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EUROPEAN COMMISSION FOR DEMOCRACY THROUGH LAW
(VENICE COMMISSION)

DRAFT LAW ON STATE REGISTER OF VOTERS
OF UKRAINE

LAW OF UKRAINE

On State Voter Register

This Law lays down the legal framework for creating and maintaining the State Voter Register in Ukraine.

SECTION I. GENERAL PROVISIONS

Article 1. State Voter Register

The State Voter Register (hereinafter called the Register) is an automated telecommunications data system (database) designed to store and process data containing information hereunder and use the same, aimed at state registration of citizens of Ukraine having the right to vote in accordance with article 70 of the Constitution of Ukraine (hereinafter called the voters).

Article 2. Main goals of the Register

1. The main goals of the Register are as follows:

- 1) individual registration of the voters;
- 2) compiling voter lists for the elections of the President of Ukraine, people's deputies of Ukraine, deputies to the Verkhovna Rada of Autonomous Republic of Crimea, deputies to local councils, village, town and city heads, in all-Ukrainian and local referendums.

2. The Register database, any component of the same, a copy of the database or its component, personal details of the voters contained in the Register database (hereinafter called the personal registered data) may be used only for the purposes under article 26 hereof.

Article 3. Basic principles of maintaining the Register

1. The basic principles of maintaining the Register are as follows:

- 1) legitimacy and priority of human rights;
- 2) generality of the Register;
- 3) completeness and integrity of registered information;
- 4) reliability of registered information;
- 5) one-time registration of a voter;
- 6) permanence of the Register;
- 7) publicity of the Register;
- 8) possibility of Register updates;
- 9) protection of the Register.

2. Legitimacy and priority of human rights as maintaining the Register promote the protection of human and citizen's rights and bring the Register maintenance in line with the requirements of the Constitution and laws of Ukraine, international treaties of Ukraine recognised as binding by the Verkhovna Rada of Ukraine.

3. Generality of the Register is aimed at registering all voters irrespective of their place of residence or stay in order to apply a principle of universal suffrage.

4. Completeness and integrity of registered information are achieved by filling the Register database with all voter's details hereunder, which are to be correct, and maintaining the Register database using a single data format.

5. Reliability of registered information is achieved by a competent Register maintenance body having the documentary proof of the personal registered data contained in the Register database, grounds for registration of a voter or modification of the personal registered data hereunder.

6. One-time registration of a voter requires the voter to be able to be registered only once at the same voting address and thus to vote at the same polling station.

7. Permanence of the Register means that the law fixes no deadline for its functioning irrespective of the dates of elections or referendums, and that the personal registered data are kept permanently (within the time frame hereunder).

8. Publicity of the Register makes registered information accessible to every voter as regulated by this Law, as well as promotes other public controls hereunder over adherence to the principles of Register maintenance set forth in part one of this article.

9. Possibility of Register updates means periodical or initiated updating the Register database (entering or cancelling records, modifying and verifying the personal registered data) in accordance with time limits and rules set forth hereby.

10. Protection of the Register means protecting the Register database against unauthorised access and misuse of access, illegal use of the personal registered data, damaging integrity of the database of the Register and its hard- or software, by using guarding equipment, taking the relevant legal actions and imposing legal liability for Register violations.

Article 4. Language of the Register

1. The language of the Register is the state (Ukrainian) language.

2. In order to transliterate last, first, patronymic and other proper names in Ukrainian, the transliteration rules established by the Cabinet of Ministers of Ukraine shall apply.

Article 5. Registered information

1. The voter's details (personal data) of three types hereunder are registered and stored in the Register database:

- 1) voter's identification data;
- 2) personal data as to the place and conditions of voting by a voter;
- 3) internal personal data.

2. If any personal data listed under article 6 of this Law, part one, paragraphs 1-5, and part three, paragraphs 1-4, or article 7 of this Law, part four, paragraphs 1-3, part one, paragraphs 2-4, article 8 of this Law, part five, paragraphs 1-11, are not available, it is to be noted in the Register.

3. The Register maintenance bodies shall not acquire, register and store in the Register database information (voters' personal data) outside this Law.

Article 6. Voter's identification data

1. Personal identification data precisely proving the identity of a voter include:

- 1) voter's last name;
- 2) voter's personal name (all personal names);
- 3) voter's patronymic name;
- 4) voter's date of birth;
- 5) voter's place of birth.

2. If a voter has no patronymic according to the custom of a minority the voter belongs to, it shall be formally noted that there is no patronymic.

3. The place of birth of a voter born within the boundaries of present-day Ukraine shall be registered in accordance with the existing administrative-territorial system of Ukraine. As registering, the following information is given:

- 1) name of the country of birth (Ukraine);
- 2) proper name of a region of Ukraine specified in article 133 of the Constitution of Ukraine, part two;
- 3) proper name of a rayon (cities of oblast importance and republic importance in the Autonomous Republic of Crimea) a town of birth belongs to;
- 4) type of a town of birth and its proper name.

4. A record of the place of birth of a voter born outside the boundaries of present-day Ukraine includes the following information to be registered:

- 1) modern name of the relevant country;
- 2) name of the relevant federal subject, in case of a federal country;
- 3) type of a town of birth and its proper name.

Article 7. Personal data as to the place and conditions of voting by a voter

1. The personal data as to the place and conditions of voting by a voter include:

- 1) voter's voting address under article 8 hereof;
- 2) number of a precinct or indication of a foreign electoral district the voter belongs to;
- 3) number of a permanent polling station the voter belongs to;
- 4) information as to the voter's persistent inability to move unaided (if required).

2. An election precinct and polling station the voter belongs to are designated by the Register maintenance body based on the voter's voting address as established by the law.

Article 8. Voter's voting address

1. The voter's voting address is an address of the voter's place of residence or stay or another address replacing the voter's domicile, which is the reason for placing the voter among those voting at the relevant permanent polling station.

2. As a rule, the voter's voting address is determined by the registered place of residence and domicile of the voter under the Law of Ukraine On Freedom of Movement and Free Choice of Place of Residence, unless the voter applies to the relevant Register maintenance body for another voting address.

3. Upon the voter's justified request, the Register maintenance body may designate a voting address other than that specified under part two of this article.

4. A voter having no registered place of residence chooses his/her voting address as agreed with the relevant Register maintenance body and special agency registering homeless people under the law.

5. The voter's voting address includes information specified under paragraphs 1-10 (for voters living or staying in Ukraine) or paragraphs 1, 2, 11 (for voters living or staying outside Ukraine) of this part:

1) country of residence (stay);

2) region in Ukraine specified in article 133 of the Constitution of Ukraine, part two, or a subnational administrative subdivision (state, province, land, etc.) of a foreign country of residence or stay;

3) rayon or cities of oblast importance (cities of republic importance in the Autonomous Republic of Crimea) the settlement belongs to;

4) settlement (city, town, village);

5) street (avenue, boulevard, square, lane, block, etc.);

6) house number;

7) block number (wing, block, section, etc);

8) flat (room) number;

9) other information as to the voting address (military unit, penal institution, etc.);

10) postcode;

11) voter's mailing address as used in the country of residence (stay).

6. The rules and deadlines of temporary changing the voter's place of voting (polling station) by the same without changing the voter's voting address are set by the relevant law on elections or referendum.

Article 9. Internal personal registered data

1. The internal personal registered data include:

1) date of acquiring Ukrainian citizenship by the voter;

2) date of termination of Ukrainian citizenship (for persons included to the Register whose Ukrainian citizenship is terminated);

3) date of declaring a person incapable (for registered persons declared incapable by the court);

4) date of renewal of a person's capability (for registered persons whose capability is renewed);

5) date of death of a voter or date of declaring the same deceased (for registered decedents);

6) date of revocation of the decision in which court has declared a registered person deceased;

7) the Register maintenance body's note referred to in article 5 hereof, part two;

8) the Register maintenance body's note as to the voter's departure from the registered place of residence (without modifying the voter's voting address);

9) reference to the documents (along with their numbers) the Register maintenance body has, which provided the basis for making a record or entering personal data in the Register database, modifying (updating) these personal data or cancelling the record.

10) information under part two of this article.

2. Information under article 6 of this Law, part one, and article 7 of this Law, part one, modified as established hereby shall remain in the previous wording as internal personal registered data along with the date of modification.

3. The date of acquiring Ukrainian citizenship by the voter is determined in accordance with the Law of Ukraine On Citizenship of Ukraine, article 3.

Article 10. Relations between Voters and the Register

1. Each voter has the right:

1) to submit the voter's personal data to the relevant Register maintenance body;

2) to know about his/her inclusion (non-inclusion) or inclusion (non-inclusion) of other persons in the Register;

3) to know about the use of his/her personal data for purposes other than those set forth by article 26 of this Law, parts 1-4, especially, to be informed about persons to whom and the reasons for which information about him/her was disclosed;

4) to obtain all information in an easy format about his/her personal registered data from the relevant Register maintenance body free of charge and at any time, as established hereby;

5) as established hereby, to file with the relevant Register maintenance body a justified request as to illegal inclusion (non-inclusion) of him-/herself or other persons in the Register, entry of information about him-/herself or other persons, rectifying untrue registered information about him-/herself or other persons;

6) to appeal against decisions, actions or inactivity of Register maintenance bodies as established by the law;

7) to use any remedies not prohibited by the law to protect his/her rights and legal interests in the event of their violation as maintaining the Register.

2. The voter shall provide the Register maintenance body with reliable information about the voter's personal data entered in the Register in cases hereunder.

3. If two or more entries of information about one voter may be made in the Register (multiple registration of the voter), this voter shall help the Register maintenance bodies to preclude his/her multiple registration.

Article 11. Guarantees of protection and security of personal data of the voters

1. As creating and maintaining the Register, Register maintenance bodies and Register custodian, in co-operation with the State Agency of Ukraine for Special Communications and Information Protection, shall protect the Register by protecting the integrity of the Register database, its hard- and software, reliability of the registered data, protecting the Register against unauthorised access, illegal use, illegal duplication, distortion, destruction of the registered data, promoting the security of the voters' personal data in accordance with this Law and the Law of Ukraine On Protection of Information in Telecommunications Data Systems, international treaties in the area of information protection recognised as binding by the Verkhovna Rada of Ukraine.

2. As agreed by the State Agency of Ukraine for Special Communications and Information Protection, the Register custodian carries out a set of measures aimed at equipment-aided protection of personal and other registered data in the process of their storage, processing and transmission using telecommunications links in accordance with the law of Ukraine. In order to protect the registered data, the Register custodian establishes the rules of access to the Register database binding on the Register maintenance bodies. These rules, in particular, make persons in charge of maintaining the Register under this Law personally responsible for obeying this Law.

3. Violation of the Register protection rules, unauthorised access or misuse of access to the Register, damaging integrity of the Register, distortion or illegal destruction of the personal registered data, illegal duplication of the Register database or its component are administratively, criminally and otherwise penalised by the laws.

Article 12. Publicity of the Register

1. Publicity of the Register is aimed at respecting human rights guaranteed by the Constitution of Ukraine, international treaties recognised as binding by the Verkhovna Rada of Ukraine, and is achieved through public control over adhering to the requirements of the Constitution and laws of Ukraine as maintaining the Register.

2. Publicity of the Register may allow for general accessibility of voters' personal data only to the extent and in a manner required by this Law to achieve the aim referred to in this article, part one.

3. As carrying out the public control, each voter may familiarise him-/herself with the personal data of another voter contained in the Register database as regulated by this Law.

4. Political parties having their factions in the Verkhovna Rada of Ukraine of the current convocation, as well as political parties within a bloc having its faction in the Verkhovna Rada of Ukraine of the current convocation, carry out the public control over Register maintenance to the extent permitted by this Law.

Article 13. Method of Register Maintenance

1. The Register is maintained electronically using a single database which contains personal data of all voters of Ukraine.

2. To maintain the Register, encoding systems agreed with the State Agency of Ukraine for Special Communications and Information Protection are used. Classification systems required for functioning of the Register are designated by the Register custodian and approved by the Cabinet of Ministers of Ukraine.

3. The voter's personal data are entered in the Register database as a record – all voter's personal data under articles 5-9 hereof. The Register contains one record per voter.

4. Incorrect information is deemed the following information detected in the process of controlling the personal data as established by articles 19, 20, 22, 23 hereof, or using visual or automated controls:

1) a record or personal data which, at the moment of their entry in the Register database, are found to be already registered;

2) a record repeatedly made in the Register database;

3) voter's personal data inconsistent with one another (false).

5. If multiple entries of information about one voter (multiple registration of the voter) are detected, the Register custodian may decide to leave one entry in the Register database. Other entries regarding this voter are cancelled as established hereby. Other false information is rectified as established by articles 19, 20, 22, 23 hereof.

SECTION II. STATE VOTERS REGISTER BODIES

Article 14. Bodies of the State Voter Register

1. Bodies of the State Voter Register (hereinafter called Register bodies) include:

1) manager of the State Voter Register (hereinafter called the Register custodian);

2) State Voter Register maintenance bodies (hereinafter called the Register maintenance bodies);

3) regional State Voter Register administration bodies (hereinafter called the regional Register administrators).

2. The Register custodian is the Central Election Commission. The Register custodian shall:

1) guarantee and control adherence to the requirements of this Law as creating and maintaining the Register;

2) guarantee functioning of the Register setup and equipment;

3) have read-only access to the whole Register database;

4) control integrity of register records, completeness and correctness of personal registered data and initiate checking the detected false records by the Register maintenance bodies;

5) allow the Register maintenance bodies to access the Register database and establish the rules of this access hereunder;

6) exercise other powers under the law.

3. A decision made by the Register custodian within its competence shall be binding on executive authorities, local self-government bodies, their officers, political parties, enterprises, establishments, institutions, organisations of any type of ownership.

4. The Register custodian is not authorized to make entries in the Register, modify personal registered data and cancel Register entries.

5. Register maintenance bodies are as follows:

1) the relevant structural subdivision of rayon, city district state administration in a rayon, Kyiv or Sevastopol district;

2) the relevant executive body of the city council in city of oblast importance (city of republic importance in the Autonomous Republic of Crimea) having no districts;

3) the relevant executive body of the city district council or the relevant structural subdivision of the executive body of the city council set up in a district of a city of oblast importance having districts.

6. Competences of the Register maintenance body extend over the territory of the relevant rayon, city, city district.

7. Register maintenance bodies gain access to the Register database as limited by this Law and decisions made by the Register custodian in accordance with this Law. Register maintenance bodies shall maintain the Register as established hereby.

8. The regional Register administrator is as follows:

1) the election commission of the Autonomous Republic of Crimea in the Autonomous Republic of Crimea;

2) the relevant structural subdivision of the oblast, city state administration in an oblast, city of Kyiv or Sevastopol.

9. Competences of the regional Register administrator extend over the territory of the Autonomous Republic of Crimea, oblasts, city of Kyiv or Sevastopol.

10. Regional Register administrators organisationally support, guarantee cooperation between local executive bodies, local self-government bodies, establishments, institutions and organisations in creating and maintaining the Register, control carrying out decisions of the Register custodian. The regional Register administrator has no access to the Register database.

11. Functions of the Register maintenance body and regional Register administrator when registering voters residing or staying outside Ukraine shall be performed by the relevant structural subdivision of the Foreign Ministry of Ukraine.

Article 15. Access to the Register database gained by Register maintenance bodies

1. The Register maintenance body gains read-only access to all Register records as established by the Register custodian.

2. The Register maintenance body gains access in writing mode to personal registered data of voters whose voting address is within the territory under jurisdiction of the body. The Register maintenance body in the Foreign Ministry of Ukraine gains access in the writing mode to personal registered data of voters residing or staying outside Ukraine.

3. The Register maintenance body makes new entries in the Register database, modifies personal registered data, cancels Register database entries in real time, on the grounds and respecting the rules of this Law, adopted by decisions of the Register custodian in accordance with this Law. The voter's voting address is modified by the Register maintenance body who has registered the voter before his/her changing the voting address based on the Register custodian's decision.

4. Access to the Register database referred to in parts 1-3 of this article is gained by at least two authorised officers of the Register maintenance body. Access software and other tools shall be provided to the officers of the Register maintenance body personally by the Register custodian.

5. The Register maintenance body shall record all operations as modifying the Register database as established by the Register custodian.

SECTION III. MAINTAINING THE STATE VOTER REGISTER

Article 16. Register maintenance operations

1. Register maintenance includes organizational and legal setting up and carrying out the following operations in the write mode:

- 1) making a voter-related entry in the Register database;
- 2) modifying the personal registered data;
- 3) cancelling Register entry;
- 4) visual and automated control over the completeness and correctness of the personal registered data.

2. Operations referred to in part one of this article shall be legally set up and carried out by the relevant Register maintenance body on the grounds and in the manner set forth by this Law and decisions of the Register custodian made in accordance herewith.

Article 17. Grounds for carrying out Register maintenance operations

1. Operations referred to in article 16 of this Law, part one, paragraphs 1-3, are carried out by authorised officers of the relevant Register maintenance body as instructed by the head of the Register maintenance bodies in writing.

2. The instruction to make an entry in the Register database is issued on the basis of documents duly submitted to the relevant Register maintenance body to prove gaining the right to vote by a person as a consequence of:

- 1) the person's reaching 18 years of age;
- 2) acquiring Ukrainian citizenship by the person;
- 3) renewal of capability of the person not on the Register;
- 4) detecting an unregistered person having the right to vote.

3. The instruction to modify the personal data of the registered voter is issued on the basis of documents duly submitted to the relevant Register maintenance body to evidence the relevant modifications.

4. The instruction to cancel a Register entry is issued on the basis of:

- 1) expiration of the period of storing an entry related to a deceased voter or a voter who terminated his/her Ukrainian citizenship, fixed by this article;
- 2) the Register custodian's decision to preclude multiple registration of a voter.

5. Entry in the Register database related to a deceased person or a person who terminated his/her Ukrainian citizenship is correspondingly marked and stored for fifteen years following the occurrence of the said event.

6. Visual and automated control over the completeness and correctness of the personal registered data is continuously carried out by the Register maintenance body as established by the Register custodian.

Article 18. Submissions to the Register maintenance body

The documents referred to in article 17 of this Law, parts two and three, may be submitted to the relevant Register maintenance body as follows:

- 1) by the person him-/herself;
- 2) as periodically updating registered information;
- 3) as verifying registered information.

Article 19. Applying for registration to the Register maintenance body

1. A person who has gained or has the right to vote but finds him-/herself unregistered may apply to the Register maintenance body located near the place of the person's residence in the territory of Ukraine for registration on his/her own initiative.

2. To the Register maintenance body, the person referred to in part one of this article shall submit the written application using a form established by the Register custodian containing information about him-/herself specified in article 6 of this Law and article 7 of this Law, part one, paragraph 1, and the document proving the identity and citizenship of the voter – passport of the citizen of Ukraine or (if the person has recently acquired Ukrainian citizenship) temporary identity card of the citizen of Ukraine. A person in service, to submit such application, is granted a leave of sufficient duration to apply to the Register maintenance body.

3. A person who has gained the right to vote and resides or, as gaining the right to vote, is outside Ukraine may apply for his/her registration to a consulate located near the person's place of residence or stay by filing an application using a form referred to in part two of this article. Together with the application, the person shall submit a document proving the identity and citizenship of the voter – foreign pass of the citizen of Ukraine, diplomatic pass, official pass or (if the person has recently acquired Ukrainian citizenship) temporary identity card of the citizen of Ukraine. The head of the Ukrainian consulate shall immediately send the application to the Register maintenance body in the Foreign Ministry of Ukraine.

4. The voting address of a person applying for registration is determined in accordance with article 8 of this Law, parts three and four. The voting address of a serviceman is the mailing address of his military unit. The voting address of a person residing or staying outside Ukraine is the mailing address of his/her place of residence or stay used in the country of residence (stay).

5. The Register maintenance body checks previous registrations of the applicant and information given in the application and required to make an entry in the Register by consulting the relevant bodies and institutions referred to in article 22 hereof.

6. On the grounds under article 17 of this Law, part two, the head of the Register maintenance bodies issues a written instruction to make the relevant entry in the Register. Based on the voting address, the numbers of the election precinct and polling station the voter belongs to are determined.

7. If the voter is registered, the Register maintenance body sends the notification about his/her registration using a form established by the Register custodian at the voter's voting address. The notification contains the voter's personal data in accordance with article 6 of this Law, part one, and article 7 of this Law, part one, and the date of the voter's registration. The notification is signed by the head of the Register maintenance bodies and sealed by the maintenance bodies. The Register maintenance body shall record persons who received notifications from the body.

8. The head of the Register maintenance bodies refuses the application of a person referred to in parts one or three of this article:

- 1) if this person is found not to have the right to vote;

2) if in the process of the check referred to in part five of this article inconsistency in the content of information given in the application and furnished by the relevant body or institution is detected;

3) if such person is found to be already registered at this or another voting address.

9. The person applying for registration is informed about the refusal of his/her application in writing along with giving comprehensive reasons. This notification is sent at the address given in the application as the person's voting address.

10. In the event of refusal for the reason referred to in part eight of this article, paragraph 3, the notification referred to in part nine of this article shall contain the voting address of the person according to the Register. If the corresponding entry was made in the Register by this Register maintenance body, but the voter did not receive the notification about his/her registration referred to in part seven of this article, along with the notification the relevant information shall be sent at the voter's voting address. If the voter-related entry in the Register is made by another Register maintenance body, the notification shall contain the relevant Register maintenance body.

Article 20. Application for modification of the voter's personal data to the Register maintenance body on the voter's own initiative

1. In the event of modification of the voter's personal data referred to in article 6 of this Law, part one, and article 7 of this Law, part one, paragraph 1, each voter may apply to the Register maintenance body located near the voter's voting address for modification of his/her registered personal data. To the application the documents (duly certified copies) proving these modifications and notification about the person's registration referred to in article 19 of this Law, part seven, are attached. A voter whose registered personal data contain information about his persistent inability to move unaided may in writing authorise another person to apply. A voter residing or staying outside Ukraine shall apply to the relevant Ukrainian consulate which shall immediately send the application and the documents attached to the Register maintenance body of the Foreign Minister of Ukraine.

2. In the event of application for modification of the voting address, the voter applies to the Register maintenance body located near the new voting address. To the application the documents (duly certified copies) proving the change of the voter's voting address are attached.

3. The Register maintenance body may verify the change in the voter's personal data given in the application by consulting the relevant bodies or institutions referred to in article 22 hereof. On the grounds referred to in article 17 of this Law, part two, the head of the Register maintenance bodies issues the instruction to correspondingly modify the voter's registered personal data (unless part four of this article applies).

4. If the voter applies for modification of his/her voting address not related to changing the place of residence under the Law On Freedom of Movement and Free Choice of Place of Residence, the Register maintenance body investigates into justification of the application. Based on the results of the investigation, the head of the Register maintenance bodies may make the following decision:

1) to issue instruction to modify the voter's registered voting address (if the voter's voting address is changed in the territory under jurisdiction of this Register maintenance body);

2) to request that the Register custodian instructs the Register maintenance body which registered the voter at the previous voting address to modify the voter's registered voting address (if the voter's previous voting address is outside the territory under jurisdiction of this Register maintenance body);

3) to refuse modification of the voter's voting address.

5. In the event of modifying the registered personal data, the Register maintenance body who modified the same informs the voter about this in writing. Along with the notification sent at the voter's voting address, the voter also receives the new notification about his/her registration referred to in article 19 of this Law, part seven, indicating the voter's modified personal data, as well as dates of initial registration of the voter and dates of these modifications.

6. The head of the Register maintenance bodies refuses the voter's application referred to in parts one and two of this article:

- 1) if the applicant is found to be unregistered;
- 2) if in the process of the check referred to in part three of this article inconsistency in the content of information given in the application and furnished by the relevant body or institution is detected;
- 3) if the application for modification of the voting address is declared groundless;
- 4) if voter's registered personal data are found to be already modified.

7. The person filing the application referred to in parts one or two of this article is notified about the refusal of the application in writing along with giving comprehensive reasons for the same. This notification is sent at the voter's voting address. In the event of refusal of modifying the voter's voting address, the said notification is sent at the voting address according to the Register and at the address the voter requested to recognise as his/her voting address.

8. If the voter filing the application referred to in parts one or two of this article is found to be unregistered, the Register maintenance body shall check information given in the application by sending an inquiry to the relevant establishments or institutions referred to in article 22 hereof. This check is notified to the concerned voter. The decision as to registering this voter is shall be made as established by article 19 of this Law, parts six and seven. Before decision-making, the Register maintenance body may engage the voter in checking or verifying the voter's details.

Article 21. The voter's request to the Register maintenance body

1. The voter may personally submit a written request with respect to the content of his/her personal registered data to the Register maintenance body in Ukraine, with presentation of the passport of the citizen of Ukraine or (if the voter has recently acquired Ukrainian citizenship) temporary identity card of the citizen of Ukraine. A voter whose registered personal data contain information about his persistent inability to move unaided may in writing authorise another person to submit the request.

2. A voter residing or staying outside Ukraine may personally submit the request referred to in part one of this article to the Ukrainian consulate located near the voter's place of residence or stay, with presentation of the foreign pass of the citizen of Ukraine, diplomatic pass, official pass or (if the person has recently acquired Ukrainian citizenship) temporary identity card of the citizen of Ukraine. The consulate shall immediately send the request to the Register maintenance body in the Foreign Ministry of Ukraine.

3. The Register maintenance body receiving the request referred to in part one or two of this article shall send the printout of all voter's personal data referred to in article 6 of this Law, part one, article 7 of this Law, part one, article 9 of this Law, parts one and three, contained in the relevant entry of the Register within three business days of receiving the request. The said printout shall be signed by the head of the Register maintenance body and sealed by the maintenance body.

4. In the process of carrying out public control over the Register activities, each voter may request any Register maintenance body to provide the following information:

1) by the voter's last name and his/her possible voting address – other information under article 6 of this Law, part one, paragraphs 1-3, and article 7 of this Law, part one, on all the voters having this voting address along with the right to vote they have or on the absence of any entries related to the voter having the said name at this voting address;

2) by the voting address referred to in the request – the number of registered voters (without their personal data) having this voting address or absence any entries having this voting address in the Register;

3) by the voter's own voting address – personal data referred to in article 6 of this Law, part one, as to all registered persons having this voting address;

4) by the name of a village, town, city, city district, foreign country – the number of voters in the said village, town, city, city district, foreign country.

5. The Register maintenance body checks the consistency of the name of voter who is the subject of the request and the voting address indicated by the same. If this information is inconsistent with the registered personal data of this voter, the Register maintenance body shall send the refusal of the request at the voting address given in the request along with presenting the essence of the inconsistency as a basis for the refusal.

6. If the request referred to in part four of this article is sent to the Register maintenance body whose competence does not extend over the area the concerned voting address, village, town, city, city district or foreign country belong to, the Register maintenance body shall send the request refusal to the subject of the request at his/her voting address, along with giving the reason for this refusal.

7. If the consistency of the voter's personal data and voting address given by the same is confirmed, the Register maintenance body shall send the reply to the request along with all information on the merits of the request within six business days of receiving the request. The reply is signed by the head of the Register maintenance bodies and sealed by the maintenance bodies. If the relevant entry was made in the Register by this Register maintenance body, but the voter did not receive the notification about his/her registration referred to in article 19 of this Law, part seven, along with the information the voter shall be sent the relevant notification at his/her voting address.

Article 22. Periodical updates of the registered personal data

1. The Register maintenance bodies quarterly update the Register database. The Register database is updated based on information provided to the Register maintenance body by bodies, establishments, institutions referred to in parts 3-9 and 12 of this article.

2. Information under this article shall be provided to the relevant register maintenance body over three preceding calendar months:

1) by 5 March every year – over December of the preceding year, January and February of the current year;

2) by 5 June every year – over March, April, May of the current year,

3) by 5 September every year – over June, July, August of the current year;

4) by 5 December every year – over September, October, November of the current year.

3. The head of the relevant rayon (city, city district) body of the Foreign Ministry of Ukraine provides information:

1) on citizens of Ukraine registered where they live in the relevant administrative subdivision who have reached 18 years of age during the last three calendar months;

2) on persons who have acquired Ukrainian citizenship during the last three calendar months and have the temporary identity card of the citizen of Ukraine or passport of the citizen of Ukraine;

3) on voters who have changed the registered place of their residence within the relevant administrative subdivision during the last three calendar months;

4) on voters who have registered their place of residence in the relevant administrative subdivision during the last three calendar months;

5) on voters who have been stricken from the register where they live in the relevant administrative subdivision during the last three calendar months;

6) on persons whose Ukrainian citizenship has been terminated during the last three calendar months.

4. The head of the relevant rayon (city, city district) body of the Ministry of Justice of Ukraine provides information:

1) on voters who have resided in the relevant territory and died during the last three calendar months (which is evidenced with the issued death certificate);

2) on voters who have changed their last, first, patronymic names, date or place of birth during the last three calendar months.

5. The commander of the military unit (formation) within the relevant administrative subdivision provides information:

1) on voters in service who have arrived to serve with this military unit (formation) during the last three calendar months;

2) on other voters who have come to live where this military unit (formation) is positioned during the last three calendar months;

3) on voters (including servicemen) who have departed from where this military unit (formation) is positioned during the last three calendar months.

6. The head of the relevant rayon (city, city district) guardian body provides information:

1) on voters who have been declared incapable by the court and thus put under care during the last three calendar months;

2) on persons whose incapability has been revoked by the court and who ceased to receive care during the last three calendar months.

7. The head of the relevant local body of the State Penal Department of Ukraine provides information:

1) on voters who arrive to serve their sentence to institutions within the relevant administrative subdivision during the last three calendar months;

2) on voters who had served their sentence in institutions within the relevant administrative subdivision and have been released from these institutions during the last three calendar months.

8. The head of a special body which registers homeless persons under the law and is located within the relevant administrative subdivision provides information:

1) on voters who have been registered at the institution during the last three calendar months;

2) on voters who have been stricken from the register of the institution during the last three calendar months.

9. To the Register maintenance body in the Foreign Ministry of Ukraine, the head of the Ukrainian consulate provides information:

1) on citizens of Ukraine registered by the consulate who have reached 18 years of age during the last three calendar months;

2) on persons who have acquired Ukrainian citizenship and obtained the temporary identity card or passport of the citizen of Ukraine during the last three calendar months;

3) on persons whose Ukrainian citizenship has been terminated during the last three calendar months;

4) on voters who are citizens of Ukraine registered by the consulate in the territory of the relevant consular district during the last three calendar months;

5) on voters who are citizens of Ukraine stricken off the register in the territory of the relevant consular district during the last three calendar months;

6) on voters who are citizens of Ukraine presently in service with Ukrainian military units (formations) outside Ukraine.

10. Information referred to in parts 3-9 of this article includes information under article 6 of this Law, part one, on each person concerned. Furthermore, information referred to in parts 3-7 of this article includes the voter's domicile at which his place of residence is (for those arriving) or was registered (for those departing) in accordance with the Law of Ukraine On Freedom of Movement and Free Choice of Place of Residence. Information referred to in part nine of this article also includes the name of the country of residence (stay) of the voter and his/her mailing address used in the country of residence (stay).

11. Information referred to in parts 3-9 of this article is provided using a hard carrier as a list with an end-to-end numbering of entries and sheets. Reliability of information is evidenced on each sealed sheet with the signature of the head of the relevant authority, institution, commander of a military unit (formation). The form of the list shall be established by the Register custodian. Together with the said document its electronic file is submitted.

12. The village, town, city head or another official legally exercising his powers furnishes the Register maintenance body with information on the names of new streets and renamed streets (avenues, boulevards, squares, lanes, blocks, etc.), numbers of new houses and

changed numbers of the existing houses in the relevant settlement. The said information is signed by this official and sealed by the relevant local council.

13. Based on information referred to in parts 3-9 of this article with respect to each voter (person) concerned, the head of the Register maintenance bodies may decide:

1) to make a voter-related entry in the Register database – on the grounds referred to in article 17 of this Law, part two;

2) to make the relevant changes to the voter's personal data – on the grounds referred to in article 17 of this Law, part three;

3) to request the Register custodian to modify the personal data of voters who have arrived to the relevant area;

4) to provide the personal data of voters who have departed from the relevant area with internal marks.

14. Based on information referred to in part twelve of this article, the head of the Register maintenance bodies makes the decision to modify the voting address of each voter (person) concerned.

15. In the event of making the decision as to territorial restructuring, renaming an administrative subdivision, settlement, based on the relevant restructuring or renaming report the head of the Register maintenance bodies makes the decision to make the relevant changes to the place of residence or voting address of each voter (person) concerned.

16. If information referred to in parts 3-9 of this article regards persons who have gained or have the right to vote, but are not in the Register, the head of the Register maintenance bodies makes the decision to enter these voters in the Register. The decision-making and making entries are carried out as established by article 19 of this Law, parts 4-8. Before making the decision, the Register maintenance body may engage the voter in checking or verifying the voter's details.

17. If the content of information referred to in parts 3-9 of this article suggests that the personal data of an individual voter whose voting address belongs to the territory under jurisdiction of the Register maintenance body are changed, especially, if the voting address of an individual voter is changed within this territory, the head of the Register maintenance bodies makes the decision to modify the personal data of this voter. The decision-making and making changes to the personal data are carried out as established by article 20 of this Law, part three. Before making the decision, the Register may engage the voter in checking or verifying the voter's details.

18. As to voters who, according to information referred to in parts 3-9 of this article, arrived to the territory under jurisdiction of the Register maintenance body, and whose previous voting address was outside this territory, the head of the Register maintenance bodies makes the decision to request that the Register custodian instructs the Register maintenance body which registered the voter at the previous voting address to modify the voter's registered voting address. This request with respect to voters who arrived to the relevant territory shall contain their personal data referred to in article 6 of this Law, part one, as well as the previous and the new voting addresses. Before making the decision, the Register maintenance body may engage the voter in checking or verifying the voter's details.

Article 23. Verifying the registered personal data

1. The registered personal data are verified by the Register bodies from 1 September until 30 November every year by proposing registered voters to specify their personal data. The registered personal data are verified simultaneously with the regular updating the registered personal data in accordance with article 22 hereof.

2. From 1 to 21 September of the current year the Register maintenance body shall send a nominal notification using the form established by the Register custodian to each registered voter whose voting address belongs to the territory under jurisdiction of this Register maintenance body. The notification is sent at the voting address according to the Register.

3. The nominal notification referred to in part two of this article contains information on the voter's rights with respect to the Register in accordance with article 10 of this Law, part one,

and invites the voter to check his/her personal data, eliminate inconsistencies and inaccuracies in the respective entry, as well as clarifies the procedure of requesting the Register maintenance body to eliminate inconsistencies and inaccuracies. To the nominal notification the printout of the voter's personal data in accordance with article 21 of this Law, part three, is attached.

4. If the voter does not receive the nominal notification referred to in part two of this article by 30 September of the current year or within another period fixed in part nine of this article, or if information contained in the personal data printout referred to in part three of this article is inconsistent or inaccurate, as well as in the event of the voter's having reliable information as to inconsistencies or inaccuracies in personal data of other persons, the voter may apply to the Register maintenance body located near the voter's voting address in accordance with the procedure established by article 20 hereof.

5. The Register maintenance body considers requests received in the process of verifying the registered personal data and, based on the results of the consideration, if there are sufficient grounds under this Law, carries out Register maintenance operations as established by articles 19, 20, 22 hereof.

6. The notification about verifying the registered personal data containing clarification of the procedure of verifying the data and applying to the Register maintenance body is published in printed mass media and broadcasted using national television and radio channels at least once per week during the period fixed in part one of this article or, if the period of verifying the personal data in accordance with part nine of this article – during the verification time frame fixed by the Register custodian.

7. Local executive bodies and local self-government bodies promote awareness of citizens of Ukraine of the time frame of verifying the registered personal data, rights of citizens as regards verifying their personal data.

8. The Foreign Ministry of Ukraine, diplomatic corps and consulates of Ukraine take appropriate actions to inform citizens of Ukraine residing or staying outside Ukraine, especially, by placing the notification referred to in part seven of this article in printed mass media available to citizens of Ukraine in their country of stay along with giving addresses and phone numbers of consulates to receive information from citizens of Ukraine residing or staying in the territory of the relevant country.

9. If the period referred to in parts one and two of this article overlaps with the period of elections of the President of Ukraine, people's deputies of Ukraine, regular or extraordinary local elections held all over Ukraine, or the process of all-Ukrainian referendum, the registered personal data are verified within the period fixed by the Register custodian, however, the process shall start within 180 days prior to the day of voting in the relevant elections or referendum and continue for at least 90 days.

Article 24. Carrying out public control over Register maintenance by political parties

1. A political party having its faction in the Verkhovna Rada of Ukraine of the current convocation, as well as political party within a bloc having its faction in the Verkhovna Rada of Ukraine of the current convocation has the right to participate in public control over the Register maintenance as set forth in this article.

2. Upon the written request of the political party referred to in part one of this article, the Register custodian provides the representative of this party authorised by the administrative body of the party with the electronically signed electronic copy of the Register database containing information referred to in article 6 of this Law, part one, and article 7 of this Law, part one, split into components by the Register maintenance bodies as established by the Register custodian.

3. The copy of the Register database referred to in part two of this article may be provided to the authorised representative of the political party within one month of the completion of yearly verification of the Register in accordance with article 23 hereof, and within

60 days before the day of voting in elections of the President of Ukraine, people's deputies of Ukraine, all-Ukrainian referendum, regular or extraordinary local elections held all over Ukraine.

4. The political party may use the copy of the Register database provided to the same in order to check the completeness and reliability of the registered personal data as a component of the public control, in line with the requirements of the law of Ukraine.

5. The Register custodian ensures protection of electronic copies of the Register database against unauthorised duplication and uses equipment to detect attempts of breaking this protection. When permitted by the Register custodian in writing, the political party may make one backup electronic copy of each component of the Register database on its own.

6. Within one month of receiving the copy of the Register database, the political party shall return the copy of the Register database received earlier and all copies of its components made by the same in accordance with part five of this article to the Register custodian.

7. A political party which, after elections of people's deputies of Ukraine, fails to meet the requirements of part one of this article loses its right to continue receiving copies of the Register database. This party shall return the copy of the Register database received earlier and all copies of its components made by the same in accordance with part five of this article to the Register custodian within three months of these elections.

8. Failure of the political party to return copies of the Register database and copies of its components to the Register custodian for the reasons and within the period referred to in parts six and seven of this article, detection of illegally made or distributed backup copies of the Register database or its any component using a counterpart furnished to the relevant party is the basis for refusing to provide a copy of the Register database to the party the next time and considering making legally liable persons illegally duplicating and distributing the registered personal data.

9. Based on the results of checking the completeness and reliability of the registered personal data, the party may apply to the Register by informing the same about the detected violations of the rules of Register maintenance (non-registration of the voter, illegal or multiple registration of a person, incorrect personal data of certain voters) with respect to voters whose voting address (domicile) belongs to the territory under the jurisdiction of this Register maintenance body. The Register maintenance body verifies justification of the application and takes the appropriate actions as established by articles 19 and 20 hereof.

Article 25. Register financing

Creation and maintenance of the Register are financed from the State Budget of Ukraine and (when local self-government bodies are engaged under this Law) the relevant local budgets as financing of delegated powers.

SECTION IV. USING ENTRIES OF PERSONAL DATA IN THE STATE VOTER REGISTER

Article 26. Objectives of using the registered personal data

1. As preparing for the elections of the President of Ukraine, people's deputies of Ukraine, deputies to the Verkhovna Rada of the Autonomous Republic of Crimea, local councils or village, town, city heads, in all-Ukrainian or local referendum, the registered personal data may be used only:

- 1) to make preliminary voter lists at polling stations;
- 2) to verify preliminary voter lists and compile the final voter lists at polling stations;
- 3) to provide the Cabinet of Ministers of Ukraine, other executive authorities, local self-government bodies, Central Election Commission, election commission of the Autonomous Republic of Crimea, territorial election commissions for local elections with statistical information on quantitative characteristics of the election corps in the relevant territory;
- 4) to check information on voters referred to in part two of this article.

2. The registered personal data may be used by the relevant election commissions in order to check reliability of information on voters who affixed their signatures to the lists to support all-Ukrainian or local referendum, a candidate (candidates) in the elections of the

President of Ukraine, people's deputies of Ukraine, deputies to the Verkhovna Rada of the Autonomous Republic of Crimea, local council, village, town, city heads, as well as information provided to the relevant election commissions as to candidates, authorised persons and proxies, members of the referendum stirring group, candidates to election commissions.

3. The registered personal data may be used in order to carry out public control over the Register maintenance under this Law.

4. Based on the law, the registered personal data may be once used for initial filling the database of the national individual registration system after its creation.

5. The registered personal data may be used for purposes other than those referred to in parts 1-4 of this article only as decided by the court. Within seven days of provision of the voter's personal data in line with the judicial decision, the Register custodian or the Register maintenance body informs the concerned voter about the same by notifying the voter at his/her voting address.

Article 27. Compiling preliminary voter lists

1. In the event of scheduling the elections of the President of Ukraine, people's deputies of Ukraine, all-Ukrainian referendum, all Register maintenance bodies in the territory of Ukraine compile preliminary voter lists for each ordinary polling station and permanent special polling stations at penal institutions, polar stations and in military units (formations) positioned outside settlements. The Register maintenance body in the Foreign Ministry of Ukraine compiles preliminary voter lists for each permanent foreign polling station.

2. In the event of scheduling regular local elections or extraordinary local elections held all over Ukraine, all Register maintenance bodies in the territory of Ukraine make preliminary voter lists for each ordinary polling station, as well as permanent special polling stations in military units (formations) positioned outside settlements. The voter list of a military unit (formation) positioned outside settlements does not contain servicemen of a regular term. Preliminary voter lists are not compiled for foreign polling stations and special polling stations at polar stations, penal institutions.

3. In the event of scheduling separate local elections or local referendum, preliminary voter lists are made by the relevant Register maintenance bodies for stations of types referred to in part two of this article, located in the territory of the relevant administrative subdivision in which local elections or local referendum is held.

4. The polling station's preliminary voter list includes voters belonging to this station according to their personal data in the Register database. The voter list does not include persons entered in the Register database, but who, according to the registered personal data, have not the right to vote, died or departed (including temporarily on the day of voting) from their voting address.

5. Preliminary voter lists are compiled using the form established by the Central Election Commission in line with the requirements of parts six and seven of this article.

6. The preliminary voter list has end-to-end numbering of voters. Voter-related information in the list is given in the order of voters' voting addresses so that data on voters having the same voting address in the voter lists are given closely to one another. The preliminary voter list indicates:

- 1) last name, personal name(s) and patronymic (if any) of a voter;
- 2) year of birth (date of birth for voters who reached 18 years of age in the year of elections);
- 3) voter's voting address (without postcode and country of residence);
- 4) mark showing persistent incapability of the voter to move unaided (if required).

7. The preliminary voter list for each station is made in two counterparts. Each sheet of each counterpart of the preliminary voter list for the relevant ordinary or permanent special polling station is signed by the head of the Register maintenance bodies and sealed by the maintenance bodies.

8. The period of making preliminary voter lists, deadlines and procedure of their delivery to the relevant district or territorial election commissions are regulated by the respective law on elections or referendums.

9. Preliminary voter lists for special polling stations at in-patient care institutions and at temporary special and foreign polling stations (set up only for the period of elections or referendum) are made by the relevant polling station election commissions within the period and using the procedure regulated by the appropriate law on elections or referendums.

Article 28. Verification of preliminary voter lists

1. Preliminary voter lists are verified within the period and using the procedure regulated by the appropriate law on elections or referendums.

2. Election commissions deliver their own requests, requests of voters, other subjects of electoral process as to non-inclusion, incorrect inclusion of voters in the preliminary list or false information about the voter to the relevant Register maintenance body.

3. Polling station election commissions which made preliminary voter lists in accordance with article 27 of this Law, part nine, on their own deliver information on voters entered in these lists (inter alia, as verifying the same) and voters entered in these lists as verifying the same to the relevant Register maintenance bodies at voting addresses of these voters.

4. To information referred to in parts two and three of this article originals of all requests of citizens as to eliminating errors in voter lists and annexes to these requests are attached, as well as requests of the heads of establishments, institutions, captains of ships, commanders of military units (formations) based on which preliminary voter lists were made and verified by polling station election commissions.

5. The Register maintenance body which received requests and documents referred to in parts 2-4 of this article checks this information as established by articles 19 and 20 hereof and, when this information is confirmed, makes the relevant changes to voters' registered personal data. The Register maintenance body informs the relevant district (territorial) and polling station election commission about the result of consideration of the request (modifying the Register or refusal, if the request as to errors in voter lists is not confirmed).

6. The Register maintenance body which received information and documents referred to in parts three and four of this article makes the appropriate marks in the database concerning voters who will not vote at their voting addresses because of their entering in voter lists at other polling stations.

7. Within the period set by the appropriate law on elections or referendum, however, within three days before the day of voting in elections or referendum, the Register maintenance body makes final voter lists for each polling station in the relevant territory using the form established by article 27 of this Law, part five, along with reflecting verified information referred to in article 27 of this Law, part six, and in line with the requirements set by article 27 of this Law, parts six and seven.

8. Verified voter lists are delivered to district (territorial) or polling station election commissions using the procedure established by the appropriate law on elections or referendum.

Article 29. Verification of reliability of information on voters using the registered personal data

1. The Central Election Commission uses registered personal data to check reliability of information on:

1) candidates in the elections of the President of Ukraine, people's deputies of Ukraine whose documents are submitted for registration to the Central Election Commission;

2) candidates for registration put up by authorised representatives or proxies of candidates for the office of the President of Ukraine, representatives or proxies of political parties (election blocs of political parties) which are subjects of the election process in elections of people's deputies of Ukraine;

3) candidates put up for the membership in territorial (for elections of the President of Ukraine), district (for elections of people's deputies of Ukraine) election commissions;

4) participants of the assembly of citizens of Ukraine which approved the initiative to hold an all-Ukrainian referendum, as well as members of all-Ukrainian referendum stirring groups elected at this assembly;

5) voters who have signed the lists in support of a candidate for the office of the President of Ukraine or to support holding the all-Ukrainian referendum, as well as persons who collected these signatures.

2. The territorial (for elections of the President of Ukraine), district (for elections of people's deputies of Ukraine) election commission may request the relevant Register maintenance body to check the reliability of information on candidates for the membership in polling station election commissions.

3. The election commission of the Autonomous Republic of Crimea may request the relevant Register maintenance body to check the reliability of information on:

1) candidates in elections of deputies to the Verkhovna Rada of the Autonomous Republic of Crimea;

2) candidates put up for registration by representatives of party organisations (blocs) in the election commission of the Autonomous Republic of Crimea having the deliberative vote, proxies of party organisations (blocs);

3) candidates put up for the membership in polling station election commissions (if this commission sets up polling station election commissions in accordance with the law);

4) voters who have signed the lists in support of a list of candidates in elections of deputies to the Verkhovna Rada of the Autonomous Republic of Crimea, as well as persons who collected these signatures.

4. The territorial election commission in local elections may request the relevant Register maintenance body to check the reliability of information on:

1) candidates in elections of deputies to the relevant local council;

2) candidates put up for registration by representatives of party organisations (blocs) in the relevant territorial election commission having the deliberative vote, proxies of party organisations (blocs);

3) candidates put up for the membership in polling station election commissions (if this commission sets up polling station election commissions in accordance with the law);

4) participants of the assembly of citizens of Ukraine who are inhabitants of the relevant territorial community, which approved the initiative to hold a local referendum, as well as members of local referendum stirring groups elected at this assembly;

5) voters who have signed the lists in support of a list of candidates in elections of deputies to the relevant local council or to support holding the local referendum, as well as persons who collected these signatures.

5. The village, town, city election commission, except in cases specified in part four of this article, may also request the relevant Register maintenance body to check the reliability of information on:

1) candidates for the office of the village, town, city head;

2) candidates put up for registration by proxies of candidates for the office of the village, town, city head, candidates in elections of deputies to the village, town council;

3) voters who have signed the lists in support of a candidate for the office of the village, town, city head, candidate in elections of deputies to the village, town council, as well as persons who collected these signatures.

6. The Register maintenance bodies reply to the requests referred to in parts 2-5 of this article within the period fixed by the appropriate law on elections or referendums.

Article 30. Provision of statistical information

1. The Central Election Commission as the Register custodian compiles and uses statistical information of the Register as to quantitative characteristics of the electorate as setting up permanent polling stations and election precincts, solving other issues of arranging

and holding the elections of the President of Ukraine, people's deputies of Ukraine, all-Ukrainian referendum.

2. The President of Ukraine, the Verkhovna Rada of Ukraine, the Cabinet of Ministers of Ukraine, other central executive authorities may request the Register custodian to provide statistical information as to quantitative characteristics of the electorate based on the Register information. The Register custodian provides the required statistical information within the period indicated in the request or agreed with a body making the request.

3. The election commission of the Autonomous Republic of Crimea, the territorial election commission in local elections requests the relevant Register maintenance bodies to provide statistical information required to solve issues of arranging and holding local elections, local referendum within its competence, as to quantitative characteristics of the electorate at a polling station or within an administrative subdivision. The Register maintenance bodies provide the required statistical information to the election commission within the period indicated in the request or agreed with the election commission which made the request.

4. The Verkhovna Rada of the Autonomous Republic of Crimea, the Council of Ministers of the Autonomous Republic of Crimea, local state administration, other local executive bodies, local council, its executive body may request the Register maintenance bodies to provide statistical information on qualitative characteristics of the electorate with respect to the relevant administrative subdivision according to the Register. The Register maintenance bodies provide the required statistical information within the period fixed in the request or agreed with the body which made the request.

5. Based on the results of verification of registered information carried out in accordance with article 23 hereof, the Register custodian annually publishes statistical information on the Register and dynamics of its changes in the national election district in general (except paragraphs 4 and 5 of this part), in the Autonomous Republic of Crimea, oblasts, cities of Kyiv and Sevastopol, as well as abroad, in national mass media, and information with respect to rayons, cities of oblast importance (cities of republic importance in the Autonomous Republic of Crimea), city districts in local mass media:

- 1) the number of registered voters within the respective boundaries;
- 2) the number of voters who gained the right to vote during the last year within the respective boundaries;
- 3) the number of persons who lost the right to vote (died, terminated their Ukrainian citizenship, were declared incapable) during the last year within the respective boundaries;
- 4) the number of voters who departed from their voting addresses within the respective boundaries;
- 5) the number of voters who arrived to their voting addresses within the respective boundaries.

6. Information referred to in part five of this article is placed on the official Internet site of the Register custodian. The said information on the official site is updated quarterly after completion of the periodical updates of the registered personal data in accordance with article 22 hereof.

SECTION V. APPEALING AGAINST VIOLATIONS OF THIS LAW AND LIABILITY FOR ITS VIOLATIONS

Article 31. Rules of administrative appealing against actions of the Register bodies

1. A person who applied to the Register maintenance bodies for inclusion of him-/herself or other persons in the Register, modification of the registered personal data or replying to his/her request may appeal against decisions, actions or inactivity of the Register maintenance body with respect to his/her request to the relevant regional Register administrator.

2. A political party which applied to the Register maintenance body in line with the procedure established by article 24 hereof may appeal against decisions, actions or inactivity of the Register maintenance body with respect to its request to the relevant regional Register administrator.

3. The regional Register administrator checks information referred to in the appeal again and engages the required bodies or institutions referred to in article 22 hereof. Based on the results of the check, the regional Register administrator sends the established information on the voter(s) to the appropriate Register maintenance body in order to carry out Register maintenance operations hereunder or, in the event of confirmation of grounds for the refusal, gives written reply to the appealing person or party along with comprehensive grounds for the refusal.

4. Actions or inactivity of the regional Register administrator contravening the requirements hereof may be legally appealed against to the Register custodian.

Article 32. The general procedure of appealing against decisions, actions or inactivity of the Register bodies in the court.

1. A person who applied to the Register maintenance body or regional Register administrator for inclusion of him-/herself or other persons in the Register, modification of the registered personal data or replying to his/her request may appeal against decisions, actions or inactivity of the relevant Register maintenance body to the court in accordance with the procedure established by the Administrative Code of Ukraine.

2. A political party which applied to the Register maintenance body or regional Register administrator in line with the procedure established by article 24 hereof may appeal against decisions, actions or inactivity of the relevant Register body in accordance with the procedure established by the Administrative Code of Ukraine.

Article 33. Liability for violation of this Law

1. The laws of Ukraine impose criminal, administrative and other legal liability for the misuse of access or unauthorised access to the Register, violation of the rules of protection of the registered personal data and Register software under this and other laws, illegal use and distribution of the registered personal data, other violations of requirements hereof.

2. Citizens are liable:

1) for deliberate provision to the Register maintenance body of untrue information or information aimed at multiple registration of the voter;

2) for unauthorised access to the Register;

3) for unauthorised duplication, distribution and use of the copy of the Register database or its component received by the political party for purposes other than those set forth hereby.

3. Officers of Register maintenance bodies are liable:

1) for violation of access to the Register, rules of the use and duplication of registered information;

2) for illegal or delayed entry of the voter's personal data in the Register database;

3) for deliberate entry of false information on the voter in the Register database;

4) for processing the Register data on the basis and in a manner set forth by this and other laws, decisions of the Register custodian made in accordance herewith;

5) for destruction of the Register entries or separate personal data on the basis and in a manner contravening this Law;

6) for non-performance or improper performance of their official duties in ensuring completeness, integrity, protection and security of the registered personal data;

7) for deliberate breaking protection of the Register, deliberate disclosure of information required to access the Register to other persons on the basis and in a manner contravening this Law and decisions of the Register custodian made in accordance herewith.

4. Officers of other executive authorities, local self-government bodies, establishments, institutions, organisations are liable for non-provision, delayed provision of information hereunder to the Register maintenance bodies or provision of incomplete or unreliable information.

SECTION VI. INTERIM PROVISIONS

Article 34. Procedure and timeframes for setting up Register bodies.

1. The Central Election Commission gains powers of the Register custodian on the day of official publication of this Law.

2. Within one month of the day of official publication of this Law, as agreed with the Register custodian, the Cabinet of Ministers of Ukraine adopts the Provision on the Register maintenance body (division) and the Procedure for Setting Up Register maintenance bodies (divisions), as well as the Provision on the Regional Register Administrator (division) and the Procedure for Setting Up Regional Register Administrators (divisions).

3. Before this Law's coming into force, upon request of the Register custodian the Cabinet of Ministers of Ukraine approves the scope of financing initial filling and initial verification of the Register.

4. Within one month of the day of official publication of this Law, the Central Election Commission submits the statement of financing initial filling and initial verification of the Register to the Cabinet of Ministers of Ukraine for consideration.

5. Rayon, Kyiv and Sevastopol city district state administrations, city (of cities of oblast importance and republic importance in the Autonomous Republic of Crimea), city district councils set up Register maintenance bodies (divisions) before this Law's coming into force.

6. Oblast, Kyiv and Sevastopol city state administrations set up regional Register administrators (divisions) before this Law's coming into force.

7. Before this Law's coming into force the Foreign Ministry of Ukraine appoints its subdivision exercising competences of the Register maintenance body and Register administrator registering voters residing (staying) outside Ukraine.

Article 35. Procedure and time frame of creating the Register telecommunications data system

In accordance with the law and under the rules and within the period set by the Cabinet of Ministers of Ukraine, the Register custodian ensures:

1) development of project budgeting documentation and terms of reference for creation of the Register telecommunications data system;

2) procurement, development and setting up of soft- and hardware to create the telecommunications data system and maintain the Register;

3) creating the telecommunications network to transmit data of the Register telecommunications data system;

4) creating the integrated system to protect information in the Register telecommunications data system in line with this and other laws;

5) training of the Register bodies' personnel;

6) all-in-one testing of the Register telecommunications data system;

7) control over commissioning of the Register telecommunications data system by the Register maintenance bodies.

Article 36. Procedure of initial creation of the Register database

1. Initial creation of the Register database is carried out by the Register custodian during the phase of commissioning of the automated Register telecommunications data system in accordance with article 35 of this Law, paragraph 7, by transferring voters' personal data from the general voter lists formed electronically in accordance with the Law of Ukraine On Elections of People's Deputies of Ukraine as of 1 February 2006 to the Register database. The voter's voting address is entered in the Register based on the voter's place of residence and domicile indicated in the general voter list.

2. Information referred to in article 7 of this Law, part one, paragraphs 2 and 3, is entered in the Register after coming into force of the law, which entails setting up permanent polling stations.

3. After initial creation of the Register database, the Register custodian provides access to the Register database to the Register maintenance bodies as regulated by this Law.

Article 37. Rules of initial verification of the registered personal data

1. Before completion of initial creation of the Register database, the Register custodian approves the Rules of Initial Verification of the Registered Personal Data and fixes the period of initial verification of the registered personal data. Initial verification of the Register starts after gaining access to the Register database by all Register maintenance bodies.

2. The registered personal data are initially verified by combining periodical updating of the registered personal data referred to in article 22 hereof and verification of the registered personal data referred to in article 23 hereof.

3. Notification about verifying the registered personal data containing explanation of the rules of verification and applying to the Register maintenance body for information on inclusion of the voter in the Register, content of the voter's personal data in the Register database, elimination of inconsistencies and errors in the registered personal data is published by the Register custodian in printed mass media and broadcasted using national television and radio channels at least once per week during the verification period fixed by the Register custodian.

4. As initially verifying the registered personal data, within the period fixed by the Register custodian the Register custodian and Register maintenance bodies detect all cases of multiple registration of the voter (presence in the Register of two and more entries having the same identification data). If there are the same voting addresses, the redundant entries are cancelled by the Register maintenance bodies upon the request of the Register custodian.

5. If there are different voting addresses having the same identification personal data, having informed the Register custodian about the same, the Register maintenance bodies send the proposal to confirm the voter's voting address and explanation of the rules of verification and applying to the Register maintenance body to the voter at each voting address within the relevant rayon or city (city district). If no voter's reply is sent within the fixed period, the Register maintenance body stores the entry related to the voter at the voter's voting address which corresponds to the voter's domicile in accordance with the Law of Ukraine On Freedom of Movement and Free Choice of Place of Residence. Other Register entries related to the voter are cancelled upon the Register custodian's request.

6. If after sending the notifications referred to in part five of this article the Register maintenance body receives confirmation of more than one voter's voting address, the Register maintenance bodies prove the identity of the voter and his/her domicile by sending request to the relevant bodies of the Ministry of Internal Affairs of Ukraine.

7. In the event of detecting entries containing similar identification personal data which may represent different options of the same name or entry errors, the Register maintenance bodies, as agreed with the Register custodian, check these personal data engaging the required bodies, establishments, institutions, organisations referred to in article 22 hereof and, if required, send proposition to the voter(s) to verify the personal data within the fixed period.

8. Making entries in the Register, cancelling Register entries, modifying the registered personal data as initially verifying the registered personal data are carried out as established by this Law.

9. After completion of the initial verification of the registered personal data, the Register maintenance bodies, within the period fixed by the Register custodian, send the notification about the voter's inclusion in the Register referred to in article 19 of this Law, part seven, to each voter entered in the Register at his/her voting address.

10. The notification about completion of the initial verification of the registered personal data and sending notifications to the registered voters along with explanation of the rules of applying to the Register maintenance body for information on inclusion of the voter in the Register, content of the voter's personal data and elimination of inconsistencies and errors in the registered personal data is published by the Register custodian in national, regional and local printed mass media.

11. After completion of the initial verification of the registered personal data, the Register custodian fixes the period of the first periodical updating of the registered personal data.

SECTION VII. FINAL PROVISIONS

1. This Law comes into force on 1 October 2007, except this paragraph, section VI – Interim Provisions and section VII of this Law – Final Provisions, paragraphs 4-6, coming into effect on the day of official publication of this Law.

2. It amends the following laws of Ukraine:

1) in the Code of Ukraine on Administrative Violations (Gazette of the Verkhovna Rada of UkrSSR, 1984, annex to 51, 1122):

a) in article 212⁶:

the title is put in the following wording:

'Article 212⁶. Illegal access to information in information (automated) systems, illegal making or distributing copies of databases of information (automated) systems';

paragraph one of part one is put in the following wording:

'Illegal access to information stored, processed or transmitted in information (automated) systems';

it is supplemented with parts 3-6 as follows:

'Action referred to in part one of this article committed with reference to information (automated) systems designed to store and process information with restricted access – entails a penalty of thirty to one hundred untaxed minimal incomes of citizens with seizure of soft- and hardware used to gain illegal access.

Illegal duplication of information stored in information (automated) systems in a hard or electronic form –

entails a penalty of ten to twenty-five untaxed minimal incomes of citizens with seizure of illegally made copies of databases.

Free illegal distribution of information stored in information (automated) systems in a hard or electronic form –

entails a penalty of five to twenty untaxed minimal incomes of citizens with seizure of illegally distributed copies of databases or those intended to be distributed.

Illegal sharing of information stored in information (automated) systems in a hard or electronic form –

entails a penalty of twenty to one hundred untaxed minimal incomes of citizens with seizure of illegally sold copies of databases or those intended to be shared, as well as monies received from their selling';

b) in article 212⁷:

the title is put in the following wording:

'Article 212⁷. Violation of rules of maintaining the State Voter Register, rules of provision of information on voters to Register bodies, election commissions, rules of making and submitting voter lists, lists of citizens of Ukraine having the right to vote in the referendum and use of these lists';

paragraph one of part one is put in the following wording:

'Violation of legal rules of maintaining the State Voter Register, rules and period of provision of information on voters to the Register bodies, election commission, violation of rules of making and submitting a voter list, a list of citizens of Ukraine having the right to vote in the referendum by an official legally compelled to carry out this duty';

c) in article 212⁸:

the title is put in the following wording:

'Article 212⁸. Violation of the citizen's right to familiarise him-/herself with information of the State Voter Register, voter list, list of citizens having the right to vote in the referendum';

paragraph one of the article is put in the following wording:

'Violation of the citizen's legal right to familiarise him-/herself with information of the State Voter Register, voter list, list of citizens having the right to vote in the referendum, as well as

refusal to issue the copy of justified decision to refuse the voter's appeal as to modifying information of the State Voter Register or request for information of the State Voter Register, modifying the voter list, list of citizens having the right to vote in the referendum to the citizen, or failure to meet deadlines for the issue of the copy of this decision';

2) in article 158 of the Criminal Code of Ukraine (Gazette of the Verkhovna Rada of Ukraine, 2001, N 25-26, 131):

the title is put the following wording:

'Article 158. Falsification of election documents, referendum documents or falsification of voting results, provision of false information to the Register bodies or falsification of information of the State Voter Register';

it is supplemented with parts 9-12 as follows:

'9. Deliberate provision of false information to the Register bodies –

is punished with a penalty of fifty to two hundred untaxed minimal incomes of citizens.

10. Action referred to in part nine of this article committed by an officer by misusing his/her position, as well as the order to enter knowingly false information in the database of the State Voter Register issued by an officer of the Register body –

are punished with a penalty of four hundred to seven hundred untaxed minimal incomes of citizens or custodial restraint for up to five years or imprisonment for up to three years, with a ban to hold certain positions or carry out certain activity for one to three years.

11. Deliberate entry of false information in the database of the State Voter Register, unauthorised handling of information contained in the database of the State Voter Register or another unauthorised interfering with functioning of the State Voter Register by an officer having access to this information or another person by gaining unauthorised access to the database of the State Voter Register –

are punished with a penalty of six hundred to one thousand untaxed minimal incomes of citizens or custodial restraint for two to five years, or imprisonment for up to three years, with a ban to hold certain positions or carry out certain activity for one to three years and seizure of soft- and hardware owned by the person at fault, which were used to gain unauthorised access.

12. Actions referred to in parts 9-11 of this article which affected the results of voting at a polling station or in the election precinct or ruled out determination of the voters' will expressed at the polling station or in the relevant elections, and conspired by a group of persons –

are penalised with custodial restraint for three to five years or imprisonment for three to six years, with a ban to hold certain positions or carry out certain activity for two to three years and seizure of soft- and hardware owned by the person at fault used to gain unauthorised access';

3) article 38 of the Law of Ukraine On Local Self-Government in Ukraine (Gazette of the Verkhovna Rada of Ukraine, 1997, No. 24, 170; 2000, No. 9, 67; 2001, No. 32, 172; 2003, No. 24, 159, No. 45, 360; 2004, No. 19, 259, No. 23, 323; 2005, Nos 7-8, 162; 2006, Nos 9-11, 96), part two, is supplemented with paragraph 5 as follows:

'5) carrying out operations in the process of maintaining the State Voter Register under the law';

4) article 25 of the Law of Ukraine On Local State Administrations (Gazette of the Verkhovna Rada of Ukraine, 1999, Nos 20-21, 190; 2001, No. 31, 149, No. 32, 172; 2003, No. 24, 159; 2004, No. 10, 103, No. 19, 259, No. 23, 323; 2005, Nos 7-8, 162, Nos 17-19, 267; 2006, No. 12, 104, Nos 9-11, 96) is supplemented with paragraph 19 as follows:

'19) promotes carrying out operations in the process of maintaining the State Voter Register under the law';

5) in the Law of Ukraine On the Central Election Commission (Gazette of the Verkhovna Rada of Ukraine, 2004, No. 36, 448):

a) article 17, paragraph 8, is put in the following wording:

'8) is the custodian of the State Voter Register, guarantees its maintenance and functioning in accordance with the Law;

b) the title of section V is put in the following wording:

'Section V. Secretariat of the Commission and Services of the Commission';

c) in article 33:

the title is put in the following wording:

'Article 33. Promoting activities of the Commission';

part three following the words 'services of the Commission' is supplemented with the words 'Services of the custodian of the State Voter Register';

it is supplemented with part four as follows:

'4. In order to promote performing functions of the custodian of the State Voter Register by the Commission, the Service of the custodian of the State Voter Register is set up. The provision on the Service, the structure and staff list of the Service are approved by the Commission as proposed by the Head of the Commission ';

d) article 36, part one, and article 37, part one, after the words 'patron service' are supplemented with the words 'Service of the custodian of the State Voter Register';

f) article 37, part two, following the word 'Secretariat' is supplemented with the words 'Service of the custodian of the State Voter Register'.

3. After this Law's coming into force, the Laws of Ukraine On Elections of People's Deputies of Ukraine, On Elections of the President of Ukraine, On Elections of Deputies to the Verkhovna Rada of the Autonomous Republic of Crimea, Deputies to Local Councils, Village, Town and City Heads, On All-Ukrainian and Local Referendums apply in reference to compiling and maintaining voter lists as far as they do not contravene this Law.

4. Before this Law comes into force, the Cabinet of Ministers of Ukraine shall:

bring its regulations in line with this Law;

ensure adopting, reviewing and revoking by ministries and other central executive authorities their regulations contravening this Law;

set the rules and time frame for taking actions referred to in article 35 of this Law and other actions aimed at creating, tuning and putting into operation the Register telecommunications data system;

guarantee setting up the appropriate structural subdivisions in rayon, Kyiv and Sevastopol city district state administrations as Register maintenance bodies and in oblast, Kyiv and Sevastopol city state administrations as Register administrative bodies, as well as setting up the appropriate structural subdivision of the Foreign Ministry of Ukraine.

5. Before this Law comes into force, the Central Election Commission shall:

guarantee adoption of regulations and other bylaws required to apply this Law;

guarantee preparations for actions referred to in article 35 of this Law and other actions aimed at creating, tuning and putting into operation the Register telecommunications data system in line with provisions of this and other laws.

6. Before this Law comes into force, city (of cities of oblast importance and republic importance in the Autonomous Republic of Crimea), city district councils shall set up Register maintenance bodies under this Law.