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EUROPEAN COMMISSION FOR DEMOCRACY THROUGH LAW
(VENICE COMMISSION)

**LAW ON MAKING CHANGES AND AMENDMENTS
IN THE ELECTION CODE
OF GEORGIA
ADOPTED BY THE PARLIAMENT
ON 28 DECEMBER 2009**

ARTICLE 1. The following changes and amendments shall be made to the Organic Law of Georgia “On Election Code of Georgia” (Judicial Herald of Georgia, 125, 22.08.2001, Article 107):

1. in Article 3:

a) para “k¹” shall be deleted;

b) para “r” shall have the following wording:

“r) majoritarian candidate – a citizen of Georgia presented by a party/election block at the electoral district and registered by the relevant election committee with the purpose of participation in the elections to the Parliament of Georgia, and representatives bodies of the local self-government entity – Sakrebulo”;

c) para “à” shall have the following wording:

“à) political/pre-election advertisement – a commercial in mass media with a content targeting facilitation of election of an election subject, which features the election subject and/or his/her registration number and which includes signs of pre-election campaign”;

2. para 3 of Article 8² shall have the following wording:

“3. A person violating the election legislation shall be charged with the responsibility as envisaged by the present Law and other legislative acts”;

3. Article 9:

a) para 2 “c” shall have the following wording:

“c) registration address according to the ID card”;

b) para 5:

b.a) Paras “a” and “b” shall have the following wording:

“a) On the basis of the data on the persons, including those individuals, who have reached the age of 18 by the election day, as well as the deceased ones, being present at the territorial units of the Ministry of Justice of Georgia and registered on the specific territory;

b) On the basis of the information issued by the local self-governing entity for the deceased, whose family members have not applied to territorial units of the Ministry of Justice of Georgia for the death certificates, and also on the basis of the information on those streets and apartment houses whose names/numbers have been changed”;

b.b) para “d” shall have the following wording:

“d) On the basis of the issues pertaining to the defense of Georgia, justice, execution of punishment, probation and legal assistance, and the information on those fixed and contract servicemen of Georgian military forces and units of the Ministry of Interior, Intelligence Service, and Special Service of State Protection, the conditions of services of which require their presence in the places different from their registration address that belong to different electoral district”;

Back) para “f” shall be followed by pares “g” and “h” given below:

“g) On the basis of the information provided by the Supreme Court of Georgia concerning those individuals who are considered disabled by the Court;

h) On the basis of the information provided by the Ministry of Execution of Punishment, Probation and Legal assistance on those individuals who are under imprisonment before trial“;

l) pares 6 to 8 shall have the following wording:

“6. With the purpose of renewal of the joint list of constituency, the agencies mentioned in para 5 “a”, “b” and “c” of the present Article shall, four times per year – on February 1, May 2, August 1 and November 15 – provide the information about the persons having election rights, and the agencies mentioned in pares “g” and “h” shall, four times per year, provide the renewed or new information about the persons having election rights to the Central Election Committee (CEC) within the terms defined by the present para. Based on these data, the CEC shall provide for renewal of the electronic database of the unified list of constituency.

7. A party, an election block, having election registration, a monitoring organization defined in Article 68 of the present Law, and a voter have the right to study the public versions of the election lists kept in the central, regional and district election committees of Georgia (the voter has the right to request and make any change in the information concerning himself and his immediate family) and, in case of mistakes, no later than 16 days prior to the election day, and at any time during a non-election period, to request making changes to the voters information and lists of constituency. Study of the information and provision of its copies is done within the rule of the legislation of Georgia concerning proliferation and provision of public information.

8. Election administration, during the election period, shall check the constituency lists. The district election committee reviews the results of the checks and makes the relevant decision in 2 calendar days from the date of receiving the statement, but no later than 14 days prior to the election day. Decision of the Committee on refusal to make changes to the information/list of constituency shall be duly substantiated and on the day following its publishing shall be provided to the claimant upon his request”;

d) para 10 shall have the following wording:

“10. It is possible to appeal against the decision of the district election committee on refusal to make changes to the information/list of constituency , in 2 days after its publishing, in the relevant district/city court. If the appeal is satisfied by the court, the decision shall, in 2 days, but no later than 11 prior to the election day, be transferred to the regional election committee, which shall immediately provide the relevant information to the Central Election Committee of Georgia and the relevant district committee. Election committees shall immediately make the relevant changes to the information/lists of constituency.“.

4. Article 10:

a) para 1:

a.a) "b" shall have the following wording:

"b) The voters undergoing medical treatment at hospitals or other stationary medical facilities and, based on their health conditions, cannot leave these facilities by the election day";

a.b) para "c¹" shall have the following wording:

"c¹) fixed and contract servicemen of Military (paramilitary) forces and units of the Ministries of Defense and Interior of Georgia";

b) para 4¹ shall have the following wording:

"4¹. The head of the relevant military unit shall create the list of individuals defined in para „c¹“ of the present Article and no later than in 30 days prior to elections shall submit it to the relevant regional election committee";

c) Para 10 "a" shall have the following wording:

"a) during elections held by majority, as well as proportionate election systems, if he changes his location within the same election district, and, in case of local self-government bodies elections, within the same local election district (except for the voter mentioned in para 1 "c¹" of the present Article);";

d) para 10 shall be followed by para 101 with the following wording:

"101. Voters mentioned in para 1 "c¹" of the present Article, who during elections to the local self-government bodies – Sakrebulo – and the mayor of Tbilisi city, are located:

a) in special disposition places, permanently for one year or more than one year before the election day, shall participate in elections/referenda held by majority, as well as proportionate election rules;

b) in permanent disposition places, less than one year before the election day, shall participate in majority elections, if their registration place is within the borders of the relevant election district".

5. Article 16 para 4 shall have the following wording:

"4. The relevant district election committee shall define the borders of the existing election district, including the list and addresses of the buildings and facilities at the election district no later than 50 days prior to the elections on the basis of the information and inspections of the local self-governing bodies of the municipalities, self-governing cities, cities on the territories of regions. Corrected borders of the election districts shall be immediately made public".

6. Article 17 shall have para 4¹ with the following wording:

"4¹. The Center of Development of Election Systems, Reforms and Training is a legal person of public law created on the basis of the present law, which is independent in its authorities as defined by Article 17¹ para 2, is accountable to the CEC and presents to it the annual report of its activities".

7. Article 17¹ with the following wording shall be added:

“Article 17¹. The Center of Development of Election Systems, Reforms and Training

1. Authorities of the Center of Development of Election Systems, Reforms and Training (hereinafter – the Training Center) are defined by the legislation of Georgia and regulations of the Training Center.

2. Training Center has the following functions: facilitation of election reforms, monitoring over elections, within its authorities making suggestions and recommendations, with the purpose of development of the election system, training of the employees of the election administration and other interested individuals through close cooperation with local and international organizations; the Center also fulfills the functions of a fund as defined by Article 30¹ of the Organic Law of Georgia “On Political Unions of Citizens”.

3. Main principles of the work of the Training Center and its and authorities are defined in its statute, which is adopted by the CEC’s decision.

4. The head of the Training Center, with agreement of the CEC, is appointed by the CEC Chair. Agreement of CEC is achieved as a result of its decision; an order of the CEC Chair is required for appointment/firing of the head of the Center”.

8. Article 21:

a) para 1 shall have the following wording:

“1. Authorities of the chair/member of CEC are revoked before their end of term with the decision of the Parliament of Georgia (except for the CEC members appointed by the parties as envisaged by Article 28¹ of the present Law and the cases included in para 1³ of the present Article); the authorities of the member of the district/regional election committee are revoked by the decision of a higher election committee (except for para 2¹ of the present Article and the cases envisaged by Article 28¹ of the present Law):

a) if a member of the election committee, in case of the election, in 7 days had not stopped the activities and/or job compatible with the status of the member of the election committee;

b) if a member of the election committee is occupying a position incompatible with his status as defined by the present law;

c) if the fact of incompatibility of the job with the status of the member of the election committee has been confirmed;

d) if it was proved that the information contained in the statements mentioned in Article 28 para 6, Article 33 para 7 and Article 37 para 9 of the present Law, decisions and their annexes is incorrect– from the day of proving this fact;

e) in case of failure to fulfill by the chair/member of the CEC or a district election committee of his authorities with unreasonable excuse for consecutive 2 months or 3 consecutive absences at the meeting of the CEC or a district election committee;

f) in case of accusatory decision of the court if violation of the election legislation by a member of the election committee has been confirmed by the court – in case of legal enforcement of the court decision;

g) in case of recalling a member of the election committee by the party which had appointed him – in case of presentation of the statement on recalling;

h) in case of annulling the voter status of the member of the election committee;

i) election legislation, systematic or serious violation of the regulations of the election administration, or in case of other relevant basis as envisaged by the Law of Georgia “On Public Service”;

j) in case of death of a member of the election committee”;

b) Para 12 shall be followed by para 13 with the following wording:

“13. In case of death of the elected member of the CEC, the Parliament acknowledges this fact by a protocol record made at its plenary meeting, and in case of death of the elected member of the district election committee, the CEC acknowledges this fact by a protocol record made at its plenary meeting”.

9. Article 22 para. 7 shall have the following wording:

“7. Decision of the election committee is considered as made, if it is supported by majority of those present at the meeting (if a higher number is no otherwise envisaged by the present Law), but no less than one-third of the total numbers. Decisions of the election committee, which deal with the decisions made by the lower level committees, including annulling the results of the elections at the election district/region, opening of the packages sent by regional election committees and counting of ballots and special envelopes, shall be made by no less than two-thirds of those present”.

10. Article 22¹:

a) pases 1 and 2 shall have following wording:

“1. The relevant committee shall select its chair (except for the Chair of the CEC), deputy chair/secretary (except for secretary of the district election committee), after appearance of the relevant vacant position, at the first meeting of the committee, within the terms of their authority, and with majority of total members, with open ballot and from the members of the committee.

2. Not less than 2 members of the committee have the right for nomination of the candidacies for leadership of the election committee (except for the secretary of the regional election committee)”;

b) para 2 shall be followed by pases 2¹–2⁵ with the following wording:

“2¹. Secretary of the regional election committee is elected among the members nominated by the parties (except for the members nominated by the party achieved the highest results during the previous elections).

2². Not less than two members of the committee have the right to nominate the secretary of the regional election committee according to para 2¹ of the present Article.

2³. Members of the Committee defined by para 2¹ of the present Article, within the terms of their authorities, with majority of those present, with open ballot, shall elect the secretary of the regional election committee. Election of the secretary of the regional election committee is approved by the decision of the committee. If the decision was not reached, secretary of the regional election committee is elected by the committee among the nominees with the majority vote of its total members.

2⁴. If according to para 2³ of the present Article, the decision was not made, the member of the committee who gained the highest vote in the regional election committee shall fulfill the duties of the secretary of the regional election committee before the election; in case of equal vote – the person defined by casting of lots.

2⁵. If by the rule of the present Article no one is selected elect as the secretary of the regional election committee, he/she is elected among the members of the committee, by the majority of its members; any two members of the committee have the right to making the nomination”;

c) para 4 shall have the following wording:

“4. If within the defined terms the chair/deputy chair/secretary of the election committee was not elected (except for the secretary of the regional election committee), the member of the committee who gained the highest vote shall fulfill the duties of the secretary of the regional election committee before the election, in case of equal vote – the person defined by casting of lots”.

11. Article 25:

a) para 1 shall have the following wording:

“1. Legal acts of the election administration of Georgia:

a) Decisions and decrees of the CEC, orders and decrees of the Chair of the CEC, orders of the Secretary of the CEC, concluding protocol of the results of the elections in the CEC;

b) Decrees of the district election committee, decrees of the chairs of the district election committee, orders of the secretaries of the district election committee, concluding protocols of the results of the elections and voting in the district election committees;

c) Decrees of the regional election committee, decrees of the chairs, concluding protocols of the results of the elections and voting in the regional election committees”;

d) para 4 shall have the following wording:

“4. Orders of the election committee, its chair and secretary, concluding protocols of the results of the elections/voting are individual administrative-legal acts, which are adopted/published in cases and within frameworks defined by the present Law and decision of

the CEC. The chair and secretary of the relevant session of the committee shall sign the decisions of the committee, whereas other orders are signed by the person giving them. Concluding protocols are signed the persons authorized by the committee in question. If otherwise defined by the law, decisions of the commission is considered as adopted, if it is supported by the majority of those present at the meeting, but no less than one-third of the total number of the committee members”.

12. Article 26 para 1 shall have the following wording:

“1. The CEC is composed of its chair and 12 members. Chair of the CEC is at the same time its member. Cessation of the authorities of the Chair of the CEC simultaneously causes cessation of his membership. The Chair of the CEC is elected within the rule defined by the present Law; 5 members of the CEC are elected by the Parliament of Georgia upon nomination by the President of the country, and the remaining 7 members are appointed by the parties within the rule defined by the present Law”.

13. Articles 27 and 28 shall have the following wording:

“Article 27. Rule for election of the Chair of the CEC

1. The Chair of the CEC is elected upon nomination by the President of Georgia, by the party members of the CEC (except for the members nominated by the party achieved the highest results during the previous elections), within the rule defined by the present Article.

2. no later than 30 days prior to expiration of the term of the authority of the chair of the CEC, and, in case of cessation of his authorities – no later than 15 days after cessation – President of Georgia, after consultations with the non-governmental organizations, shall nominate three candidacies on the position of the chair of the CEC.

3. The nominee for the position of the chair of the CEC shall be an able citizen of Georgia, with the age exceeding 25 years, who is non-partisan, had a higher education, has free conduct of the state language of Georgia, satisfies the requirements of Article 18 para 5, the present para of the present Law and Article 17 of the law of Georgia “On public Service”, has no less than 3 years of work experience and holds an election administration officer certificate.

4. The nominations for the position of the chair of the CEC by the President of Georgia shall include the following: nominee first/last name, (higher) education; specialty, scientific degree (if any); address (according to the personal ID (registration) of a citizen of Georgia); job place and position; contact details and telephone (if any). The nomination shall include the following attachments:

- a) 2 pictures of the nominee;
- b) copy of the private identification (registration) card of a citizen of Georgia;
- c) a copy of the higher educational degree (scientific degree – if any);
- d) a copy of the certificate of the election administration officer;

e) a resume and description of his/her election participation experience (if any).

5. The decision of election of the chair the CEC is made by the members appointed in the CEC by the parties in 5 days after submission of the nominees (except for the members nominated by the party achieved the highest results during the previous elections). The meeting is summoned and presided by the elder of the members defined in present para. Election of the chair of the CEC shall be held by a secret ballot. Each member participating in the voting has one voice. All three nominees shall be voted for simultaneously. A person is considered as elected as Chair of the CEC if he/she received 4 or more votes.

6. If within the terms defined by para 5 of the present Article Chair of the CEC failed to be elected, the Parliament of Georgia, within 7 days shall elect a Chair of the CEC out of the 3 nominees introduced by the President of Georgia.

7. Decision of CEC on election of its Chair within 7 days shall be sent to the Parliament of Georgia, whereas in case envisaged by para 6 of the present Article the decision of the Parliament of Georgia shall be submitted to the CEC within 7 days.

Article 28. Rules for election of the CEC members

1. President of Georgia, within the rule defined by the present Article, shall select and present to the Parliament of Georgia 5 nominees for the CEC membership.

2. A nominee for CEC membership is elected by an open competition.

3. No later than 30 days prior to expiration of the authorities of the CEC member, and in case of a vacancy – no later than 15 days – President of Georgia shall issue the order on conducting the competition and on setting up the competition commission.

4. A nominee for CEC membership may be a non-partisan person with a higher education who is fluent in the state language of Georgia, has not less than 3 years of work experience and holds an election administration officer certificate.

5. An able citizen of Georgia aged 25 years and above who satisfies para 5 of Article 18 of the present Law, para 4 of the present Article and Article 17 of the Law of Georgia “On Public Service”, has right to participate in the competition. The deadline for presentation of the competition documents is no later than 14 days after announcement of the competition.

6. The competition application shall include the following: nominee first/last name, (higher) education; specialty, scientific degree (if any); address (according to the personal ID (registration) of a citizen of Georgia); job place and position; contact details and telephone (if any). The nomination shall include the following attachments:

a) 2 pictures of the nominee;

b) copy of the private identification (registration) card of a citizen of Georgia;

c) a copy of the higher educational degree (scientific degree – if any);

d) a copy of the certificate of the election administration officer;

e) a resume and description of his/her election participation experience (if any).

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

8. The list of nominees is published in 2 days upon completion of the deadline of their submission.

9. No later than in 5 days after the end of the deadline for submission of the nominees, the competition commission shall present to the President of Georgia not less than 2 and not more than 3 candidates for the CEC membership. No later than in 7 days after selection of the candidates President of Georgia shall make a decision on selection of the candidates and present to the Parliament of Georgia 2 nominees per one vacant position of the CEC member.

10. No later than in 14 days after submission of the candidates for the CEC membership by the President of Georgia to the Parliament of Georgia, the Parliament within the open ballot shall elect the CEC members. Each candidate shall be voted for separately. A CEC member is considered as elected if he/she is supported by the majority of the listed members of the Parliament of Georgia. If this number is more than the number required for voting, 5 candidates with the highest votes shall be considered as elected. If no winner is announced because of the parity of the votes received by the candidates, re-voting for these candidates shall be conducted immediately until a winner is revealed.

11. If all the vacancies are not filled as a result of the voting, the re-voting of the remaining candidates is conducted. If the vacancy has not been filled yet, an additional re-voting is conducted. If the vacancy has not filled again, President of Georgia, within 3 days, shall submit to the Parliament of Georgia 2 nominees among the other candidates participating in the competition per remaining vacancy. If the vacancy has not been filled yet, a competition is announced for the remaining vacancies no later than in 3 days and the procedure of nomination of the candidates is repeated.

12. The same candidate may be nominated only twice.

13. In case of pre-term cessation of the authorities of a member of the CEC appointed by the Parliament of Georgia, with the purpose of election of his substitute, President of Georgia shall, during the next parliamentary session week, re-submit to the Parliament of Georgia the nominations who have not less than the majority of votes of the listed members of the Parliament of Georgia or no later than 3 days shall re-open the competition. The same rule applies in case of absence of such candidacies.

14. Decision of the Parliament of Georgia on election of the CEC member is presented to the CEC within 7 days after it is made.

15. The decision mentioned in para 14 of the present Article shall include the name/surname of the person elected as a CEC member. The decision shall include the documentation submitted for the competition as defined by para 6 of the present Article and a

signed statement of the mentioned above individual stating that he/she satisfies the requirements of Article 18 para 5 of the present Law”.

14. Article 29 para 1 „i“ shall have the following wording:

“i) based on the concluding protocols of the results of the elections in the district and regional election committees, defines the elections to the Parliament of Georgia (by party lists), elections of the President of Georgia, elections of the Tbilisi city Sakrebulo, Mayor and referenda/plebiscite results, on the basis of which the concluding protocol of the elections by the Central Elections Committee of Georgia”.

15. Article 34 para 2 “h¹“ shall be removed.

16. Article 35 para 1:

a) “f” shall be removed;

b) “g” shall have the following wording:

“g) issues relevant certificates to the candidates for the local self-governance bodies presented by the parties/election blocks”.

17. Article 37:

a) para 1 shall have the following wording:

“1. District election committee shall elect 6 members of the regional election committee no earlier than 50 and no later than 46 days before the elections, except for extraordinary elections of President of Georgia; in this case the district election committee shall elect 6 members of the regional election committee no earlier than 38 and no later than 36 days before the elections. In exceptional circumstances the members are elected in the committees no earlier than 10 and no later than 9 days before the elections”;

b) para 3 shall have the following wording:

“3. Decision of the party authorized by Article 36 para 3 of the present Law on appointment of a member of the regional election committee is submitted to the relevant district election committee no earlier than 50 and no later than 46 days before the elections, except for extraordinary elections of President of Georgia; in this case decision of the authorized party shall be submitted to the relevant district election committee no earlier than 39 and no later than 36 days before the elections, in exceptional circumstances the decision is sent to the committee no earlier than 14 and no later than 9 days before the elections, and no later than 20 days before the elections to other state committee – the CEC, after creation of the polling districts”.

18. Article 37¹ shall be added with the following wording:

“Article 37¹. Measures of disciplinary responsibility of a member of a district election committee

1. Disciplinary violations of a member of a district election committee are:

a) confirmed non-fulfillment or incomplete of duties;

b) inflicting material damage to the election administration or confirmed existence of threat for such a damage;

c) failure to appear at the office with an unreasonable excuse;

d) missing office three times with an unreasonable excuse;

e) serious violation of the election legislation and regulations of the district election committee;

f) refusal for compulsory signature of the ballot by a member of the commission and the concluding protocol of the results of the elections.

2. A higher district election committee may use the following means of disciplinary punishment against a member of the regional election committee for disciplinary violations:

a) a citation;

b) a warning;

c) withholding a salary or its part;

d) revoking the authorities before the end of their term.

3. Only one measure of disciplinary punishment shall be used for one disciplinary violation.

4. The rules of easy administrative procedures as defined by the General Administrative Code of Georgia as applied during making decision by a relevant district election committee on the matter of choosing a measure of disciplinary punishment against a member of a regional election committee”.

19. Article 39 shall include para 4 with the following wording:

“4. Members of the regional election committee, in case of failure to fulfill the requirements of the committee, are subject to disciplinary measure as defined in Article 37¹ pares 1 and 2 of the present Law”.

20. Article 46 para 2 shall have the following wording:

“2. Opening of the election campaign fund is compulsory for an election subject. A candidate nominated by the election subject shall use the election committee level of the subject it was nominated by. Majority candidates nominated by a party/election block for the elections in local self-governance bodies may voluntarily open the election campaign fund”.

21. Chapter VII shall have the following wording:

“Chapter VII

Voting

Article 49. Voting building

1. Preparation of the elections of the state authorities and local self-governance bodies and the required buildings and inventory are given free to the election committees on a temporary basis.

2. Regional election committee shall not be stationed and no voting place shall be

used in the same building with:

a) a party(ies);

b) state authorities and local self-governance bodies, except for those cases when on the territory of an election district there is no other suitable building for the purpose of election in accordance with this law. The relevant decision is made by the district election committee;

c) police services (except for district election committees set up in extraordinary circumstances).

3. Polling station, wherever possible, shall always occupy first floor of a building.

4. Upon the request from the regional election committee, the agencies mentioned in para 1 of the present Article, shall (if the relevant order of the committee was submitted to them in 20 days prior to the election day), provide for timely and simple adaptation of the polling station if disable voters using wheelchairs have applied to the regional election committee with the relevant request in 25 days prior to the election day.

5. Responsibility for violation of the requirements of para 1 and 4 of the present Article is defined within the rules of the legislation of Georgia.

6. Inside the polling station:

a) Cabins shall be provided for secret vote. One side of a cabin shall be open up to a half of its height; its upper half shall be closed firmly. Not less than one cabin shall be provided per each 500 voters. Each cabin shall have one pen;

b) Place shall be allocated for registration of the voters and placing of special envelopes;

c) A transparent ballot box shall be placed in a visible place;

d) Lists of voters, parties, candidates, rule for filling the ballots as defined by the CEC shall be placed in a visible place, as well as an excerpt from the present Law on the cases of annulling the ballots and a demonstrational protocol(a) of the election results (the demonstrational protocol is an A2 paper, which includes the same data as in the protocol of elections in the regional election committee);

e) Video surveillance and recording may be used with the purpose of prevention of violations in the election process and reacting on them – so-called “video-eye”. The records of the video-eye do not represent public information as defined by the General Administrative Code of Georgia.

7. If any election subject included in the ballot no longer participates in the elections, a statement on this matter shall be put on a visible place both in the polling station and in the secret vote cabin (room).

8. Chair of the regional election committee is responsible for preparation of voting, free exercise of the will of the voters, provision of voting secrecy and due equipping the

polling station building in accordance with the requirements of the present Law.

9. With the purpose of provision secrecy of vote, usage of photo and video recording is prohibited in the voting cabin.

Article 50. Keeping order in the polling station during voting

1. Chair of the regional election committee leads and is responsible for keeping order in the polling station during voting.

2. Implementations of the decisions with the purpose of keeping order in the polling station by the chair of the regional election committee, is compulsory for the members of the election committee, all the people and voters with the right to be present in the polling station.

3. Armed persons are not allowed in the polling station building.

4. Chair of the regional election committee has the right in case of hindrance to operation of the committee and violation of order to evict the violator from the regional election committee building, which shall be recorder in a special protocol signed by the chair and members of the committee. The protocol shall mention the name/surname of the violator, number of the polling station and region, the substance of violation and its exact time.

5. In case of threat to conducting elections or safe movement of the election documentation in the building of the polling station or its adjoining territory in accordance with the requirements of the committee, the chair of the regional election committee may request presence of police officers in the building of the polling station or its adjoining territory. Upon prevention of violation of public order and in case of agreement from the chair of the regional election committee, the police officers would leave the premises of the polling station and its adjoining territory.

Article 51. Time and place of voting

1. Voting shall take place in the polling station at the voting day from 8 am to 8 pm.

2. Regional election committee is responsible for disseminating information in any form possible among the voters about the polling place and time, including via mass media, placing the information bulletins in public places, distribution of voting cards among voters no later than in two days before the elections.

3. During the voting closing of the polling station building is prohibited, cessation or stopping of voting, except for the cases when it is impossible to provide for universality, equality of the elections and free expression of voters' will.

4. Decision on temporary closure of the polling station building, cessation or stopping of voting, (as well as subsequent opening of the polling station and resumption of voting) is unilaterally made by the chair of the regional election committee, who is fully responsible for this decision.

5. In case of temporary closure of the polling station building upon cessation or stopping of polling, regional election committee shall make a decision to confirm the decision of the chair of the committee or to annul it. The committee is authorized after the cessation of polling to make a decision to stop polling completely and to close the polling station. The mentioned above decisions are made by the relevant orders, which shall include the causes and timing of temporary closure of the polling station building, cessation or stopping of polling. Upon solving the matter of closure of the polling station or cessation of polling, the chair of the committee may make a decision to resume polling. If polling is announced as closed, it shall not be renewed.

6. The voter may be present in the polling station building only for the time required for voting.

7. At the voting day in the polling stations in the military regiments, hospitals and other stationary medial facilities, ships in voyage and in places with difficult access, regional election committee announces voting as closed in any time before 8 pm, if all the voters included in the list participated in voting.

8. Polling before or after the voting day is prohibited, except for the cases envisaged by the legislation of Georgia.

Article 52. Opening of the polling station

1. The polling station is opened at 7 am at the voting day. In case if for this time the number of the committee members is less than 7, the relevant information shall be immediately provided to the higher district election committee, which shall immediately make the relevant decision.

2. Polling starts at 8 am at the voting day.

3. The following procedures are implemented from the time of opening of the polling station before start of polling:

a) after opening the polling station, an election log-book is started. All persons with the right to be present at the time of opening of the polling station shall put their signatures on the first and second pages of the book;

b) chair of the regional election committee shall check the integrity of the closed envelope with the special seal of the regional election committee, and shall open it;

c) chair of the regional election committee shall prepare, on similar pages and with the same pen, casting papers, verifies them with the special seal of the committee and folds in such a way as to prevent their text to be read. Total amount of the empty and filled papers shall be equal to the number of the members of the committee participating in the casting of lots. Chair of the committee shall conduct the casting with participation of the members of the committee and all the persons with the right to be present at the polling station building; chair of the committee/deputy/secretary shall not participate in the casts. The papers are

cast on the table, after which the members of the committee take them;

d) chair shall announce, as a result of casting, 2 persons out of the committee members appointed by the parties to be charged with carrying the ballot box (if needed). Also, they should be appointed by the same election subject;

e) another casting is done for division of other functions among the committee members:

e.a) committee member responsible for ordering the flow of voters in the polling room, who also checks marking of the voters;

e.b) a voters registrar – member of the committee (at least one member per 300 voters), who also hands out ballot papers after having signed and stamped their reverse side;

e.c) member of the committee supervising the ballot box and special envelopes;

f) after casting the lots the secretary of the regional election committee shall write the results of the casting on the third page of the election log-book;

g) temporary transfer of functions to the committee member as a result of casting votes to another member of the committee is possible only with the permission of the chairman of the committee, which is recorded on page 5 of the election log-book with indication of the time.

4. If during the casting, the number of committee members in relation to the functions to be distributed:

a) is less by one, the number of committee members registering the voters also decreases;

b) is less by two, deputy chair of the committee shall fulfill the function of a committee member responsible for controlling the flow of voters in the voting room;

c) is less by three, chair of the committee shall fulfill the function of a committee member responsible for supervision over the ballot box and special envelopes.

5. The district election committee shall decide the matter of remuneration of a member of the regional election committee who joins the committee after completion of the casting of lots, and the matter of his/her functions shall be solved by chair of the regional election committee.

6. Upon completion of casting procedure, chair of the regional election committee:

a) declares the number of voters by combined and special lists, and also their annexes (the list of mobile voters box);

b) checks integrity of ballots and special envelopes and declares the number of accepted ballots and special envelopes;

c) checks and, within the rule defined by the CEC, seals the main and mobile ballot boxes by a seal with an individual number.

7. Each registrar of voters shall have separate notebooks for every type of ballots,

which is confirmed the signatures of the committee chair and the registrar on the cover of the notebooks. After distribution of all ballots from the notebook the registrar receives another notebook and so on.

8. Chair of the regional election committee shall give to each voter registrar the registrar's seal as defined by the casting, the number of which is included in the voting day log-book.

9. Data mentioned in para 6 "a" and "b" of the present Article is announced by the secretary of the election committee and included in the protocol of the results of the casting of lots and in the voting day log-book.

10. The first voter and all the present members of the regional election committee shall sign the control paper; the paper shall include the correct time of placing the ballots in the ballot box and the name/surname of the first voter, place of registration and personal ID number of a citizen of Georgia. Before starting the voting chair and secretary of the committee shall fill out three copies of the control papers (except for the data on the first voter). Chair of the committee fills out one copy of the control paper after entry of the first voter into the voting cabin, the second copy – in the mobile ballot box; the third copy is stored together with the control papers in the ballot box with the purpose of further comparison.

Article 53. Casting day log-book

1. The process of casting of lots in the polling station and claims, appeals and remarks on the process of voting are reflected in casting day log-book (hereinafter – the log-book).

2. The log-book is produced in the Georgian language, whereas for those polling stations where ballots are printed in the language of local population, the log-book may be also produced in the corresponding language.

3. The log-book is handed over to the secretary of the committee, who shall, together with the chair of the committee, to include in it all the election procedure of the day with indication of their time.

4. Each copy of the log-book, together with the ballots, is handed to the regional election committees.

5. The log-book is so-called spiral book. The spiral is sealed; the seal paper is signed by the chair and secretary of the regional election committee and is stamped with the seal of the district election committee. Each page of the log-book shall be numbered and each page shall have the numbers of the election district and region.

6. Secretary of the committee shall indicate the number of the ballots given to the members of the committee accompanying the ballot box, available in the ballot box by the end of the voting day and used ones, together with special envelopes, on page 4 of the log-

book.

7. Secretary of the committee shall include on page 5 of the log-book the information on temporary transfer of the functions of committee members to other members as defined as a result of casting of lots.

8. Secretary of the committee shall include on pages 6-9 of the log-book each data on the results of the casting included in the concluding protocol.

9. Every person with the right of being present at the polling station may include the claims, appeals and remarks in relation to the election procedure of the casting day in the log-book (in pages 10 and beyond) and mention the witnesses (if any). The person making the notes shall include in the log-book his name/surname and address as indicated in his/her registration card.

10. No one has the right to prevent any person with the right of being present in the casting room from making notes in the log-book.

11. After summarizing the results of the casting, the log-book is closed, signed by the chairman and secretary of the election committee and is verified by the seal of the regional committee. The log-book together with the claims/appeals is sealed and, together with the concluding protocol(s) of the regional election committee, is handed over to the higher district election committee.

Article 54. Ballot paper and a special envelope

1. Ballots are printed on the basis of the CEC order, according to its sample, in the Georgian language; in Abkhazia – also in the Abkhazian language; and, if needed – in other languages of the local population.

2. For the polling stations having registered people with visual disabilities, CEC shall provide for a technology allowing for their independent filling the ballots.

3. CEC shall provide for printing of the ballots and preparation of ballot boxes (the main and mobile ones); the relevant district election committee is responsible for verifying the information contained in the ballots in case of the elections in local self-governing representatives bodies – Sakrebulo (except for the capital of Georgia – Tbilisi self-governing body – Sakrebulo). Ballots are printed under permanent supervision of the persons authorized by the CEC and district election committees and other observers. 2 members of the election committee appointed by relevant decree of the committee and, on the basis of the present Law, the registered monitoring agencies have the right for observing the ballots printing process (in each place), which by their agreement shall nominate not more than 3 observers.

4. In 2 days after making the relevant decision the corresponding election committee shall publish the data on printing the ballots and the place of preparation of the ballot boxes, as well as on the persons responsible for printing the ballots and preparation of the ballot

boxes.

5. An entity printing the ballots is personally responsible to ensure that the number of printed and provided to the relevant election committee is the same as the amount requested, and that no additional ballots are printed and disseminated.

6. Chair and the secretary of the election committee are personally responsible for storage and purposeful dissemination of the ballots in the election committee.

7. With the purpose of correct numbering of the ballots, each ballot are consecutively numbered (the number is indicated on its bend; the ballot and its bend are separated with a perforated line) and is folded by its half as a notebook. The notebooks, separately for each ballot, are consecutively numbered. Each notebook has a cover page, indicating the title of the ballot, columns with the notebook number, ballots numbers, numbers and names of polling district and polling region, columns for signatures of the chair and the member of the regional election committee (voters' registrar), who receives this notebook, and also the column for calculation of the used ballots.

8. The quantity of special converts given to each regional election committee is equal with the total number of the voters in the polling region, and the quantity of the notebooks with ballots is 50 times less the total number of the voters in the polling region (an approximate number)

9. No later than in 2 days before the casting of lots, the CEC shall give to the district election committees the ballots and special envelopes. On its part, the district election committee shall give the ballots and special envelopes to the regional election committees no later than 12 hours before the casting of lots.

10. The number of the ballots and special envelopes is verified. During transfer of the ballots and special envelopes from the CEC to the district election committees and from the district election committees to the regional election committees, the protocol of transfer is concluded in two duplicate copies, which includes the titles of the sender and receiver committees, amount of the special envelopes, types of the ballots, amount of ballot notebooks (with their numbers and ballot numbers), and the names of sending and receiving persons. The protocols are signed by sending and receiving persons (one copy remains within the committee who sends the ballots and special envelopes; the other copy is handed over to the receiver of the ballots and special envelopes). A representative of the election committee, which receives the ballots and special envelopes, shall request one copy of the acceptance certificate for the relevant district/regional election committee. The acceptance certificate is an open document.

11. Before concluding of the acceptance certificate mentioned in para 10 of the present Article, the signatory parties, after verifying compliance of the ballots requisites, shall count the

ballots and make the relevant notes in the acceptance certificate; after which the ballots are re-sealed and signed by the parties.

12. The first page of the ballot shall include:

a) title and date of election/referendum;

b) title and number of the election district;

c) number of the polling station (on the bend of the ballot and on the ballot itself);

d) during proportionate elections – number and name of the party/election block independently participating in the elections; during elections of the President of Georgia, Mayor of Tbilisi city and by majoritarian system – the number assigned to the candidate, name/surname, name of the representing election subject;

e) rule for filling out the ballot.

13. If the ballot is meant for another polling station or it does not correspond to its indicated number or it has a typo or other inaccuracy, this shall be immediately told to the CEC; the district election committee is authorized on the basis of the relevant note, to include in the concluding protocol the real number of the ballots.

14. Reverse side of the ballot shall include:

a) place for the signature of the voters' registrar;

b) place for the special seal of the voters' registrar.

15. In case of removal of an election subject from the elections, during dissemination of the ballots, the stamp "Removed from elections" shall be placed next to the name/title of the election subject.

16. The ballot is state property. During voting, taking the ballot from the polling station building, its removal or destruction is prohibited.

17. The ballots are printed on a special paper; the right for ordering and procuring of which is given exclusively to the CEC.

18. Violation of the prohibition included in para 16 of the present Article, and also production, dissemination and usage of fake ballots and the special paper mentioned in para 17 above is a criminal offence and is punished by the Law.

Article 55. Concluding protocols of casting of lots and voting

1. Results of voting and elections are reflected in the concluding protocols of voting and elections of CEC, district and regional election committees.

2. The concluding protocol is an individual administrative-legal act certifying the results of the casting of lots and elections. The concluding protocol and its copy certified by the rule defined in the present Law have equal legal power.

3. Making changes to the information included in the concluding protocol is prohibited. The matter of annulling of such a concluding protocol is decided by a higher election committee. Making changes to the information included in the concluding protocol is causes the

charges against the chair and secretary of the election committee in question within the rule defined by the present Law.

4. If a mistake was made during filling the concluding protocol, with the purpose of its correction the word "Corrected" shall be immediately placed next to the relevant data in the concluding protocol. The election committee shall draft the correction report, where it shall mention corrections made to the concluding protocol and date and place of the report. All members of the committee present at the meeting shall sign the report. The correction report shall have the stamp of the committee, be registered in the journal of the election committee and shall be attached to the protocol with the amended data.

5. Each concluding protocol (concluding protocol of the casting of votes in the regional election committee and concluding protocols of the casting of votes and voting in the district election committee) are numbered individually, and the numbers shall not be repeated.

6. Verified protocols shall be strictly counted. CEC is responsible for their printing. Protocols are printed under constant supervision of the persons authorized by the CEC and other observers. The printer of protocols is directly responsible to ensure strict compliance of the number of printed and sent protocols to the CEC with the requested number, and that no other protocols are printed and disseminated.

7. Chair of the election committee is personally responsible for storage and purposeful dissemination of the ballots in the election committee.

8. District election committee shall send to the regional election committee each type of concluding protocols of every election in the polling station.

9. Concluding protocols are printed on a special paper, the right for ordering and procuring of which is given exclusively to the CEC.

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

Article 56. Marking the voters

1. Voters shall be marked in each polling station (except for the cases mentioned in para 5 of the present Article), which means placing invisible and harmless chemical paint on the voter's right hand's the middle or index finger (if this is not possible – on the nail of the right hand's other finger; if this is impossible – the same way on the left hand).

2. The procedure for checking the marks takes place before the voter enters the polling room by the relevant members of the election committee, who verify with the special equipment the place of the mark and when it is confirmed that the voter is not marked, the voting right is given to the voter. If the equipment reveals that the voter has already got the mark, he/she will be prohibited from voting and his name is included in the log-book.

3. After passing the procedure of marking verification, the voter moves to the

registration table, where the voters' registrar marks him and he receives the ballot(s). In case of refusal to under the marking verification procedure the voter is not given the right to vote and no ballot(s) is given to him.

4. If a member of the election committee, an observer at the polling station and/or representative of an election subject has suspicions in relation to marking or the verification procedure, he is authorized to request renewal of the procedures as defined in pares 2 and/or 3 of the present Article. This person has the right to request corresponding action at any instance of violation of the marking procedure.

5. Marking is not used for individuals being ships, in preliminary detention facilities, hospitals and other stationary medical facilities (to the patients), and also those voting via mobile ballot boxes.

6. A voter who had undergone the marking procedure and participated in voting, has no right to participate in voting in the same or another polling station.

7. the person violating the requirements of the present Article is responsible before the legislation of Georgia.

Article 57. Distribution of ballots and special envelopes

1. Regional election committee shall distribute the ballot(s) and special envelopes on the basis of the voters' lists, and provision of personal ID of a citizen of Georgia, passport of a citizen of Georgia, refugee and IDP cards (together with personal IDs).

2. During the voting day each voter shall receive one special envelope and the relevant number of ballots.

3. Distribution of ballot(s) is confirmed by signing the voters' lists by the registrar-member of the committee.

4. Receiving of ballot(s) is confirmed by signing the voters' lists by a voter.

Article 58. Voting

1. Each voter shall vote personally. It is prohibited to vote instead of another person.

2. The voting procedure is conducted within the following rule and sequence:

a) upon entry to the polling room, the voter is marked;

b) if the voter is not marked, he/she will be given a right to vote. A committee member keeping in order the flow of voters in the room shall let a voter in the polling room only if there are not more than two people at a registration table;

c) in the polling room a voter goes to the registration table where the first letter of his surname is included in the voters' list belongs to, and shows to the voters' registrar the ID card or a passport of a Georgian citizen, if he/she is an IDP – also an IDP card (together with the ID card). If the voter is included in the voters' list, the registrar marks the voter after which the registrar signs the corresponding column of the unified list of voters, and the voter endorses by his/her signature the acceptance of the ballot(s). After handing the ballot(s), the registrar signs

in the corresponding column on the back of the ballot(s) and verifies the ballot(s) with the special seal;

d) after verification of the ballot(s), the voter enters in the secret voting cabin and fills out the ballot(s) within the rule defined by the present Law. After filling the ballot(s) the voter shall fold it(them) in such a way as to prevent them from being read;

e) the voter shall take the folded ballot(s) to a separate table, where he independently takes a special envelope and places ballot(s) in them. Only the voter has the right to place ballot(s) in a special envelope; no committee member has the right to open a ballot(s) or otherwise violate the secrecy of voting;

f) more than one voter shall not simultaneously approach the polling box;

g) A committee member supervising ballot box and special envelopes shall be constantly present near the box. He shall keep close the opening for envelopes, which shall be opened only after he is ensured that a voter has only one envelope;

h) after completion of voting opening for envelopes in the box is closed.

3. During filling out the ballots presence of other individuals is prohibited. The voter who cannot independently fill out the ballot, has the right to ask any individual into the in the secret voting cabin except for:

a) a committee member;

b) a candidate;

c) a representative of an election subject;

d) an observer.

4. if a ballot or a special envelope of a voter or a member of the election committee is spoiled, he has to inform the chair of the regional election committee about this, to hand the spoiled ballot(s)/special envelope and to receive a new one. The spoiled ballot(s)/special envelope, with a presence of the voter, is cut in the corner, a word "Spoiled" is written over it, chair then signs them and they are kept separately.

5. Members of the regional election committee and the persons legally present in the polling station have the right to ask the voters before entering into secret voting cabin and putting their ballot(s) into secret envelopes to show that they have with them only the number of ballot(s) and special envelopes allowed by the Law. The voter shall follow this request.

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

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

the box and continuation of voting.

8. Building of the polling station is locked at 8 pm. For this time the voters standing in the list may vote, for which by the order of the chair of the regional election committee one of its members writes down the names of the voters in the line, and informs the chair of the regional election committee about their number, and the secretary of the committee writes down in the log-book the number of voters in the line. Chair of the regional election committee declares that only those in the line may vote.

Article 59. Voting with mobile ballot box

1. Voting with mobile ballot box starts at 9 am of the voting day and ends at 7 pm. The box shall be returned to the polling station no later than by 8 pm.

2. The persons defined in Article 11 of the present Law have the right to vote with the mobile ballot box.

3. During the voting day, if the voters cannot reach the polling station, they shall inform the regional election committee about their wish to vote with the mobile ballot box no later than in 2 days prior to the voting. District election committee shall send the information on the voters in stationary medical facilities to the relevant regional election committee no later than in 2 days prior to the voting. The voters are included in the annex (the list for the mobile ballot box) to the voters' list after:

a) secretary of the regional election committee registers in the registration journal and confirms by his signature the written request of the voter or a verbal statement made over the phone, with indication of precise timing and telephone number;

b) the unified and special list of voters mention movement of the voters to the annex (the list of ballot box voters), which is confirmed by signatures of the chair and secretary of the regional election committee.

4. During voting at 9 hours, chair of the regional election committee gives the annex (the list of ballot box voters), special envelopes and the required amount of ballots verified by the signature and special stamp of the voters' registrar to the list of voters to the committee members accompanying the mobile ballot box.

5. 2 members of the regional election committee revealed as a result of casting of lots and the persons entitles to be present in the polling station, if they wish so, participate in voting according to the location of voters.

6. During voting with the mobile ballot box, in case of usage of cars, regional election committee shall allocate place in the car for 2 observers among those entitles to be present in the polling station revealed as a result of casting of lots.

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

8. One mobile transparent ballot box shall be used according to locations of voters.

Secretary of the regional election committee shall mention in the log-book the number of the ballots and special envelopes has been given to the members of the election committee accompanying the ballot box. Upon finishing of voting, the number of the ballots in the box and unused ones and special envelopes is counted for comparison. After completion of the mentioned above procedure the remaining unused ballots and special envelopes are cut in the corners, the word "Spoiled" is written on them, and the chair and secretary of the regional election committee signs on them, after which they are stored separately.

9. If, in cases envisaged by Article 11 of the present Law, place of registration of the voters and their actual location belong to the same election district, the voters have the right to vote both in the proportionate and majoritarian election systems and they will be given the relevant ballots and special envelopes. Otherwise, the voters are given the right only to vote by proportionate election system.

10. The voting procedure given in para 9 of the present Article is conducted by the regional election committee, on the territory of which a military regiment, hospital or other stationary medical facilities or penitentiaries with voters are located.

11. The opening of the mobile ballot box, upon ending the voting, is sealed to prevent its opening without breaking the seal.

Article 60. Procedures to be implemented before opening the ballot box

1. After ending voting, chair of the regional election committee, witnessed by the persons having the right to be present in the polling station, within the rule define by Article 52 para 3 "c" of the present Law, shall select not less than 3 counters via casting of lots, and the witnesses shall chose within themselves not more than 2 observers (if the witnesses do not agree on this, 2 observers will be selected among them by the chair via casting of lots).

2. The counters shall count the total number of voters who participated in the elections in the unified and special lists of voters as well as their annexes. The secretary of the regional election committee shall immediate include the results in the demonstrational protocol and the log-book, after which he wraps up and seals separately the unified and special lists of voters together with their annexes.

3. The counters shall count:

a) first, unused ballots, the number of which is announced by the secretary of the regional election committee and included in the demonstrational protocol and the log-book;

b) then spoiled ballots, the number of which is announced by the secretary of the regional election committee and included in the demonstrational protocol and the log-book.

4. Unused and spoiled ballots are tied up in separately packages. Each package shall include the name and number of the polling station, titles of the ballots, number of unused and spoiled ballots.

5. The packages shall be sealed and signed by the secretary and chair of the

regional election committee.

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

7. The main polling district, within the rule defined by para 8 of the present Article, opens the ballot box of the polling station created in exceptional circumstances and special envelopes and ballots in the box with the special envelopes and ballots of the main polling district.

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

Article 61. Opening of the ballot box

1. Chair of the regional election committee, with presence of the members of the regional election committee and persons with the right to be present at the polling station, shall check the integrity of the ballot box.

2. If integrity of the seal is compromised, but the regional election committee considers that this has not violated the requirements of the present Law, the counting of votes is continued by the order of the regional election committee. Otherwise, the ballot box is sealed the decision of the regional election committee and the sealed ballot box shall be immediately handed over to the higher district election committee.

3. The counters shall move the ballot boxes to a separate table and place them so that the members of regional election committee shall remain in the opposite side, in the distance of 2 meters and the persons with the right to be present in the polling district. Two monitors elected from the observers shall stand close to the counters.

4. First, the regional election committee shall open the mobile polling box. The counters place the special envelopes from the mobile box on the table, check the presence of the control paper in the box and compare it with the control paper kept by the regional election committee. If there is no difference between these control papers, the counters count the special envelopes with ballots. The amount of the special envelopes shall correspond to the number of voters in the annex (mobile box list). If the number of special envelopes with ballots, according to the annex to the voters' list (mobile box list) is more than the amount of signatures of the voters participating in the voting, all special envelopes and ballots are packed, the word "Void" is written on the package, and after finishing the counting

of votes in the polling station are handed over to the higher election committee. The same rule is applied in case of difference between the control papers or if there is no control paper in the mobile box. After completion of the mentioned above procedure the counters open the main polling box.

5. The counters place the special envelopes and ballots from the main box on a separate table, check the presence of the control paper and compare it with the control paper stored by the chair of the regional election committee. In case of difference between the control papers or absence of the control paper in the main box, all special envelopes and ballots are packed, sealed, the relevant protocol is concluded and immediately handed over to the higher district election committee. If everything is in order, the counters mix the special envelopes from the main and mobile ballot boxes and start counting of ballots.

Article 62. Counting of votes

1. Regional election committee counts the ballots the following way:

a) the first counter takes a ballot from a special envelope, declares the vote and hands one type of ballots to the second counter, and the other type – to the second counter, and so on; he places the special envelope separately. The counters place the ballots separately, according to each voted election subject;

b) unidentified and cancelled ballots by counters are placed separately; and also those ballots, whose origins are considered suspicious.

2. One monitor among the observers stands close to the second counter as indicated in para 1 “a” of the present Article, the other monitor stands close to the third counter. They have a right to observe the whole procedure, to point out to drawbacks, to request their correction, and, in case of non-fulfillment of their request, to appeal against the actions of the regional election committee to the higher district election committee, and further – to the court. The persons authorized to be present in the polling station have the right to tell the counter to put separately those ballots, whose origins are considered suspicious.

3. Ballots complying with the sample are considered as void only if:

a) the ballot is not verifies by a signature and a special stamp of a registrar;

b) it is impossible to verify, which election subject was voted for;

c) an excessive amount of ballots appeared in the special envelope;

d) the special envelope does not comply with the sample;

e) ballots are without special envelopes in the box;

f) a ballot was from other election district.

4. After voting is completed, making any corrections, changes or additions in the ballots is punishable by the legislation of Georgia.

5. After sorting all ballots, those ballots are checked, whose origins are suspicious. The issue of origins of each ballot is solved by the election committee via casting of lot.

Ballots considered as legit are added to other ballots; void ballots are added to the pile of void ballots.

6. Upon completion of the procedure of para 5 of the present Article, void ballots are counted and the word "Void" is written on them; these ballots are placed in a package signed by the counters and the chair of the regional election committee, and their number is immediately noted by the secretary of the regional election committee in the demonstration protocol and the log-book; void ballots designated for other polling stations are put in a separate package and their number is mentioned only in a log-book.

7. Each package with ballots shall be wrapped and sealed in a corresponding side envelope. The seal shall have the number of the polling station, type and number of ballots.

8. Upon completion of the procedure of para 7 of the present Article, the votes given to each election subject are counted and the ballots are compiled within the rule of para 9 of the present Article. The pile of the ballots belonging to each election subject shall be wrapped and sealed separately. The number of votes given to each election subject is immediately included by the secretary of the regional election committee in the demonstration protocol and the log-book.

9. Every 10 ballots are tied up by a metal thread and the number of ballots in each batch, full and incomplete, is written over them. These piles are tied up as a separate batch. The batches with ballots have the name and number of the polling station, data on the election subject(s) (title and name) and the number of votes it(they) had received, and the number of ballots included in the batch.

Article 63. Concluding protocol of the results of the elections in the regional election committee

1. After clarification of all the data mentioned in para 3 of the present Article secretary of the regional election committee in agreement of the chair of the regional election committee and acceding to the information available, shall create a concluding protocol of the results of each type of election.

2. Two concluding protocols are drafted during the elections to the Parliament of Georgia and local self-governance bodies – Sakrebulo. One protocol is for the elections with proportionate system, the other one is for the elections with majoritarian system. During elections of the President of Georgia, Tbilisi city Mayor and intermediary elections, only one protocol is concluded.

3. The concluding protocol of elections shall include the following:

- a) number and name of the election district and the polling station;
- b) number and name of the election district created in exceptional circumstances (if any), which is attached to the main polling district;
- c) title of the elections/referendum;

d) election date (also include if this is a by-elections or the second round of elections);

e) the number of the seal of the regional election committee and the seal of a registrar;

f) number of voters in the unified list;

g) number of voters in the special list;

h) number of signatures of voters participated in elections at 12 pm and at 5 pm;

i) total number of voters participated in elections (according to their signature in the voters' lists);

j) number of accepted ballots;

k) number of unused ballots;

l) number of spoiled ballots;

m) number of void ballots;

n) name of election subjects; number of votes given to them;

o) date and time of the protocol;

p) information in the protocol, which a member of the regional election committee objects to (this note is made by the committee member in the column "differing opinion" and signs it);

q) protocol registration number, date and time (are made during transfer of the protocol).

4. Every member of the regional election committee shall sign the concluding protocol of elections, which confirms their presence in the polling station. The protocol is verified by the seal of the regional election committee.

5. If a member of the regional election committee does not agree with the information of the concluding protocol of the regional committee, he has the right to attach a different written opinion to the protocol.

6. In case of a different opinion a member of the regional election committee shall sign the concluding protocol of the election results.

7. Concluding protocol of the election results (with a different opinion of the a member of the regional election committee) together with the sealed package of ballots and voters' lists shall be immediately given to the higher district election committee, which hands over to the CEC the mentioned above protocol together with the concluding protocol of the district election results.

8. Regional election committee shall place the copy of concluding protocol of the election results for public notice. If requested, the regional election committee shall immediately provide the copy of the protocol (together with the different opinion of a committee member) to the representatives of the party/election block/initiative group or a party-appointed member of

the regional election committee and a monitor from the observer organization. The copy of the protocol shall be certified by the stamp of the regional election committee and signatures of the chair of the regional election committee and the secretary of the regional election committee (these protocols have legal force equal to the concluding protocols of the regional committee elections). The representative/monitor shall confirm the receipt of the protocol by his signature in the log-book of the committee.

9. District election committee shall issue copies of the protocols of the regional committee elections results from the second day after the elections. District election committee gives out copies of the concluding protocols of the regional committee elections certified by the district election committee seal and signatures of the chair of the district election committee and the secretary of the district election committee (these protocols have legal force equal to the concluding protocols of the regional committee elections). The representative/monitor shall confirm the receipt of the protocol by his signature in the log-book of the committee.

10. In case of request made within the rule of the present Law, failure to distribute the copies of the concluding protocols of the elections leads to responsibility of the authorized member of the committee according to the present Law.

11. Together with the concluding protocols of elections, lists of voters with the signatures of those who voted shall be sent to the district election committee. The district election committee, on its part, sends these lists to the CEC, which sorts them and stores in the archive.

12. After completion of all the election procedures, the registration journal of the regional election committee is closed, signed by the chair of the regional election committee and the secretary of the regional election committee and is certified by the stamp of the regional election committee.

13. The stamp of the regional election committee is sealed in a separate envelope. The envelope is signed by the chair of the regional election committee, the secretary of the regional election committee and other members of the regional election committee.

14. The regional election committee shall immediately send the copy of the concluding protocol of the election results, upon its completion, to the CEC by all technical means available (including, fax, if required).

Article 64. Rule for drafting and submitting a claim/appeal during elections

1. Claim/appeal is handed to the chair of the regional election committee, his deputy or secretary of the committee. Secretary of the committee shall register the claim/appeal in the log-book, and give a (signed) note to the claimant/appellant, in accordance with Article 22 para 16 of the present Law mentioning the date and time of submitting the claim/appeal to the committee and its registration number.

2. Claim/appeal shall include:

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

3. Chair of the regional election committee shall immediately react on the claim/appeal and to correct the drawback. If the committee chair failed or did not correct the drawback or otherwise refused to react on the claim/appeal, the claimant/appellant has the right to immediately submit the same claim/appeal to the higher district election committee. The district election committee during review of claim/appeal, is authorized to consider the issue of acknowledging the results of the relevant regional elections as void.

4. If the violation included in the claim/appeal is corrected by the regional election committee, the relevant record "Corrected" is made in the log-book with the exact time indication.

Article 64¹. Claims and appeals on violation of the procedures of counting of votes

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

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

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

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

1. Upon receiving of the claim/appeal mentioned in Article 64¹ in the district election committee, secretary of the district election committee shall register it the registration journal of the district election committee. The committee shall review it and make a decision in one calendar day from the date of receiving of the claim/appeal by the district election committee.

District election committee shall make a decision by its order, which can be appealed against only in court within the rule of the present Law.

2. If the rule of provision of information as defined in Article 64 para 2 “a”–“d” has been violated, the officer of the election committee who receives the claim/appeal shall explain the violation and define the sound term for its correction, after which the secretary of the committee includes a record in the committee journal signed by the claimant/appellant and the relevant officer. In case if the violation is not corrected within the defined term, the relevant election committee uses the rule of para of the present Article.

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

4. In case of correction of the drawback, the relevant record is made in the registration journal of the election committee about the exact time and date of correction of the drawback, which is signed a person correcting the drawback and the relevant officer of the committee.

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

Article 64³. Summary of elections results in the district election committee

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

2. The concluding protocol of casts/elections in the district election committee shall include the following:

- a) number and name of the election district;
- b) title of the elections/referendum;
- c) election date (also include if this is a by-elections or the second round of elections);
- d) number of voters in the election district;
- e) number of voters participated in the election in the district;
- f) number of accepted ballots;
- g) number of unused ballots;
- h) number of spoiled ballots;

- i) number of void ballots;
- j) name of election subjects; number of votes given them;
- k) number of real ballots (sum of the votes given to the election subjects);
- l) number of the polling station, where the election results were announced as void, total number of voters in the station and the reason for nullifying the election results;
- m) number of given ballots in the polling station, where the election results were announced as void;
- n) date and time of the concluding protocol;
- o) the information in the protocol, which is not accepted any member of the district election committee (this member shall make such a notice in the column „different opinion“ and sign it);
- p) registration number and date of the protocol and (during giving the protocol).

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

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

5. All members of the district election committee who attends the meeting of the committee, shall sign the concluding protocol of voting/elections. The protocol is certified by the seal of the district election committee.

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

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

8. Concluding protocol of the results of voting/elections in the district election committee (with the attached diverse opinion of the members of the district election committee), together with the orders of the district election committee on making changes to the concluding protocols of the regional election committees (if any) shall be immediately handed over to the CEC.

9. If requested, a copy of the concluding protocol of the elections of the district election committee (with the attached diverse opinion of the members of the district election committee) shall be immediately provided to the representatives of the party/election block/initiative group and monitors of the observer organizations. Copy of the protocol shall be certified by the seal of

the district election committee and the signatures of the chair and secretary of the district election committee (the protocol has legal force equal to the protocol of the district election committee). Receipt of the protocol is acknowledged by the representative/monitor with the signature in the log-book of the district election committee.

10. If a request is made within the rule of the present Law, chair and the secretary of the district election committee are responsible for failure to provide a copy of the concluding protocol of the results of the voting according to the legislation of Georgia.

Article 64⁴. Summary of the election results in the CEC

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

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

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

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

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

5. Summarizing the results of the elections by the CEC before completion of the relevant court cases in the common courts and without complete consideration of these cases by the courts is prohibited.

6. In case of a claim/appeal and/or different opinion of a CEC member, the CEC may summarize the election results on the basis of the protocols of the regional election committees.

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

8. CEC shall provide for transparency of the protocol as envisaged by Article 63 para 14 of the present Law, including its immediate publishing on the its webpage; also, if the results of

the polling station are appealed against in the court within the rule defined by the legislation of Georgia, the CEC shall, before an official notice, make the corresponding record in the protocol places in the webpage”.

22. Article 69:

a) para 7 shall have the following wording:

“7. A local observer organization registered by the CEC, no later than in 5 days prior to the elections shall submit to the CEC secretary the list of their representatives in the CEC, district and regional election committees. The list shall include copies of ID cards of the citizens of Georgia of the monitors. A local observer organization registered by the district election committee, within the same deadline, shall send to the district election committee the list of monitors for the district and/or lower level regional election committee. The list shall mention the identity of the monitor (name, surname, place of registration) and the election district(s) and election regions(s), where he performs monitoring”;

b) para 11 shall have the following wording:

“11. ID of a monitor is in force from the moment of its issuance and is expired in two weeks after announcement of the final results of the elections”.

23. Article 70 shall add pares 3-4 with the following wording:

“3. Responsibility of local/international monitor, election subject and mass media representatives for violations of their rights as provided by the present Law or intrusion into their activities is defined by the rule of the election, administrative and/or criminal legislation of Georgia.

4. Violation by monitor, election subject and mass media representatives of the requirements of para 2 “a”-“d” of the present Article would cause their responsibility in accordance with the rule of the election legislation”.

24. Article 71 para 2-3 shall have the following wording:

“2. A party independently participating in the elections, election block, initiative group of voters (during elections of the President of Georgia), presidential candidate shall have a right to appoint two representatives per each election committee.

3. Election subject mentioned in para 2 of the present Article, shall inform the relevant election committee about the appointment of a representative. If the information provided is complete, the election committee in 24 hours shall acknowledge, by its decision, the information about registration of the representative and the relevant officer of the committee shall issue a representation ID, which is at the same time, a badge”.

25. Article 73:

a) para 9 “a” shall have the following wording shall have the following wording:

“a) giving money, presents, and other material values to the citizens of Georgia (notwithstanding their costs), sales of goods by advantageous prices, free acceptance or

dissemination of any goods (except for the propaganda materials envisaged by the present Law), also promising to citizens of Georgia money, securities, and other material means (notwithstanding their costs) personally by candidates of the election subject(s) and their representatives or through a third party“;

b) para 10 shall be followed by para 10¹:

“10¹. From the election day to summarizing the election results implementation of such projects which have not been previously envisaged in the state/local budgets is prohibited, also increase of those budgetary programs, which were envisaged in the budget before the elections, initiation of ad hoc transfers or increase of planned transfers in the local budget“;

c) para 14¹ shall be deleted;

d) para 15 shall have the following wording:

“15. From the election day to summarizing the election results newspapers, which are financed by central or local budget, shall ensure that:

a) in case of a pre-election propaganda and political advertisement in a newspaper, to publish in the same newspaper and provide to the Central Election Committee of Georgia (regional newspapers shall provide to their relevant district election committee) the information: from which date, with what frequency and until what time the newspaper space will be used, the length of the space allocated in one newspaper issue, in case of a free space – the length of the total free space allocated, space tariff, services provided;

b) no election subject may take more than 1/3 of the space in the newspaper’s one issue or in one week;

c) tariffs for space for each election subject shall be equal;

d) during publishing propaganda letters and political advertisement, the words “Paid political advertisement” or “Free political advertisement” shall be written before the letter title and in the corner of the advertisement“;

e) not to publish political advertisement during the period envisage by the present para with violation of the requirements of this para“;

f) para 16 shall have the following wording:

“16. A newspaper, except for the ones envisaged by para 15, shall have the right to place pre-election advertisement within any terms to any election subject”.

26. Article 73¹:

a) para 1 shall be followed by para 1¹:

“1¹) for the purposes of the present Article, a qualified election subject is an election subject in which the party satisfies the following requirements:

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

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

c) it was united in the election block, which in the last parliamentary elections received not less than 4% of the votes and was number first in the block;

d) it was united in the election block, which in the last self-governance elections with a proportionate system received not less than 3% of the votes within the country and was number first in the“;

b) para 4 and 9 shall be removed.

27. Article 75 para 7 shall have the following wording:

“7. The relevant election subject shall within 15 days from official announcement of the election results to take off the propaganda materials, otherwise it shall be held responsible as defined by the present Law”.

28. Article 76 shall include the following para 3:

“3. During the election campaign printing of such materials from the state/local budget money is prohibited, which include different election subjects or his election number, and/or which include support for/acting against different election subjects”.

29. Article 76²:

a) first para shall be deleted;

b) para 4 shall have the following wording:

“4. In case of violation of the requirements of Articles 76 and 76¹ of the present Law by a registered candidate, in addition to the responsibility envisaged by Article 126²⁷ of the present Law, the candidate may face:

a) revoking his election registration via submission of the relevant appeal to the court before the voting day;

b) prohibition of participation in the next election with the same form via submission of a relevant appeal to the court no later than 30 days from the election day”.

30. Article 77:

a) para 2-5 shall have the following wording:

“2. Decision of the regional election committee, within 2 days from its date may be appealed against in the relevant district election committee, which shall review the appeal in one calendar day. Decision of the district election committee, in 2 calendar days from its date may be appealed against in the regional/city court. The regional/city court shall review the appeal in 2 calendar days. Decision of the regional/city court may be appealed against in 2 calendar days after its date in the court of appeal, which shall review the appeal in 2 calendar days after its submission. Decisions of the court of appeal are final and not subject to appeal.

3. Due to appeal against the decision of the regional election committee, in case of appeal in the CEC against the decision made by the district election committee, the claim/appeal remains unconsidered.

4. Decision of the district election committee, in 2 calendar days from its date may be appealed against in the central election committee, which shall review the appeal in one calendar day. Decision of the central election committee, in 2 calendar days from its date, may be appealed against in the Tbilisi city court. Tbilisi city court shall review the appeal in 2 calendar days. Decision of the Tbilisi city court may be appealed against in 2 calendar days from its date in the court of appeal, which shall make the decision in 2 calendar days from its submission. Decisions of the court of appeal are final and not subject to appeal.

5. Decision of the CEC may be appealed against in the Tbilisi city court in 2 calendar days from its date. Tbilisi city court shall review the appeal in 2 calendar days. Decision of the Tbilisi city court may be appealed against in 2 calendar days from its date in the court of appeal, which shall make the decision in 2 calendar days from its submission. Decisions of the court of appeal are final and not subject to appeal”;

b) para 13 shall be followed by the para 14 below:

“14. From the election day until its end submission of election appeals/claim in the election committees and courts is possible from 10 am of the calendar day till 8 pm”.

31. Article 77¹:

a) para 10:

a.a) para “b“ shall be deleted;

a.b) para “d“ shall be deleted;

b) para 11 shall have the following wording:

“11. After registration of presidential candidate, party lists submitted by the parties independently participating in elections and election blocks, separate candidates in the list, candidates in the single member constituency and candidates for the Tbilisi city Mayor, due to the decision of the election committee, the following have the right to submit claim to the court:

a) a party, election block, majoritarian candidate, representatives of the voters' initiative groups in the CEC (during presidential elections), if CEC had not registered the presidential candidate, candidates for the Tbilisi city Mayor, parties, party lists presented by the election blocks, individual candidates in these lists or the candidates in a single member constituency, and the district election committee has not registered parties, candidates presented by the election blocks, and during elections in the local self-governance bodies – Sakrebulo, or these committees have cancelled their registration;

b) independent parties having with election registration, registered election blocks, representatives of the voters' initiative groups in the CEC (during presidential elections), candidates for the Tbilisi city Mayor, at least 2 people with an observer status at the elections

(which will be appointed as monitors in the CEC) – if they consider that the CEC has registered the party/election block lists, submitted in a majoritarian rule or separate candidates included the party/election block lists, candidates for the Tbilisi city Mayor with violation of the requirements of the election legislation of Georgia, and also if those submitted in a majoritarian rule or separate candidates included the party/election block lists fail to satisfy the requirements of the Constitution and legislation of Georgia or their satisfaction of their requirements happened with violation of the legislation of Georgia;

c) independent parties having with election registration, registered election blocks, at least 2 people with an observer status at the elections (which will be appointed as monitors in the CEC), – if they consider that the district election committee has registered the party/election block lists, submitted in a majoritarian rule or separate candidates included the party/election block lists, with violation of the requirements of the election legislation of Georgia, and also if those submitted in a majoritarian rule or separate candidates included the party/election block lists fail to satisfy the requirements of the Constitution and legislation of Georgia or their satisfaction of their requirements happened with violation of the legislation of Georgia;

c) Article 15 para „a“ shall have the following wording:

“a) a party, election block, representatives of the voters’ initiative groups in the CEC (during presidential elections), organizations with observer status at the elections, election committee, if it is about violation of the rule by a party, election block, presidential or Tbilisi city mayor candidates”;

d) para 22 shall have the following wording:

“22. After declaring elections as conducted or not conducted the right to submit an appeal to the court, against the decision of CEC, have: independently participating parties in the elections, election block, representatives of the voters’ initiative groups in the CEC (during presidential elections), Tbilisi city mayor candidates, representatives of the voters’ initiative groups in district election committees (if applicable), majoritarian candidates and organizations with observer status at the elections”;

e) para 24 shall have the following wording:

“24. The right for submission of an appeal to the court against the concluding protocol of the CEC results of the elections has: independently participating parties in the elections, election block, representatives of the voters’ initiative groups in the CEC (during presidential elections), Tbilisi city mayor candidates, majoritarian candidates and organizations with observer status at the elections”.

32. Article 95 shall include para 27 below:

“27. A party/election block registered in CEC loses the right to participate in off-year elections in the Parliament of Georgia if:

a) a party/election block has not submitted candidates for majoritarian elections to the Parliament of Georgia in any of the majoritarian polling district with off-year elections in the Parliament of Georgia;

b) the relevant election committees have not registered any candidates of party/election block for majoritarian elections to the Parliament of Georgia in those districts where there are off-year elections in the Parliament of Georgia;

c) registration of all candidates of party/election block for majoritarian elections to the Parliament of Georgia in those districts where there are off-year elections in the Parliament of Georgia has been cancelled”.

33. Article 108 para 2-4 shall have the following wording:

“2. Elections in the local self-governance body – Sakrebulo – are scheduled by the President of Georgia no later than in 60 days before expiration of the authorities of the Sakrebulo.

3. During emergencies or wars elections in the local self-governance body – Sakrebulo – are not conducted. If the term of the elections coincided with the emergencies or wars, the elections are conducted no later than in 60 days after the end of such circumstances.

4. The notice on scheduling elections in the local self-governance body – Sakrebulo – is published in printed and other mass media, no later than in one day following the announcements of the elections”.

34. Article 109 para 1 shall have the following wording:

“1. A member of the local self-governance body – Sakrebulo – may be a citizen of Georgia who has reached the age of 21 years old by the time of elections and is registered within the rule of the Law on the territory of a corresponding Sakrebulo. A citizen cannot be election a member of Sakrebulo who had not lived in Georgia for 10 years”.

35. Article 111:

a) para 1 “b“ shall be deleted;

b) para 3 shall be followed by para 4 below:

“4. Same person shall not be nominated for elections in two different entities of the local self-governance body – Sakrebulo“.

36. Article 115 para 2 shall have the following wording:

“2. Sakrebulo of a self-governing city consists of:

a) 10 members elected by the majoritarian system and 15 members elected by a proportionate system, if the number of voters exceeds 75 000;

b) 5 members elected by the majoritarian system and 10 members elected by a proportionate system, if the number of voters does exceed 75 000”.

37. Article 116 shall have the following wording:

“Article 116. Right for participation in elections in Sakrebulo

A party, election block, candidates appointed by the party and election block, which are registered in the relevant election committee, have the right for participation in elections in Sakrebulo“.

38. Article 117:

a) para 1-3 shall have the following wording:

“1. With the purpose of participation in the elections the local self-governance body – Sakrebulo, a party/election block, which was registered for the recent parliamentary elections, with the purpose of gaining the right to participate in the elections, shall submit a relevant request signed by its leader(s) to the CEC after elections are announced but no later than in 57 days before the elections.

2. Those parties which were not registered for the recent parliamentary elections in the central election committee, with the purpose of participation in elections the local self-governance body – Sakrebulo, shall submit a relevant request to the central election committee after elections are announced but no later than in 57 days before the elections.

3. A party which does not have a representative in the Parliament of Georgia or which does not satisfy the requirements mentioned in para 1 of the present article, the relevant department of the CEC, upon receiving the request, shall provide the sample of a supporters' list no later than in 57 days before the election day. The party is obliged to provide signatures of 30 000 supporters to the CEC no later than in 50 days before the election day. The relevant department of the CEC, within 2 days from the submission, shall check the supporters' lists and submits its conclusion to the CEC”;

b) para 9 shall have the following wording:

“9. Checking the corrected request mentioned in para 8„b“ of the present Article and the documents as solution of the issue of election registration takes place no later in the following day from their submission. If the corrected request and the documents comply with the requirements of the present Law, CEC shall register the party and its representatives (except for the cases envisaged by para 3 of the present Article). Otherwise, it issues, with the same deadline, the order to reject the election registration (the order shall clearly state the causes for rejection and those norms of the Law, incompliance with which caused the rejection). This order shall be immediately inform to the party representative and provided upon request. The mentioned above procedures expire no later than in 57 days before the election day”;

c) para 11 shall have the following wording:

“11. The parties registered by the CEC have the right to create election blocks and to participate as a block. For registration of the election block no later than 43 days before the election day the CEC shall receive requests from all the authorized leaders of the parties and the statute of the election block”;

s) para 17 shall have the following wording:

“17. Relevant depart of the CEC shall review the request and the statute mentioned in para 11 of the present Article and no later than the following day after submission of the request to the committee to send a conclusion to the CEC. The CEC shall immediately register the election block and its representatives if the submitted documents comply with the requirements of para 12-15 of the present Article; if the submitted documents do not comply with the above mentioned requirements, then it shall inform in written representatives of the election block about incompliance of the documents with the requirements of the Law (with indicate of the incompliance). Corrected documents shall be returned to the CEC no later than the following day. CEC makes the final decision on registration upon submission of the corrected documents. If the corrected documents comply with the requirements of the present Law, CEC shall register the election block and its representatives. Otherwise, it issues an order on registration refusal (causes for registration refusal and those norms of the Law, which had not been satisfied, shall be clearly stated in the order). This decision is immediate made known to the representative of the election block and provided upon request. The registration procedure mentioned in this para expires 37 days before the elections”;

e) para 22 shall have the following wording:

“22. No later than 30 days before the election date, the central election committee, via printed and other mass media publishes the list of registered parties and election blocks according to the order of submission of the requests, and also the list of those parties and election blocks, which had been refused in registration or whose registration has been cancelled, and the relevant reasons”.

39. Article 118:

a) para 1 shall have the following wording:

“1. On the basis of proportionate election system, for participation in the elections the local self-governance body – Sakrebulo, the party list is submitted to the relevant district election committee by independently participating parties and election blocks after their registration, no later than 30 days before voting”;

b) para 8 shall have the following wording:

“8. Party list shall include two photo pictures of each candidate and the registration cards with their signatures (two copies) with indication of the filling date, where, together with the personal date of the candidates (name/surname, personal ID of a citizen of Georgia (passport of a citizen of Georgia) and personal numbers, place of registration, date of birth), the fact of their permanent residence in Georgia the last 10 years and an agreement to be included in the party lists for elections shall be included”.

40. Article 119:

a) para 1 “a” shall be deleted;

b) para 2 shall be deleted;

c) para 3 shall have the following wording:

“3. With the purpose of submission of the majoritarian candidate in the election district, the party independently participating in the elections and the election block shall apply with the relevant request their district election committee no later than in 30 before the elections”;

d) 5-6 pares shall have the following wording:

“5. Petition for presentation of the candidacies of the members of the local self-governance body – Sakrebulo – is submitted to the relevant election committee. It shall be certified by signatures of all authorized members of the party or parties in the election block.

6. The petition shall include two photo pictures of a candidate and a registration card with his signature (two copies), where together with the personal data of the candidates (name/surname, personal ID of a citizen of Georgia (passport of a citizen of Georgia) and personal numbers, place of registration, date of birth), the fact of their permanent residence in Georgia the last 10 years and an agreement to be included in the party lists for elections shall be included”.

41. Article 120:

a) para 5:

a.a) para „a“ shall have the following wording:

“a) candidate’s registration card with indication of permanent residence in Georgia the last 10 years”;

a.b) „b“ shall be deleted;

b) para 6 „h“ shall have the following wording:

“h) the fact of permanent residence in Georgia the last 10 years;

c) para 8-10 shall have the following wording:

“8. Party/election block has the right to request participation in the elections with the number in the list which it has during the previous parliamentary elections, for which a petition shall be submitted to the CEC no later than in 40 days prior to the elections. If during the previous parliamentary elections the number was assign to the election block, the right for usage of this number is given to the first party in list of the block members; if it refuses to have it in a written form, the right to use the mentioned above number moves to the subsequent party in list of the block members and so on. If the right envisaged by the present para was not used during the elections by proportionate system, sequence of the parties and election blocks independently participating in the elections of the representative body of the local self-governance body – Sakrebulo, is defined by their positions in the previous parliamentary elections. If a election block that had participate in the previous parliamentary elections does not participate in the Sakrebulo elections, the right to use its

number is given to the first party in list of the block members, if it refuses, moves to a subsequent member and so on. If for the Sakrebulo elections the election block was created by the parties that had participated in the previous parliamentary elections, the statute of the block shall include the number of the party they will be using. If any party/election block has not used the right to use the number, parties/election blocks after it would move forward in the list.

9. Sequence of the parties/election blocks is defined by casting of lots conducted by the rule defined by Article 99 para 2–6 of the present Law, no later than in 35 days before the elections. Numbers of these parties/election blocks start with the figure, which is by 1 more than the last number of the election subject envisaged by para 8 of the present Article.

10. Candidates proposed by the parties and election blocks for the elections with the majoritarian system have the same number as their election subject”.

42. Article 122 para 3 shall have the following wording:

“3. On the basis of the majoritarian election system, the ballot paper for the representative body of local self-governance body – Sakrebulo shall include all numbers and names for the candidates for the corresponding local majoritarian districts. Next to the name of the candidate(s) proposed by the parties and election blocks shall be the name of the relevant party of block. The data on the candidates are included in the election ballot by the corresponding district election committee on the basis of its sequence defined by casting of lots, not earlier than 24 days and no later than 20 days prior to the elections”.

43. Article 125:

a) para 3 shall have the following wording:

“3. District election committee, at its meeting, shall summarize the results of the elections and conclude a protocol”;

b) para 5-7 shall have the following wording:

“5. Concluding protocol of elections in the district election committee is drafted in 3 copies, one of which is handed over to the CEC, the second remains in the corresponding district election committee, and the third one is provided to the mandate committee of the relevant Sakrebulo.

6. One copy of the protocol no later than in 5 days after the end of the voting is sent to the CEC; the second is kept within the relevant district election committee, the third one is provided to the mandate committee of the Sakrebulo, and the certified copies of the protocol are sent to the representatives of the parties and election blocks.

7. District election committee shall, after summarizing the results, immediately made public the copy of the concluding protocol of the election results in a visible spot”.

44. Article 126² shall have the following wording:

“Article 126². The rule for substitution of the absent members of the Sakrebulo

1. If the authorities of a member of Sakrebulo election by a proportionate rule have been stopped before their deadline, within 2 week on his place in the Sakrebulo, a candidate standing next to him in the election lists of the same party takes up his place, if, during 10 days after informing the CEC, he accepts the membership in Sakrebulo. If there is no candidate in the party list, the mandate is annulled.

2. If the person absent in Sakrebulo was elected by the party list of the election block and it was indicated in the party list that he is a member of one of the subject-party in the party list, within 1 month his place is given to the candidate standing next in the same party list, during 10 days after the vacancy he accepts the membership in Sakrebulo. Otherwise, the vacancy will be filled by the next person in the same party list and so on. If it was not mentioned in the party list that that he is a member of one of the subject-party in the party list, his successor is nominated within the rules defined by para 1 of the present Article.

3. If the authorities of not less than 5 members of the Sakrebulo elected by a majority rule are stopped before their term, off-season elections are conducted next September-October within the rule defined by the present Law. If it is less than 60 days before the off-season elections, they are conducted next year in September-October. Off-season elections are not conducted if it is less than 2 years before the expiration of the term of the authority of the Sakrebulo.

4. Date of off-season elections is set up by the decision of CEC. No later than in 2 months before the election day it shall define the dates of elections.

5. Candidates who have won the off-season elections take up the place of the missing person in Sakrebulo who was elected by the majoritarian rule with the remaining term of authorities of Sakrebulo”.

45. Chapter XVII¹ shall have the following wording:

“Chapter XVII¹

Elections to the capital of Georgia - Tbilisi City Sakrebulo

Article 126³. Elections to the capital of Georgia - Tbilisi City self-governance body – Sakrebulo

1. During elections to the capital of Georgia - Tbilisi City self-governance body – Sakrebulo (hereinafter – Tbilisi Sakrebulo), the norms defined by the present Law shall be used if otherwise defined by the present Chapter.

2. During emergencies or wars elections to Tbilisi Sakrebulo are not conducted. If the term of the elections coincided with the emergencies or wars, the elections are conducted no later than in 60 days after the end of such circumstances.

3. Elections to Tbilisi Sakrebulo are conducted by majoritarian and proportionate systems.

4. There are 50 members in Tbilisi Sakrebulo, out of which 25 members are elected

on the territories of single member majoritarian constituency, and 25 – by proportionate rule on the whole territory of Tbilisi.

5. Taking into account the borders of territorial units of the Tbilisi regions and the number of voters, in 5 days after announcing the elections, the CEC shall order creation of single member majoritarian constituencies of Tbilisi and define their borders.

Article 126⁴. Election districts

1. For the proportionate system elections in Tbilisi Sakrebulo, 10 election districts are created:

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

2. CEC fulfills the role of an election committee for the proportionate system elections to Tbilisi Sakrebulo.

3. Results of the majoritarian system elections to Tbilisi Sakrebulo are summarized and concluded by the relevant district election committee.

Article 126⁵. Right for participation in the elections in Tbilisi Sakrebulo

1. Right for participation in the elections in Tbilisi Sakrebulo is given to the party, election block, candidates presented by the party and the election block in accordance with the registration by the election committee defined by the Law.

2. Right for participation in the proportionate elections and running for the mandate of Tbilisi Sakrebulo is given only to the parties and election blocks.

3. Right for participation for single member majoritarian constituency elections in Tbilisi Sakrebulo is given to the representatives nominated by the parties/election blocks. They may be presented only in one single member majoritarian constituency.

4. A person nominated as a candidate in the elections to Tbilisi Sakrebulo may not be nominated at the same time as a candidate in the elections of another self-governing body – Sakrebulo.

5. Incompliance of the status of a candidate in the elections to Tbilisi Sakrebulo with other duties is defined by the rule of Article 111 of the present Law. Article 98 para 4 „e“ of the present Law does not apply to incompliance of the status of a candidate.

Article 126⁶. Submission of party lists

1. For receiving of the mandates in Tbilisi Sakrebulo by proportionate system the party lists are submitted to the CEC by the parties and party blocks no later than in 30 days before the voting.

2. The party lists of the candidates to Tbilisi Sakrebulo by proportionate system shall be include no less than 50 and not more than 100 candidates.

3. Party lists may include the candidates presented in the majoritarian constituencies. In such cases party lists shall include the notes that the candidates are nominated in single member majoritarian constituency.

4. Party list may include the members of the party or those individuals who are not members of other parties participating in the elections, and the party list of the election block – from the members of parties included in the block or those individuals who are not members of other parties participating in the elections. The party and election block has a right to nominate an able citizen of Georgia who knows the state language and is 21 years old by the time of voting as a candidate for elections in Sakrebulo.

5. Rule for creation of party lists are defined by the parties and election blocks. During drafting of the party lists, the fact that the mandates received by the parties, election blocks as a result of the elections are divided from the top of the list shall be taken into account .

6. the information of each candidate in the party list shall include:

- a) name/surname;
- b) date of birth;
- c) profession;
- d) position (job);
- e) work place (if unemployed - „unemployed“ shall be written);
- f) party affiliation (in case of party members; if non-partisan then “no party” shall be written);
- g) personal ID card of a Georgian citizen (passport of a Georgian citizen) and personal number;
- h) registration place;
- i) name of the local single member majoritarian constituency, if the person is a majoritarian candidate.

7. Party lists shall be certified by the signature of the leader of the party independently participating in the elections; party list of the election block – signatures of all the leaders of the parties united in the block.

8. Party list shall include two photo pictures of each candidate and the registration cards with their signatures (two copies) with indication of the filling date, where, together with the personal date of the candidates (name/surname, personal ID of a citizen of Georgia (passport

of a citizen of Georgia) and personal numbers, place of registration, date of birth), the fact of their permanent residence in Georgia the last 10 years and an agreement to be included in the party lists for elections shall be included”.

Article 126⁷. Submission of the candidates for membership in Tbilisi Sakrebulo by majoritarian system

1. The right for submission of the candidates for membership in Tbilisi Sakrebulo by majoritarian system Tbilisi Sakrebulo have:

- a) an independently participating party in the elections;
- b) election block.

2. The party and election block has a right to nominate an able citizen of Georgia who knows the state language and is 21 years old by the time of voting as a candidate for elections in Tbilisi Sakrebulo.

Article 126⁸. Ballot papers

1. During elections to Tbilisi Sakrebulo, the voters will receive one majoritarian ballot and one proportionate ballot.

2. Voters participating in the elections shall circle only one number in the ballot.

Article 126⁹. Definition of results of the majoritarian elections to Tbilisi Sakrebulo

Those majoritarian candidates are considered as elected in Tbilisi Sakrebulo who have received the highest votes in single member majoritarian constituency. If two candidates participating in the elections gathered equal votes, the candidate is considered as elected, who presented the earliest request for registration in the relevant district election committee.

Article 126¹⁰. Submission of the candidates for membership in Tbilisi Sakrebulo by proportionate system

1. Mandates in Tbilisi Sakrebulo by proportionate system are allocated for only those election subjects, who participated in the elections with not less than 4% of the votes. Mandates are allocated within the rule of the present Article.

2. For definition of the number of mandates accepted by the party lists, the number of votes received by the party lists shall be multiplied by the number of proportionate mandates of Tbilisi Sakrebulo and shall be divided by the sum of votes received by those parties/election blocks, who participated in the elections with not less than 4% of the votes. The integer part of the resulting number is the number of mandates received by party lists. The number of votes indicated by the void ballots is not included in the number of votes participating in the elections.

3. If during proportionate elections in Tbilisi Sakrebulo the sum of the mandates received by the party lists is less than the total number of the mandates, each mandate from non-distributed mandates accordingly to the votes received, will be given to the party lists, which had received at least one mandate as defined by the rule of para 2 of the present Article.

4. If the number of votes received by two or more party lists is equal, the mandate is given to the party list which had the earliest registration in the CEC for participation in the Tbilisi Sakrebulo elections.

5. Those candidates are considered as elected on the basis of proportionate election system in Tbilisi Sakrebulo whose number in the party lists is less or equals to the amount of mandates received by the party list.

6. If a candidate for Sakrebulo membership is elected from a single member majoritarian constituency and by the party lists, then he is considered as elected from a single member majoritarian constituency, will be removed from the party lists and is replaced by a successive candidate towards the beginning of the list.

Article 126¹¹. Registration of persons elected in Tbilisi Sakrebulo

Within 5 days after summarizing the results of the elections, the CEC shall register the members of the Tbilisi Sakrebulo and hand them the corresponding ID cards.

Article 126¹². Rule for substitution for missing members of Tbilisi Sakrebulo

1. If authorities of a member of Tbilisi Sakrebulo elected by proportional system are stopped before the term, within 2 weeks his place in the Sakrebulo 2 is take up by his substitute, a candidate next to him in the same party list if, during 10 days after informing the CEC, he accepts the membership in Sakrebulo. If there is no candidate in the party list, the mandate is annulled.

2. If the person absent in Tbilisi Sakrebulo was elected by the party list of the election block and it was indicated in the party list that he is a member of one of the subject-party in the party list, within 1 month his place is given to the candidate to Tbilisi Sakrebulo standing next in the same party list, if during 10 days after the vacancy he accepts the membership in Sakrebulo. Otherwise, the vacancy will be filled by the next person in the same party list and so on. If it was not mentioned in the party list that that he is a member of one of the subject-party in the party list, his successor is nominated within the rules defined by para 1 of the present Article.

3. A successor of the missing member of Tbilisi Sakrebulo elected by proportionate system shall within 10 days after informing the CEC, declare agreement for Sakrebulo membership. Otherwise, the vacancy will be filled by the candidate as defined by the rule of para 2 of the present Article. If there is no candidate in the party list, the mandate is annulled.

4. If the authorities of not less than 5 members of Tbilisi Sakrebulo elected by a majority rule are stopped before their term, and before expiration of the authorities of the Sakrebulo member is more than 2 year left, off-season elections are conducted next September-October within the rule defined by the present Law. If it is less than 60 days before the off-season elections, they are conducted next year in September-October.

5. Date of off-season elections is set up by the decision of CEC. No later than in 2 months before the election day it shall define the dates of elections.

6. Candidates who have won the off-season elections take up the place of the missing person in Tbilisi Sakrebulo who was elected by the majoritarian rule with the remaining term of authorities of Sakrebulo”.

46. The following Chapters XVII² and XVII³ shall be added to the Law:

“Chapter XVII²

Elections of the Mayor of Tbilisi, capital of Georgia

Article 126¹³. Elections of the Mayor of Tbilisi, capital of Georgia

1. During Elections of the Mayor of Tbilisi, capital of Georgia (hereinafter – Tbilisi Mayor) the norms defined by the present Law shall be used if otherwise defined by the present Chapter.

2. Tbilisi Mayor shall be elected universally, on the basis of equal and direct rights, by secret ballots, by the Tbilisi voters, for the terms of 4 years.

3. Election of Tbilisi Mayor is announced by President of Georgia no later than in 60 days before end of the term of the Tbilisi Mayor.

4. During emergencies or wars elections to Tbilisi Mayor are not conducted. If the term of the elections coincided with the emergencies or wars, the elections are conducted no later than in 60 days after the end of such circumstances.

Article 126¹⁴. Election districts

1. For the purposes of elections of the Tbilisi Mayor, Tbilisi represents one election district, the borders of which correspond to the borders of the election districts created on the basis of article 126⁴ of the present Law.

2. Results of Tbilisi Mayor are summarized and published by the CEC.

Article 126¹⁵. Registration of the candidates for the Tbilisi Mayor and definition of their numbers

1. A citizen of Georgia with election rights, from 25 years of age, who had spent not less than 10 years in Georgia and speaks the Georgian language, can be elected as Tbilisi Mayor.

2. No later than 30 days before the elections the right to nominate a candidate to the Tbilisi Mayor has the party/election block registered by Article 117 of the present Law.

3. Incompliance of the status of a candidate in the elections to Tbilisi Sakrebulo with other duties is defined by the rule of Article 111 of the present Law. Article 98 para 4 „e“ of the present Law does not apply to incompliance of the status of a candidate.

4. In 2 days after nomination, Tbilisi Mayor candidates, as provided by the present Article, are registered by the CEC.

5. Tbilisi Mayor candidate has the number of the election subject that nominated him.

6. Decision of the nominating election subject on nomination of a Tbilisi Mayor candidate shall include the registration card mentioning his:

- a) name/surname;
- b) date of birth (day, month, year);
- c) sex;
- d) address (according to the place of registration);
- e) ID card of a citizen of Georgia (passport of a citizen of Georgia) and personal number;
- f) education (high, associate degree, professional degree, secondary, basic, primary);
- g) specialty (according to diploma/certificate);
- h) work place (title of the organization, company, etc.);
- i) position (if unemployed, mention "unemployed");
- j) party affiliation (in case of party members; if non-partisan, mention "no party");
- k) military service;
- l) agreement to run for the Mayor of Tbilisi;
- m) signature and date.

7. Tbilisi Mayor candidate is not registered and the election registration of the registered candidate will be revoked by the decision of CEC (in case of para "a"–"c") or the court (in case of para "d"), if the statements and documents submitted to the election committee do not satisfy all the requirements of the Law or other conditions defined by the same Law have been violated, in particular:

- a) the information mentioned in the statements and documents is incomplete or incorrect;
- b) there is/was a simultaneous existence of agreement to run for the Tbilisi Mayor and participation in elections of other local self-governance representative body – Sakrebulo;
- c) requirements of para 3 of the present Law;
- d) requirements of Article 73 para 9 and/or Article 76 of the present Law.

Article 126¹⁶. Summary of the elections of the Tbilisi Mayor

The candidate is considered as elected Tbilisi Mayor who received the highest number of votes but no less than 30% of the voters participating in voting. The number of the voters participating in voting shall not include the free number as a result of annulling of ballots.

Article 126¹⁷. Second round of elections of the Tbilisi Mayor, new elections and off-season elections

1. If none of the candidates received the necessary number of votes in the elections of the Tbilisi Mayor as required by Article 126¹⁶, the second round of elections is announced. 2 candidates with best results participate in the second round and the candidate will be

considered as elected who received highest number of votes. If the candidates received equal number of votes, the candidate will be considered as elected who received higher number of votes in the first round. If these numbers are equal, new elections are scheduled in 2 months.

2. Second round of the Tbilisi Mayor elections is announced by the CEC decision. Second round of the elections is conducted in one month after the elections.

3. In case of termination of the authorities of Tbilisi Mayor before their term, if more than 2 years remain before the term is over, off-season elections of Tbilisi Mayor are conducted. Off-season elections are announced by President of Georgia in 6 months after termination of the authorities of the Tbilisi Mayor.

Chapter XVII³

Responsibility for violation of the election legislation

Article 126¹⁸. Participation in pre-election propaganda with violation of Law

Participation of the persons envisaged by Article 73 para 5 of the present Law in pre-election propaganda –

Will be fined by 1500 GEL.

Article 126¹⁹. Pre-election calls and preventions of dissemination of materials

Within the rule defined by the present law, prevention of pre-election calls, statements, graffiti, dissemination of papers, photo- and other materials and expropriation, and also expropriation of vehicles and other transport means equipped with pre-election propaganda and special means or hindering their usage as pre-election means –

Will be fined by 1000 GEL.

Article 126²⁰. Election campaign in prohibited organizations

Organizing election campaigns in the buildings of those organizations which are prohibited by the law and issuing such a permit by an authorized person –

Will be fined by 1000 GEL.

Article 126²¹. Violation of the rule of promulgation of the results of the public opinion polls in relation to the elections

Within the terms defined by the Law, promulgation of the results of the public opinion polls in relation to the elections without the required information or violation of other rules in relation to its promulgation –

Will be fined by 1500 GEL.

Article 126²². Placing political/pre-election advertisement with violation of the legal requirements

Placing of pre-election propaganda, political/pre-election advertising and provision of information (or its publishing) in violation of the requirements of the present Law –

Will be fined by 1500 GEL for electronic media, and 500 GEL for printed media.

Article 126²³. Receiving financial and material contributions to the election campaigns and/or hiding information about the contributions

1. Making financial and material contributions by political unions of citizens in the election campaign fund prohibited by the legislation of Georgia –

Will cause transfer of the prohibited financial contributions to the budget of Georgia and/or material compensation within the rule defined by the legislation of Georgia.

2. Hiding the information about making financial and material contributions by political unions of citizens in the election campaign fund prohibited by the legislation of Georgia –

Will cause transfer of the prohibited financial contributions to the budget of Georgia and/or material compensation within the rule defined by the legislation of Georgia and a fine of 1500 GEL.

3. Actions envisaged in para 1 and 2 above, conducted by the political unions of citizens, which received state funding, –

Will cause transfer of the prohibited financial contributions to the budget of Georgia and/or material compensation within the rule defined by the legislation of Georgia and a fine of 3000 GEL.

Article 126²⁴. Failure to fulfill the requirements of the Law to provide the report on the fund of elections campaign

1. Failure to fulfill the requirements of the Law to provide the report on the fund of elections campaign -

Political union of citizens will be fined by 1500 GEL.

2. the same action conducted by political union of citizens, which receives state funding,

–

Political union of citizens will be fined by 3000 GEL.

Article 126²⁵. Refusal to present election, referendum, or plebiscite materials or failure to fulfill the relevant decisions

Refusal to present election, referendum, or plebiscite committees with materials or failure to fulfill their decisions -

Top-level officials by 1000.

Article 126²⁶. Changing the data included in the concluding protocols of voting and elections

Changing the data included in the concluding protocols of voting and elections –

Will lead to fining the chair and/or secretary of the relevant election committee by 2000 GEL each.

Article 126²⁷. Pre-election propaganda and campaign usage of administrative resources and positions or restriction of official usage

During pre-election propaganda and campaign usage of administrative resources and own positions in violation of the requirements of the present Law –

Will be fined by 1000 GEL.

Article 126²⁸. Failure to provide copies of elections, referenda or concluding protocols

Failure to provide copies of elections, referenda or concluding protocols in violation of the requirements of the present Law –

Will lead to fining the chair and/or secretary of the relevant election committee by 1000 GEL each.

Article 126²⁹. Hindering persons with the rights to be present in the polling station to making notes in the log-book

Hindering persons with the rights to be present in the polling station from making notes in the log-book –

Relevant individuals will be fined by 1000 GEL.

Article 126³⁰. Limitation of the rights of the observers, election subjects and mass media representatives

Limitation of the rights of local/international observers, election subjects and mass media representatives as defined by the present Law or hindering their activities –

Relevant individuals will be fined by 500 GEL.

Article 126³¹. Violation of their responsibilities and requirements by the observers, election subjects and mass media representatives

Violation of requirements of Article 70 2 “a-d” of the present Law by the observers, election subjects and mass media representatives –

Relevant individuals will be fined by 500 GEL.

Article 126³². Legal proceeding

1. Protocols on administrative violations as envisaged by Articles 126¹⁸–126³¹ of the present Law are prepared by the CEC, and the persons authorized by the CEC and the relevant district election committee (officers).

2. Cases of administrative violations envisaged by Articles 126¹⁸–126³¹ of the present Law are reviewed by the district/city courts.

3. During committing administrative violations as envisaged by the present Article, legal proceeding, according to the Code of Administrative Violations of Georgia, of otherwise envisaged by the present Law”.

47. Articles 129¹⁰–129¹⁷ shall be added below:

“Article 129¹⁰

1. Members, elected in CEC, whose authorities expire in 2010, terminate their authorities within the rule defined by the present Article on January 1, 2010 and are considered as members of CEC/substitutes for the relevant office of the CEC, after elections

of the CEC member before enactment of the Parliament of Georgia on election of the CEC member.

2. President of Georgia, no later than in December 31, 2009 shall issue an order on conducting the completion for selection of members of CEC as envisaged in para 1 of the present Article and creation of the competition commission.

3. The competition commission shall be presented with the documents as defined by Article 28 para 6 of the present Law, which shall be completed by January 8, 2010.

4. No later than January 11, 2010, the competition commission shall submit to the President of Georgia not less than 2 and not more than 3 nominations per each vacant position in CEC; President of Georgia, in two days, shall make a decision on selection of the candidates and on presentation 2 nominees per vacant position in the CEC the Parliament of Georgia.

5. In 7 days after submission of the nominees, the Parliament of Georgia elects the members of CEC by an open ballot.

Article 129¹¹

1. Authorities of the chair of the CEC is terminated within the rule defined by the present Article on January 1, 2010 and he is considered as a temporary placement for the position of the CEC chair until elections of a new chair.

2. With the purpose of election of three candidates for the position of the chair of CEC, President of Georgia received consultations from non-governmental organizations, after which no later than on January 8 shall select and submit the nomination of 3 candidates to the CEC.

3. No later than January 11, 2010 CEC gathers meeting for election of its chair before the elections, the elder member of the CEC appointed by the parties presides the meetings (except for the member of the party gained the best results during previous parliamentary elections). Decision on election of the chair of CEC is made by secret ballots by the CEC members appointed by the parties (except for the member of the party gained the best results during previous parliamentary elections) by the majority of votes, but not less than by 4 votes. Each member of CEC has one vote. Decision on election of the chair of CEC is signed by the chair of the meeting.

4. If, within the terms envisaged by para 3 of the present Article, no meeting was summoned, or no CEC chair was elected as a result of voting at its meeting, out of 3 nominations submitted by President of Georgia, Parliament of Georgia shall select chair of CEC within 7 days.

Article 129¹²

1. elections in local self-governance representative body – Sakrebulo, Tbilisi Mayor and off-season elections in the Parliament of Georgia., district election committee concludes the results of the relevant elections and summarizes them no later than in 12 days after the elections, and the CEC - no later than 24 days after elections.

2. Provisions of Article 77 of the present Law do not cover the Parliamentary elections of Georgia (except for the off-season elections of the Parliament of Georgia).

Article 129¹³

1. Local self-governance elections shall be conducted before June 1, 2010.

2. Authorities of the local self-governance bodies elected on 2006 shall be stopped upon the first meeting of the newly elected Sakrebulo.

3. During local self-governance elections, elections shall take place in the municipalities in the local majoritarian electoral districts defined during the local self-governance elections of 2006 with consideration of territorial changes undertaken in 2006–2010 among the local self-governance bodies.

4. The CEC shall define, before February 1, 2010 the borders of single majority member constituency in Tbilisi and self-governing cities.

5. The CEC shall define the local majoritarian districts no later than March 1, 2010.

6. In 2010 local self-governance elections are not conducted in Eredvi, Toghvi, Kurta, Azhara and Akhlagori municipalities. The local self-governance bodies in the mentioned above municipalities retain their authorities.

Article 129¹⁴

1. For the local self-governance elections to be conducted in 2010, with the purpose of monitoring of the voters' lists by the parties, Ministry of Finances of Georgia, no later than February 1, 2010, shall allocate additional sum for funding political parties in 2010 and to provide for its transfer on the account of CEC.

2. The money defined by para 1 of the present Article shall be equally divided to those parties, which take their funding from the state budget of Georgia and, no later than February 1, 2010 apply in written for participation in the monitoring of the voter's list.

3. The terms of monitoring of the voters' lists defined by the present Article from February 5, 2010 to March 15, 20201. Results of the monitoring are provided to the CEC no later than march 31, 2010.

Article 129¹⁵

1. From January 15, 2010 to June 1, 2010 due to change of the domicile, during registration, instead of the private ID card of a citizen of Georgia, temporary ID of a citizen of Georgia will be distributed, which will have identical legal power with the private ID card of a citizen of Georgia, except for the election purposes. Distribution of temporary ID of a citizen of Georgia is provided by the Public Registry Agency.

2. Change of the temporary ID of a citizen of Georgia to the private ID card of a citizen of Georgia is implemented from June 2010 to September 1, 2010, out of the sources of the state budget of Georgia.

Article 129¹⁶

1. Before February 1, 2010, with the purpose of setting up the Training Center, the CEC shall provide the following:

- a) approval of the statute of the Training Center;
- b) compliance of the legal acts with the present Law;
- c) implementation of the measures required for functioning of the Training Center.

2. Before February 1, 2010, with the purpose of setting up the Training Center, the Government of Georgia shall provide the following:

a) issuance of budgetary means, within the rule defined by the legislation, required for functioning of the Training Center;

b) provision of property within the rule defined by the legislation, required for functioning of the Training Center.

Article 129¹⁷

1. Free broadcasting time for the elections local self-governance elections in 2010 is divided within the rules of the present Article.

2. The party which independently participated in the last proportionate parliamentary elections and received not less than 4% of the votes, or independently participated in the latest local self-governance elections and received not less than 3% of the votes within the country, shall receive free broadcasting time within the amount defined by Article 73¹ of the present Law.

3. Free time for those parties, which during the last local self-governance elections by proportionate rule were united in an election block and has covered the 3% threshold, or during the last parliamentary proportionate elections was united in an election block and has covered the 4% threshold, will be defined by division of the total time on the number of parties united in the block within the amount defined by Article 73¹ of the present Law.

4. Right for usage of free broadcasting time will be given to the parties from the moment of their registration as relevant election subjects.

5. If several parties are united in an election subject, which satisfy the requirements defined by para 3 of the present Article, free broadcasting time for them will be spent. Thus, free broadcasting time defined for one election subject shall not exceed the amount mentioned in Article 73¹ of the present Law”.

Article 2. This Law shall be enacted from the time of its publishing.

President of Georgia

Mikhail Saakashvili

Tbilisi,

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