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EUROPEAN COMMISSION FOR DEMOCRACY THROUGH LAW
(VENICE COMMISSION)

LAW
ON AMENDMENTS AND MODIFICATIONS TO SOME LAWS OF
THE REPUBLIC OF BELARUS
REGULATING THE CONDUCT OF ELECTIONS AND REFERENDUMS

LAW
OF THE REPUBLIC OF BELARUS

**on Amendments and Modifications to Some Laws of the Republic of Belarus Regulating
the Conduct of Elections and Referendums and on Declaration of the Law of the
Republic of Belarus “On the Central Commission of the Republic of Belarus for
Elections and Conduct of Republican Referendums” Null and Void**

Adopted by the Chamber of Representatives
Approved by the Council of the Republic

on 11th December, 2009
on 17th December, 2009

Article 1. The Law of the Republic of Belarus “On Mass Events in the Republic of Belarus” dd. 30 December, 1997 in the edition of this Law of the Republic of Belarus as of 7 August 2003 (Bulletin of the National Assembly of the Republic of Belarus, 1998, No.2, Art.6; National Register of Legal Acts of the Republic of Belarus, 2003, No.93, 2/982; 2006, No.166, 2/1263) shall be amended and modified as follows:

1. Part two of Article 3 shall be supplemented by paragraphs four and five to read as follows:

“picketing for collection of elector signatures to nominate candidates for President of the Republic of Belarus and for deputies held in places not prohibited to use for this purpose by local executive and administrative bodies;

gatherings, meetings, and picketing organized by candidates for President of the Republic of Belarus, for deputies and by their proxies as provided for by Article 45¹ of the Electoral Code of the Republic of Belarus.”

2. In part four of Article 5 and part one of Article 6 the word “eight” shall be substituted with the word “ten”.

Article 2. The Electoral Code of the Republic of Belarus as of 11 February 2000 (National Register of Legal Acts of the Republic of Belarus, 2000, No.25, 2/145; No.64, 2/181; 2006, No.166, 2/1263) shall be amended and modified as follows:

1. Article 11 shall read as follows:

“Article 11. Provision of the Holding of Elections of the President of the Republic of Belarus, Deputies of the Chamber of Representatives and Deputies of Local Councils of Deputies, of the Referendum and of the Recall of Deputies by Commissions

Holding of elections of the President of the Republic of Belarus, deputies of the Chamber of Representatives, deputies of local Councils of Deputies, referendum and recall of deputies shall be provided by the commissions.

In their activities, commissions shall observe the Constitution of the Republic of Belarus, this Code, and other legislative acts of the Republic of Belarus.

During preparation and holding of elections, referendum and recall of deputies the commissions shall within their powers be independent from state bodies and shall not be bound by decisions of political parties or other public associations.

Decisions of the commissions taken within their powers shall be mandatory for execution by all state bodies, political parties, and other organisations as well as by citizens.

Decisions of a higher commission taken within its powers shall be mandatory for lower commissions”.

2. In Article 13

in part three the words “members of political parties, other public associations, labour collectives, representatives of citizens ” shall be substituted with the words “representatives of political parties, of other public associations, of labour collectives, of citizens”;

in part four:

paragraph six shall be supplemented by the words “, and the conduct of a repeat count of votes of citizens”;

a new paragraph shall be inserted into this part after paragraph eleven to read as follows:
“to lodge appeals to the respective or higher commission or to the Prosecutor’s office requesting correction of a violation of this Code or other legislative acts of the Republic of Belarus regulating elections, referendum, recall of a deputy or member of the Council of the Republic;”;

paragraph twelve shall be renumbered as paragraph thirteen;

a new part shall be inserted into this Article after part eleven to read as follows:

“Candidates for President of the Republic of Belarus and for deputy shall be entitled to be present at polling stations during the count of votes of citizens”;

part twelve shall be renumbered as part thirteen.

3. In Article 18

a new part shall be inserted into this Article after part five to read as follows:

“Should elections of different levels or an election and a referendum be held simultaneously, polling stations shall be the same for elections of different levels elections or the election and the referendum.”;

part six shall be renumbered as part seven.

4. Clause 4 shall be inserted into part six of Article 24 to read as follows:

“4) designate places for holding mass events (outdoor gatherings, meetings, picketing) by candidates for President of the Republic of Belarus and for deputy and by their proxies for the purpose of election campaigning.”.

5. Part one of Article 26 shall read as follows:

“The Central Commission shall be a state authority organising, within its powers, preparations for and conduct of elections of the President of the Republic of Belarus, deputies of the Chamber of Representatives, members of the Council of the Republic, deputies of local Councils of deputies, and republican referendums. The Central Commission shall decide on issues related to the organisation of recall of deputies of the Chamber of Representatives and members of the Council of the Republic”.

6. Chapter 8 shall read as follows:

**“CHAPTER 8
FORMATION, ORGANISATION OF WORK, AND POWERS OF THE CENTRAL
COMMISSION**

Article 32. Formation of the Central Commission

The Central Commission shall consist of 12 members being citizens of the Republic of Belarus, who shall, as a rule, have a degree in law from an institution of higher learning and possess prior experience in organisation and conduct of elections and referendums.

Six members of the Central Commission shall be appointed by the President of the Republic of Belarus and six members shall be elected by the Council of the Republic. Candidates for membership on the Central Commission shall be recommended correspondingly to the President of the Republic of Belarus and to the Council of the Republic by joint decisions of presidiums of oblast, Minsk City Councils of Deputies and oblast, Minsk City executive committees.

The Chairman of the Central Commission shall be appointed by the President of the Republic of Belarus subject to consent of the Council of the Republic out of members of the Central Commission. The Deputy Chairman and the Secretary of the Central Commission shall be elected out of members of the commission at its first session. Candidates for election to the position of the Deputy Chairman and the Secretary of the Central Commission shall be nominated by the Chairman of the Central Commission. A candidate for Deputy Chairman must first be approved by the President of the Republic of Belarus.

The term of powers of the Central Commission shall be five years. The term of powers of the newly elected Central Commission shall commence as of the day of its formation in a legally qualified composition.

Candidates for President of the Republic of Belarus and their proxies, candidates for deputies and their proxies, candidates for members of the Council of the Republic, deputies, members of the Council of the Republic and other persons in cases provided for by the law of the Republic of Belarus may not become members of the Central Commission. In such cases, powers of a person with membership in the Central Commission shall be considered to have ceased as of such person's registration as a candidate, proxy or as of the acquisition by such person of a status, according to which this person may not have membership in the Central Commission.

Members of the Central Commission who are members of political parties must cease their membership in the political party during the period of their work on the Commission may not participate in political party activities or execute their instructions.

The Chairman, Deputy Chairman, Secretary, members of the Central Commission may be released from their post prior to expiry of the term of their powers by the President of the Republic of Belarus with notification of the Council of the Republic if:

- 1) they submit a written statement of resignation;
- 2) they lose the citizenship of the Republic of Belarus;
- 3) they persistently fail to discharge their responsibilities;
- 4) they commit acts which discredit the Central Commission;
- 5) a court sentence in their respect comes into legal force.

Election (appointment) of members of the Central Commission to replace persons whose membership ceased shall be conducted in the order established by the present article.

Article 32¹. Organisation of work of the Central Commission and Provision for its Activities

The basic principles of the work of the Central Commission shall be legality, independence, collegiality, openness and publicity.

The Central Commission shall convene for its first session within three days as of its formation in a legally qualified composition.

Sessions of the Central Commission shall be called as needed by the Chairman of the Central Commission and at the request of at least one third of its members.

A session of the Central Commission shall be legally qualified if attended by at least two thirds of the total membership as provided for by part one of Article 32 of this Code.

Decisions of the Central Commission shall be made by way of resolutions passed in open voting by a majority vote of the total membership of the commission. In case of an equal number of "for" and "against" votes, the decision is made as per the vote of the Chairman.

The Chairman and the Secretary of the Central Commission shall work on a permanent basis.

In case of temporary absence of the Deputy Chairman or Secretary of the Central Commission, its other members by a decision of the Central Commission may be charged with their duties. In such case the decision to charge with the duties of the Deputy Chairman of the Central Commission must first be approved by the President of the Republic of Belarus.

By a decision of the Central Commission the Deputy Chairman and members of the Commission may for the period of preparation and conduct of elections and republican referendums as well as in other cases envisaged by this Code be released from discharging their employment (service) responsibilities while retaining salary out of funds allocated for preparation and conduct of elections and republican referendums.

To provide for operations of the Central Commission, the Staff of the Central Commission shall be formed. The number of employees in the Staff of the Central Commission shall be determined by the President of the Republic of Belarus at the request of the Chairman of the Central Commission. The structure and work schedule of the Staff of the Central Commission shall be approved by the Chairman of the Central Commission.

The Chairman, Secretary and employees of the Staff of the Central Commission except persons performing technical maintenance shall be state employees.

Operations of the Central Commission and its Staff shall be financed out of funds allocated for the Central Commission from the republican budget.

The Chairman of the Central Commission shall organize the work of the Commission, conduct overall supervision of its Staff, appoint on positions and dismiss from positions employees of the Staff, and manage the financial resources within the scope of the estimate of expenditures.

During preparation and conduct of elections and republican referendums the Chairman of the Central Commission shall be entitled to temporary increase the number of the Staff employees and calculate payment for their labour within the limits funds allocated for these purposes.

The working procedure of the Central Commission shall be determined by the Regulations approved by the Central Commission.

Article 33. Powers of the Central Commission

The Central Commission, within its competence, shall:

- 1) organise preparation and holding of elections of the President of the Republic of Belarus, deputies of the Chamber of Representatives and members of the Council of the Republic, deputies of local Councils of Deputies, and of republican referendums;
- 2) exercise in the entire territory of the Republic of Belarus control over execution of the legislation of the Republic of Belarus on elections, referendum and recall of deputies and members of the Council of the Republic;
- 3) provide clarifications regarding the legislation of the Republic of Belarus on elections, referendums, recall of deputies and members of the Council of the Republic for the purpose of its uniform implementation;
- 4) address legal entities possessing the right of legislative initiative with proposals on interpretation of this Code and other legislative acts of the Republic of Belarus on elections, referendum and recall of deputies and members of the Council of the Republic as required;
- 5) direct activities of electoral commissions, commissions on the referendum, commissions on the holding of voting for recall of deputies, hear their information, provide to these commissions methodological, organisational and technical support;
- 6) when required, decide in essence issues pertaining to the competence of a lower commission;
- 7) form electoral districts for elections of deputies of the Chamber of Representatives and establish the average number of electors per electoral district in the Republic of Belarus;
- 8) decide on issues concerning the procedure of participation of citizens of the Republic of Belarus who stay outside the Republic of Belarus in elections of the President of the Republic of Belarus, deputies of the Chamber of Representatives and the republican referendum as well as on the procedure of formation of electoral precincts; upon recommendation of the Ministry of Foreign Affairs of the Republic of Belarus take decisions on assignment of the polling stations formed outside the Republic of Belarus to the territorial administrative units or electoral districts in the territory of the Republic of Belarus;
- 9) make conclusions on the legal qualification of nomination of candidates for membership in the Council of the Republic, register candidates nominated for membership in the Council of the Republic, summarise the results of elections of members of the Council of the Republic, register the elected members of the Council of the Republic and publish in press their list as well as convene the first post-election session of the Council of the Republic;
- 10) register:
 - initiative groups of citizens for nomination of candidates for President of the Republic of Belarus;
 - candidates for President of the Republic of Belarus and their proxies and issue to them the respective certificates;
 - the initiative group of citizens on the holding of the republican referendum and the issues proposed by it for the republican referendum;
 - the initiative group of citizens for the collection of signatures in support of proposals on initiation of the issue of recall of a deputy of the Chamber of Representatives;

11) provide for the observance of equal legal conditions for election activities of political parties, other public associations, candidates for President of the Republic of Belarus and candidates for deputies;

12) define the procedure of use of mass media in the election campaign;

13) make up and approve estimates of expenditures for the holding of elections, a republican referendum or recall of a deputy of the Chamber of Representatives within the funds allocated from the republican budget, form an extra-budgetary fund for the holding of elections or a republican referendum for voluntary remittance of funds of organisations, including public associations and citizens and approve the regulations on the fund; distribute monetary resources allocated from the republican budget and the extra-budgetary fund among electoral commissions, commissions on the referendum and commissions on the holding of voting for recall of a deputy of the Chamber of Representatives;

14) control the target use of monetary resources allocated from the republican budget, the extra-budgetary fund, campaign funds of candidates for President of the Republic of Belarus and for deputies of the Chamber of Representatives; inform the Chamber of Representatives about the use of resources allocated from the budget for the holding of elections, the republican referendum or recall of a deputy of the Chamber of Representatives; and publish the report on the use of resources from the extra-budgetary fund;

15) establish the forms of ballot papers and the list of citizens who have the right to take part in elections, referendum and voting for recall of deputies, protocols of commissions and other documents on elections, referendum and recall of deputies, specimens of ballot boxes and seals of commissions and the procedure of storing documents on elections and referendum;

16) provide for printing of ballot papers for elections of the President of the Republic of Belarus and for voting in the republican referendum and for their provision to oblast, Minsk city commissions on elections of the President of the Republic of Belarus and on the republican referendum;

17) define measures to ensure integrity of ballot boxes and documents on elections and referendum during the period of early voting;

18) hear reports of state bodies and bodies of public associations on issues connected with the preparation and holding of elections and referendum;

19) in case when elections of different levels or an election and a referendum are held simultaneously, establish that the lists of citizens who have the right to take part in the elections of different levels or the election and referendum as well as the territorial commissions should be the same for the elections of different levels or the election and referendum;

20) control the provision to the commissions of rooms, transport and communication facilities, and consider other issues of providing material and technical support to them;

21) summarise the results of the elections and the referendum;

22) register the elected deputies of the Chamber of Representatives and publish their list in press; and convene the first post-election session of the Chamber of Representatives;

23) issue to the elected President of the Republic of Belarus and members of the Council of the Republic certificates on their election;

24) decide on issues connected with the holding of a second round of voting, repeat elections and elections of the President of the Republic of Belarus in case when the position of the President is vacant as well as repeat voting in the referendum;

25) decide on issues connected with the organisation of recall of deputies of the Chamber of Representatives and members of the Council of the Republic, call elections of deputies of the Chamber of Representatives instead of the deputies who have left their position and provide for their conduct;

26) review complaints regarding decisions of electoral commissions, commissions on the referendum, and commissions on the holding of voting for recall of deputies and make decisions on them;

27) review appeals of citizens and organisations on issues of the conduct of elections, referendum, recall of deputies and members of the Council of the Republic;

28) study and generalise practices of the application of the legislation of the Republic of Belarus on elections, referendum, and recall of a deputy or member of the Council of the Republic;

29) put forward before the legal entities enjoying the right of legislative initiative proposals on improvement of the legislation of the Republic of Belarus on elections, referendum, recall of a deputy or member of the Council of the Republic;

30) set up working groups and other structures for organisational, legal and technical support of elections and referendum;

31) during the conduct of elections and a republican referendum establish the procedure of provision and forms of benefits to commission members, staff members of commissions, persons rendering accounting services to commissions as well as personnel of the structures indicated in clause 30 of this Article;

32) establish and develop liaison with authorities from foreign states and international organisations dealing with issues of organisation and conduct of elections and referendums;

33) exercise other powers in conformity with the legislation of the Republic of Belarus.

Issues covered by clauses 3, 4, 6 — 10, 12, 13, 15, 17, 19, 21, 22, 24 — 26, 29 and 31 of part one of this Article shall be considered by the Central Commission in a collegiate manner.

Appeals of citizens and organisations shall be subject to collegiate consideration if lower commissions passed decisions in their respect. Other appeals of citizens and organisations shall be considered at a session of the Central Commission upon the initiative of the Chairman of the Central Commission or upon request of at least one third of its total membership.

Appeals not requiring collegiate consideration shall upon request of the Chairman of the Central Commission be considered by members of the Central Commission and personnel of its Staff.

Decisions of the Central Commission may be appealed to the Supreme Court of the Republic of Belarus in cases provided for by the legislation of the Republic of Belarus.

Article 33¹. Members of the Central Commission with the right of advisory vote

A candidate for President of the Republic of Belarus shall as of the day of his/her registration be entitled to nominate to the Central Commission a commission member with the right of advisory vote.

A political party which has nominated a candidate for deputy of the Chamber of Representatives shall be entitled to nominate to the Central Commission a commission member with the right of advisory vote as of the day when documents required for registration of the candidate for deputy of the Chamber of Representatives nominated by this party are submitted to the respective district electoral commission.

The term of powers of members of the Central Commission with the right of advisory vote nominated by candidates for President of the Republic of Belarus shall commence as of the day when the Central Commission has received a written notification of nominating members of the Central Commission with the right of advisory vote from the candidates for President of the Republic of Belarus.

The term of powers of members of the Central Commission with the right of advisory vote nominated by political parties shall commence as of the day when the Central Commission has received a decision of the managerial bodies of political parties on nomination of their members with the right of advisory vote to the Central Commission.

Members of the Central Commission with the right of advisory vote shall be issued certificates according to the form established by the Central Commission.

Candidates for President of the Republic of Belarus, for deputies of the Chamber of Representatives and their proxies shall not become members of the Central Commission with the right of advisory vote.

Members of the Central Commission with the right of advisory vote shall observe the Constitution of the Republic of Belarus, comply with the requirements of this Code and other legislative acts of the Republic of Belarus on elections and shall not commit acts discrediting the Central Commission or hindering its work.

Members of the Central Commission with the right of advisory vote shall be entitled to:

introduce proposals to the agenda of sessions of the Central Commission concerning issues within its competence and request voting on them;

speak at sessions of the Central Commissions;

ask participants of a session of the Central Commission questions in accordance with the agenda and receive answers to them;

familiarize oneself with documents and materials considered at a session of the Central Commission.

Members of the Central Commission with the right of advisory vote shall not be entitled to:

participate in inspections conducted by the Central Commission and in voting when the Commission makes decisions;

provide clarifications and instructions or make announcements on behalf of the Central Commission.

Powers of a member of the Central Commission with the right of advisory vote may expire prematurely:

upon the member's written request;

upon a request of the candidate for President of the Republic of Belarus, upon a decision of the managerial body of the political party to recall the members of the Commission nominated by them;

upon a decision of the Central Commission when powers of a candidate for President of the Republic of Belarus terminate or when all candidates for deputy of the Chamber of Representatives nominated by a political party in electoral districts are out of contest.

upon loss of the citizenship of the Republic of Belarus;

when committing acts discrediting the Central Commission;

In case of premature expiry of powers of members of the Central Commission with the right of advisory vote, the Central Commission shall invalidate certificates issued to them.

Powers of members of the Central Commission with the right of advisory vote shall cease when the Central Commission has established the results of elections of the President of the Republic of Belarus or deputies of the Chamber of Representatives.”.

7. The second sentence of the title of Chapter 9 shall read as follows: “Procedure of Alteration of the Composition of the Commissions, Organisation of their Work and Their Powers”.

8. Article 34 shall read as follows:

«Article 34. Formation of the Commissions on Elections of the President of the Republic of Belarus, Deputies of the Chamber of Representatives, Deputies of Local Councils of Deputies, on the Referendum and the Conduct of Voting for Recall of a Deputy

Commissions on elections of the President of the Republic of Belarus, deputies of the Chamber of Representatives, deputies of local Councils of Deputies, on the referendum and the conduct of voting for the recall of a deputy appointed from representatives of political parties, other public associations, labour collectives as well as representatives of citizens nominated to the commission by way of submission of a statement shall be formed as follows:

the Oblast and the Minsk City commissions on elections of the President of the Republic of Belarus, the Oblast and the Minsk City territorial electoral commissions on elections of deputies of local Councils of Deputies, the Oblast and the Minsk City commissions on the referendum – by the presidiums of the Oblast and the Minsk City Councils of Deputies and the Oblast and the Minsk City executive committees with the membership in the commission of 9 to 13 persons; the said commissions shall be formed respectively not later than 80 and 85 days before the elections and one month before the referendum;

the district electoral commissions on elections of deputies of the Chamber of Representatives and deputies of the Oblast Councils of Deputies, the territorial electoral commissions exercising in the districts of the City of Minsk powers of the district electoral commissions on elections to the Minsk City Council of Deputies – by the presidiums of the Oblast and the Minsk City Councils of Deputies and the Oblast and the Minsk City executive committees with the membership in the commission of 9 to 13 persons not later than 75 days before the elections;

the regional, town commissions on elections of the President of the Republic of Belarus, the regional and town (in towns subordinated to Oblast) territorial electoral commissions on elections of deputies of local Councils of Deputies, the regional, town commissions on the

referendum – by the presidiums of the regional and town Councils of Deputies and the town and regional executive committees whereas the town district commissions on elections of the President of the Republic of Belarus and on referendum– by the presidiums of the town Councils of Deputies and the town executive committees with the number of members on the commission of 9 to 13 persons; the said commissions shall be formed respectively not later than 80 and 85 days before the elections and one month before the referendum;

the town (in towns subordinated to regions), settlement and rural territorial electoral commissions on elections of deputies of the town, settlement and rural Councils of Deputies and the town (in towns subordinated to regions), settlement and rural territorial electoral commissions on the referendum – by the town, settlement and rural executive committees with the number of members on the commission of 7 to 11 members, not later than 85 days before the elections and one month before the referendum;

the district commissions on the holding of voting for the recall of a deputy of the Chamber of Representatives or a deputy of the Oblast Council of Deputies – by the presidiums of the Oblast and the Minsk City Councils of Deputies and the Oblast and the Minsk City executive committees with the number of members on the commission of 9 to 13 persons, not later than five days as from the day when the decision on the appointment of voting for recall of the deputy was taken; and

the precinct commissions on elections of the President of the Republic of Belarus, the precinct electoral commissions on elections of deputies of the Chamber of Representatives and deputies of local Councils of Deputies, the precinct commissions on the referendum and the precinct commissions on the holding of voting for the recall of a deputy – by the regional and town executive committees and in towns divided into districts – by the local administrations with the number of members on the commission of 5 to 19 persons, not later than 45 days before the elections, 20 days before the referendum and 10 days as from the day of taking the decision on the appointment of voting for the recall of a deputy, respectively. In required cases, the composition of the precinct commission may be increased or decreased. When elections of different levels or an election and a referendum are held simultaneously, precinct commissions are the same for elections of different levels or the election and referendum.

The bodies which appoint a commission shall, as a rule, form at least one third of its membership out of representatives of political parties and other public associations. This provision shall not be applied during appointment of precinct commissions formed in hospitals and other stationary medical treatment and prevention institutions as well as outside the Republic of Belarus.

Judges, prosecutors, heads of local executive and administrative bodies may not become members of a commission.

State employees may not constitute more than one third of a commission's membership. This provision shall not be applied during appointment of precinct commissions outside the Republic of Belarus.

Joint decisions of the presidium of the respective local Council of Deputies and the executive committee shall be taken by the majority of votes of their members. The joint session of these bodies must be attended by at least two-thirds of the members of the presidium of the local Council of Deputies and the executive committee. Representatives of political parties, other public associations, labour collectives, citizens that nominated their representatives for membership in a commission shall be entitled to be present at the session of such bodies appointing commissions.

A decision of the bodies which appoint a commission may be appealed within three days of its taking respectively to the oblast, Minsk City, regional, or town court by those who nominated their representatives for membership in the commission. The appeal must be signed respectively by the head of the political party (organisational structure), other public association (organisational structure), head of other organisation (organisational unit), or citizens nominating a representative for membership in the commission by submitting a request. The court shall consider the appeal within three days and its decision shall be final.

The decision on the formation of commissions shall be published in press within a seven-day period after its adoption. The decision on the formation of settlement and rural territorial commissions may be made known to citizens otherwise within the same timeframe. The decision shall specify the last name, first name, and patronymic of each commission member, way of nomination to the commission, the location and telephone numbers of the commission.

Outside the Republic of Belarus, when elections of the President of the Republic of Belarus or deputies of the Chamber of Representatives or a republican referendum are held, the precinct commissions shall be formed by the heads of diplomatic representations (consular institutions) of the Republic of Belarus operating in the territory of the respective foreign states.”

9. In Article 35

in part two:

the words “that have lower organisational structures” shall be deleted from paragraphs three and four;

the words “that have lower organisational structures” shall be deleted from paragraph five;

paragraph six shall read as follows:

“meetings of labour collectives of organisations and collectives of their structural divisions located in the territory of the region, town, town district, settlement and rural Council with the number of the employees not less than 10 persons – for the respective territorial, district and precinct commissions. When representatives for the commissions are nominated from such structural divisions of organisations, nomination of representatives for the same commissions from the whole labour collective shall not be conducted. The meeting is legally qualified if it is attended by more than half the composition of the collective. A decision of a meeting of a labour collective of an organization shall be made by the majority if votes of its participants. Representatives for membership in territorial, district, and precinct commissions may be nominated from several structural divisions or several labour collectives of organisations and collectives of structural divisions with the total number of workers not less than 10 persons at their general meeting. A meeting shall be legally qualified if more than half of the members of each such collective are present.”

part four shall read as follows:

“Citizens shall have the right to nominate their representatives as members of territorial, district, and precinct commissions by way of submission of an application. The application must be signed by not less than 10 citizens enjoying suffrage and residing in the respective territory;”

the word “(conference)” shall be deleted from part six;

part eight shall be deleted.

10. Article 36 shall read as follows:

“Article 36. Procedure of Alteration of the Commissions’ Composition

A person who is member of a commission shall be released from execution of his duties on the commission upon his/her own application as well as in case of recall or termination of powers.

The right of recall shall belong to citizens or the body that nominated the person as member of the commission. The recall of the person who is member of the commission shall be conducted according to the procedure established for nomination.

Powers of a person who is member of a commission shall be terminated by the body that formed the commission in case of violation of requirements of this Code or persistent failure to discharge his/her responsibilities by the said person. The decision on the termination of powers of a commission member may within a three-day period be appealed to a regional or town court. The court shall consider the appeal within a three-day period and its decision shall be final.

Powers of a person (persons) who is a member of a commission shall terminate if violations of the requirements of this Code during the formation of the commission have been found by the court.

If a person (persons) leaves the commission due to the causes specified in part one of this article or other causes the bodies which formed the commission shall be entitled to address the political parties, other public associations, labour collectives and citizens with a request to nominate a new representative as member of the commission. If after a member (members) has left the commission its composition remains legally qualified, nomination of a new member and alteration of the composition of the commission may or may not be made.

The decision on alteration of the composition of the commission or formation of a new composition of the commission shall be made by the bodies which form the commission within a five-day period after a member (member) leaves the commission.

If after a person (persons) leaves the commission due to the causes specified in part one of this Article, the commission ceases to be legally qualified, the powers of the commission for the period of its formation shall be exercised by the higher commission”.

11. In Article 37

a new part shall be inserted into this Article after part two:

“A close relative of a candidate for President of the Republic of Belarus, for deputy, his/her spouse, as well as a person directly subordinated to a candidate shall not become Chairman of a commission”;

parts three through eleven shall be renumbered as parts four through twelve respectively;

the third sentence of part five shall read as follows: “In case of an equal number of “for” and “against” votes, the decision is made as per the vote of the Chairman.”;

part eight shall be deleted;

parts nine through twelve shall be renumbered as parts eight through eleven respectively;

in part nine the words “production or office” shall be substituted with the words “labour (office)”.

12. The words “for elections of the President of the Republic of Belarus and” and “the republican,” shall be deleted from clause 1 of part six of Article 39.

13. In Article 45

the words “and persons without citizenship” shall be inserted into part five after the word “citizens”;

a second sentence shall be inserted into part six to read as follows: “Upon mutual agreement of the candidates, joint meetings with electors may be held”;

part seven shall read as follows:

“Local executive and administrative bodies upon agreement with the respective electoral commissions shall designate premises for holding meetings of candidates for President of the Republic of Belarus, for deputies with electors as well as for pre-election gatherings organized by electors. Provision of other premises for these purposes may be made by heads of organisations upon request of candidates for President of the Republic of Belarus, for deputies, their proxies, and electors. The premises shall be provided free of charge in the order of receipt of written applications from candidates, their proxies and electors”.

new parts shall be inserted into this Article after part seven to read as follows:

“Candidates for President of the Republic of Belarus and for deputies of the Chamber of Representatives shall be entitled to rent buildings and premises for conducting meetings with electors using resources of their personal campaign funds. For these purposes, buildings and premises shall be provided to candidates on equal conditions.

Candidates for President of the Republic of Belarus and for deputies and their proxies shall be entitled to hold mass events (outdoor gatherings, meetings, picketing) for the purpose of conducting an election campaign according to the procedure established by Article 45¹ of this Code”.

parts eight through fourteen shall be renumbered as parts ten through sixteen respectively;

part ten shall read as follows::

“Mass events with the purpose of election campaigning, campaigning for referendum, recall of a deputy except mass events listed in part nine of this Article, shall be conducted in accordance with the legislation of Republic of Belarus on mass events”;

a new sentence shall be inserted into part eleven after the second sentence as follows: “Candidates for deputy shall be entitled to order joint posters in which case the costs of their production shall be paid for by the candidates in equal shares”.

14. The Code shall be supplemented with Article 45¹ to read as follows:

«Article 45¹. Conduct of mass events organized by candidates for President of the Republic of Belarus, for deputies, and by their proxies

Local executive and administrative bodies upon agreement with the respective electoral commissions shall designate places where candidates for President of the Republic of Belarus, for deputies and their proxies may for the purpose of conducting election campaigning hold mass events (outdoor gatherings, meetings, picketing) according to the procedure established by this Article.

In order to organize a mass event indicated in part one of this Article, a candidate for President of the Republic of Belarus, for deputy or a proxy of a candidate shall submit a notification to the local executive and administrative body in the territory of which its holding is planned (in the city of Minsk such notification shall be submitted to the Minsk City Executive Committee) not later than two days prior to the expected date of holding the event. The notification shall include the form of mass event, place (places) of its holding, the date,

the time when the event starts and ends; the family name, first name and patronymic of the applicant, information about the place of his/her residence and the telephone number, and the date of submission of the notification. If the local executive and administrative body earlier received a notification from another candidate for President of the Republic of Belarus, for deputy or proxy of holding a mass event at the same place at the same time and provided there is no agreement on holding a joint mass event, the local executive and administrative body shall be obliged not later than on the following day after receipt of such notification to make known to the applicant an offer to change the place and/or time of holding the mass event.

The local executive and administrative body and police shall be charged with maintaining public order and security during the conduct of the mass event. Candidates and their proxies shall be obliged to provide assistance in maintaining public order.

A mass event as well as preparations therefor shall be stopped upon request of the head or deputy head of the respective local executive and administrative body or police unit if: the candidate or proxy fails to comply with requirements prescribed by part two of this Article;

a danger to the life and health of citizens arises”.

15. In Article 46

the word “state” shall be deleted from the title of the Article;

in part two the words “state budget” shall be substituted with the words “republican or local budgets”;

the words “free of charge” shall be inserted into parts three and four after the word “right”;

the words “free of charge” shall be inserted into part five after the word “where”;

new parts shall be inserted into this Article after part eight to read as follows:

“The Central Commission shall reserve part of the time limit mentioned in part seven of this Article for holding debates of candidates for President of the Republic of Belarus and for deputies of the Chamber of Representatives. Debates shall be held upon agreement of the candidates. A candidate shall have the right to entitle his/her proxy for participation in debates. Non-participation of a candidate in debates shall not result in an increase of free airtime provided to the candidate.

Candidates for President of the Republic of Belarus and for deputies of the Chamber of Representatives shall be entitled to purchase airtime and print space in state and non-state mass media using resources of personal campaign funds. The mass media shall be obliged to establish equal conditions of payment for the airtime and print space for all candidates. Information about conditions of payment for airtime and print space shall be posted by the mass media on their web-sites in the Internet global computer network or is otherwise made known by them to candidates”;

parts nine through thirteen shall be renumbered as parts eleven through fifteen respectively;

parts thirteen and fourteen shall read as follows:

“Mass media shall provide coverage of preparation and conduct of elections and referendums. Reports about sessions of the Central Commission and its decisions shall be published in the republican press whereas about those of electoral commissions and the commissions on the referendum - in local press.

State mass media shall be obliged at the request of the Central Commission to provide it with a possibility to communicate information about the course of the election campaign and preparation for the republican referendum”.

16. In Article 48

part one shall be supplemented with a third sentence to read as follows: “For additional financing of costs related to election campaigning candidates for President of the Republic of Belarus and for deputies of the Chamber of Representatives shall be entitled to create personal campaign funds.”;

parts nine and ten shall read as follows:

“Political parties, other public associations, other organisations and citizens of the Republic of Belarus shall have no right to render other material aid during the preparation and the holding of elections or referendum except contributing monetary resources into the extra-budgetary fund and campaign funds of candidates for President of the Republic of Belarus and for deputies of the Chamber of Representatives stipulated by part one of this article.

Direct or indirect participation of foreign states and organisations, international organisations, organisations with foreign investments, foreign citizens and persons without citizenship in financing and rendering other material aid during the preparation and holding of elections, referendum or recall of a deputy or a member of the Council of the Republic shall be prohibited.”

17. The Code shall be supplemented with Article 48¹ to read as follows:

«Article 48¹. Campaign funds of candidates for President of the Republic of Belarus, for deputies of the Chamber of Representatives

Candidates for President of the Republic of Belarus and for deputies of the Chamber of Representatives shall be entitled to create personal campaign funds for financing additional costs of election campaigning.

Campaign funds of candidates may be formed out of the following monetary resources:

1) own monetary resources of the candidate whose maximum amount shall not exceed 50 basic units during the conduct of elections of the President of the Republic of Belarus and 20 basic units during the conduct of elections of the deputies of the Chamber of Representatives;

2) voluntary contributions of citizens of the Republic of Belarus. The maximum amount of a citizen’s contribution shall not exceed 10 basic units during the conduct of elections of the President of the Republic of Belarus and 5 basic units during the conduct of elections of the deputies of the Chamber of Representatives;

3) voluntary contributions of legal entities. The maximum amount of a contribution of a legal entity shall not exceed 30 basic units during the conduct of elections of the President of the Republic of Belarus and 10 basic units during the conduct of elections of the deputies of the Chamber of Representatives.

The maximum amount of all expenditures out of resources of the campaign fund of a candidate shall not exceed 3000 basic units during the conduct of elections of the President of the Republic of Belarus and 1000 basic units during the conduct of elections of the deputies of the Chamber of Representatives.

The following shall not make contributions to campaign funds of candidates:

- 1) foreign states and organisations;
- 2) foreign citizens and persons without citizenship;
- 3) international organisations;
- 4) organisations with foreign investments;
- 5) citizens of the Republic of Belarus under 18 years of age;
- 6) state bodies and bodies of local self-government;
- 7) organisations fully or partially financed from the budget;
- 8) charity and religious organisations;
- 9) anonymous contributors.

In order to form a personal campaign fund, a candidate for President of the Republic of Belarus or for deputy of the Chamber of Representatives shall open a special electoral account with a branch of "Savings Bank 'Belarusbank'", an open joint-stock company. The account shall be opened based on a candidate's application and a copy of the decision of the Central Commission or district electoral commission on registration of the candidate.

A candidate shall be entitled to appoint a representative for financial matters. A candidate for financial matters shall be registered by the Central Commission or district commission upon submission of an application by the candidate. A representative of a candidate for financial matters shall be entitled to open a special electoral account, manage the resources kept on this account, and submit reports on the receipt and spending of the resources. A candidate shall be entitled to recall the representative for financial matters at any time notifying thereof the Central Commission or the district commission respectively as well as the branch of the bank where the candidate opened the special electoral account.

A candidate shall be entitled to open only one special electoral account. The procedure of opening the account, effecting transactions the account, and closing the account shall be determined by the Central Commission upon agreement with "Savings Bank 'Belarusbank'", an open joint-stock company. Fees for bank services for opening the account and effecting transactions through the account shall not be levied. No interest payments shall be effected by the bank for using monetary resources kept on the special electoral account. The Central Commission and the respective district electoral commission shall announce the opening of special electoral accounts of candidates for President of the Republic of Belarus and for deputies of the Chamber of Representatives in mass media.

When making a contribution to the special electoral account of a candidate, a citizen shall indicate the following personal information in the payment document: the family name, first name, patronymic, date of birth and place of residence, serial number of the passport of a citizen of the Republic of Belarus. Voluntary contributions of legal entities are made on a non-cash basis by means of transfer of monetary resources to the special electoral fund with indication of the following information about the legal entity in the payment document: the taxpayer identification number, name, bank details, and legal address.

The right to manage resources of electoral funds shall belong to the candidates who created them.

Resources from electoral funds may be used to pay for:

- 1) airtime and print space in mass media;
- 2) rental of buildings and premises, equipment, transportation costs, communication services;
- 3) print campaign materials;
- 4) consultative and campaigning work performed (services rendered);
- 5) stationary and other expenditures directly related to the conduct of an election campaign.

A candidate shall be entitled to return to the contributor any contribution to the electoral fund apart from a contribution made by an anonymous contributor. If a voluntary contribution is received into the electoral fund from a contributor not having the right to make such contribution or a contribution was made exceeding the amount set by part two of this Article, the candidate shall be obliged to return this contribution respectively in full or the part thereof which exceeds the established maximum amount for a contribution to the contributor indicating the reason for the return not later than within a seven-day period from the day of receipt of the contribution into the special electoral account.

Control over receipt and use of resources from campaign funds shall be exercised by the Central Commission, district electoral commissions and financial authorities.

The branch of the bank where a special electoral account is opened shall on a weekly basis submit to the commission which registered the candidate information about receipt and spending of resources kept on the account of the respective candidate for President of the Republic of Belarus and for deputy of the Chamber of Representatives. The respective commission shall within a two-day period after receipt of the information provide to mass media the figures of the total amount of resources received into the electoral fund and the total amount of resources spent.

Candidates shall submit to the commission which registered them financial reports with the following periodicity: the first financial report – not earlier than 15 and not later than 10 days before the election day; the final financial report – not later than within a five-day period after the election day.

Should the decision to register a candidate be cancelled or should a candidate withdraw his/her candidacy, the respective commission shall inform the bank branch thereof in writing which shall cease all transactions through the special electoral account of the candidate.

All bank transactions through a special electoral account apart from a return of unused resources to the campaign fund and receipt into the said account of resources remitted before the election day shall be stopped on the election day.

A candidate for President of the Republic of Belarus or deputy of the Chamber of Representatives shall within a three-day period after the election day transfer unused monetary resources kept on the special electoral account to citizens and legal entities which made contributions to his/her campaign fund proportionately according to resources contributed. Upon expiry of this term the branch of the bank where the special electoral account is opened shall transfer the monetary resources remaining on this account to the republican budget as income. The Central Commission or the respective district electoral

commission may upon an application of the candidate prolong the term of conducting transactions through the special electoral account.

A candidate for President of the Republic of Belarus or for deputy of the Chamber of Representatives shall within the time period established by part fourteen of this Article submit to the commission which registered him/her a financial report on the amount and all sources of creation of his/her campaign fund as well as on all expenditures effected. Primary financial documents confirming receipt, return and spending of resources from the campaign fund, certificates of the resources remaining and/or closure of the special electoral account of the candidate shall be attached to the report. The above procedure shall also apply to persons decisions on registration of whom as candidates were cancelled and to persons who withdrew their candidacies prior to the election day.

If a second round of voting is held, transactions for paying for expenditures from the special electoral accounts of candidates participating in the second round of voting shall be resumed on the day when the Central Commission or the district commission shall call the second round of voting and cease on the day of the second round of voting”.

18. A second sentence shall be inserted into the title of Chapter 12 to read as follows: “Review of Appeals».

19. In Article 49

in part five the word “six” shall be substituted with the word “seven”;

part six shall read as follows:

“Should a candidate for President of the Republic of Belarus exceed the maximum amount of spending of resources from the campaign fund by more than 50 basic units and a candidate for deputy of the House of Representatives – by more than 15 basic units or should a candidate use the same amounts of monetary resources apart from the resources of the campaign fund, the Central Commission or the district commission may without a prior warning cancel the decision on the registration of the candidate”;

part seven shall be deleted.

20. The Code shall be supplemented by Article 49¹ to read as follows:

«Article 49¹. Procedure and timeframe for review of appeals concerning violation of the legislation of the Republic of Belarus on elections, referendum, voting on the recall of a deputy or a member of the Council of the Republic

Appeals concerning violation of legislation of the Republic of Belarus on elections, referendum, voting on the recall of a deputy or a member of the Council of the Republic received by commissions, state bodies, and other organisations shall be reviewed within a three-day period after receipt of the appeal whereas appeals received on the election day, referendum day, day of voting on the recall of a deputy or a member of the Council of the Republic – immediately. Appeals containing information requiring verification shall be reviewed not later than within a ten-day period from the day of receipt.

The appellant shall be entitled to familiarize him/herself with materials related to the review of his/her appeal.

Complaints against decisions of commissions shall be reviewed at sessions of commissions. The date, time and venue of holding the session shall be made known to the appellant who shall be entitled to be present during the review of the complaint.

Upon review of the complaint, the commission shall pass one of the following decisions:

to cancel the decision appealed in full or partially and make a decision in essence;

to decline the complaint;

to leave the complaint without review if the appellant failed to comply with the procedure or timeframe for lodging the complaint established by this Code.

A higher commission shall when necessary review an appeal about an issue related to competence of a lower commission”.

21. Part two of Article 52 shall read as follows:

“A ballot paper for voting shall be issued to the elector or participant of the referendum by a member of the precinct commission on the basis of the list of citizens who have the right to take part in elections, referendum or voting for recall of a deputy after the demonstration of the passport of a citizen of the Republic of Belarus or another document designated by the Central Commission. When receiving a ballot paper, an elector or participant of a referendum shall sign the corresponding line of the said list.”

22. In Article 53

new parts shall be inserted into this Article after part two:

“During the first day of early voting ballot boxes for voting shall be sealed or stamped according to the procedure provided for by part three of Article 51 of this Code.

During the period of early voting every day after the time of holding voting ends the Chairman or Deputy Chairman of the precinct commission shall seal the slot for dropping ballot papers in the ballot box with a sheet of paper. The Chairman or Deputy Chairman and a member of the precinct commission shall put their signatures on this sheet. Opening of the slot for dropping ballot papers in the ballot box shall be conducted every day before the start of early voting by the Chairman or Deputy Chairman of the precinct commission. Observers, foreign (international) observers, and representatives of mass media shall be entitled to be present during the sealing and opening of the slot for dropping ballot papers into the ballot box. Storage of the ballot box shall be provided for by the chairman of the precinct commission.

During the period of early voting every day the chairman or deputy chairman of the precinct commission shall compile a protocol indicating the number of ballot papers received by the precinct commission, the number of citizens who received ballot papers for voting (on the last day of early voting – the total number of citizens who received ballot papers for voting), the number of spoiled ballots and the number of unused ballots. The protocol shall be signed by the chairman or deputy chairman and a member of the commission. A copy of the protocol shall be displayed for public familiarization at the premises of the precinct commission”;

parts three and four shall be renumbered as parts six and seven respectively;

this Article shall be supplemented by part eight as follows:

“Early voting shall not be conducted in sanatoria, preventoria, rest homes, hospitals and other stationary medical treatment and prevention institutions as well as before the second round of voting”.

23. In part two of Article 54

paragraph three shall read as follows:

“members of the precinct commission shall receive ballot papers and shall sign for receipt thereof. The number of ballot papers issued must correspond to the number of requests received from electors or participants of a referendum”;

paragraph four shall be deleted;

paragraph five shall be renumbered as paragraph four.

24. In Article 55

the third sentence of part one shall read as follows: «Before opening of the ballot boxes, the number of unused ballot papers shall be counted which shall further be cancelled, put into packages and sealed”;

a second sentence shall be inserted into part two to read as follows: “The results of the counting of votes shall be announced by the chairman of the commission”;

in part six:

the words “including the number of electors who have taken part in early voting, the number of electors who have taken part in voting at the place of stay and the number of electors who have taken part in voting on the election day at the premises of the polling station” shall be inserted into paragraphs two and three after the words “who have taken part in voting”;

the words “including the number of participants of the referendum who have taken part in early voting, the number of participants of the referendum who have taken part in voting at the place of stay and the number of participants of the referendum who have taken part in voting on the day of referendum at the premises of the polling station” shall be inserted into paragraph four after the words “who have taken part in voting”;

in part ten:

the first sentence shall read as follows:

“After the end of the vote count, a session of the precinct commission shall be held at which results of the vote count shall be established and entered into the protocol”;

a seventh sentence shall be inserted into this part to read as follows: “At the session of the precinct electoral commission dissenting opinions, if any, of the commission members shall be reviewed as well as complaints and appeals about violations during voting or the vote count”;

parts eleven and twelve shall be renumbered as parts twelve and eleven respectively.

25. Article 61 shall read as follows:

“Article 61. Procedure of Nomination of Candidates for President of the Republic of Belarus
Nomination of a candidate for President of the Republic of Belarus by citizens shall be made by an initiative group of electors (hereinafter "initiative group") composed of not less than 100 persons.

The list of the members of the initiative group indicating its head shall be submitted, together with the application for registration of the group, to the Central Commission not later than 85 days before the elections by the person who has the intention to be nominated as candidate for President of the Republic of Belarus. The list shall include the surname, name and patronymic

name, the date of birth, the position (occupation), the place of work and the place of residence, the party membership of the person put forward for nomination as candidate for President of the Republic of Belarus as well as the surname, name and patronymic name, the date of birth and the place of residence of each member of the group and of its head. When submitting the documents to Central Commission the person who has the intention to be nominated as candidate for President of the Republic of Belarus shall demonstrate the passport of a citizen of the Republic of Belarus. Copies of passport pages confirming information necessary for registration as a candidate for President of the Republic of Belarus shall be made in Central Commission and certified by the signature of the person who accepted the documents. The person who has the intention to be nominated as candidate for President of the Republic of Belarus or head of the initiative group shall have the right to make changes in the documents submitted for registration of the initiative group as well as familiarize oneself with the materials on verification of these documents.

The Central Commission shall, within a five-day period, consider the application, register the initiative group and provide the members of the initiative group with the respective certificates and signature lists for the collection of electors' signatures in support of the person put forward for nomination as candidate for President of the Republic of Belarus (hereinafter "signature list"). Registration of the initiative group shall be denied in case of violation of the requirements of this Code. Denial of registration of the initiative group may be appealed against within a three-day period from the day when the decision about the refusal was made in the Supreme Court of the Republic of Belarus by the person who has the intention to be nominated as candidate for President of the Republic of Belarus. The Supreme Court of the Republic of Belarus shall consider the appeal within a three-day period.

The signature list shall include the surname, name and patronymic name, the date of birth, the position (occupation), the place of work and the place of residence, the party membership of the person put forward for nomination as candidate for President of the Republic of Belarus as well as the surname, name and patronymic name of the member of the initiative group collecting signatures and the registration number of the initiative group.

The signature list shall include signatures of electors living on the territory of only one town (subordinated to Oblast) or region or, in towns divided into districts, in one district.

An elector shall have the right to sign in support of the person put forward for nomination as a candidate for President of the Republic of Belarus only once.

In respect to the elector supporting the person put forward for nomination as candidate for President of the Republic of Belarus, the signature list shall include the surname, first name, and patronymic, the date of birth, place of residence, series and number of the passport of a citizen of the Republic of Belarus or details of another document designated by the Central Commission. The information about the elector shall be entered into the signature list by handwriting. The elector shall by his/her own hand put the date of the signature in the signature list and sign it. The signatures shall be numbered.

Participation of the administration of the organisation in the collection of signatures as well as coercion in the process of signature collection and remuneration of electors for putting signatures shall not be allowed. Violation of these requirements may serve as grounds for denial of registration or for revoking of the decision on registration of a candidate for President of the Republic of Belarus.

Collection of signatures of electors may be conducted in the form of picketing. Permission to hold picketing for the said purposes shall not be required provided it is held in places not prohibited by the local executive and administrative bodies.

The signature list shall be certified by the member of the initiative group who collected the signatures. To certify the signature list, the member of the initiative group shall put his/her signature and date of signing as well as indicate the surname and initials.

Electors who have nominated a candidate for President of the Republic of Belarus shall have the right, before submission of the signature lists to the regional, town or town district commission on elections of the President of the Republic of Belarus, to withdraw their signatures from the signature lists by lodging a respective application with the said commissions.

Signature lists shall be submitted not later than 50 days before the elections to the regional, town or town district commission on elections of the President of the Republic of Belarus which shall, within a ten-day period, verify authenticity of the electors' signatures in the signature lists submitted by the members of the initiative group and shall assure authenticity of the data on the number of such signatures. At least 20 per cent of the electors' signatures in signature lists submitted to the respective commission shall be verified.

The signature of an elector may be recognised as authentic or inauthentic by the results of verification of authenticity of data in the signature lists.

Verification and account shall not cover electors' signatures and the relevant data included into the signature lists but excluded (crossed out) by the member of the initiative group who collected the signatures before the signature lists are submitted to the respective commission if this exclusion has been specially specified by him/her in a written form. Nor shall verification and account cover electors' signatures and the relevant data if the signature list does not feature information about the person nominated as candidate.

Should the signature list received by the regional, town or town district commission contain signatures of electors residing in the territory of different regions, towns (subordinated to Oblast) or town districts only the signatures collected in the territory of the district, town or town district where the commission to which this signature list is submitted shall be subject to verification and account. Other signatures shall not be verified and taken into account.

The following signatures shall be considered inauthentic:

fictitious signatures (made from the name of non-existing persons and presented as valid);

electors' signatures made in the name of different persons by one person or in the name of one person by another person;

signatures of persons who do not enjoy suffrage;

signatures of electors who indicated data in the signature list that are not true to fact;

signatures of electors collected before the established time for nomination of candidates;

signatures of electors when one or several pieces of data required by this Code are absent;

signatures of electors, if information about them is indicated not by handwriting or by pencil as well as signatures whose date of signing are put not by own hand of the electors;

all signatures of electors in the signature list if the signatures have been collected by a person who is not a member of the initiative group or if the signature list has not been certified by a member of the initiative group, or has been certified by another member of the initiative group who did not collect these signatures;

signatures of electors collected with violation of the requirements of part eight this Article.

When several signatures of one and the same elector in support on nomination of one and the same candidate have been found, only one signature shall be considered as authentic while the remainder of the signatures shall be considered as inauthentic.

If the number of inauthentic signatures of electors found during verification constitutes more than 15 per cent of the number of the signatures verified, another 15 per cent of the electors' signatures in the signature lists submitted to the respective commission by a member (members) of the initiative group shall be verified.

When the total number of inauthentic signatures of electors found during verification constitutes more than 15 per cent of the total number of verified signatures in the signature lists, a further verification of signatures in the signature lists by the regional, town or town district commission shall be terminated and all the electors' signatures in the submitted signature lists shall not be taken into account in determining the results of collection of signatures in the region, town or town district.

The Oblast and the Minsk City commissions on elections of the President of the Republic of Belarus may also, if required, verify authenticity of electors' signatures in the signature lists within a five-day period.

On the basis of the protocols of the regional, town or town district commissions on elections of the President of the Republic of Belarus on the establishment of the number of electors who put their signatures in the signature lists for the nomination of a candidate for President of the Republic of Belarus and of the results of the verifications of authenticity of electors' signatures in the signature lists made by the Oblast or the Minsk City commissions the Oblast or the Minsk City commissions on elections of the President of the Republic of Belarus shall summarise the results for the Oblast and the City of Minsk, compile a protocol thereon and forward it immediately to the Central Commission.”.

26. Parts one through three of Article 62 shall read as follows:

“Nomination of candidates for deputies of the Chamber of Representatives from political parties shall be made by the supreme bodies of the political parties.

Nomination of candidates to deputies of oblast, Minsk city, region, town (subordinated to Oblast) of the Councils of deputies from political parties shall be made by the respective managerial bodies of oblast, Minsk city, regional, town organisational structures, registered in due order before the calling of elections.

Nomination of candidates for deputies of the town (in towns subordinated to region), settlement or rural Councils of Deputies from political parties shall be made by the respective managerial bodies of regional, town organisational structures registered in due order before the calling of elections. Candidates for deputies of the town (towns subordinated to region), settlement, rural Council of Deputies may be nominated by primary organisations of political parties, registered in due order before the calling of elections”.

27. In Article 65

a fourth sentence shall be inserted into part one to read as follows: “The person who has the intention to be nominated as candidate for deputy or head of the initiative group shall have the right to make changes in the documents submitted for registration of the initiative group before consideration by the district or territorial commission of the issue of registration of the initiative group as well as familiarize oneself with the materials on verification of these documents”;

in part two the words “initiative group (the complaint must be signed by the majority of its members)” shall be substituted with the words «person who has an intention to be nominated as a candidate for deputy”;

a new part shall be inserted into this Article following part three to read as follows:

“Signature lists must contain signatures of electors residing in the territory of the electoral district”;

part four shall be renumbered as part five;

part five shall read as follows:

“Collection of electors’ signatures for nomination of a candidate for deputy and certification of the signature list shall be performed according to the procedure stipulated by parts four, six through ten of Article 61 of this Code. Violation of the requirements of part eight of Article 61 of this Code may serve as grounds for denial of registration of a candidate for deputy or revoking of the decision on his registration”.

28. In Article 66

in part four:

paragraphs five and six shall be deleted;

paragraph seven shall be renumbered as paragraph five;

in part eight:

paragraphs six and seven shall be deleted;

paragraph eight shall be renumbered as paragraph six;

in part nine the figures “3-7” shall be substituted by the figures “3-5”;

part thirteen shall read as follows:

“Signature lists must remain in district or territorial electoral commissions and after the election day shall be transferred for storage to the bodies which formed the commissions”.

29. Part two of Article 67 shall read as follows:

“Authenticity of electors’ signatures in signature lists on elections of deputies shall be verified according to the procedure provided for by parts fourteen, sixteen, and seventeen of Article 61 of this Code. If the signature list contains signatures of electors who do not reside in the territory of the electoral district, these signatures shall not be verified and taken into account.”

30. In Article 68

a new part shall be inserted into the Article after part three to read as follows:

“A person nominated as candidate for President of the Republic of Belarus or deputy shall be entitled to familiarize him/herself with materials on the verification of documents submitted for registration”;

parts four through twenty shall be renumbered as parts five through twenty-one;

in part five the words “of the person nominated as a candidate for President of the Republic of Belarus, his/her spouse, and his/her close relatives who are of age and reside together with

him/her and keep a joint household” shall be inserted after the words “income and property statement”;

part seven shall read as follows:

“If the income and property statement of a person nominated as a candidate for President of the Republic of Belarus or other persons listed in part five of this Article as well as of persons nominated as candidates for deputies contains data not corresponding to reality of essential nature, the Central commission, district and territorial commission respectively shall have the right to deny registration of a candidate for President of the Republic of Belarus or deputy or revoke the decision on his/her registration. A clarification about what data not corresponding to reality are of essential nature shall be provided by the Central Commission”;

a second sentence shall be inserted into part twenty-one to read as follows: “When elections of the President of the Republic of Belarus are held, the Central Commission shall also submit to mass media data on the income and property of persons listed in part five of this Article for further publication”.

31. In Article 72

new parts shall be inserted into this Article after part two to read as follows:

“Printing of ballot papers for elections of the President of the Republic of Belarus shall be provided for by the Central Commission, printing of ballot papers for elections of deputies – by district and territorial electoral commissions. If necessary, district and territorial electoral commissions may approach a higher territorial electoral commission with a request to print ballot papers.

When election of the President of the Republic of Belarus or deputies of the Chamber of Representatives are held, printing of ballot papers by precinct electoral commissions located outside the Republic of Belarus shall be allowed.

The number of ballot papers printed shall not be lower than the number of electors included into lists of citizens who have the right to participate in elections of the President of the Republic of Belarus and deputies. The number of extra ballot papers shall not exceed 5 percent of the number of electors. The actual number of ballot papers to be printed shall be determined by the respective commission.

The transfer of ballot papers from a higher electoral commission to a lower electoral commission, including to a precinct commission shall be conducted with a deed executed. Precinct electoral commissions shall be provided with ballot papers not later than on the day preceding the day of early voting, whereas those precinct electoral commissions which do not conduct early voting – not later than on the day preceding the election day. Chairmen of commissions who receive, transfer and store ballot papers shall be held responsible for safekeeping of the ballot papers”;

parts three through seven shall be renumbered as parts seven through eleven respectively;

part eleven shall read as follows:

“Ballot papers for elections of the President of the Republic of Belarus and elections of deputies shall after establishment of voting results together with protocols of precinct electoral commissions be transferred to the respective territorial and district electoral commissions and shall be stored in archives of the respective local executive and administrative bodies during six months after the election day and shall further be destroyed in accordance of the legislation of the Republic of Belarus regulating archiving and record-keeping”.

32. In part six of Article 76, in the title, parts one and two of Article 77 the words “production or office” shall be substituted with the words “labour (office)”.

33. Paragraph two of part one and paragraph four of part three of Article 78 shall be supplemented with the words “, including the number of electors who took part in early voting, the number of electors who took part in voting at the place of stay, and the number of electors who took part in voting on the election day at the premises of the polling station”.

34. In Article 79

paragraph four of part one shall be supplemented with the words “including the number of electors who took part in early voting, the number of electors who took part in voting at the place of stay, and the number of electors who took part in voting on the election day at the premises of the polling station”;

a new sentence shall be inserted into part five after the first sentence to read as follows: “The application for a repeat vote count shall be submitted to the Central Commission not later than on the third day after elections”;

in part six the word “third” shall be inserted before the words “ day following”.

35. In part four of Article 81 and part four of article 87 the words “part four” and “six” shall be substituted by the words “parts four and six” and “seven” respectively.

36. In Article 82

Paragraph four of part one shall be supplemented with the words “including the number of electors who took part in early voting, the number of electors who took part in voting at the place of stay, and the number of electors who took part in voting on the election day at the premises of the polling station”;

in part four:

the word “third” shall be inserted before the words “day following”;

the part shall be supplemented by a third sentence to read as follows: “The decision of the district electoral commission may be appealed to the Central Commission within a three-day period after its adoption”;

in part five the words “three days” shall be substituted with the words “five days”;

a new sentence shall be inserted into part seven after the first sentence to read as follows: “The application for a repeat vote count shall be submitted to the Central Commission not later than on the third day after elections”;

the first sentence of part eight shall read as follows:

“The district electoral commission shall submit an announcement on the results of elections for the electoral district for print to be published not later than on the fifth day after the elections”.

37. A second sentence shall be inserted into part two of Article 84 to read as follows: “The decision of the Central Commission to recognize elections invalid may be appealed by a candidate for deputy to the Supreme Court of the Republic of Belarus within a three-day period after its adoption”.

38. In Article 89

paragraph four of part one shall be supplemented with the words “including the number of electors who took part in early voting, the number of electors who took part in voting at the place of stay, and the number of electors who took part in voting on the election day at the premises of the polling station”;

the words “if elections have been recognised as having taken place” shall be deleted from part two;

part three shall be deleted;

parts four through nine shall be renumbered as parts three through eight respectively;

in part three:

the word “third” shall be inserted before the words “day following”;

the part shall be supplemented by a third sentence to read as follows: “The decision of a territorial or district electoral commission may be appealed to a higher territorial electoral commission within a three-day period after it was passed”;

in part five the words “three days” shall be substituted with the words “five days”

a new sentence shall be inserted into part eight after the first sentence to read as follows: “The application for a repeat vote count shall be submitted to the higher electoral commission not later than on the third day after elections”.

39. A second sentence shall be inserted into part two of Article 91 to read as follows: “The decision of the territorial electoral commission to recognize elections invalid may be appealed by a candidate for deputy respectively to the regional (town) or Oblast court within a three-day period after its adoption”.

40. The words “having not taken place or” shall be deleted from part two of Article 92.

41. Article 93 shall be deleted.

42. In Article 94

the words “failed or ” shall be deleted from part one;

in part three the word “six” shall be substituted with the word “seven”.

43. A second sentence shall be inserted into part two of Article 107 to read as follows: “The decision of the Central Commission to recognize elections invalid may be appealed by a candidate for member of the Council of the Republic to the Supreme Court of the Republic of Belarus within a three-day period after its adoption”.

44. In Article 114

in part two the word “Chairman” shall be substituted with the word “head”;

in part four:

the first sentence shall read as follows:

“The list of the initiative group shall include each group member's surname, name and patronymic name, the date of birth, the place of residence, the series and number of the passport of a citizen of the Republic of Belarus;

in the second sentence the word “Chairman” shall be substituted with the word “head”;

in part six the words “Prosecution Department” shall be substituted with the words “Office of the Prosecutor General”;

in part seven the words “Prosecution Department” and “(the appeal must be signed by the majority of the members of the initiative group)” shall be substituted with the words “Office of the Prosecutor General” and “by the head of the initiative group” respectively;

part ten shall read as follows:

“It shall be prohibited to use any funds from foreign states and organisations, international organisations, organisations with foreign investments, foreign citizens, and persons without citizenship”.

45. In Article 115

part three shall read as follows:

“The signature list shall include only the signatures of citizens residing in the territory of only one town (subordinated to Oblast) or district, whereas in towns divided into districts – of one district”;

the first sentence of part four shall read as follows:

“In respect to the elector supporting the proposal on holding of a referendum, the signature list shall include the surname, first name, and patronymic, the date of birth, place of residence, series and number of the passport of a citizen of the Republic of Belarus or details of another document designated by the Central Commission”;

part six shall read as follows:

“The signature list shall be certified by the member of the initiative group who collected the signatures. To certify the signature list, the member of the initiative group shall put his/her signature and date of signing as well as indicate the surname and initials”;

part eight shall be deleted.

46. In Article 116

in part two:

the words «thirteen and fourteen» shall be substituted with the words “fourteen and sixteen”;

sentences three through five shall be inserted into this part to read as follows: “Verification and account shall not be applied to electors' signatures if the signature list does not contain the wording of the question offered for the referendum, and/or the summary of the proposed decision (draft law). Should the signature list received by the regional, town executive committee, or local administration in a town contain signatures of electors residing in the territory of different regions, towns (subordinated to Oblast) or town districts only the signatures collected in the territory of the district, town or town district to the executive committee or local administration of which this signature list is submitted shall be subject to verification and account. Other signatures shall not be verified and taken into account”;

in part thirteen the words “(the appeal must be signed by the majority of the members of the initiative group)” shall be substituted with the words “by the head of the initiative group”.

47. In Article 118

new parts shall be inserted into the Article after part four to read as follows:

“Printing of ballot papers for a republican referendum shall be provided for by the Central Commission.

When a republican referendum is held, printing of ballot papers by precinct electoral commissions located outside the Republic of Belarus shall be allowed.

The number of ballot papers printed shall not be lower than the number of participants of a referendum included into lists of citizens who have the right to participate in a referendum. The number of extra ballot papers shall not exceed 5 percent of the number of participants of a referendum. The actual number of ballot papers to be printed shall be determined by the Central Commission.

The transfer of ballot papers to lower electoral commissions for holding a republican referendum, including to precinct commissions shall be conducted with a deed executed. Precinct commissions shall be provided with ballot papers not later than on the day preceding the day of early voting, whereas those precinct commissions which do not conduct early voting – not later than on the day preceding the referendum day. Chairmen of commissions who receive, transfer, and store ballot papers shall be held responsible for safekeeping of the ballot papers”;

parts five through eight shall be renumbered as parts nine through twelve respectively;

part twelve shall read as follows:

“Ballot papers for voting on a republican referendum shall after establishment of voting results together with protocols of precinct electoral commissions be handed over to district, town, and town district commissions and shall be stored in archives of the respective local executive and administrative bodies during six months after the referendum day and shall further be destroyed in accordance of the legislation of the Republic of Belarus regulating archiving and record-keeping.”;

48. The words “including the number of citizens who took part in early voting, the number of citizens who took part in voting at the place of stay, and the number of citizens who took part in voting on the referendum day at the premises of the polling station” shall be inserted into paragraph four of part one of Article 119, paragraph four of part one of Article 120, and paragraph four of part one of Article 121.

49. In Article 132

a new sentence shall be inserted into part nine after the second sentence to read as follows: “The meeting shall elect the head of the initiative group”;

part twelve shall be supplemented with the words “and the head of the initiative group”.

50. In Article 134

the words “with indication of its head” shall be inserted into part two after the words “ the list of the members of the initiative group”;

in part four the words “initiative group (the appeal must be signed by the majority of its members)” shall be substituted with the words “head of the initiative group”.

51. In Article 136

the second sentence of part one shall read as follows: «A signature list shall contain only the signatures of the electors who live on the territory of the electoral district in which the question has been initiated to recall a deputy”;

the first sentence of part two shall read as follows:

“In respect to the elector supporting the proposal on initiating the recall of a deputy, the signature list shall include the surname, first name, and patronymic, the date of birth, place of residence, series and number of the passport of a citizen of the Republic of Belarus or details of another document designated by the Central Commission”;

part three shall read as follows:

“The signature list shall be certified by the member of the initiative group who collected the signatures. To certify the signature list, the member of the initiative group shall put his/her signature and date of signing as well as indicate the surname and initials”.

52. In Article 137

in paragraph three of part one the words “regional, town (subordinated to Oblast)” shall be substituted with the word “Oblast”;

part three shall read as follows:

“Authenticity of electors’ signatures in support of the proposal on initiation of the recall of a deputy shall be verified according to the procedure provided for by parts fourteen and sixteen of Article 61 of this Code. Signatures of electors collected before registration of the initiative group shall also be considered inauthentic. If the signature list contains signatures of electors who do not reside in the territory of the electoral district, these signatures shall not be verified and taken into account. Nor shall verification and account cover electors’ signatures if the signature list does not feature the wording of the proposal on initiation of a recall of a deputy and/or information about the person in respect of whom the issue of recall has been raised.”

part seven shall be deleted;

part eight shall be renumbered as part seven.

53. in part five of Article 138 the words “initiative group (the appeal must be signed by the majority of its members)” shall be substituted with the words “head of the initiative group”.

54. In Article 141

a second and a third sentences shall be inserted into part eight to read as follows: “The decision to recognize results of voting on the recall of a deputy invalid shall be lodged respectively to the Central Commission, district or territorial commission not later on the third day after voting. The decision of the Central Commission, territorial or district commission to recognize the results of voting invalid may be appealed respectively to the Supreme Court of the Republic of Belarus, Oblast, Minsk City, regional and town courts not later than within a three-day period after its adoption”;

a new sentence shall be inserted into part nine after the first sentence to read as follows: “The application for a repeat vote count shall be submitted respectively to the Central Commission or

a higher territorial commission not later than on the third day after voting on the recall of a deputy”;

part ten shall be deleted;

parts eleven and twelve shall be renumbered as parts ten and eleven respectively;

in part ten the words “initiative group (the appeal must be signed by the majority of its members)” shall be substituted with the words “head of the initiative group”.

55. In part two of Article 149 the words “state budget” shall be substituted with the words “republican or local budgets”.

56. In Article 155

in paragraph thirteen the words “member of political party, other public association, labour collective, representative of the citizens” shall be substituted with the words “representative of a political party, other public association, labour collective, citizens”;

the Article shall be supplemented with paragraphs sixteen through eighteen to read as follows:
“debates – declarations of two or more candidates for President of the Republic of Belarus or deputies of the Chamber of Representatives on a wide range of socially important problems, including statements concerning pre-election programmes of other candidates made in the course of a public exchange of opinions and questions;

voluntary contribution of a citizen — a gratuitous deposit of own monetary resources by a citizen to a special electoral account of a candidate for President of the Republic of Belarus or for deputy of the Chamber of Representatives or to the extra-budgetary fund created by the Central Commission;

voluntary contribution of a legal entity — a gratuitous remittance of monetary resources by a legal entity from its current account to a special electoral account of a candidate for President of the Republic of Belarus or for deputy of the Chamber of Representatives or to the extra-budgetary fund created by the Central Commission.

Article 3. The Law of the Republic of Belarus “On the Central Commission of the Republic of Belarus for Elections and Conduct of Republican Referendums” dd. 30 April 1998 shall be declared null and void (Bulletin of the National Assembly of the Republic of Belarus, 1998, No.20, Art. 218).

Article 4. The Council of Ministers of the Republic of Belarus, Oblast, and the Minsk City executive committees shall within a three-month period undertake measures necessary for implementation of the provisions of this Law.

Article 5. This Law shall come into force ten days after its official publication.

President
of the Republic of Belarus