount of money.
- 120.7 Refusal of registered referendum campaign groups from participating in the activities mentioned in second paragraph of this Article does not cause (result) increase in volume of free airtime allocated according to Article 81.6 of this Code.

Article 121. Referendum Financial Funds of Referendum Campaign Groups

121.1. Rules for creation and usage of financial funds on referendum of referendum campaign groups are regulated by Chapter 14 of this Code.

121.1 Financial funds on referendum of referendum campaign groups can be formed from:

- 121.1.1. special funds of members of referendum campaign groups which cannot be more than 2000 times the minimum salary which is in force on the day of official publication of the decision on determination of referendum;
- 121.1.2. equal funds allocated to referendum campaign groups as well as referendum campaign group registered by election commission at least 25 days remaining prior voting day, except the cases determined by this Code;
- 121.1.3. voluntary donations, not more than 100 times the minimum salary from citizens and not more than 2000 times the minimum salary from legal entities which is in force on the day of official publication of decision on determination of referendum.

121.2. Maximum limit for referendum funds of registered campaign groups on referendum mentioned in Article 78.4 of this Code cannot be more than 5000 times the minimum

salary which is in force on the day of official publication of decision on determination of referendum; maximum limit the referendum funds of registered campaign groups on referendum mentioned in Article 78.3 of this Code cannot be more than 150000 times the minimum salary which is in force on the day of official publication of decision on determination of referendum; maximum limit the referendum funds of registered campaign groups on referendum mentioned in Article 78.2 of this Code cannot be more than 250000 times of minimum salary which is in force on the day of official publication of decision on determination of referendum.

Article 122. Special Accounts on Referendum

- 122.1. Campaign groups on referendum must open a special referendum account to form their financial funds within 5 days after submitting notification document on commencement of collect signatures according to Article 63.2 of this Code.
- 122.2. Referendum campaign groups must open a special referendum account on the basis of documents submitted on registration of authorized representatives on financial issues to form a referendum fund for getting registered after receipt of certified (attested) copy of notification document from Central Election Commission (Constituency Election Commission) but at the latest 5 days prior to submission (introducing) of campaign group on referendum to Central Election Commission (Constituency Election Commission).
- 122.3. Campaign groups on referendum themselves are directly liable for violation of financing rules defined by this Code during financing their pre-referendum campaign.

Article 123. Transparency in using of referendum funds

- 123.1. it is necessary to publish the following information in accordance with Article 96.3 of this Code:
- 123.1.1 if amount of financial fund on referendum is more than 2000 times the minimum salary which is in force on the day of official publication of decision on determination of referendum, about financial report for spending that fund;
- 123.1.2 About legal entities who made voluntarily donation to referendum financial fund amount of which is more than 1000 times the minimum salary that is in force on the day of official publication of decision on determination of referendum;
- 123.1.3 about number of citizens who made donation to referendum financial fund amount of which is more than 50 times the minimum salary that is in force on the day of official publication of decision on determination of referendum;
- 123.1.4 about funds that had been returned to donators and reasons of returning the funds.
- 123.1.5 About total amount of funds received for a referendum fund and about the total amount that was spent from the referendum fund.

Article 124. Order of returning the funds received by referendum campaign groups

- 124.1. It is prohibited to return unused election funds to citizens and legal entities who had donated to the election fund of campaign groups on referendum, until funds allocated by the relevant election commissions to campaign groups on referendum which are not mentioned in Article 125 of this Code are returned and cost of free airtime and space allocated by TV and radio organizations and periodicals are paid. In this case the referendum campaign group returns fund received from election commission first.
- 124.2. With the consent of relevant election commission, referendum campaign groups returns unused funds to the citizens and legal entities, who donated to them, in accordance with the rules determined by Article 124.4 of this Code, until campaign groups on referendum submit final financial report after they returned funds to relevant election commission.
- 124.3. Referendum campaign group which is not mentioned in the Article 125 of this Code must transfer unused election funds to account of legal entities and citizens, who donated, in accordance with the rule mentioned in paragraph 3 of this article after returning funds of election commission and paying the cost of allocated free airtime and space to TV and radio organizations and periodicals.
- 124.4. Referendum campaign groups which are not registered in relevant election commission are obliged to return unused election funds, in accordance with proportion of the received donations, to the citizens and legal entities that donated them, until final financial report is submitted.

Article 125. The Cases When Referendum Campaign Groups Do not Return Funds Received from Budget

If more than half of voters in the constituency where pre-referendum campaign was conducted, voted for the issues put for referendum in a way that was campaigned by referendum campaign groups, in this case, referendum campaign groups do not return funds received from election commissions and do not pay the cost of free airtime and space allocated.

Article 126. Payment for Free Airtime and Space on Periodicals by Referendum Campaign Groups

- 126.1. Referendum campaign groups on referendum that are not mentioned in Article 125 of this Code must fully pay the cost of free airtime and space allocated by TV and radio organizations and periodicals mentioned in Articles 78.2 and 78.3 of this Code. Referendum campaign groups must pay given cost from election funds until the date final financial report is submitted.
- 126.2. TV and radio organizations and periodicals mentioned in Article 78.2 and 78.3 of this Code send relevant information on volume and cost of used free airtime and space on periodical, their legal address and bank account to the relevant referendum campaign group within 10 days after the date of official publication of general (final) election results.

- 126.3. Cost of free airtime and space on periodical mentioned in Article 81.5, 120.4, 84.4 and 84.5 of this Code is determined by multiplying total volume of free airtime and space on periodical allocated for referendum campaign groups according to the rule mentioned in Article 120.5 and 120.6 of this Code to the cost of airtime and space on periodical and for publication of information allocated by TV and radio organizations and periodicals.
- 126.4. When campaign groups on referendum use free airtime by conducting joint campaigning activities mentioned in Article 120.4 of this Code, amount of money returned by each campaign group on referendum is equally determined by TV and radio organizations proportional to total number of participants in each joint campaign activities.
- 126.5. If referendum campaign groups refused to use free airtime and space on periodical at least 2 days prior the date of air, and at least 5 days prior to the date of publication, cost of allocated free airtime and space on periodical is not paid.

Article 127. Money left unused in Special Accounts of Election Funds of Referendum Campaign Groups

60 days after voting day, relevant bank must transfer money left unused in special accounts of election funds of campaign groups on referendum to the state budget according to the written instruction of relevant election commission.

Article 128. Returning Money to the Funds of Initiators of Establishment of Referendum Campaign Groups by Referendum Campaign Groups

- 128.1 If there is no money in financial fund or it is not sufficient, return of budget fund by a referendum campaign group, payment for free air-time and spaces in periodicals allocated to referendum campaign groups shall be carried out at the expenses of their initiators' funds. If initiators of campaign groups on referendum which are not mentioned in Article 125 of this Code and which have not followed the requirements of Article 126.1 of this Code until final financial report is submitted, *final financial report*, undertook to pay relevant amount of money to relevant election commission, TV and radio organizations and periodicals, they can be allowed to pay state budget funds, as well as cost of used free airtime and space on periodical within 12 months beginning the voting day.
- 128.2 Funds will be returned by the court if obligations mentioned in this Article are not performed, and if deadline mentioned in obligations for return of funds is expired. If initiators of referendum campaign groups who do not follow the requirements mentioned in Article 125 of this Code, do not undertake obligation mentioned in this Article before financial report is submitted, funds are returned by court before period for submission of financial report is finished.
- 128.3 Within 12 months beginning from voting day TV, radio organizations and periodicals considered in Article 78.2 and 78.3 of this Code inform the Central Election Commission on campaign groups on referendum which have not fully paid cost of free airtime and space on periodical considered in paragraph 4 of this article. Within

12 months beginning from voting day Constituency Election Commissions inform Central Election Commission on citizens who are mentioned in Article 127 of this Code and who have obligation (owe to) in front of election commissions.

CHAPTER Nineteen. Conduct of Referendum and Determination Referendum Results

Article 129. Referendum Voting Room

- 129.1. The referendum voting room is organized in accordance with the requirements of Article 99 of this Code.
- 129.2. The Precinct Election Commission places on a notice board samples of referendum papers, and draft of referendum act inside the voting room or right in front of it.
- 129.3. Sample ballot papers on notice board cannot be filled in.

Article 130. Referendum Voting Paper

- 130.1. Referendum voting papers are prepared in accordance with the rule mentioned in Article 100 of this Code.
- 130.2. A form of referendum voting papers is approved by Central Referendum Commission at the latest 30 days prior the referendum.
- 130.3. Expression of every issue put on referendum and versions of voters response (vote) – “for” and “against” (words “yes” and “no,” “I agree” and “I disagree” can be as well) are written on ballot paper.
- 130.4. Central Referendum Commission must deliver voting papers to Constituency Referendum Commissions 5 days prior to referendum. Constituency Referendum Commissions must deliver voting papers to Precinct Referendum Commissions 24 hours prior the referendum.
- 130.5. Central Election Commission solves (decides) the attachment of draft of referendum act to referendum voting paper. If the draft considers removal or changing of normative legal acts which are in force, that (its relevant part) normative legal act can be attached to referendum voting paper based on decision of Central Election Commission.

Article 131. Voting Procedure during a Referendum

- 131.1. Voting during a referendum is conducted in accordance with the Article s 102 and 103 of this Code.
- 131.2. A voter marks empty square (box) to the right of the answer by choosing one of the responses “for” or “against” (“yes” or “no,” “I agree” or “I disagree”) offered on referendum voting papers.

Article 132. Vote Counting in Referendum Station

- 132.1. Vote counting in referendum station is conducted in accordance with the Article 104 of this Code.
- 132.2. A protocol with three copies is made after vote counting is completed in accordance with the rule mentioned in Article 104 of this Code for vote counting in every referendum station.
- 132.3. The following are included in the protocol:
- 132.3.1. total number of citizens included on voters lists;
 - 132.3.2. number of citizens who have received voting papers;
 - 132.3.3. number of citizens who participated in voting;
 - 132.3.4. number of unused voting papers;
 - 132.3.5. number of citizens who have voted for the issue put on referendum;
 - 132.3.6. number of citizens who have voted against the issue put on referendum;
 - 132.3.7. number of invalid voting papers;
 - 132.3.8. number of valid voting papers;
 - 132.3.9. number of spoiled voting papers.
- 132.4. Precincts Referendum Commission makes a decision for voting papers to be considered invalid in accordance with Article 104.4. of this Code.

Article 133. Vote Counting in Constituency Referendum Commission

THE Constituency Referendum Commission summarizes all information based on first copy of the protocol #1 of Precinct Referendum Commissions on voting results (after checking whether protocols have been correctly completed) and determines the results of referendum on referendum constituency. Summarizing the information from protocols of the Precinct Referendum Commissions must be done continuously until protocol of Constituency Referendum Commission is completed. Summarizing of information from protocols of Precinct Referendum Commissions is performed directly by the Constituency Referendum Commission members who have the decisive voting right.

Article 134. Void Voting on Referendum in Referendum Constituency and Consideration of Referendum Results Invalid

- 134.1. With the decision of Constituency Referendum Commission referendum is considered to be void in referendum constituency if less than 25% of voters, which have been included to the voters lists have taken part in referendum until election is over.
- 134.2. Referendum results in constituency is considered to be invalid, with the decision of Constituency Referendum Commission, in the following cases:
- 134.2.1. when number of votes CAST for and against the issue put on referendum are equal;
 - 134.2.2. when violations, occurred during conduct of referendum or determination of voting results, does not allow to determine voters' will;

- 134.2.3. when number of referendum stations results of which were cancelled is more than $\frac{1}{4}$ of all referendum stations within the same referendum constituency.
- 134.2.4. based on the decision of court.

Article 135. Completion and submission of protocols on vote counting to Central Referendum Commission by Constituency Referendum Commission

- 135.1. Constituency Referendum Commission completes protocol on voting results based on protocols from Precinct Referendum Commissions. That protocol must contain number of Precinct Referendum Commissions, number of protocols that have been submitted by these commissions and used as basis for completion of Constituency Referendum Commission protocol; summarizing information from protocols of Precinct Referendum Commissions and mentioned in Article 132 of this Code.
- 135.2. Constituency Referendum Commission completes protocol in three copies and these are signed by commission members who have the decisive voting right. First copy of the protocol is transferred to Central Election Commission immediately and the following documents should be attached to it:
- Complaints (applications) received by Constituency Referendum Commission about violation of this Code on voting day and decisions made Constituency Referendum Commission with respect to these complaints;
 - Act on receipt of voting papers by Constituency Referendum Commission;
 - Act (recording their number) on canceling the unused voting papers;
 - Act on issuing voting cards and on canceling unused voting cards (recording their number).
- Mentioned acts are signed by chairperson and secretaries of Constituency Referendum Commission. Verified copies of complaints (applications), decisions of Precinct Referendum Commission and abovementioned acts are attached to the second copy of the protocol.
- 135.3. The 2nd copy of a protocol, the packaged and sealed ballot papers, the torn off left corners of these ballot papers, the list of persons mentioned in the Article 38.7 of this Code who observed the count, are kept by the secretary of the precinct referendum commission until the commission has finished its activity.
- 135.4. The 3rd copy of a protocol is hung on the board for general information.
- 135.5. If a commission member with a decisive voting right does not agree with the protocol in whole or some parts of it, he/she can add his/her opinion to the protocol, and the relevant note is made in the protocol.
- 135.6. If the precinct referendum commission finds mistakes or inaccuracies in the protocol after it has been signed, this matter must be discussed in its meeting. Persons mentioned in the Article 38.4 of this Code must be informed about the date and time and place of the meeting. A new protocol should be completed and this new protocol should contain the word “repeated” and be sent to the Central Referendum Commission immediately.

135.7. Central Referendum Commission shall preserve its documents within 5 years.

Article 136. Determination of a referendum

136.1. The Central Referendum Commission shall announce the final outcomes of a referendum not later than 10 days after the referendum.

136.2. The Central Referendum Commission shall determine the following information based on the protocols on voting results received from Constituency Referendum Commissions:

136.2.1. total number of the Azerbaijan citizens included on the voters lists;

136.2.2. number of citizens taken part in voting;

136.2.3. number of citizens voted “for” and “against” each issue put to the vote, and number of ballot papers considered as invalid.

136.3. A referendum is regarded as taken place only in case if more than 25 per cent of voters included on the voters list have participated in the voting at more than half of Referendum Constituencies.

136.3 An issue to be discussed in a referendum is considered to be accepted, if more than half of voters participated in the voting voted for it.

136.4. Nationwide voting is concluded in the meeting of the Central Referendum Commission, the outcomes are officialized in the form of protocol, the protocol is signed by the Commission’s members and the outcomes of referendum are announced in the form of an official notification.

Article 137. Invalidation of a referendum’s outcomes by the Central Referendum Commission

137.1. The Central Referendum Commission shall invalidate outcomes of a referendum in the following cases:

137.1.1. if violations of law have taken place during holding of the voting or during determination of the referendum’s results do not allow to determine the voters’ will;

137.1.2. if in more than $\frac{1}{4}$ of referendum constituency the election results have been canceled in more than $\frac{1}{4}$ of the voting stations within the relevant constituency;

137.1.3. on the basis of court’s decision.

Article 138. Publication of a decision on outcomes of a referendum

A decision made by means of referendum together with the text of an act adopted by referendum shall be published 20 days after the Central Referendum Commission gives an official notification about the outcomes of the referendum.

CHAPTER Twenty. Acts accepted by means of a referendum

Article 139. Coming into force of decisions made by means of a referendum

Act adopted by means of a referendum shall come into force after the day of its publication.

Article 140. Legal force of decisions made by means of a referendum

Act adopted by means of a referendum is final; it has compulsory legal force in whole territory of the Republic of Azerbaijan and can be cancelled or changed only by means of a referendum.

Article 141. Cancellation of decisions of the Central Referendum Commission and invalidation of a referendum

141.1. If unlawful actions, which seriously affect the results of a referendum, were committed during the referendum, according to Article 109 of the Code the referendum shall be considered as invalid.

141.2. Every citizen can appeal to the Court of Appeal with requirement to consider the referendum as invalid within 10 days after announcement of the referendum's results.

141.3. The Court of Appeal of the Azerbaijan Republic shall consider an appeal about a claim on invalidation of a referendum within 10 days.

SECTION SIX. Elections to the Milli Majlis of the Azerbaijan Republic

CHAPTER Twenty One. General provisions on elections of deputies of the Milli Majlis of the Azerbaijan Republic

Article 142. Elections to the Milli Majlis of the Azerbaijan Republic

142.1. 100 deputies of the Milli Majlis are elected, as a rule, on the basis of a single representation norm of voters in single-mandate constituency (one constituency – one deputy). The single representation norm of voters is determined by dividing the total number of registered voters by 100.

142.2. 25 deputies of the Milli Majlis are elected on the basis of number of proportional votes cast for the list of candidates (hereinafter - candidates) nominated by political parties and blocks of political parties in a nationwide constituency.

Article 143. Right of citizens of the Azerbaijan Republic to be elected to the Milli Majlis

The citizens of the Azerbaijan Republic indicated in Article 85 of the Constitution of the Azerbaijan Republic can be elected as a deputy of the Milli Majlis of the Azerbaijan Republic.

Article 144. Assignment of Elections to the Milli Majlis

- 144.1. According to the Articles 84.2 and 109.1 of the Constitution of the Republic of Azerbaijan, a date of elections of deputies of a new convocation is assigned by the President of the Azerbaijan Republic.
- 144.2. The term of office of the newly elected Milli Majlis commences from the first day it meets.
- 144.3. The Milli Majlis is considered as elected since the date it is formed with authorized membership after the elections. A decision on the determination of elections is published officially by the mass media at the latest within 5 days after such a decision is made.

CHAPTER Twenty Two. Nomination of candidates during elections to the Milli Majlis**Article 145. Nomination of candidates on single-mandate constituencies**

- 145.1. Political parties, blocks of political parties, citizens of the Azerbaijan Republic having suffrage and permanently or basically residing in a constituency can nominate candidates on a single-mandate constituency pursuant to Article 52 and 53 of this Code.
- 145.2. Political party and block of political parties cannot nominate more than one candidate for a single-mandate constituency.
- 145.3. Nomination of candidates for a single-mandate constituency is commenced 110 days prior to the voting day.
- 145.4. Candidates for repeat elections in a single-mandate constituency shall be nominated after official publication of assignment of the elections.
- 145.5. Candidates for repeat elections in a single-mandate constituency shall be nominated after the period indicated in Article 172.1. of this Code.
- 145.6. The candidate nominated by voters can agree on his nomination only for one single-mandate constituency.
- 145.7. If formation of a constituency election commission has not come to the end before nomination of candidates, notification on nomination of the candidate, applications of the relevant candidates about their consent and other documents shall be sent to the Central Election Commission. The Central Election Commission shall submit the documents to the constituency election commission after its complete formation and election of its chairperson.
- 145.8. Decision of a political party on nomination of a candidate for a single-mandate constituency shall be verified by the seal of the party. In case of nomination of a candidate by a block of political parties, decision of each party of the block on nomination of its candidate shall be verified by the seal of the party and by signatures

of the authorized representatives of these parties. Information about the candidate in accordance with Article 54.8 of this Code and his/her commitment on termination of his/her activity that is incompatible with his/her deputy status in case of his/her election must be considered in this application

- 145.9. A political party, block of political parties nominated candidates for a single-mandate constituencies must submit to the relevant constituency election commission the relevant protocol of the relevant meeting (congress, conference, meeting of management), as well as application of consent of the candidate to be a candidate on a single mandate constituency together with the decision of the block of political parties on nomination of candidates. Information about the candidate in accordance with Article 54.8. of this Code and his/her commitment on cancellation of his/her activity that incompatible with his/her deputy status in case of his/her election should be considered in this application.
- 145.10. Any citizen or a group of citizens having suffrage can create an initiative group comprising not less than 20 persons for nomination of a candidate for a single-mandate constituency. .If a candidate for a single-mandate constituency is nominated by citizens, the candidate must submit his/her application about his/her consent to act as a candidate to the relevant constituency election commission.

Article 146. List of candidates nominated by political parties and blocks of political parties for a nationwide constituency during the elections to the Milli Majlis

- 146.1. A list of candidates for a nationwide constituency is nominated in accordance with Articles 52 and 54 of this Code.
- 146.2. Political party, block of political parties nominates a list of candidates after official publication of decision on assignation of the elections.
- 146.3. List of candidates nominated by a political party shall be verified by the seal of the political party. In case of nomination of a list of candidates by a block of political parties, decision of political parties being in the block of political parties on nomination of their candidates shall be verified by the seal of the political parties, and list of candidates nominated by a block of political parties shall be verified by signatures of the authorized representatives of the block of political parties and the seal of the parties being in the block of political parties.
- 146.4. Order of names of candidates in the list of candidates shall be determined by a political party, block of political parties.
- 146.5. Candidates nominated for single-mandate election constituencies by political parties and block of political parties cannot be included in the list of candidates.
- 146.6. The total number of candidates in the list of candidates nominated by political parties and block of political parties cannot exceed 30 persons.
- 146.7. The candidate nominated by a political party, block of political parties can be included only in one list of candidates and cannot be nominated as a candidate for a single-mandate constituency. If a block of political parties has submitted documents

necessary for registration of blocks of political parties considered by Article 49 of this Code together with a list of candidates to the Central Election Commission, the Central Election Commission shall consider all submitted documents within 5 days. The Central Election Commission cannot refuse to accept the submitted documents.

- 146.8. The ground for *making decision on* refusal of submission of the list of registered candidates to a political party, a block of political parties can be only inappropriate formalization of documents indicated in paragraphs 1-4 of this Code and violation of rules of nomination of candidates established by this Code.
- 146.9. After submission of a list of candidates to the Central Election Commission, not any change can be made to the order of candidates in the list of candidates, except cases of withdrawal of candidacy on the basis of application of the candidate and by a political party, block of political parties, or regarding the death of a candidate, or the cases indicated in Article 74.3. of this Code.

Article 147. Collection of voters signatures in support of candidates nominated for a single-mandate constituency during the elections to the Milli Majlis

- 147.1. Collection of voters signatures for support of candidates nominated for a single-mandate constituency shall commence from the day of notification of the relevant constituency election commission about the issue, in a manner established by Article 52 of this Code.
- 147.2. At least two thousand signatures of voters must be collected in support of a candidate within the territory of constituency a candidate has been nominated for.
- 147.3. Voters signatures are collected in a manner mentioned in Articles 56 and 57 of this Code.
- 147.4. Signature sheets are prepared in a format mentioned in “Annexes ?” which is attached to this Code.
- 147.5. If political parties and blocks of political parties which have nominated candidates for a single-mandate constituency collect signatures in support of candidates, besides the information about candidates, a signature paper should contain name of political parties and block of political parties which have nominated this candidate, if a candidate have recorded this in his/her application, it should contain the information about party affiliation of a candidate and his/her relevant status in that political party.

Article 148. Collection of voters signatures in support of candidates nominated by the list of political parties, blocks of political parties during the elections to the Milli Majlis

- 148.1. Political parties and blocks of political parties, which have nominated their candidate on the list of candidates, must collect at least 40,000 signatures of voters in at least 75 single-mandate constituencies. Number of signatures collected in each single-mandate constituency must not be less than 400.

148.2. Political parties and block of political parties can start collection of voters signatures in support of a single list of candidates from the day Central Election Commission approves copy of a single list of candidates.

148.3. Voters signatures are collected in a manner mentioned in Articles 56 and 57 of this Code.

148.4. Signature sheets are prepared in a format mentioned in “Annexes ?” which is attached to this Code.

148.5. A person who collects signatures must submit a list of candidates approved by the Central Election Commission on the request of a voter.

CHAPTER Twenty Three. Candidates for deputy registered during the elections to the Milli Majlis

Article 149. Registration of a candidate, list of candidates during the elections to the Milli Majlis

149.1. Candidates, list of candidates are registered in accordance with the rules mentioned in Article 60 of this Code.

149.2. One person cannot be registered:

- on more than one list of candidates, or
- in more than one single-mandate constituency,
- at the same time, on a single list of candidates and single-mandate constituency simultaneously

149.3. If rules mentioned in the paragraph 2 of this article are violated, previous registration of the candidate is considered valid, a decision on registration made a relatively later is canceled by the decision of relevant election commission (if a former registered candidate does not apply for canceling his/her previous registration) or the relevant candidate is removed from the list of candidates.

149.4. Activity of the registered candidates is regulated by Articles 71 and 72 of this Code.

149.5. Election commission made a decision on refusal to register a candidate shall immediately inform the relevant person about it and submit a copy of the decision.

Article 150. Postponement of elections to the Milli Majlis

150.1. If none of the candidates or only one candidate has been registered for a single-mandate constituency, or if none of the lists of candidates or only one list of candidates has been registered during the period mentioned in Article 58.1 of this Code, elections in the relevant constituency is postponed for two months, in accordance with the rules mentioned in the Article 144 of this Code, with a purpose to nominate additional candidates and list of candidates and to conduct other election processes.

150.2. If none of the registered candidates or only one registered candidate remains in an election constituency, or if none of the lists of candidates or only one list of candidates remains in a nationwide constituency till the voting day, elections in the single-mandate constituency is postponed for not more than two months, and in the nationwide constituency for not more than 3 months in accordance with the rules mentioned in the Article 144 of this Code, with a purpose to nominate additional candidates and list of candidates and to conduct other election processes.

Article 151. Reimbursement of transport expenses of a registered candidate during the elections to the Milli Majlis

151.1. Cost of travel using of city, suburb and inter-city transport in common use by a candidate registered in a single-mandate constituency within the relevant election constituency shall be reimbursed.

151.2. In cities having several election constituency, transport expenses of a candidate within the city registered in one of these constituencies are reimbursed.

151.3. If a registered candidate resides outside of his/her single-mandate constituency, his/her expenses for 4 travels by motor or railway transport or 2 travels by plane to the constituency and back shall be reimbursed.

151.4. Travel expenses of a candidate registered in a single-mandate constituency shall be reimbursed by the relevant Constituency Election Commission at the expense of funds allocated for preparation and holding of elections.

151.5. 2 travels of a candidate, included in the list of registered candidates, within the territory of the Azerbaijan Republic by common inter-city transport (including aircrafts) shall be reimbursed.

151.6. This type of reimbursements are carried out at the expense of allocations to the Central Election Commission.

Article 152. Immunity of a registered candidate during elections to the Milli Majlis

Within a period indicated in Article 71 of this Code, a registered candidate cannot be imposed to criminal liability for committed acts, after they have been committed, without consent of the General Prosecutor, cannot be arrested without a court decision and called to administrative account. In case of issuance of such consent or making such decision, the General Prosecutor of the Azerbaijan Republic or the Court immediately informs the election commission where the candidate have been registered.

Article 153. Number of agents of registered candidates, political parties, blocks of political parties during elections to the Milli Majlis

153.1. Each candidate registered for a single-mandate constituency has the right to appoint 3 agents, political party and block of political parties which have a registered single list of candidates, have the right to appoint 30 agents. The relevant constituency election

commission or the Central Election Commission registers the abovementioned persons.

153.2. Status of agents is determined by Article 73 of this Code.

Article 154. Refusal of the candidate status by the candidates, their withdrawal from the list of candidates (withdrawal of the list of candidates)

154.1. Refusal of candidates from their status is regulated by Article 74 of this Code

154.2. A candidate from the registered list of candidates can submit an application to the Central Election Commission and withdraw his/her candidacy at least 5 days prior to the voting day. Such an application cannot be withdrawn. The Constituency Election Commission withdraws the candidate, registered candidate from the relevant list of candidates within 1 day based on the application received.

154.3. Persons who have performed actions mentioned in Articles 74.1-74.3 of this Code have the right to re-nominate their candidacy for any single-mandate constituency, in accordance with rules and period considered by this Code.

154.4. A political party according to its charter, and a block of political parties according to a decision of the authorized representatives of its parties, can withdraw some candidates from the list of candidates approved by the Central Election Commission any time within at least 5 days period prior to the voting day.

154.5. A political party according to its charter, and a block of political parties according to a decision of the authorized representatives of its parties, have the right to apply to the relevant constituency election commission in writing and withdraw a candidate and a registered candidate nominated for a single-mandate constituency any time within at least 5 days period prior to the voting day.

154.6. If the number of candidates withdrawn from the single list of candidates in accordance with the candidate's application as well as political parties and block of political parties decision, is more than 25% of total number of candidates appeared in the approved list of candidates, the Central Election Commission refuses to register the single list of candidates or cancels its registration (except the cases mentioned in Article 74.3. of this Code).

154.7. Other persons can be added to the list because of removal of some candidates and order of candidates' names can be changed. Changes made to the list of candidates in accordance with this Code, charter of political party, agreement on establishment of block of political parties cannot be the basis for refusal of registration of list of candidates or for canceling it.

154.8. A political party, block of political parties, which have nominated a list of candidates applying to the Central Election Commission in writing can refuse to participate in the election and withdraw the single list of candidates at least 5 days prior to the voting day, with a decision of the body which has nominated it.

- 154.9. A political party included in the block of political parties can apply to the Central Election Commission and refuse to participate in the elections as a member of a relevant block of political parties at least 5 days prior to the voting day, based on the decision of authorized body of political party.
- 154.10. A political party which has refused to participate in the election as a member of a relevant block of political parties can participate in the elections as an independent political party or can join another block of political parties in conformity with the rules established in this Code.
- 154.11. If all political parties (except one) refuse to participate in the elections after the Central Election Commission approves the list of candidates nominated by the block of political parties, the remaining political party can participate in the elections as a block of political parties, keeping its name and emblem. This rule does not concern the cases of refusal or cancellation of registration of the single list of candidates, according to paragraph 9 of this article.
- 154.12. If a block of political parties refuses to participate in the elections, it does not mean that political parties included in that block cannot participate either; the followings are required for this:
- repeated nomination of candidates, in accordance with this Code and
 - implementation of other required election actions.

CHAPTER Twenty Four. Preparation to elections to the Milli Majlis

Article 155. Special requirements for conduct of pre-election campaign in mass media during elections to the Milli Majlis

- 155.1. Participation of candidates, political parties, blocks of political parties in pre-election campaign is regulated by Chapter 13 of this Code.
- 155.2. Registered candidates, political parties and block of political parties define form of using on airtime of broadcasting companies and periodicals in election campaigning independently.
- 155.3. 1/3 of total free airtime on TV and radio should be allocated for registered candidates, political parties and block of political parties, which have a registered single list of candidates or having registered candidates in more than half of single-mandate constituencies, to conduct discussions, round tables and other election campaigning actions. Airtime for joint election campaign activities on TV and radio mentioned in the Article 78.3 of this Code is allocated and calculated for registered candidate, political party and block of political parties and performed separately. Registered candidates, political parties and block of political parties must use free airtime on equal basis. In this case, free airtime for each candidate, political parties and block of political parties is defined separately.
- 155.4. Norm of paid use of airtime mentioned in Article 82.1. of this Code is determined by dividing the total volume of the airtime by total number of registered candidates,

political parties and block of political parties, which have a registered single list of candidates or having registered candidates in more than half of single-mandate constituencies mentioned in Article 78.2.

- 155.5. Free space allocated by the periodicals mentioned in the Article 85.1. of this Code is determined by dividing the total volume of free space by total number of registered candidates, political parties and block of political parties, which have a registered single list of candidates or having registered candidates in more than half of single-mandate constituencies and they can use the space on the basis of payment.
- 155.6. Refusal of registered candidates, political parties and block of political parties, which have a registered single list of candidates or having registered candidates in more than half of single-mandate constituencies of participation in actions mentioned in paragraph 2 of this Article shall not cause increase of free airtime allocated in accordance with Article 81.6.

Article 156. Election funds of candidates, registered candidates, political parties, blocks of political parties during elections to the Milli Majlis

- 156.1. A candidate nominated for a single-mandate constituency, political parties, and blocks of political parties, which have nominated a single list of candidates, are obliged to create special election funds. Candidates are included in the single list of candidates, political parties and blocks of political parties, which have nominated candidates only for a single-mandate constituency, do not create special election funds.
- 156.2. Election funds of candidates, and registered candidates nominated for a single-mandate constituency can be organized from the following monetary means:
- 156.2.1. the special funds of candidates and registered candidates — the amount of the special funds cannot be more than 2 thousand times the minimum salary, which is in force on the day of official publication of decision on assignment of the elections;
 - 156.2.2. funds of candidates, political parties, which have nominated a registered candidate, political parties, which are included in the block of political parties--the amount of the funds cannot be more than 5 thousand times the minimum salary which is in force on the day of official publication of decision on assignment of the elections;
 - 156.2.3. equal funds allocated for a registered candidate and other candidates registered by an election commission for single-mandate constituency, except the cases defined by this Code.
 - 156.2.4. voluntary donations from citizens amounting not more than 100 times the minimum salary and legal entities amounting not more than 2000 times the minimum salary which is in force on the day of official publication of decision on assignment of the elections;
- 156.3. Maximum limit of the election fund of the candidates *can not be more than 20,000* times the minimum salary—which is in force on the day of official publication of decision on assignment of the elections.
- 156.4. Election funds of political parties and blocks of political parties can be formed only from the following monetary means:

- 156.4.1. Special funds of political parties and blocks of political parties not exceeding 500 thousand times the minimum salary which is in force on the day of official publication of decision on assignment of the elections (such funds of blocks of political parties are formed from the funds of political parties which are included in that block);
 - 156.4.2. funds allocated for political parties and blocks of political parties by the Central Election Commission, except the cases considered by this Code;
 - 156.4.3. voluntary donations of citizens and legal entities. Limit of voluntary donations cannot be more than 150 times the minimum salary for citizens and 5,000 times the minimum salary for legal entities which is in force on the day of publication of the decision on assignment of the elections.
- 156.5. Maximum limit of expenses spent from the election fund by a political party and block of political parties cannot be more than 100,000 times the minimum salary as defined by the law which is in force on the day of publication of the decision on assignment of the elections

Article 157. Special Election Accounts during Elections to the Milli Majlis

- 157.2. A political party, block of political parties must open special election accounts for creating election fund, after they receive a copy of approved single list of candidates from the Central Election Commission, but not later than 5 days prior to the date of submission of list of candidates to the Central Election Commission for registration.
- 157.3. A candidate opens a special election account on the basis of the document issued by the Constituency Election Commission on nomination of the candidate and political parties, block of political parties open a special election account on the basis of an approved list of candidates issued by the Central Election Commission, as well as attaching documents mentioned in Article 53 and 54 of this Code. A candidate may request another person to open specific election account for them in conformity with the determined rules. A candidate, a registered candidate can authorize another person to use funds available in his/her election account, informing the Central Election Commission about it in writing. A political party or block of political parties opens special election account on the basis of the document issued by the Central Election Commission verifying registration of their authorized representatives on financial issues after the Central Election Commission approves copy of the list of candidates of political parties, block of political parties. A candidate, a registered candidate, a political party, block of political parties themselves bear the responsibility for violation of rules on financing defined by this Code while financing their election campaign.
- 157.4. If the constituency of a candidate a registered candidate changes, he/she must return the balance remained in the special election account by distributing it proportionally among the persons and legal entities who contributed voluntary donations. After doing this, the candidate, the registered candidate must submit a final financial report to the Central Election Commission and must submit copy of financial report to the Constituency Election Commission. Opening a special election account in a new constituency shall be regulated in conformity with the rules defined by this Code.

Article 158. Transparency in Use of Election Funds during Elections to the Milli Majlis

- 158.1. The following information must be necessarily published in conformity with the rules mentioned in Article 96.3 of this Code:
- 158.1.1. on expenditure of funds, if they exceed 2,000 times the minimum salary, which is in force on the day of publication of the decision on assignment of the elections, for political parties and blocks of political parties and 500 times - for a candidate and registered candidate;
 - 158.1.2. on legal entities who contributed donations to the election funds which exceed 1,000 times the minimum salary, which is in force on the day of publication of the decision on assignment of the elections, for political party and block of political parties and 250 times – for a candidate or registered candidate.
 - 158.1.3. on number of citizens who contributed donations more than 50 times the minimum salary which is in force on the day of publication of the decision on assignment of the elections;
 - 158.1.4. on funds returned to the contributors and reasons for return;
 - 158.1.5. on total amount received by election fund and total amount of its expenditure.

Article 159. Order of Return of Money Received by Candidates, Registered Candidates, Political Parties and Block of Political Parties during the Elections to the Milli Majlis

- 159.1. A candidate not registered by the relevant election commission and a political party or block of political parties with no registered list of candidates are to return unexpended money (excluding transfer expenses) remained in the election fund by distributing them among the citizens-contributors and legal entities in accordance with the proportional relativity of transferred donations, before final financial report is submitted.
- 159.2. After a registered candidate, political party or block of political parties mentioned in Article 160.1 of this Code of this Article return the funds to the relevant election commission, they return unexpended money from election fund to the citizens-contributors and legal entities in a manner mentioned by paragraph 1 of this Article, before final financial report is submitted and with an agreement of the relevant election commission.
- 159.3. It is prohibited for registered candidates, political parties and block of political parties not considered by Article 160.1 of this Code to return unexpended money of the election fund to citizens and legal entities which made donations to their elections fund until money provided by the relevant election commission is returned and cost of free airtime given by TV and Radio organizations and cost of spaces allocated by periodicals are paid by political parties and block of political parties. In such cases, money of election commission shall be the first to be returned by political parties and block of political parties.

159.4. A registered candidate, political parties and block of political parties not considered by Article 160.1 of this Code must return unexpended money of election fund to the citizens-contributors' and legal entities' bank accounts in a manner mentioned in paragraph 1 of this Article, after they pay election commissions and TV and Radio companies for free airtime and periodicals for free space.

Article 160. Obligation of Return of Budget Funds Received by Candidates, Registered Candidates, Political Parties and Blocks of Political Parties during the Elections to the Milli Majlis

160.1.

- a registered candidate who participated in voting in single-mandate constituency and collected at least 3% of votes of total number of voters in that constituency;
- a registered candidate who is considered to be elected as well as registered candidate who withdrew his/her candidacy due to the compelled circumstances;
- a political party and block of political parties which participated in voting in nationwide constituency and collected 1% of votes of total number of voters, which have registered list of candidates or which participate in distribution of deputy mandates, which have withdrawn list of candidates due to the compelled circumstances

are obliged to return unexpended part of election fund transferred by the relevant election commission to the same election commission within 30 days after the election day. If this period expires, the relevant bank must transfer the amount mentioned in election commission's letter to its account with no disputes.

160.2. A registered candidate, political party, block of political parties not mentioned in paragraph 1 of this Article must fully return all amounts and funds for transport expenses transferred by the relevant election commission to their election funds within 30 days after the voting day. If this period expires, the relevant bank must transfer the amount mentioned in election commission's letter to its account with no disputes.

160.3. The relevant election commission informs the registered candidates, political parties and blocks of political parties not mentioned in paragraph 1 of this Article about the amount of budget fund to be returned which was transferred to their election funds and allocated for transport expenses, in conformity with the rules defined by this Code.

Article 161. Payment of cost of Free Airtime and Free Space Allocated by Periodicals for Registered Candidates, Political Parties, Blocks of Political Parties

161.1. Political party, block of political parties not considered by Article 160.1 of this Code must pay the full cost of free airtime and free space to the TV and Radio companies and periodicals mentioned in Articles 78.2 and 78.3 of this Code. This amount must be paid from the election fund by political parties, blocks of political parties before the date the final financial report is submitted.

161.2. The Central Election Commission transfers the following to the TV and Radio companies and periodicals mentioned in Articles 78.2 and 78.3 of this Code within 3 days after general results of elections are officially published:

- list of political parties, block of political parties considered by paragraph 1 of this Article, as well as list of political parties included in the block of political parties mentioned above;
 - their addresses;
 - verified copies of extracts from joint decisions of blocks of political parties on payment of used free airtime and space allocated by periodicals.
- 161.3. TV and Radio companies and periodicals mentioned in Articles 81.5 and 78.3 of this Code shall send relevant information on cost of free airtime and free space, their legal addresses and bank account to the political parties, blocks of political parties and political parties included in the block of political parties considered by paragraph 1 of this Article, within 10 days period after the date general results of elections are officially published.
- 161.4. Cost of free airtime and space considered by Articles 81.5 and 155.3 of this Code shall be determined in a manner considered by Articles 82.3 and 85.2 of this Code by multiplying total volume of free airtime and space provided to political parties, block of political parties by TV and Radio companies and periodicals by cost of airtime and space and space allocated for publishing information determined by TV and radio companies and periodicals.
- 161.5. When political parties and block of political parties with registered list of candidates use free airtime to conduct joint election campaign activities considered by Article 155.3 of this Code, amount of funds returned by each political party and block of political parties is determined by TV and Radio companies by dividing it proportionally by the total number of participants of each joint TV program.
- 161.6. If a political party or block of political parties refuses to use free airtime and space in a periodical in conformity with the rules and period defined by the Articles 82.5 and 86.1 of this Code, cost of presented free airtime and allocated space in a periodical shall not be paid.
- 161.7. TV and Radio companies and periodicals considered by Articles 78.2 and 78.3 of this Code shall inform the Central Election Commission about political parties considered by Article 160.1 of this Code which did not completely pay cost of free airtime and space in a periodical, within 12 months period effective voting day. The Constituency Election Commission informs the Central Election Commission about citizens considered by Article 160.2 of this Code and those who have debt obligations to the election commission, within 12 months period effective the election day.

Article 162. Money Remained in Special Accounts of Election Funds of Candidates, Registered Candidates, Political Parties, Blocks of Political Parties during Elections to the Milli Majlis

The relevant bank, on the basis of written instructions of the relevant election commission, must transfers money remained in special accounts of election funds of candidates, registered candidates, political parties, blocks of political parties to the state budget 60 days after the voting day.

Article 163. Return of Money Received by Candidates, Registered Candidates, Political Parties and Blocks of Political Parties to Their Own Accounts during the Elections to the Milli Majlis

- 163.1. If there are no money in election fund or it is short of money a registered candidate, a political party or block of political parties shall return budget money, as well as cost of free airtime and space in periodical allocated for political parties and block of political parties from their own funds.
- 163.2. If a block of political parties is responsible for returning budget money allocated for transport expenses and for payment of free airtime presented and space allocated in a periodical, money to be returned shall be proportionally distributed among the political parties included in that block before voting day, with a condition, if no other rules are considered in the joint decision on creation of the block of political parties and submitted to the Central Election Commission.
- 163.3. If a registered candidate who is not considered by Article 160.1 of this Code and who has not fulfilled requirements of Article 160.2 of this Code until he/she submits a final financial report undertakes to submit a final financial report and to return the funds in conformity with this Code, he/she can return funds to the relevant Constituency Election Commission within 12 month effective the election day.
- 163.4. If a political party, block of political parties which is not considered by Article 160.1 of this Code and which has not fulfilled the requirements of Articles 162.2 and 161.1 of this Code before it submits its final financial report undertakes obligations to the Central Election Commission, TV and Radio companies and periodicals to pay the relevant funds within the period defined by this Code, it can be given time to pay budget money, for used free airtime and free space in periodical within 12 month period effective the voting day.
- 163.5. If obligations considered by paragraphs 3 and 4 of this Article are not fulfilled and if the period mentioned in obligations on returning the funds expires, that money shall be returned by the court. If a registered candidate who is not considered by Article 160.1 of this Code and who has not fulfilled the requirements of paragraphs 3 and 4 of this Article does not undertake obligations mentioned in paragraphs 3 and 4 of this Article before political parties, block of political parties submit their final financial report, money shall be returned by the court before period for submission of final financial report expires.
- 163.6. If a candidate or registered candidate loses his/her status, obligations charged the candidate or registered candidates by this Article shall be imposed on a person who was considered as candidate or registered candidate. Obligations charged by this Article the political parties and block of political parties will be imposed on the political parties including those which entered the block of political parties after elections finish.
- 163.7. The Central Election Commission provides the Constituency Election Commission with information about citizens who are considered by Article 160.1 of this Code and who have obligations to the election commissions within 5 days after Constituency

Election Commissions are formed and after a decision on determination of main, repeat or additional elections is officially published.

163.8. A person considered by Article 160.2 of this Code, who has debts to the election commission regarding the budget for the date of official publication of decision of assignment of the voting day, does not have the right to get funds from the state budget during the main, repeat and additional elections, regardless of what constituency he/she has been nominated for.

163.9. A political party which:

- was independent during the previous elections or was a member of block of political parties;
- is considered by Articles 160.2 and 161.1 of this Code;
- has debts to the Central Election Commission regarding the budget for the date decision on assignment of next election day is officially published;
- has debts to the TV and Radio companies and periodicals

does not have the right to get funds from the Central Election Commission and cannot use free airtime and space in periodicals. This rule is also applied to the blocks of political parties established from the political parties mentioned above.

CHAPTER Thirty. Conduct of Elections to the Milli Majlis

Article 164. Voting Room during the Elections to the Milli Majlis

164.1. A voting room during the elections to the Milli Majlis shall be organized in conformity with the rules of Article 99 of this Code.

164.2. Two ballot boxes shall positioned in the voting room during the election to the Milli Majlis: one for voting for candidates for a deputy to be elected on majoritarian basis, another for voting for candidates for a deputy to be elected on proportional basis.

164.3. The Precinct Election Commission shall place notice board in the voting room or in front of it which contains the following:

- samples of ballot papers;
- information on political parties, block of political parties, list of registered candidates;
- following information about all candidates registered from the relevant constituency: name, surname, date of birth, education, main working (service) place and occupation (if a candidate does not have it – type of activity), address of residence, who has nominated them.

164.4. If a registered candidate or a candidate from the list of candidates has a sentence which is not served or cancelled, the information must contain name and number of the relevant article of the Criminal Code that a candidate was imposed. If a candidate has done an action which imposes criminal liability by the Criminal Code in other

country he/she resides, name of the relevant law of the foreign country must be recorded as well.

164.5. Single lists of candidates registered by the Central Election Commission must be displayed in the voting room.

164.6. Information on candidates, political parties and blocks of political parties shall be appear in the order and consecution that considered by the ballot paper.

Article 165. Ballot Papers during the Elections to the Milli Majlis

165.1. Ballot papers for the elections to the Milli Majlis shall be prepared in conformity with the rules mentioned in Article 100 of this Code.

165.2. Short names of political parties and blocks of political parties with registered lists of candidates, as well as their symbols with the same colour shall be place on the ballot papers for the nationwide constituency in conformity with the rules defined based on results of a draw. In such cases, abbreviated name of the political parties which included in the block of political parties must be recorded. A draw shall be conducted by the Central Election Commission at least 36 days prior to the voting day with in presence of authorized representatives of political parties, blocks of political parties. The number received in the draw by political parties and blocks of political parties shall be kept till the end of elections. Names, surnames, fathers' names of first three candidates from the single list of candidates nominated by political parties and blocks of political parties shall be placed under the names of political parties, blocks of political parties.

165.3. A blank box shall be placed to the right hand side of the names of political parties and blocks of political parties. A line containing "Against all lists of candidates" placed on the same level as a blank box which is on the right hand side shall appear to the end of the list of political parties, blocks of political parties.

165.4. A ballot paper for a single-mandate constituency must contain the following information about the registered candidates in alphabetical order:

- name, surname, father's name, nickname, date of birth;
- place of residence;
- main employment or service place (if they do not have it – type of activity);
- elective position occupied in state or municipal bodies;
- who has nominated them.

The ballot paper must contain short name of the political party that a candidate is a member of who is registered in conformity with Article 54 of this Code. The ballot paper may contain party affiliation of the candidate registered in conformity with Article 53 of this Code, with his/her consent. A blank box is placed to the right hand side of the information about each registered candidate.

165.5. A line containing "Against all candidates" placed on the same level as a blank box which is on the right hand side shall appear to the end of the list of registered candidates.

165.6. If some candidates are withdrawn or their registration is cancelled or if single lists of candidates of some political parties and blocks of political parties are withdrawn after the ballot papers were prepared, then following the instructions of election commissions which registered those candidates and single lists of candidates the Constituency or Precinct Election Commissions shall cross out their names with a purpose of erasing information about such candidates or political parties, blocks of political parties from the ballot papers. In case of need of adding or amending information regarding the registered candidate, political party or block of political parties in the printed ballot paper, the addition or amendment to the ballot papers is made in conformity with the decision of the Central Election Commission with handwriting of the Constituency or Precinct Election Commissions members using stamp of the election commission.

Article 166. Voting Rules during the Elections to the Milli Majlis

166.1. Voting procedure during the elections to the Milli Majlis shall be conducted in conformity with Articles 102 and 103 of this Code.

166.2. Each voter receives two ballot papers – for nationwide constituency and for single-mandate constituency.

166.3. A voter marks a blank box located to the right hand side of the names of political party or block of political parties he/she wants to vote for or a blank box located to the right hand side of the line “Against all single lists of candidates” in the ballot paper when voting for the nationwide constituency. A voter marks blank box located to the right hand side of the name of candidate he/she wants to vote for or a blank box located to the right hand side of the line “Against all candidates” in the ballot paper when voting for the single-mandate constituency. The voter places the completed ballot paper in the ballot boxes designated nationwide or single-mandate constituencies.

Article 167. Count of Votes during the Elections to the Milli Majlis

167.1. Count of votes during the elections to the Milli Majlis shall be conducted in conformity with Article 104 of this Code.

167.2. The Precinct Election Commission shall complete two protocols on voting results: protocol #1 for single-mandate constituency and protocol #2 for nationwide constituency.

167.3. Each protocol shall contain the following information about results of voting:

167.3.1. total number of voters on the voters list (number of voters on the supplementary list – separately);

167.3.2. number of ballot papers transferred to the Precinct Election Commission;

167.3.3. number of ballot papers issued to the voters on the election day;

167.3.4. number of ballot papers issued to the voters who voted outside of the voting station;

167.3.5. number of cancelled ballot papers;

- 167.3.6. number of ballot papers inside the precinct ballot box (except ballot papers not in determined form);
- 167.3.7. number of valid ballot papers;
- 167.3.8. number of ballot papers inside the mobile ballot box (except ballot papers not in determined form);
- 167.3.9. number of invalid ballot papers (in separate lines: number of ballot papers not in determined form and number of ballot papers not marked).

167.4. Protocol #1 shall contain the following additions:

- 167.4.1. names, surnames, fathers' names of candidates who appear in the ballot box; if they are identical – additional information about the candidates;
- 167.4.2. number of votes cast for each candidate;
- 167.4.3. number of votes cast against all candidates;
- 167.4.4. number of voters who received ballot papers.

167.5. Protocol #2 shall contain the following additions:

- 167.5.1. names of political party and block of political parties which appear in the ballot paper;
- 167.5.2. number of votes cast for list of candidates of each political party, block of political parties;
- 167.5.3. number of votes cast against single lists of candidates of all political parties and blocks of political parties;
- 167.5.4. number of voters who received ballot papers.

Article 168. Determination of Voting Results and Election Returns for Single-Mandate Constituencies during the Elections to the Milli Majlis

- 168.1. The Constituency Election Commission summarizes all information based on first copies of protocol #1 on voting results (after their accurate completion is checked in advance) of the Precinct Election Commissions and determines election returns for single-mandate constituency and voting results for nationwide constituency at latest 2 days after voting day. Summarization of information from the PEC protocol #1 must be done continuously until protocol #1 of the Constituency Election Commission is not completed. Summarization of information from the protocols of the Precinct Election Commissions shall be directly performed by Constituency Election Commission members with decisive voting rights.
- 168.2. The Constituency Election Commission can consider elections for the single-mandate constituency void in the following circumstances:
 - 168.2.1. if less than 25% of voters included in the voters list up to the end of elections record their votes participated in the elections;
 - 168.2.2. if number of votes cast for a candidate who has collected majority of votes is less than the number of votes cast against all candidates;
 - 168.2.3. if votes cast for registered candidates are tied.
- 168.3. The Constituency Election Commission considers election for the single-mandate constituency invalid in the following circumstances:

- 168.3.1. if it is impossible to determine the voter's will due to violations occurred during the conduct of voting or during the determination of results of voting;
 - 168.3.2. if number of voting stations results of voting of which are considered invalid in the single-mandate constituency is more than $\frac{1}{4}$ of total number of voting stations within the same constituency;
 - 168.3.3. on the basis of court's decision;
- 168.4. The Constituency Election Commission completes protocol #1 on results of voting for single-mandate constituency on the basis of protocols #1 of the Precinct Election Commissions. This protocol shall contain the following:
- number of Precinct Election Commissions;
 - number of protocols #1 provided by abovementioned Precinct Election Commissions which were basis for completion of Constituency Election Commission's protocol;
 - summarization of information mentioned in Articles 167.3 and 167.4 of this Code and information recorded in the protocols #1 of the Precinct Election Commissions;
 - surname, name and father's name of the candidate elected.
- 168.5. A candidate who record the most votes of the voters who have participated in the elections is considered to be elected from the single-mandate constituency.
- 168.6. The Constituency Election Commission completes a protocol #2 on results of voting for the nationwide constituency in the part which is within the territory of single-mandate constituency, based on the protocols #2 of the Precinct Election Commissions. This protocol summarizes number of Precinct Election Commissions, number of protocol #2 of the Precinct Election Commission which is the basis for completion of protocol #2 of the Constituency Election Commission, information considered by Articles 167.3 and 167.5 of this Code and recorded in the protocols #2 of the Precinct Election Commission. Summarization of information in protocols #2 of a Precinct Election Commissions should be uninterruptedly continued until drawing up of the protocol #2 for Constituency Election Commission.
- 168.7 The protocols #1 and #2 of a Constituency Election Commission are developed in 3 copies each and signed by members of the commission with decisive voting rights. The first copy of each protocol is immediately sent to the Central Election Commission, along with enclosed complaints submitted during the voting day to the Constituency Election Commission on violation of this Code, and decisions of the Constituency Election Commission related thereto; acts on receipt of ballot papers by the Constituency Election Commission; acts on cancellation of unused ballot papers (indicating number of such papers); acts on issue of de-registration cards and cancellation of unused de-registration cards (indicating number of such cards). The mentioned acts are signed by the Chairperson and secretaries of the Constituency Election Commission. The verified photocopies of complaints, decisions of the Precinct Election Commission, and aforementioned acts are attached to the 2nd copy of the protocol.

- 168.8 The 2nd copy of each protocol with enclosed packaged and sealed ballot papers, torn-off left corners of ballots, and lists of persons specified in Article 38.7 of this Code, who observed counting of votes, is to be kept by the secretary of the Constituency Election Commission until the activity of the commission is completed.
- 168.9 The 3rd copy of each protocol is posted on the relevant information board for familiarization.
- 168.10 A member of the commission with decisive voting right, who does not agree with the protocol in whole or some parts of it, may enclose its special opinion to the protocol, and the relevant notes are to be made in the protocol.
- 168.11 If a mistake or incorrectness is revealed in the protocol after it has been signed, the Constituency Election Commission should consider the issue in its meeting. The persons, specified in Article 38.4 of this Code, have to be informed of place and time of the meeting. In this case, a new protocol should be prepared, this new protocol should contain the word "Repeated" and immediately sent to the Central Election Commission.

Article 169. Determination of Voting Results of Elections to the Milli Majlis in Nationwide Constituency.

- 169.1 Within at most 5 days after the voting day, the Central Election Commission summarizes all information indicated on the first copies of protocols #2 on the voting results (after their accuracy been checked) of the Precinct Election Commissions and determines results of elections in a nationwide constituency. Summarization of information described in protocols of the Constituency Election Commissions is carried out without interruption by the members of the Central Election Commission with decisive voting right.
- 169.2 The number of voters who participated in elections in a nationwide constituency is determined according to the number of ballot papers in a determinate form, which are inside of the ballot boxes.
- 169.3 Political parties, blocks of political parties can get a deputy mandate only when at least 5% of voters participating in elections have voted through valid ballot papers for the list of candidates nominated by them.
- 169.4 Mandates are distributed among the political parties, blocks of political parties proportionally, using the quota and remainder methods, based on votes collected by political parties and blocks of political parties. For this purpose first, the number of votes required for the election quota, that is, for receiving one mandate, is determined through dividing the total number of voters, who voted through the valid ballot papers, by number of mandates for the nationwide constituency. Then, the number of votes cast for the single list of candidates nominated by political parties, blocks of political parties is divided by the election quota and the resulting number shows the number of mandates for each party. The remaining mandates are distributed according to the method of the remainder, that is, they are distributed consecutively among the single lists of candidates with the most remaining votes after the previously described division.

- 169.5 Candidates in a single list receive their mandates in accordance with the to position of political parties, block of political parties, shown in the list.
- 169.6 A candidate, who has the right to receive a mandate, can refuse to accept it. An application on refusal from receiving a mandate cannot be withdrawn. In such case, the mandate is given to the candidate whose name appears in the single list of candidates, whose name comes first after the name of a candidate, who refused to receive a mandate, and who was not considered to be given a mandate.
- 169.7 The Central Election Commission considers the elections in the nationwide constituency to be void, in the following circumstances: if less than 25% of voters have participated in the elections in nationwide constituency, or if none of the political parties and blocks of political parties could collect more than 6% of the votes.
- 169.8 The Central Election Commission considers the elections in the nationwide constituency to be invalid, in the following circumstances:
- 169.8.1 if violations occurred during the conduct of voting or during the determination of the voting results, make it unclear as to what the will of the voters was;
 - 169.8.2 if in more than $\frac{1}{4}$ of single-mandate constituencies the election results have been considered invalid in more than $\frac{1}{4}$ of the voting stations within the relevant constituency;
 - 169.8.3 on the basis of a court's decision.
- 169.9 The Central Election Commission includes the following information in the protocol on distribution of deputy mandates in the nationwide constituency among the political parties and blocks of political parties:
- 169.9.1 number of Constituency Election Commissions;
 - 169.9.2 number of protocols #2 of the Constituency Election Commissions, served as a basis for preparation of the same protocols of the Central Election Commission;
 - 169.9.3 summarization of information specified in Articles 167.3 and 167.5 of this Code, and indicated in protocols #2 of the Constituency Election Commissions;
 - 169.9.4 names of political parties and blocks of political parties, which participate in the process of distribution of mandates, and number of votes given for the single list of candidates nominated by each of them;
 - 169.9.5 name, surname and patronymic of each candidate, elected as a deputy.
- 169.10 The protocol of the Central Election Commission is signed by the members of the commission who have decisive voting rights. A table, which contains the complete results of elections in a nationwide constituency is attached to the protocol.
- 169.11 If a commission member with a decisive voting right does not agree with the protocol or some parts of it, he/she can add his/her opinion to the protocol, and relevant notes are made in the protocol. Complaints (applications) received by the Central Election Commission on violations of the requirements of this Code and decisions made on them are attached to the protocol.

- 169.12 Verified copies of the protocol and summarized table are submitted to all members of the Central Election Commission and persons, mentioned in Articles 38.1 and 38.8 of this Code, which were observing the process of determination of the results of elections in a nationwide constituency.
- 169.13 If mistakes, inadmissible corrections or discrepancies are found in the protocol or summarizing table after they are approved, the Central Election Commission must discuss the matter on making changes to the protocol and table, in its meeting. In this case, the persons, mentioned in Article 38.4 of this Code, the members of the Central Election Commission who participated in completing of the protocol and other persons (including Mass media representatives), who observed the fact, are informed of the place, time and matter of the meeting in advance.
- 169.14 If the Central Election Commission finds any mistakes, inadmissible corrections or discrepancies in the protocols (including other documents) provided by the Constituency Election Commissions, it can make a decision on recounting the votes in the relevant constituency. In this case, recounting of votes is carried out with participation of the Central Election Commission members having decisive voting rights. Persons, mentioned in Article 38.4 of this Code, are informed in advance about the recounting. A relevant protocol is drawn up on recounting of votes and the protocol is recorded as “recounting of votes”.

CHAPTER Thirty One. Results of Elections to the Milli Majlis

Article 170. Determination of General Results of Elections to the Milli Majlis

- 170.1 The Central Election Commission determines the general results of elections within ten days, effective from the Election Day, based on protocols on determination of results of elections in nationwide constituency and on distribution of deputy mandates and the protocols #1 of the Constituency Election Commissions.
- 170.2 The Central Election Commission considers the results of elections to be invalid in the single-mandate constituencies, if it cannot determine the will of voters due to the violations occurred during conduct of voting or during the determination of voting results.

Article 171. Checking and Approval of Results of Elections to the Milli Majlis

- 171.1 In accordance with Article 86 of the Constitution of the Azerbaijan Republic, the results of elections are checked and approved by the Constitutional Court of the Azerbaijan Republic.
- 171.2 The Central Election Commission submits protocols #1 and #2 (along with documents attached to the protocols in accordance with this Code) of the Constituency Election Commissions, its own decision on determination of election results in nationwide constituency, to the Constitutional Court at latest 10 days after the Election Day.

- 171.3 After the Constitutional Court receives the aforementioned documents, it involves relevant specialists and within a 10-day period checks if the documents meet requirements of this Code.
- 171.4 If the protocols of the Constituency Election Commissions and the documents attached to them, and the relevant protocol of the Central Election Commission meet the requirements of this Code, then the Constitutional Court approves the results of elections.
- 171.5 If the results of elections are not completely approved, new elections are assigned in accordance with Article 144 of this Code.
- 171.6 If election results in the nationwide constituency or in more than $\frac{1}{4}$ of the single-mandate constituency; or the election results in a single-mandate constituency are not approved, repeat elections are held in accordance with Article 172 of this Code.

Article 172. Repeat Elections to the Milli Majlis

- 172.1 The Central Election Commission conducts repeat elections in accordance with this Code, if the elections are considered void or invalid in the relevant constituency, based on Article 171.6 of this Code, or results of elections are not approved or cancelled according to Article 109.4 of this Code. The repeat elections are conducted not later than 90 days after the initial elections, or not later than 60 days after the elections have been announced void or invalid. During the repeat elections, election activities can be shortened in half by the Central Election Commission. In this case, the Central Election Commission can prolong activity period of Constituency and Precinct Election Commissions or reorganize them, in accordance with Articles 31 and 35 of this Code. If repeat elections in a single-mandate constituency have been considered void according to Article 168.2 of this Code, other repeat elections can be conducted in the same constituency not later than a year after the last repeat elections.
- 172.2 During the repeat elections, a deputy of the Milli Majlis cannot nominate himself/herself as a candidate.

Article 173. Registration of Deputies Elected to the Milli Majlis

- 173.1 The relevant election commission informs the candidate elected as a deputy immediately after signing the protocol on results of elections. Within at most 25 days, the candidates elected as deputies should submit to the relevant election commission a copy of the order on resignation from a position incompatible with his/her deputy status and indicated in Article 85 paragraph 2 of the Constitution (copies of documents which prove that he/she has submitted an application on resignation within 3 days) or an application which contains the candidate's obligations on termination of his/her functions.
- 173.2 If a candidate elected from the single list of candidates nominated by political parties or blocks of political parties, and who has received a mandate, does not perform the requirements specified in Paragraph 1 of this Article, then the candidate is removed from the single list of candidates, and his/her mandate is given to another candidate from the same list of candidates.

- 173.3 If a candidate elected from the a single-mandate constituency, does not perform the requirements specified in Paragraph 1 of this Article, then the Central Election Commission cancels results of elections in the relevant constituency and carries out repeat elections. If a candidate does not perform the requirements mentioned in Paragraph 1 of this Article, without compelling reasons indicated in Article 74.3 of this Code, and if due to these reasons repeated elections are carried out, then the candidate must return all state funds, allocated by the relevant election commission with regard to repeat elections.
- 173.4 After the results of elections are published and after a deputy has resigned from his/her position which is incompatible with the status of deputy, or after his/her functions are terminated, the Central Election Commission registers him/her as a deputy and issues him/her a deputy card.

Article 174. Publication of Election Returns and Voting Results of Elections to the Milli Majlis

- 174.1 After members of election commissions approve information on voting results in electoral precincts and voting results in the constituency and the relevant protocols, they are submitted to each voter; each registered candidate; agents of political parties and blocks of political parties; observers; authorized representatives of political parties and blocks of political parties; and representatives of mass media, upon request made by each of them, in order to become familiar with the mentioned documents. The above indicated information is submitted by the relevant election commission.
- 174.2 The Constituency Election Commission and the Central Election Commission provide the mass media with information on results of elections within one day after election results of the relevant election commission are approved according to Article 171 of this Code.
- 174.3 Within 45 days after the Election Day, the Constituency Election Commission organizes official publication of information described in protocols #1 and #2 of all Precinct Election Commissions of single mandate constituencies, by the mass media specified in Article 78.3 of this Code.
- 174.4 The Central Election Commission officially publishes information on final results of elections; number of votes cast for candidates and single lists of candidates; and number of votes cast against all candidates and single lists of candidates, within at most 60 days after the Election Day. Within this period, the Central Election Commission publishes by its official press detailed information on the elected deputies and information from protocols #1 and #2 of the Constituency Election Commissions.

CHAPTER Thirty Two. Distribution of Vacant Mandates, Conduct of Additional Elections to the Milli Majlis

Article 175. Distribution of Vacant Deputy Mandates for Nationwide Constituency and Conduct of Additional Elections to the Milli Majlis

- 175.1 If a deputy elected from the single list of candidates nominated by political parties and blocks of political parties is removed from the list, the Central Election Commission submits the deputy mandate to another candidate from the same list, according to Article 169.6 of this Code.
- 175.2 In case of circumstances specified in Article 89.2.2 of the Constitution, the Chairperson of the Milli Majlis issues a decree on invalidation of mandates of the deputies elected from the single list of political parties, blocks of political parties, not later than 2 days after the relevant request is received by the Milli Majlis. In case of breaks between sessions, the Chairperson makes a decree within 2 days after sessions commence. In accordance with Article 89.2.5 of the Constitution, mandate of a deputy is considered annulled effective on the date of receipt of his/her application on termination of his/her powers. In cases, as mentioned in Article 89.2.1 of the Constitution, the deputy is considered to lose his/her mandate, effective the date the Central Election Commission makes the relevant decision; in circumstances indicated in paragraphs 3 and 6 of the same Article, deputies elected from the single list of deputies lose their mandates from the date an appropriate decree (verdict) is made (entered into force) by a relevant court.
- 175.3 If the deputy violates the requirements specified in Article 85.2 of the Constitution, the Central Election Commission makes a decision on the facts described in relevant information within 30 days from the date the relevant information has been received. If breach of rules indicated in the aforementioned Article is confirmed, then the deputy loses his/her mandate from the date the decision is made.
- 175.4 If activities of a registered political party are prohibited according to the grounds and provisions defined by the Constitution or Legislation of the Azerbaijan Republic and if the deputies which were included into the single list of candidates of that political party (block of political parties) and received deputy mandates lose their mandates as a result of a relevant decision, and when twenty and more mandates remain vacant according to the reasons indicated in Article 89 of the Constitution, then additional elections are conducted in a nationwide constituency within the period, specified in Article 144 of this Code.
- 175.5 If a deputy is removed from the single list of candidates, and if there are no more registered candidates in the list, then the deputy mandate remains vacant until the next main deputy elections.

Article 176. Conduct of Additional Elections for Single-Mandate Constituencies in Elections to the Milli Majlis.

- 176.1 In case of circumstances defined in Article 89.2.2 of the Constitution, the Chairperson of the Milli Majlis issues a decree on termination of powers of the deputy elected from a single-mandate constituency according to Article 175.2 of this Code, not later

than 2 days after the relevant request is received by the Milli Majlis. In case of breaks between sessions, the Chairperson makes a decision within 2 days after sessions commence. In accordance with Article 89.2.5 of the Constitution, the mandate of a deputy elected from a single-mandate constituency is considered annulled effective upon the date of receipt of his/her application on termination of his/her powers. In cases, as mentioned in Article 89.2.1 of the Constitution, the deputy is considered to lose his/her mandate, effective the date the Central Election Commission makes the relevant decision; in circumstances indicated in paragraphs 3 and 6 of the same Article, deputies elected from the single list of deputies lose their mandates from the date an appropriate decree (verdict) is made (entered into force) by a relevant court.

- 176.2 If the deputy elected from a single-mandate constituency violates the requirements specified in Article 85.2 of the Constitution, the Central Election Commission must make a decision on facts described in relevant information within 30 days from the date the information has been received. If violation of the requirements indicated in the aforementioned Article is confirmed, then the deputy loses his/her mandate from the date the decision is made.
- 176.3 The Central Election Commission conducts additional elections for the relevant single mandate constituency within the period specified in Article 144 of this Code, a month after a mandate has become vacant.
- 176.4 If additional elections in the single-mandate constituency are considered invalid in accordance with Article 170.2 of this Code, then the next additional elections should be conducted not later than a year after the last additional elections were conducted.
- 176.5 A deputy cannot nominate himself/herself, when additional elections are conducted for vacant deputy mandates.
- 176.6 Nomination of candidates, their registration and other electoral actions in a single-mandate constituency are carried out in accordance with the rules established by this Code.

SECTION SEVEN. Election of President of the Republic of Azerbaijan

CHAPTER Thirty Three. General Provisions.

Article 177. Basic Principles of the Election of the President of the Republic of Azerbaijan

General principles of the election of the President of the Republic of Azerbaijan (hereafter referred to as Presidential Elections) are determined by Articles 100-103 of the Constitution of the Republic of Azerbaijan (hereafter referred to as Constitution).

Article 178. Nationwide constituency for Presidential elections

Presidential elections are conducted on a nationwide constituency covering the territory of the Republic of Azerbaijan.

Article 179. Rights of the Citizens of the Republic of Azerbaijan to be Elected as the President

Citizens of the Republic of Azerbaijan who meet the requirements of Article 100 of the Constitution can be elected as the President.

Article 180. Determination of the Presidential Elections

180.1. The election day is considered first Sunday which is after President's term of office, determined by the Constitution, ends.

180.2. Term of office of the President shall be considered a day the President commences upon the execution of his/her powers.

180.3. The day of conduct of elections shall be determined by the Central Election Commission.

180.4. Decision on the election day must be officially published in the mass media by the Central Election Commission.

Article 181. Conduct of Early Presidential Elections

181.1. Early Presidential Elections shall be conducted if term of office of the President finishes before the period provided for by the Constitution in the circumstances considered by the Constitution.

181.2. Effective from the date relevant decision of the Constitutional Court or of the Milli Majlis of the Republic of Azerbaijan is made, according to Articles 104 and 107 of the Constitution of the Republic of Azerbaijan, elections shall be determined on a Sunday within a week by the Central Election Commission and shall be conducted within 3 months period.

CHAPTER Thirty Four. Candidates for the Presidency. Preparation of Conduct of Presidential Elections

Article 182. Nomination of a Candidate for the Presidency

182.1. Political parties, blocks of political parties, citizens having suffrage can nominate candidates for the Presidency in conformity with Articles 52 and 53 of this Code.

182.2. Each citizen or group of citizens having suffrage can create an initiative group consisting of at least 100 persons for nominating candidates for the Presidency.

182.3. Nomination of candidates for the Presidency shall commence 100 days prior to the voting day.

182.4. During the repeat elections candidates for the Presidency shall be nominated after decision on determination of these elections has been officially published.

- 182.5. Besides the decision on nomination of a candidate, a political party, block of political parties which have nominated a candidate for the Presidency must submit relevant minutes of the relevant meeting (congress, conference, meeting of board of managing bodies), as well as candidate's application on his/her consent to be a candidate for the Presidency, to the Central Election Commission. This application must contain that a candidate meets requirements of Article 100 of the Constitution and information about a candidate is in conformity with Article 54.8 of this Code.
- 182.6. If citizens nominate a candidate for the Presidency, they must submit a candidate's application on his/her consent to be a candidate for the Presidency to the Central Election Commission. This application must contain that a candidate meets requirements of Article 100 of the Constitution and information about a candidate in conformity with Article 54.8 of this Code.

Article 183. Collection of Signatures in Support of a Candidate for the Presidency

- 183.1. Collection of signatures in support of a candidate for the Presidency shall commence on the day the relevant Constituency Election Commissions is informed about this according with the rules established in Article 52 of this Code.
- 183.2. A political party, block of political parties or initiative groups of citizens must collect not less than 50 thousand signatures in support of a candidate they have nominated for the Presidency. At least 500 signatures must be collected from the territory of each constituency in more than half of constituencies.
- 183.3. Signatures of voters shall be collected in conformity with the rules established by Articles 56 and 57 of this Code.
- 183.4. Signature sheets shall be prepared in format "Annexes # 5 attached to this Code.
- 183.5. If a political party, block of political parties which has nominated a candidate collect signatures in support of a candidate for the Presidency itself, besides the information about a candidate, the signature sheet shall contain name of a political party, block of political parties which has nominated this candidate and may contain name of a political party which a candidate is a member of, if a candidate's application contains such information, and his/her relevant status in the party.

Article 184. Registration of a Candidate for the Presidency

- 184.1. Candidates for the Presidency shall be registered by the Central Election Commission in conformity with the rules established by Article 60 of this Code.
- 184.2. Activities of registered candidates shall be regulated by Articles 71 and 72 of this Code.
- 184.3. If the Central Election Commission makes a decision on refusal of registration of a candidate, it immediately informs the person to whom it concerns and provides him/her with a copy of the decision.

Article 185. Postponement of the Presidential Elections

- 185.1. If no candidates for the Presidency have been registered or only one candidate has been registered during the period mentioned by Article 58.1 of this Code, elections for the relevant constituency shall be postponed for 2 months period in conformity with rules established by Article 144 of this Code for the purposes of nomination of additional candidates and subsequent election activities.
- 185.2. If no registered candidates for the Presidency remain or only one registered candidate remains to the voting day, elections shall be postponed for at least 3 months period for nomination of candidates and further actions in conformity with rules mentioned in Article 144 of this Code.

Article 186. Reimbursement of Transport Expenses of a Candidate for the Presidency

- 186.1. A candidate for the Presidency have the right to use all kinds of public transport (except taxis and scheduled services) at the expense of state within the territory of the Republic of Azerbaijan effective the date he/she has been registered and until the date results of elections are officially published.
- 186.2. Expenditure of travel by abovementioned transport shall be reimbursed from the funds allocated by the Central Election Commission for preparation and conduct of elections.

Article 187. Providing Compensation to a Candidate for the Presidency

A candidate for the Presidency shall be given monetary compensation by the Central Election Commission in amount of 100 times the minimum salary that is in force for the day of determination of the election day from the funds allocated for preparation and conduct of elections, effective the date he/she has been registered until the date results of elections are officially published.

Article 188. Immunity and Security of a Candidate for the Presidency

- 188.1. Within the period mentioned in Article 71 of this code a registered candidate for the Presidency cannot be subject to criminal liability for the actions he/she made after being registered without permission of the General Prosecutor, be arrested without decision of the court, be subjected to administrative penalties. The General Prosecutor of the Republic of Azerbaijan or the court shall immediately inform the election commission where the candidate has been registered if such permission is given or such a decision has been made.
- 188.2. Security of a candidate for the Presidency shall be provided in conformity with the rules established by the Central Election Commission.

Article 189. Number of Agents of a Candidate for the Presidency

- 189.1. A candidate for the Presidency may have up to 50 agents. Persons mentioned above shall be registered by the Central Election Commission.

189.2. Status of agents shall be determined by Article 73 of this Code.

Article 190. Refusal of a Candidate for the Presidency from the Candidacy Status

190.1. Refusal of the candidates for the Presidency from the candidacy status is regulated by Article 74 of this Code.

190.2. A registered candidate for the Presidency may refuse from participating in the elections at least 2 days prior to the election day by submitting written application to the Central Election Commission. The submitted application cannot be withdrawn.

Article 191. Refusal of Political Party, Block of Political Parties to Participate in the Presidential Elections

191.1. Refusal of a political party, block of political parties participating in the Presidential Elections cannot be basis for refusal of candidacy status of the candidates for the Presidency or of cancellation of registration of the candidates for the Presidency.

191.2. A political party which is included in the block of political parties may refuse to participate in the elections as a member of this block of political parties, due to the decision of authorized body of the relevant political party by submitting an application to the Central Election Commission any time at least 5 days prior to the election day.

191.3. A political party which refused to participate in elections as a member of a block of political parties can act as an independent political party or can join other block of political parties in conformity with the rules established by this Code.

191.4. If all political parties (except one) included in the block of political parties refuse to participate in the elections after candidate for the Presidency nominated by abovementioned block of political parties has been registered by the Central Election Commission, the remaining political party can participate in elections as a block of political parties keeping name and symbols of the block of political parties. This rule does not apply to cases of refusal of registration of candidates for the Presidency or cancellation of registration.

191.5. Refusal of block of political parties to participate in elections does not deprive political parties included in the block of rights to participate in elections. In such cases it is required to re-nominate a candidate for the Presidency and to implement other mandatory election actions in conformity with this Code.

CHAPTER Thirty Nine. Preparation of Presidential Elections

Article 192. Specific Requirements for Conduct of Election Campaign through the Mass Media during the Presidential Elections

192.1. Participation of registered candidates for the Presidency, political parties, blocks of political parties in pre-election campaign is regulated by Chapter Thirteen of this Code.

- 192.2. A registered candidate for the Presidency, political party, block of political parties defines independently forms of using airtime on TV and Radio companies, periodicals during pre-election campaign.
- 192.3. One third of total volume of free airtime allocated by TV and Radio companies shall be allocated for registered candidates for the Presidency to conduct debates, round tables, other campaigning activities. Airtime for conduct of joint campaign activities on channels of TV and Radio organizations mentioned in Article 78.3 of this Code shall be allocated for registered candidates for the Presidency, calculated separately and implemented. Registered candidates for the Presidency must use such airtime on equal basis. In such circumstances, volume of free airtime used by each candidate for the Presidency shall be determined separately.
- 192.4. Norm of usage of paid airtime mentioned in Article 82.1 of this Code is determined by dividing its total volume by the total number of candidates to the Presidency.
- 192.5. Refusal of registered candidates for the Presidency to participate in activities mentioned in paragraph 2 of this Article shall not be reason to increase free airtime allocated in conformity with Article 81.6 of this Code.

Article 193. Election Funds of Candidates for the Presidency

- 193.1. Maximum limit of election fund of a candidate for the Presidency cannot be more than 100 thousand the minimum salary which is in force for the date the decision on determination of the election day is officially published.
- 193.2. Election funds of candidates for the Presidency shall be formed only from the following monetary means:
- 193.2.1. special funds (these special funds for candidates for the Presidency nominated by political parties, block of political parties shall be formed from the funds contributed by political parties, political parties which have created block of political parties) of candidates for the Presidency, with a condition it cannot be more than 25 thousand times the minimum salary which is in force for the date the decision on determination of the election day is officially published;
 - 193.2.2. funds allocated by the Central Election Commission, except for circumstances considered by this Code;
 - 193.2.3. voluntary donations of citizens and legal entities. For citizens limit of voluntary donations for cannot be more than 1500 times the minimum salary which is in force for the date the decision on determination of the election day is officially published, for legal entities – more than 10 thousand times.

Article 194. Special Election Accounts during the Presidential Elections

- 194.1. A candidate for the Presidency must open a special election account for formation of election fund after he/she submits notification or a relevant decision on nomination of a candidate by political party, block of political parties to the Central Election

Commission, but at least 5 days prior to the day of submission of notification for registration of candidates to the Central Election Commission.

- 194.2. A registered candidate for the Presidency shall open special election account on the basis of a document on his/her nomination received from the Central Election Commission, and documents mentioned in Articles 53 and 54 of this Code.
- 194.3. A candidate for the Presidency may request another person to open a special election account for him/her in conformity with defined rules.
- 194.4. A candidate for the Presidency, a registered candidate for the Presidency may authorize another person to use his/her funds available in the special election account, informing the Central Election Commission about this in writing.
- 194.5. A candidate for the Presidency, registered candidate for the Presidency is directly liable for violation of rules for financing established by this Code during financing his/her election campaign.

Article 195. Transparency in Usage of Election Funds while Presidential Elections

- 195.1. The following information must be necessarily published according to rule provided for by Article 96.3 of this Code:
 - 195.1.1. about financial report on expenditure of funds if election fund of the registered candidate for the Presidency is more than 2 thousand times the minimum salary which is in force for the date the decision on determination of the election day is officially published, for the candidate for the Presidency – 500 times;
 - 195.1.2. about legal entities who contributed donation amount of which is more than one thousand times the minimum salary which is in force for the date the decision on determination of the election day is officially published for the registered candidate for the Presidency, for the candidate for the Presidency – 250 times;
 - 195.1.3. about number of citizens who contributed donations to the election fund which is more than 50 times the minimum salary which is in force for the date the decision on determination of the election day is officially published;
 - 195.1.4. about funds returned to the contributors, about reasons for return;
 - 195.1.5. about total amount of money received by election fund and total amount of its expenditure.

Article 196. Order of return of Money Received by Candidates for the Presidency, Registered Candidates for the Presidency during the Presidential Elections

- 196.1. Not registered candidate for the Presidency is obliged to return unexpended money of election fund (excluding transfer expenses) to citizens-contributors and legal entities according to the proportional relativity of amount of voluntary donations before he/she submits final financial report.
- 196.2. After a registered candidate for the Presidency mentioned in Article 197.1 of this Code returns funds to the Central Election Commission and before submission of final

report financial report, he/she shall return unexpended money of election fund to the citizens-contributors and legal entities according to rule provided by paragraph 1 of this Article only with a permission of the Central Election Commission.

- 196.3. A candidate for the Presidency not considered by Article 197.1 of this Code is prohibited to return unexpended fund from election funds to citizens and legal entities who contributed donations to the election funds until funds given by the Central Election Commission is returned and cost of airtime on TV and Radio companies and cost of space in periodicals is paid. In such circumstances funds of the Central Election Commission shall be returned first.
- 196.4. Registered candidates for the Presidency not considered by Article 197.1 of this Code must return unexpended money of election funds to the accounts of citizens and legal entities who have contributed donations according to rule provided by paragraph 1 of this Article after they pay funds of the Central Election Commission and cost of free airtime on TV and Radio companies and space in periodicals.

Article 197. Obligation of Return of Budget Funds Received by Candidates for the Presidency, Registered Candidates for the Presidency during the Presidential Elections

- 197.1. A registered candidate for the Presidency who participated in elections and recorded at least 10% of total number of voters or who considered to be elected, as well as a registered candidate for the Presidency who withdrew candidacy due to compelled reasons are obliged to return unexpended part of election fund transferred by relevant election commission to this election commission within 30 days period after the election day. When this period finishes a relevant bank must transfer money mentioned in the letter of the Central Election Commission to the account of the latter with no disputes.
- 197.2. A registered candidate for the Presidency not considered by paragraph 1 of this Article returns full amount of funds transferred to his/her election fund and allocated for transport expenses by the Central Election Commission within 30 days after the election day. When this period finishes a relevant bank must transfer money mentioned in the letter of the Central Election Commission to the account of the latter with no disputes.
- 197.3. Effective the date of results of Presidential Elections are officially published, the Central Election Commission informs registered candidates for the Presidency not considered by paragraph 1 of this Article, registered candidates for the Presidency about the amount of budget money to be returned which was transferred to their election funds and allocated for transport expenses according to rules established by this Code.

Article 198. Payment for Free Airtime and Free Space Allocated in Periodicals for Candidates for the Presidency during the Presidential Elections

- 198.1. A candidate for the Presidency not considered by Article 197.1 of this Code must pay full amount of cost of free airtime and space to the TV and Radio companies and periodical mentioned in Articles 78.2 and 78.3 of this Code.

198.2. Within 3 days after results of the Presidential Elections have been officially published, the Central Election Commission sends the following to the TV and Radio companies and periodicals mentioned in Articles 78.2 and 78.3 of this Code:

- names of candidates for the Presidency considered by paragraph 1 of this Article;
- their addresses;
- verified copies of notifications on payment for used free airtime and space in periodicals.

198.3. Within 10 days after results of the Presidential Elections have been officially published, the TV and Radio companies and periodicals mentioned in Articles 81.5 and 78.3 of this Code send relevant information on cost of used airtime and cost and volume of space in periodical, their legal address and bank details to the candidates for the Presidency considered by paragraph 1 of this Article.

198.4. Cost of free airtime and space in periodical considered by Articles 81.5 and 192.3 of this Code is determined in conformity with rules established by Articles 82.3 and 85.2 of this Code by multiplying total volume of airtime and space in periodical allocated for the candidates for the Presidency by cost of airtime determined by TV and Radio companies and cost of space allocated and information published in periodicals.

198.5. If candidates for the Presidency use free airtime for joint election campaign activities mentioned in Article 192.3 of this Code, amount of money returned by each candidate is determined by TV and Radio companies proportionally for total number of participants of each joint election campaign activity.

198.6. If candidates for the Presidency refuse using free airtime and space in a periodical in a manner and within the period established by Articles 82.5 and 86.1 of this Code, cost of free airtime presented and space in periodical allocated shall not be paid.

198.7. TV and Radio companies and periodicals considered by Articles 78.2 and 78.3 of this Code shall inform the Central Election Commission about candidates for the Presidency considered by Article 197.1 of this Code who have not completely paid cost of free airtime and space in periodical, within 12 months period effective the election day.

Article 199. Money Remained in Special Accounts of Election Funds of Candidates for the Presidency, registered Candidates for the Presidency

The relevant bank, on the basis of written instructions of the Central Election Commission, must transfer money remained in specific accounts of election funds of candidates for the Presidency, registered candidates for the Presidency, to the state budget 60 days after the election day.

Article 200. Return of Money Received by Citizens Nominated as a Candidate for Presidency to Their Own Accounts

200.1. If there are no money in election fund or it is short of money, return of budget money by a registered candidate, as well as cost of free airtime and space in periodical

allocated, will be implemented from the own funds of citizens nominated as candidate for the Presidency.

- 200.2. If a registered candidate for the Presidency not considered by Article 197.1 of this Code and who did not perform the requirements of Article 197.2 before submission of the financial report and who undertakes obligations to return relevant funds in addition to submitting the final financial report according to this Code, he/she can return the funds to be returned to the state budget to the account of the relevant Central Election Commission within 12 months period effective from voting day.
- 200.3. If obligations established by paragraph 2 of this Article are not performed and if period mentioned by obligations for returning money expires, funds will be returned by court. If a registered candidate for the Presidency not considered by Article 197.1 of this Code and who does not perform requirements mentioned in paragraph 2 of this Article nor undertake obligations mentioned in paragraph 2 of this Article before final financial report is submitted funds shall be returned by court before period for submission of final financial report expires.
- 200.4. If a candidate for the Presidency, registered candidate for the Presidency loses his/her candidacy status, obligations imposed to the candidates, registered candidates by this Article shall be imposed to the citizens who is considered to be a candidate, registered candidate.
- 200.5. List of citizens considered by Article 197.1 of this Code and who have debt obligation to the Central Election Commission shall be published.
- 200.6. If a citizen nominated as a candidate for Presidency, has debts regarding the budget to the Central Election Commission during the previous elections when the date a decision on determination of the election day was officially published, this candidate does not have the right to get funds from the state budget during the Presidential Elections.

Article 201. Voting Room during the Presidential Elections

- 201.1. Voting room during the Presidential Elections is organized in accordance with requirements of Article 99 of this Code.
- 201.2. The Precinct Election Commission places a notice board in the voting room or directly in front of the room for displaying sample ballot papers and information about registered candidates for the Presidency: name, surname, date of birth, education, main employment (or service) place and occupation (if a candidate does not have it – type of activity), address of residence, who has nominated them.
- 201.3. If a registered candidate for the Presidency has a sentence which is not served or cancelled, the information must contain name and number of the relevant article of the Criminal Code that a candidate for the Presidency was imposed. If a candidate has done an action which requires criminal liability by the Criminal Code in other country he/she resides, name of the relevant law of the foreign country must be recorded as well.

201.4. Information on candidates for the Presidency shall appear in the order and consecution that considered by the ballot paper.

Article 202. Ballot Papers for the Presidential Elections

202.1. Ballot papers for the Presidential Elections are prepared in conformity with the rules mentioned in Article 100 of this Code.

202.2. Based on the results of a draw, the ballot paper for the Presidential Elections shall contain the following about the candidate for the Presidency in conformity with the defined rules: name, surname, father's name, nickname, date of birth, address of residence, main employment (or service) place (if a candidate does not have it – type of activity), elected position occupied at state bodies or municipalities, who has nominated the registered candidate for the Presidency. The draw shall be conducted by the Central Election Commission in the presence of authorized representatives of candidates for the Presidency at latest 25 days prior to the election day.

202.3. The ballot paper must contain short name of a political party that a registered candidate for the Presidency is a member of, in conformity with Article 54 of this Code. The ballot paper may contain party affiliation of a candidate for the Presidency if he/she desires so, in conformity with Article 53 of this Code.

202.4. A blank box shall be located to the right hand side of a name of candidate for the Presidency. To the end of the list of candidates for the Presidency, a line containing "Against all candidates" will be placed on the same level with a blank box which is located on the right hand corner.

202.5. If some candidates for the Presidency were withdrawn or their registration was cancelled after ballot papers have been prepared, based on instructions of the Central Election Commission the Constituency Election Commission or Precinct Election Commission shall cross out names of abovementioned candidates with a purpose of erasing information about them from the ballot paper. In case of need of adding or amending information regarding the registered a candidate for the Presidency in the printed ballot paper, the addition or amendment to the ballot papers is made in conformity with the decision of the Central Election Commission with handwriting of the Constituency or Precinct Election Commissions members using stamp of the election commission.

Article 203. Rules for Voting during the Presidential Elections

203.1. Voting during the Presidential Elections shall be conducted in conformity with Articles 102 and 103 of this Code.

203.2. A voter marks a blank box to the right hand side of the name of a candidate for the Presidency or a blank box to the right hand side of the line "Against all candidates". A voter places the completed ballot paper into the ballot box designated for voting.

Article 204. Count of Votes in the Voting Station during the Presidential Elections

204.1. The Precinct Election Commission completes a protocol on voting results in 3 copies.

- 204.2. The protocol contains the following information about results of voting:
- 204.2.1. total number of voters on the voters list (in separate line – number of voters in a supplementary list);
 - 204.2.2. number of voters who received ballot papers;
 - 204.2.3. number of ballot papers transferred to the Precinct Election Commission;
 - 204.2.4. number of ballot papers given to the voters on the election day in the voting room;
 - 204.2.5. number of ballot papers given to the voters who voted outside of the voting room;
 - 204.2.6. number of cancelled ballot papers;
 - 204.2.7. number of ballot papers inside the voting room ballot box (except ballot papers not in a determined form);
 - 204.2.8. number of valid ballot papers;
 - 204.2.9. number of ballot papers in a mobile ballot box (except ballot papers not in a defined form);
 - 204.2.10. number of invalid ballot papers (in a separate line – number of ballot papers not in a defined form and of ballot papers not marked at all);
 - 204.2.11. names, surnames, fathers' names' of candidates for the Presidency, if this information is identical, other information about the candidates;
 - 204.2.12. number of votes cast for each candidate for the Presidency;
 - 204.2.13. number of votes cast against all candidates for the Presidency.

Article 205. Determination of Results of Voting for the Constituency during the Presidential Elections

- 205.1. At latest 2 days after the election day the Constituency Election Commission summarizes all information based on first copies of protocols on voting results of Precinct Election Commissions (after their accurate completion is checked in advance). Summarization of information from the protocols of Precinct Election Commissions must be done without intervals until protocol of the Constituency Election Commission is not completed. Summarization of information from the protocols of the Precinct Election Commissions shall be directly performed by Constituency Election Commission members with decisive voting rights.
- 205.2. The Constituency Election Commission considers elections void in the following circumstances:
- 205.2.1. if less than 25% of voters on the voters list up to the end of elections participate in elections;
 - 205.2.2. if number of votes cast for registered candidates tied;
 - 205.2.3. if violations occurred during the conduct of voting or determination of results of voting do not allow to determine voters will;
 - 205.2.4. if number of voting stations results of voting of which are considered invalid in the constituency is more than $\frac{1}{4}$ of total number of voting stations within the same constituency;
 - 205.2.5. on the basis of court's decision.
- 205.3. The Constituency Election Commission completes a protocol in 3 copies on results of voting for the election constituency based on protocols of the Precinct Election

Commissions. This protocol shall contain number of Precinct Election Commissions, number of protocols submitted by Precinct Election Commissions mentioned above based on which Constituency Election Commission completed its protocol, summarization of information mentioned in Article 204 of this Code and information from the protocols of Precinct Election Commissions.

- 205.4. First copy of the protocol of Constituency Election Commission must be transferred to the Central Election Commission immediately with attached complaints on violation of this Code received by the Constituency Election Commission on the election day and decisions made by the Constituency Election Commission regarding these complaints; act on receipt of ballot papers by the Constituency Election Commission; act on cancellation of unused ballot papers (recording number of such ballot papers); act on issuance of voting cards and cancellation of unused voting cards (recording number of such voting cards). Acts mentioned above shall be signed by chairperson and secretaries of the Constituency Election Commission. Copies of complaints (applications), decisions of the Constituency Election Commission, acts mentioned above shall be attached to the second copy of the protocol.
- 205.5. Second copy of the protocol together with packed and sealed ballot papers, torn off left corners of abovementioned ballot papers, list of persons who observed count of votes and who are mentioned in Article 38.7 of this Code is kept by the secretary of the Constituency Election Commission till the end of the commission's functions.
- 205.6. Third copy of protocol will be hung on a notice board for information.
- 205.7. If a commission member with decisive voting right does not agree with the whole protocol or some parts of it he/she may add his/her special opinion to the protocol. Relevant records shall be made to the protocol about this.
- 205.8. If Constituency Election Commission finds out mistakes or inaccuracy in the protocols after they have been completed, this matter shall be discussed in its meeting. Persons mentioned in Article 38.4 of this Code must be informed about place and time of the meeting. In such circumstances a new protocol shall be completed and this protocol must contain a word "repetition" and shall be transferred to the Central Election Commission immediately.

CHAPTER Forty One. Results of Presidential Elections

Article 206. Determination of Results of Presidential Elections

- 206.1. The Central Election Commission finalizes Presidential Elections not later than 5 days starting the election day and submits the results to the Constitutional Court of the Republic of Azerbaijan.
- 206.2. The Central Election Commission determines results of voting during the elections on the basis of protocols of Constituency Election Commissions. Summarization of the protocols of the Constituency Election Commissions is implemented directly by the members of the Central Election Commission with decisive voting right.

- 206.3. The Central Election Commission completes a protocol based on information about number of protocols of Constituency Election Commission on results of voting and of protocols of Precinct Election Commission created outside of the Republic of Azerbaijan, as well as on summarization of protocols of Constituency Election Commissions and protocols of Precinct Election Commission created outside of the Republic of Azerbaijan. The protocol contains results of voting in writing and in figures.
- 206.4. 2 copies of a protocol of the Central Election Commission shall be signed by all members who took part in the meeting of the election commission. A summarization table which contains information of the Constituency Election Commission is attached to the protocol.
- 206.5. Member of the Central Election Commission who does not agree with the protocol or some parts of it can add his/her opinion to the protocol, and the relevant note is made in the protocol.
- 206.6. Complaints on violation of this Code during the voting day submitted to the Central Election Commission, the decisions made by the Commission on the complaints are attached. The decisions of The Central Election Commission and copies of approved complaints (applications) are attached to the 2nd copy of the protocol.
- 206.7. Secretary of the Central Election Commission shall keep the 1st and 2nd copies of the protocol and the general summarizing table as well as a list of observers and media representatives who observed determination of voting outcomes and drawing up of the protocol based on the protocols of constituency election commissions received by the Central Election Commission.
- 206.8. If the Central Election Commission finds mistakes, discrepancies or inaccuracies in the protocols received from constituency election commissions, the Central Election Commission has the right to make a decision on recount of votes in the relevant constituency. In this case, the recount of votes is carried out with participation of members of the Central Election Commission.
- 206.9. All documents of the Central Election Commission, constituency and precinct election commissions, protocols on voting and election results shall be kept in the Central Election Commission till the holding of new Presidential elections and then are submitted to the State archive.
- 206.10. Summarization of information in protocols of constituency election commissions shall be carried out by the members of the Central Election Commission having the decisive voting right.
- 206.11. In accordance with Article 101.2 of the Constitution, the President of the Azerbaijan Republic is considered elected only in the case if more than 2/3 of the voters participated in the voting voted for the candidate for presidency.
- 206.12. If it is determined that less than 25% of voters, included on the voters lists, participated in the elections, The Central Election Commission shall consider the elections void. The number of voters participated in the elections is determined

according to the number of signs in the voters list on receipt of ballot papers by the voters.

206.13.If The Central Election Commission is not able to determine results of expression of voter's will due to violations, then the elections are considered invalid.

206.14.The following information is included in the protocol of The Central Election Commission on the results of Presidential elections:

206.14.1. number of constituency election commissions and separately the number of precinct election commissions organized outside the Azerbaijan Republic;

206.14.2. number of protocols of constituency election commissions and separately the number of precinct election commissions organized outside the Azerbaijan Republic;

206.14.3. number of voters included on the voters list (in a separate line - number of voters included on the supplementary lists);

206.14.4. number of ballot papers given to the voters in the voting station on the election day;

206.14.5. number of ballot papers given to the voters in the voting station on the election day;

206.14.6. number of ballot papers;

206.14.7. number of ballot papers issued to the voters to vote outside the voting room;

206.14.8. number of cancelled ballot papers;

206.14.9.number of ballot papers in immovable boxes (except the number of ballot papers in not determinate form);

206.14.10. number of ballot papers in the mobile ballot boxes (except the number of ballot papers in not determinate form);

206.14.11. total number of ballot papers considered valid;

206.14.12. total number of ballot papers considered invalid;

206.14.13. second name, first name, patronymic name, if they are the same, other information about the candidates for presidency included on the ballot papers;

206.14.14. number of votes for each candidate for presidency;

206.14.15. number of votes against all candidates for presidency;

206.15.a table summarizing information of protocols of all constituency election commissions and precinct election commissions organized outside the Azerbaijan Republic must necessarily attached to the protocol on the results of Presidential elections. Results of the Presidential elections shall be announced in mass media not later than 2 days after the protocol on the results of the Presidential elections are signed.

Article 207. Repeat voting during the Presidential elections

207.1. If more than two persons included in the ballot paper as candidates for presidency and no one was elected, The Central Election Commission shall assign repeat voting for two of the candidates that gain the majority of the votes during the elections.

- 207.2. In accordance with Article 101.3. of the Constitution, the repeat voting is held on the second Sunday after the voting in general elections, pursuant to this Code.
- 207.3. The information about conduct of repeat voting is published in mass media not later than 2 days after The Central Election Commission makes the relevant decision.
- 207.4. If only one candidate remains till conduct of repeat voting, the next candidate who gained the majority of votes is considered the second candidate by a decision of The Central Election Commission.
- 207.5. If it is determined that less than 25 percent of voters included on the voters list participated in the repeat voting, The Central Election Commission considers the voting void.
- 207.6. Pursuant to Article 101.4. of the Constitution, the candidate who gained more than half of votes of voters that participated in the repeat voting is considered elected as the President of the Azerbaijan Republic.

Article 208. Repeat Presidential elections

- 208.1. If the elections are considered void or invalid, or not any candidate has been elected as the President of the Azerbaijan Republic after main or repeat voting, a repeat Presidential elections are assigned by a decision of The Central Election Commission.
- 208.2. Nomination for presidency and registration of candidates, other election actions during conduct of repeat elections are carried out in compliance with the rule established by this Code. If it is determined that less than 25 percent of voters included on the voters list participated in the repeat voting, The Central Election Commission considers the voting void.
- 208.3. Information on conduct of repeat elections is published in mass media.
- 208.4. Repeat election is hold not later than 3 months after initial elections.

Article 209. Publication of outcomes of the Presidential elections and voting results

- 209.1. After verification by the members of election commissions, voting results on election precinct and election constituency, the relevant protocols are submitted to each voter, registered candidate, agent of political parties, blocks of political parties, representatives of mass media at their request for familiarization. The aforementioned information is submitted by a relevant election commission.
- 209.2. General information of the Central Election Commission on the outcomes of elections is sent to mass media within one day after verification in accordance with Article 171 of this Code.
- 209.3. Within 45 days after the voting day the Central Election Commission organizes the official publication of information from protocols of constituency election commission in mass media mentioned in Article 78.2. of this Code.

209.4. Information from the protocols of a constituency election commission on the voting results shall be published not later than 5 days after conduct of elections and information from the protocols of a precinct election commission on the voting results shall be published not later than 10 days after conduct of elections in mass media considered by Articles 78.3 and 78.4 of this Code.

Article 210. Commencement of the President's power

210.1. In accordance with Article 103 of the Constitution, a person elected President takes an oath within 3 days after official announcement of the Presidential election results by the Constitutional Court.

210.2. Since the day he takes an oath, the President of the Azerbaijan Republic receives a salary at the rate of 5000 times the minimum salary established by law.

210.3. The current President of the Azerbaijan Republic implements his power till the commencement of the powers of the newly elected President of the Azerbaijan Republic.

SECTION EIGHT. Municipal elections

CHAPTER Forty Four. General Provisions on municipal elections

Article 211. Main principles of the Municipal Elections.

211.1. Municipalities which implement local self-governance in the Republic of Azerbaijan is elected by the citizens of the Republic of Azerbaijan according the rules determined by this Code on multi mandate constituencies.

211.2. The number of municipal members, elected on the basis of a majoritarian system are to be as follows:

- 211.2.1. in the areas with less than 500 population – 5 municipal members
- 211.2.2. in the areas having 500 to 1000 population – 7 municipal members
- 211.2.3. in the areas having 1000 to 5000 – 9 municipal members
- 211.2.4. in the areas having 5000 to 10000 – 11 municipal members
- 211.2.5. in the areas having 10000 to 20000 – 13 municipal members
- 211.2.6. in the areas having 20000 to 50000 – 15 municipal members
- 211.2.7. in the areas having 50000 to 100000 – 17 municipal members
- 211.2.8. in the areas having 100000 to 300000 – 19 municipal members

Article 212. Term of Office Municipalities

212.1. Term of office of municipalities is 5 years.

212.2. Term of office of municipalities commences from the voting day and ends on the day of first meeting of newly elected municipalities.

212.3. the powers of members of municipality can only be exercised during the term of office of municipality.

Article 213. Right to be elected as a member of Municipalities

On Election Day citizens of the Republic of Azerbaijan who are 21 or more (older) than 21 years old and who lives permanently in relevant constituency can be elected as a member to municipalities.

Article 214. Determination of Elections to Municipalities

214.1. The President of the Republic of Azerbaijan appoints elections to municipalities.

214.2. The decision on determination of elections to municipalities must be officially published at the latest within 5 days after the decision had been made.

CHAPTER Forty Three. Rules for Nominating Candidates for a Member of Municipality

Article 215. Nomination of candidates for a member of municipalities

215.1. Political parties, blocks of political parties and citizens of the Republic of Azerbaijan who live permanently or mostly in the same constituency and have the right to vote, can nominate candidates for a member of municipality on constituency in accordance with the Articles 52 and 53 of this Code.

215.2. Nomination of candidates for a member of municipality on constituency commences 110 days prior the voting day.

215.3. Candidates for a member of municipality in repeated elections to municipalities are nominated after the decision on determination of these elections officially published.

215.4. Candidates for a member of municipality in by elections to municipalities are nominated after the period mentioned in paragraph 2 of this article.

215.5. Notification on nominating, application of consent of relevant candidates and other documents are sent to the Central Election Commission if formation of Constituency Election Commission is not completed until nomination of candidates for member of municipality. Central Election Commission submits mentioned documents to Constituency Election Commission after it has been formed and its chairperson have been elected.

215.6. Political party, block of political parties that nominated candidates for a member of municipality must submit decision on nominating candidates together with relevant minutes of meeting (conference, meeting of management), as well as, application of consent of candidate to be a candidate, to the relevant Constituency Election Commission. Application must contain:

- information considered in Article 54.8 of this Code about the candidate for a member of municipality;
- obligation to leave an activity that incompatible with the status of municipal member after getting elected.

215.8 A candidate for a member of municipality, which is nominated by citizens, must submit his/her application of consent to the relevant Constituency Election Commission. Application must also include information considered in Article 54.8 of this Code about candidate and obligation that s/he will quit (leave) the activity, which is incompatible with status of municipal member after s/he had been elected.

Article 216. Rule for Collecting Voters Signatures for Support of candidate for member of municipality

216.1. Each nominated citizen must collect voters signatures as follows to be registered as a candidate for member of municipality on relevant election constituency:

- 216.1.1. area having population more than 100000 – 500;
- 216.1.2. area having population more than 50000 – 250;
- 216.1.3. area having population more than 20000 – 125;
- 216.1.4. area having population more than 10000 – 60;
- 216.1.5. area having population more than 5000 – 30;
- 216.1.6. area having population less than 5000 – 15.

216.2. Voters have the right to sign in support of several candidates.

216.3. Voters signatures are collected in accordance with the rule mentioned in Article 56 and 57 of this Code.

216.4. Signature papers are prepared in the form of “Appendix No. - ”added to this Code.

216.5. Constituency Election Commission gives a written confirmation document about the receipt of documents.

CHAPTER Forty Four. Registered Candidates for member for Municipality

Article 217. Registration of candidate for member of municipality

217.1. Candidates for member of municipality are registered according to the rule mentioned in Article 60 of this Code.

217.2. It is prohibited for one person to get registered for a member of more than one municipality.

217.3. if rules mentioned in paragraph 2 of this Article violated, candidate’s previous registration shall be considered to be valid, and the decision on registration that had been made relatively late is cancelled with the decision of relevant Constituency Election Commission.

- 217.4. Activity of registered candidates for member of municipality is regulated by Article s 71 and 72 of this Code.
- 217.5. An election commission which made a decision on refusal of registration of a candidate for a member of municipality informs the relevant person about the decision immediately and submits a copy of the decision to him/her.

Article 218. Reimbursement of Transport Expenses of Registered Candidates for a Member of Municipality

- 218.1. A candidate for a member of municipality has the right to use all kinds of public transport within the relevant constituencies (except taxis and ordered transport services) free of charge effective from the date of registration until the date of the official publication of election returns.
- 218.2. Such payments shall be made from the funds allocated for Constituency Election Commission.

Article 219. Number of Agents of Candidates for Member of Municipality

- 219.1. A candidate for a member of municipality has the right to appoint up to 5 agents. These persons shall be registered by Constituency Election Commission.
- 219.2. Status of agents shall be defined by Article 73 of this Code.

Article 220. Refusal of Candidates for Member of Municipality from Status of Candidacy

- 220.1. Refusal of a candidate for a member of municipality from candidacy status shall be regulated by Article 74 of this Code.
- 220.2. A candidate in the list of registered candidates for the relevant municipality can refuse to participate in elections by submitting a written application to the Constituency Election Commission at least 3 days prior to the election day. The application submitted cannot be withdrawn. The Constituency Election Commission withdraws a registered candidate from the relevant list of candidates on the basis of an application received within a day period.
- 220.3. A person who committed actions considered by Articles 74.1 and 74.3 of this Code have the right to re-nominate him/herself for any other municipality within the rules and period established by this Code.
- 220.4. A political party, based on its charter, and a block of political parties, based on the decision made by authorized representatives of political parties that are members of the block have the right to withdraw a candidate for a member of municipality, registered candidate for a member of municipality any time by submitting written application to the relevant Constituency Election Commission at latest 5 days prior to the election day. \

- 220.5. A political party, block of political parties which have nominated a candidate for a member of municipality can refuse to participate in the elections and withdraw candidates for member of municipality based on decision of the body that nominated candidates, by submitting written application to the Constituency Election Commission at least 5 days prior to the election day.
- 220.6. A political party which is included in the block of political parties can refuse to participate in the elections as a member of this block based on decision of authorized body of the political party at any time by submitting a written application to the Constituency Election Commission at least 5 days prior to the election day.
- 220.7. A political party which refused to participate in elections as a member of the block can function as an independent party or join another block of political parties in conformity with the rules established by this Code.
- 220.8. If all political parties (except one) included in the block of political parties refuse to participate in the elections after candidates for member of municipality nominated by abovementioned block of political parties have been registered by the Constituency Election Commission, the remaining political party can participate in elections as a block of political parties keeping name and symbols of the block of political parties. This rule does not apply the circumstances of refusal of registration of candidates for member of municipality or cancellation of registration.
- 220.9. Refusal of block of political parties to participate in elections does not deprive political parties included in the block of rights to participate in elections. In such cases it is required to renominate a candidate for a member of municipality and to implement other necessary election activities in conformity with this Code.

Article 221. Immunity of a Candidate for a Member of Municipality

A candidate for a member of municipality cannot be imposed with criminal liability for a crime or arrested without permission of General Prosecutor, and be subject to administrative penalties defined by the court. If the Prosecutor permits it he/she must inform the Constituency Election Commission immediately..

CHAPTER Forty Five. Preparation to municipality elections

Article 222. Special requirements for candidates for member of a municipality for conducting pre-election campaign

- 222.1. Participation of candidates for member of a municipality in pre-election campaign is regulated by Chapter 13 of this Code.
- 222.2. Candidates for member of a municipality define forms of usage of airtime on TV and radio and periodicals for pre-election campaigning independently.
- 222.3. If a registered candidate, political parties and block of political parties refuse to use airtime after the lottery that mentioned in Articles 81.7. and 84.6. has been

conducted, the TV and radio companies decide themselves how to use this vacant time; except for election campaigning purposes.

- 222.4. Norm of paid use of the airtime mentioned in the Article 82.1 of this Code is determined by dividing the total volume of free space by total number of candidates for member of a municipality.
- 222.5. Candidates for member of a municipality can use the space that is allocated in the periodicals mentioned in Article 85.1. of this Code and is determined by dividing the total number of candidates for member of a municipality mentioned in Article 78.4. of this Code, on the basis of payment.

Article 223. Election funds of candidates for member of a municipality

223.1. Establishment and use of funds of candidates for member of a municipality is regulated by Chapter 14 of this Code.

223.2 Election funds of candidates for member of a municipality can be formed in the following amounts:

223.2.1

- the amount of special funds of candidates for member of a municipality mentioned in Article 216.1.1. cannot be more than 20000 times the minimum salary, which is in force on the day of official publication of decision on assignment of the election day;
- not more than 15000 times the minimum salary, which is in force on the day of official publication of decision on assignment of the election day - for candidates for member of a municipality mentioned in Article 216.1.2.;
- not more than 10000 times the minimum salary, which is in force on the day of official publication of decision on assignment of the election day - for candidates for member of a municipality mentioned in Article 216.1.3.;
- not more than 5000 times the minimum salary, which is in force on the day of official publication of decision on assignment of the election day - for candidates for member of a municipality mentioned in Article 216.1.4.;
- not more than 2500 times the minimum salary, which is in force on the day of official publication of decision on assignment of the election day - for candidates for member of a municipality mentioned in Article 216.1.5.;
- not more than 1500 times the minimum salary, which is in force on the day of official publication of decision on assignment of the election day - for candidates for member of a municipality mentioned in Article 216.1.6.;

223.2.2 Election funds of political parties, blocks of political parties nominated their candidates for members of a municipality can be formed from

- not more than 5000 times the minimum salary, which is in force on the day of official publication of decision on assignment of the election day - for candidates for member of a municipality mentioned in Article 216.1.1.;
- not more than 2500 times the minimum salary, which is in force on the day of official publication of decision on assignment of the election day - for candidates for member of a municipality mentioned in Article 216.1.2.;

- not more than 1500 times the minimum salary, which is in force on the day of official publication of decision on assignment of the election day - for candidates for member of a municipality mentioned in Article 216.1.3.;
- not more than 1000 times the minimum salary, which is in force on the day of official publication of decision on assignment of the election day - for candidates for member of a municipality mentioned in Article 216.1.4.;
- not more than 750 times the minimum salary, which is in force on the day of official publication of decision on assignment of the election day - for candidates for member of a municipality mentioned in Article 216.1.5.;
- not more than 500 times the minimum salary, which is in force on the day of official publication of decision on assignment of the election day - for candidates for member of a municipality mentioned in Article 216.1.6.;

223.2.3 Equal volumes of funds allocated by a constituency election commission to candidates for members of a municipality 25 days prior to the voting day, except the cases defined by this Code;

223.2.4 voluntary donations from citizens not more than 100 times the minimum salary, which is in force on the day of official publication of decision on assignment of the election day.

223.2.5 voluntary donations of legal entities that are:

- not more than 5000 times the minimum salary, which is in force on the day of official publication of decision on assignment of the election day - for candidates for member of a municipality mentioned in Article 216.1.1.;
- not more than 2500 times the minimum salary, which is in force on the day of official publication of decision on assignment of the election day - for candidates for member of a municipality mentioned in Article 216.1.2.;
- not more than 1000 times the minimum salary, which is in force on the day of official publication of decision on assignment of the election day - for candidates for member of a municipality mentioned in Article 216.1.3.;
- not more than 750 times the minimum salary, which is in force on the day of official publication of decision on assignment of the election day - for candidates for member of a municipality mentioned in Article 216.1.4.;
- not more than 500 times the minimum salary, which is in force on the day of official publication of decision on assignment of the election day - for candidates for member of a municipality mentioned in Article 216.1.5.;
- not more than 250 times the minimum salary, which is in force on the day of official publication of decision on assignment of the election day - for candidates for member of a municipality mentioned in Article 216.1.6.;

223.3.

- maximum limit of the funds of candidates for member of a municipality mentioned in Article 216.1.1 cannot be more than 10000 times the minimum salary, which is in force on the day of official publication of decision on assignment of the election day;

- not more than 7500 times the minimum salary, which is in force on the day of official publication of decision on assignment of the election day - for candidates for member of a municipality mentioned in Article 216.1.2.;
- not more than 5000 times the minimum salary, which is in force on the day of official publication of decision on assignment of the election day - for candidates for member of a municipality mentioned in Article 216.1.3.;
- not more than 2500 times the minimum salary, which is in force on the day of official publication of decision on assignment of the election day - for candidates for member of a municipality mentioned in Article 216.1.4.;
- not more than 1500 times the minimum salary, which is in force on the day of official publication of decision on assignment of the election day - for candidates for member of a municipality mentioned in Article 216.1.5.;
- not more than 1000 times the minimum salary, which is in force on the day of official publication of decision on assignment of the election day - for candidates for member of a municipality mentioned in Article 216.1.6.;

Article 224. Special Accounts of Candidates for Member of Municipality

224.1. Candidates for member of municipality must open special accounts for creating their election fund within 5 days after they submit a notification on commencing on collection of signatures in conformity with Article 63.2 of this Code.

224.2. After receiving verified copy of notification from the Constituency Election Commission, but at latest 5 days prior to the day of presentation of candidates for member of municipality to the Constituency Election Commission for registration, the candidates for member of municipality must open special account for creation of election fund on the basis of a document submitted for registration of authorized representatives on financial issues.

224.3. Candidates for member of municipality are directly responsible themselves for violation of rules established by this Code while financing their election campaign.

Article 225. Transparency in Usage of Money from Election Funds of Candidates for Member of Municipality

225.1. The following information must be necessarily published by mass media mentioned in Article 78.4 of this Code:

225.1.1. on financial report about usage of election fund of a candidate for a member of municipality if its amount is more than 2,000 times the minimum salary which is in force for the date decision on determination of election day is officially published;

225.1.2. on legal entities who contributed donation, which is more than 1 thousand times the minimum salary which is force for the date the decision on determination of the election day is officially published, to the election fund of a candidate for a member of municipality;

225.1.3. on number of citizens who contributed donations, which are more than 50 times the minimum salary which is force for the date the decision on determination of the election day is officially published, to the election fund of a candidate for a member of municipality;

225.1.4. on funds returned to the contributors and on reasons for return;

225.1.5. total amount of money received by election fund of a candidate for a member of municipality and total amount expended;

Article 226. Order of Return of Funds Received by Candidates for Member of Municipality

226.1. Before submission of a final financial report, a candidate not registered as a candidate for a member of municipality by the Constituency Election Commission is obliged to return unexpended money of election fund (excluding transfer expenses) to citizens-contributors and legal entities according to the proportional relativity of donations contributed.

226.2. Candidates for member of municipality not considered by Article 227.1 of this Code are prohibited from returning unexpended money of the election fund to citizens and legal entities who have contributed donations to their election funds unless money allocated by the Constituency Election Commission is returned and unless cost of free airtime on TV and Radio companies and space allocated in periodicals is paid.

226.3. After candidates for member of municipality return funds to the Constituency Election Commission and before they submit final financial report, they shall return unexpended money of election fund in a manner considered by paragraph 1 of this Article, with permission of the Constituency Election Commission, to citizens and legal entities who have contributed donations.

226.4. After paying fund of the election commission, as well as paying cost of free airtime on TV and Radio companies and space allocated in periodicals, candidates not considered by Article 227.1 of this Code must return unexpended money of election funds to bank accounts of citizens and legal entities who had contributed donations in a manner established by paragraph 1 of this Article.

Article 227. Obligation of Return of Budget Funds Received by Candidates for Member of Municipality and Registered Candidates for Member of Municipality

227.1. A candidate for a member of municipality who participated in voting and collected at least 10% of votes of total number of voters or who is considered to be elected, as well as a registered candidate for a member of municipality who withdrew candidacy due to compelled circumstances are obliged to return unexpended part of funds transferred to their election funds by the Constituency Election Commission to this Constituency Election Commission within 30 days after the election day. If this period expires, the relevant bank must transfer the amount mentioned in Central Election Commission's letter to its account with no disputes.

227.2. A registered candidate for a member of municipality not considered in first paragraph of this Article, must fully (completely) return all funds, transferred to his election fund by Constituency Election Commission and allocated to cover transportation expenses within 30days after voting day. When this period is expired, relevant bank must unquestionably transfer amount of money mentioned in the letter of Constituency Election Commission to its account.

227.3. From the day municipal election results have been officially published, Constituency Election Commission informs registered candidates for a member of municipality not considered in first paragraph of this Article, about the amount of money, from budget transferred to their election funds and allocated to cover transportation expenses in accordance with the rule defined by this Code, that they need to return.

Article 228. Payment for the costs of free airtime and free space on periodicals by candidates for a member of municipality

228.1. Candidates for a member of municipality not mentioned in Article 227.1 of this Code, must completely pay cost of free airtime and space allocated by TV and radio companies and periodicals mentioned in Article 78.4 of this Code. Given cost must be paid by candidates for a member of municipality from election funds until the day final financial report is submitted.

228.2. TV and radio companies and periodicals mentioned in Article 78.4 of this Code inform relevant candidates for a member of municipality about cost of used free airtime, volume and cost of used free space on periodical, about their legal address and bank information within 10 days after final election results are officially published.

228.3. Cost of free airtime and free space on periodical mentioned in Articles 81.5, 84.4 and 84.5 of this Code, is determined by multiplying total volume of airtime and space on periodical allocated for candidates for a member of municipality in accordance with the rules defined in Articles 222.4 and 222.5 of this Code to cost of airtime and space on periodical and for publication of information determined by TV and radio companies and periodicals.

228.4. If candidates for a member of municipality refused to use free airtime and space on periodical 2 days prior day of air and 5 days prior day of publication, cost of allocated free airtime and space on periodical is not paid.

Article 229. money left in special account of election funds of candidates for a member of municipality

Relevant bank must transfer money remained in special account of election funds of candidates for a member of municipality 60 days after voting day in accordance with the written instruction of Constituency Election Commission to the state budget.

Article 230. Returning money from their own funds by the candidates for a member of municipality

230.1 if there is no money or short of money in election fund, money to state budget, cost of allocated free airtime and space on periodical for campaign groups on referendum are paid from the personal funds of candidates for a member of municipality.

230.2 Before the submission of the final financial report, candidates for municipal member, not considered by Article 227.1 of this Code and who do not fulfill requirements of Article 228.1 of this Code but undertake obligations before the relevant election commissions, TV and Radio organizations and periodicals to pay relevant amount of

monetary funds to them, can be provided with a prolongation for the period of 6 months starting from the voting day to pay for the relevant amounts of state budgets as well as cost for used free airtime and space in periodicals.

230.3 If obligations mentioned in paragraph 2 of this Article are not fulfilled and period given for making payment is expired, money is paid through court. If candidates for a member of municipality, not mentioned in Article 227.1 of this Code and not fulfilling the requirements mentioned in this Article, do not perform their obligation until final financial report is submitted money is paid through court before time for submission of final financial report is expired.

230.4 TV and radio companies and periodicals mentioned in Article 78.4 of this Code inform Constituency Election Commission within 6 months starting from voting day about candidates for a member of municipality who did not completely pay for free airtime and space on periodical allocated in accordance with paragraph 2 of this Code.

CHAPTER Forty Five. Conduct of municipality elections and determination of the election results

Article 231. Voting room during the elections to municipalities

231.1. Voting room during the elections to municipalities is organized in accordance with requirements of Article 99 of this Code.

231.2. If candidates have been sentenced and if it is not canceled or served, name and number of a relevant article of the Criminal Code must be noted; if a candidate residing in another country has done an action which imposes a criminal liability in accordance with the Criminal Code of the country, a name of the relevant law of the foreign country must also be recorded.

Article 232. Ballot papers during municipality elections

232.1. Ballot papers for conduct of municipality elections is prepared in accordance with the rule established by Article 100 of this Code.

232.2. Separate ballot papers are prepared for each municipality election.

232.3. The destination of a ballot paper to a certain municipality elections should be indicated in its overhead.

232.4. A ballot paper for a municipality elections must contain the following information on the candidates for member of a municipality in accordance with order determined as a result of a draw:

- name, surname, father's name, pseudonym;
- date of birth;
- address;
- main working or serving place (if he/she does not have them - type of activity);

- if he/she has an elected position in state and municipal bodies;
- who has nominated him/her

The draw is conducted at the latest 25 days prior to the voting day by constituency election commission with participation of candidates for a municipality or their authorized representatives.

- 232.5. The ballot paper must contain short name of the party of a candidate for member of a municipality who has been registered in accordance with the Article 54 of this Code. Party affiliation of a candidate for member of a municipality, registered in accordance with the Article 54 of this Code, can be indicated by his/her will.
- 232.6. A blank box is placed right-hand to the names of candidates for member of a municipality. A line containing “against all candidates” is written next to the right-hand blank box.
- 232.7. If, after the ballot papers have been produced, candidates for member of a municipality withdraws his/her candidacy or his/her registration is canceled, precinct election commissions cross names of candidates for the purpose of erasing of the information on such candidates by the instruction of constituency election commissions. If in case of need to add information about candidate for member of a municipality to the ballot paper, or to make some changes, members of precinct election commission can add information or make changes in handwriting verifying it with a seal of the relevant commission on the basis of a decision of constituency election commission.

Article 233. Rule of voting during municipality elections

- 233.1. Voting during municipality elections is conducted in accordance with Articles 102 and 103 of this Code.
- 233.2. Voter marks the boxes opposite to the surnames of candidates they want to vote for and the number of such marks should be equal or less than the number of the relevant municipality’s members, or marks the box situating under the line “against all candidates”. Voter drops a completed ballot paper to the ballot box envisaged for voting.

Article 234. Counting of votes in election precinct during municipality elections

- 234.1. Counting of votes in election precinct is conducted in accordance with Articles 102 and 103 of this Code.
- 234.2. Precinct election commission completes a 3-copy protocol on the voting results.
- 234.3. The following information is included to the protocol regarding the voting results:
- 234.3.1. total number of voters on the voters list (number of voters on the supplementary voters list – in a separate line);
 - 234.3.2. number of voters received ballot papers
 - 234.3.3. number of ballot papers transferred to the Precinct Election Commission;

- 234.3.4. number of ballot papers given to the voters in the voting station on the election day;
- 234.3.5. number of ballot papers given to the voters who voted outside of the voting room;
- 234.3.6. number of cancelled ballot papers;
- 234.3.7. number of ballot papers inside the immovable voting ballot box (except those which are not in determined form);
- 234.3.8. number of valid ballot papers;
- 234.3.9. number of ballot paper inside the mobile ballot box (except those which are not in determined form);
- 234.3.10. number of invalid ballot papers (as well as number of ballot papers not in determined form and of those not marked at all – in separate lines);
- 234.3.11. names, surnames, fathers' names of candidates who appear in the ballot paper; other information if this information is identical;
- 234.3.12. number of votes cast for each candidate.

Article 235. Determination of Voting Results by the Constituency Election Commission

- 235.1. Within at latest 2 days after the election day the Constituency Election Commission summarizes all information from the first copies of protocols on results of voting of Precinct Election Commissions (after their accurate completion has been checked in advance), determines results of elections for the election precinct. Summarization of information from the protocols of Precinct Election Commissions must be hold with no intervals until protocol of Constituency Election Commission is completed. Summarization of information from the protocols of Precinct Election Commissions shall be conducted directly by members with decisive voting rights on the Constituency Election Commission.
- 235.2. The Constituency Election Commission shall consider the elections for the electoral precinct invalid in the following circumstances:
 - 235.2.1. if less than 25% of voters included in the voters list participate in the elections before the election finishes ;
 - 235.2.2. if number of votes cast for a candidate who collected majority of votes is less than votes cast against all candidates.
- 235.3. The Constituency Election Commission shall consider elections invalid:
 - if violations occurred during the conduct of voting or during the determination of results of voting does not allow to determine the voter's will or
 - on the basis of the court's decision.
- 235.4. The Constituency Election Commission completes a protocol on voting results for the election precincts on the basis of protocols of Precinct Election Commissions. This protocol shall contain number of Precinct Election Commissions and number of protocols submitted by these commissions which were basis for completion of protocol of the Constituency Election Commission; last names, names and fathers' names of candidates who are elected members of municipalities.

235.5. Candidates who collect the most votes at the election precinct according to the number of members of relevant municipality shall be considered to be elected. If several candidates record equal number of votes, the Constituency Election Commission shall conduct a draw between those candidates (in the presence of their agents and observers) in conformity with rules established by the Central Election Commission within at latest 48 hours after the election day with a purpose to determine a municipal member among them. Relevant documents on conduct of draw shall be sent to the Central Election Commission together with first copy of protocol and summary final table.

235.6. Protocol of the Constituency Election Commission shall be completed in 3 copies and signed by abovementioned commission's members with decisive voting right. 1 copy of protocol shall be sent to the Central Election Commission immediately attaching the following:

- complaints (applications) about violation of this Code received by Constituency Election Commission on the election day and decisions made by the Constituency Election Commission in this respect;
- an act on receipt of ballot papers by the Constituency Election Commission;
- an act on cancellation of unused ballot papers (recording number of such ballot papers);
- an act on issuance of voting cards and on cancellation of unused voting cards (recording number of those voting cards).

Acts mentioned above shall be signed by chairperson and secretaries of the Constituency Election Commission. Certified copies of complaints (applications), of decisions of Precinct Election Commissions, of acts mentioned above shall be attached to the 2 copy of the protocol.

235.7. 2nd copy of protocol is retained together with ballot papers, cut left corners of the same ballots, as well as list of persons mentioned in Article 38.7 of this Code who observed vote counting by secretary of the Constituency Election Commission until commission finishes its work.

235.8. 3rd copy of each protocol is placed on relevant board for familiarization.

235.9. member of commission with decisive voting right who does not agree with the protocol or some parts of it can add his/her opinion to the protocol and makes relevant notes about this in the protocol.

235.10. if Constituency Election Commission discover mistake and inaccuracy after protocols have been signed, it must examine (discuss) this issues in its meeting. The persons mentioned in Article 38.4 of this Code must be informed about the place and time of meeting. In this case, a new protocol is completed and the word "repetition" is written on this protocol and it is immediately sent to Central Election Commission.

Article 236. Announcement of results of elections to municipalities

Central Election Commission announces results of elections to municipalities in the Republic of Azerbaijan at latest within 20 days after starting from elections day.

Article 237. Card for being elected as municipal member

According to the sample determined by Central Election Commission, card for being elected as municipal member is provided by the Constituency Election Commission within 5 days after elections results have been announced.

Article 238. Repeat elections

Repeat elections are conducted with the decision of Central Election Commission for the period not later than 3 months, if municipal elections are considered to be void or invalid based on the articles 235.2 and 235.3 of this Code.

Article 239. Additional elections

If the required number of members of a municipality has not been elected, or their terms of office have been terminated before their normal expiry date and as a result of above there is less than $\frac{2}{3}$ of the full number of municipal representatives are in office, additional elections are held within 3 months with the decision of Central Election Commission.

Article 240. Publication of returns of elections to municipalities and voting results

The Central Election Commission publishes information on voting results as well as full voting information for Constituency Election Commissions and Precinct Election Commissions in its own official publication not later than 2 months after the municipal Election Day.

Article 241. Filling Vacancies of Municipal member

Following receipt of a report from a Constituency Election Commission that a member of a municipality has died during his/her term of office, or has had his/her term of office terminated, the Central Election Commission determines a new election within 3 months, conducted according to the requirements of this Code.