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**ELECTORAL CODE
OF THE REPUBLIC OF ARMENIA**

Draft new edition

E L E C T O R A L C O D E**OF THE REPUBLIC OF ARMENIA**

(New edition)

PART ONE**SECTION 1. GENERAL PROVISIONS****CHAPTER 1
MAIN PROVISIONS****Article 1. Fundamentals of elections**

1. In accordance with the Constitution of the Republic of Armenia, elections of the President as well as to the National Assembly and local self-government bodies of the Republic of Armenia shall be held by secret ballot on the basis of universal, equal, direct (with the exception of the elections of the mayor of Yerevan) suffrage.

2. Within the scope of powers vested in them by law, officials of public administration and local self-government bodies shall be responsible for the legality of preparing, organising, and holding elections.

3. The right of suffrage of citizens shall be governed by the Constitution of the Republic of Armenia and this Code.

Article 2. Right to vote

1. Only nationals of the Republic of Armenia having attained the age of eighteen shall have the right to vote in the Republic of Armenia. Persons not holding the nationality of the Republic of Armenia shall have the right to vote at local self-government elections in case of being, prior to the voting day, registered for at least one year in the population register of the community where elections are held.

2. At local self-government elections, the rights and duties prescribed by this Code for nationals of the Republic of Armenia shall be extended to persons having the right to vote at local self-government elections.

3. In order to make voting accessible for electors having difficulties with participating in the voting, the Central Electoral Commission may provide for additional facilities, by ensuring the free expression of the will of a voter and the secrecy of ballot.

4. Citizens declared by a court judgment as lacking active legal capacity, as well as citizens sentenced — by a court judgment entered into force — to imprisonment and serving the punishment, shall not be entitled to vote and to be elected.

5. Conscript soldiers or servicemen undergoing training musters, arrested or detained persons, as well as citizens not registered in the Republic of Armenia, may not participate in the voting at elections of local self-government bodies and elections to the National Assembly under the majoritarian electoral system.

6. Citizens not registered in the Republic of Armenia shall participate in the voting at national elections (national elections are elections of the President of the Republic, as well as elections to the National Assembly under the proportional electoral system) in case of being included in a supplementary list of electors in the manner prescribed by this Code.

Article 3. Equal suffrage

1. Electors shall participate in elections on equal grounds.

2. The State shall provide equal conditions for the exercise of the right of suffrage of electors.

3. Electors, irrespective of national origin, race, gender, language, religion, political or other views, social origin, property or other status, shall have the right to vote and to be elected. Any restriction of the right of suffrage on these grounds shall be prosecuted by law.

Article 4. Direct suffrage

The President of the Republic, deputies to the National Assembly, as well as local self-government bodies, except for the mayor of Yerevan, shall be elected directly.

Article 5. Secrecy of the ballot

Voting shall be secret. Secrecy of the ballot shall be the right as well as the duty of an elector. Control over the free expression of the will of a voter shall be prohibited and shall be prosecuted by law.

Article 6. Publicity of elections

1. Preparations for, and holding of elections shall be public.

2. Individual decisions of the Central Electoral Commission shall, within three days following their adoption, be published in the "*Hayastani Hantapetutyun*" [*Republic of Armenia*] daily, while regulatory decisions shall be published in the manner prescribed by the legislation. Within one day after individual decisions of the Central Electoral Commission are adopted and its regulatory decisions receive state registration in the manner prescribed by the legislation, they shall be posted on the Internet website of the Central Electoral Commission.

The address shall be www.elections.am.

3. After calling national elections, candidates, political parties (alliances of parties) shall submit their election programmes electronically, for the purpose of posting them on the Internet website of the Central Electoral Commission. Provisions of this point cover also elections to the Yerevan Council of Elders.

4. Candidates shall, within five days following the expiry of the time limit prescribed by this Code for the registration, submit a declaration on their property and income to the relevant

electoral commission; candidates for the President of the Republic shall submit also a *curriculum vitae* and one photo.

Political parties (political parties included in an alliance of parties) shall, within five days following the expiry of the time limit prescribed by this Code for the registration of electoral lists, submit a declaration on the political party's property and funds to the Central Electoral Commission.

The forms, time limits and submission procedure of the declarations shall be defined by the Central Electoral Commission.

5. Declarations of candidates for the President of the Republic, declarations of political parties shall, within a three-day period, be posted on the Internet website of the Central Electoral Commission; carbon copies of the declarations of other candidates may be provided to proxies, mass media representatives and observers.

6. At elections of the President of the Republic and to the National Assembly, the authorised body maintaining the National Register of Electors of the Republic of Armenia, shall, on the thirtieth, twentieth, and tenth day prior to the voting day, as well as on the day before the voting day, publish the total number of the electors included in the Register of Electors of the Republic, also mentioning the number of electors included in each supplementary list.

7. Electors shall, in the manner prescribed by this Code, be informed of the composition, locations, working hours of electoral commissions, time limit for submission of applications on inaccuracies in the lists of electors, nomination and registration of candidates, voting day, as well as voting and election results.

8. On the voting day, precinct electoral commissions shall be obliged to communicate — every three hours — data on the turnout to the constituency electoral commission. Constituency electoral commissions shall summarise, publicise, and communicate those data to the Central Electoral Commission with the same intervals. At national elections, the Central Electoral Commission shall, at 09:00 of the voting day, publish information on the progress of elections; from 12:00 to 21:00, it shall — every three hours — publish information by Marzes [regions] (in Marzes - also by Marz centres and Marz communities having more than 10 000 electors) and the city of Yerevan (in Yerevan - also by administrative districts) on the turnout as of the foregoing hour. Upon publishing, this information shall be posted on the Internet website of the Commission also by constituencies.

Not later than from 24:00 of the voting day, the Central Electoral Commission shall carry out tabulation — by electoral precincts — of voting results. The Central Electoral Commission shall finalise the tabulation of preliminary voting results and shall post preliminary election results on the Internet website of the Commission not later than within one hour following the receipt of the latest information from the electoral precinct on the voting results, but not later than within twenty-four hours following the completion of the voting.

9. Proxies, observers, mass media representatives, and, upon the assignment of the chairperson of the commission, members of a superior electoral commission, shall be entitled, as prescribed by this Code, to be present at the sittings of electoral commissions, as well as in polling stations during the entire voting process.

10. In cases referred to in point 8 of this Article, the Central Electoral Commission shall publish the data by live transmission on the Public Radio and Public Television of Armenia, from the administrative building of the Central Electoral Commission.

CHAPTER 2 LISTS OF ELECTORS

Article 7. Drawing up and maintaining lists of electors

1. The list of electors of the Republic of Armenia shall be drawn up and maintained on the basis of the Register of Electors by the public administration body — authorised by the Government of the Republic of Armenia — maintaining the State Population Register (hereinafter referred to as “the authorised body”).

2. The list of electors shall be a permanently maintained document, and the authorised body shall be responsible for maintaining it in accordance with the requirements of this Code.

3. The authorised body shall draw up and maintain the list of electors of the Republic of Armenia by Marzes and communities, as a single uniform list which is the Register of Electors of the Republic of Armenia. Only nationals of the Republic of Armenia having the right of suffrage and included in the Population Register of the Republic of Armenia as well as registered in a community of the Republic of Armenia shall be included in the Register of Electors of the Republic of Armenia.

4. Heads of penitentiary establishments and commanders of military units shall also draw up lists of electors in cases and in the manner prescribed by this Code.

5. The authorised body shall, twice a year, in June and November, submit the Register of Electors of the Republic of Armenia by communities and Marzes, and in case of national elections — at least forty-one days before the voting day — also by electoral precincts, to the Central Electoral Commission in an electronic version for posting it with a searchable feature on the Internet website of the Central Electoral Commission. The Register of Electors of the Republic of Armenia shall be a permanent and integral part of the Internet website of the Central Electoral Commission.

Article 8. Including electors in the list

1. Only persons having the right to vote — under Article 2 of this Code — at a given election shall be included in the list of electors.

2. An elector shall be included in the list of electors of only one community and only once.

3. In case of national elections, electors registered in another community shall, at least seven days before the voting day, file an application with the authorised body or head of its relevant subdivision (hereinafter referred to as “the authorised body”) on temporarily removing from the list of electors for the place of his or her registered residence, indicating his or her whereabouts on the voting day. The form of the application shall be established by the Central Electoral Commission.

The authorised body shall, within a three-day period following the receipt of an application, issue a statement to the elector on removing his or her data from the list of electors for the place of his or her registered residence and on including him or her in a supplementary list of electors of the electoral precinct as per his or her whereabouts. The form of the statement shall be established by the Central Electoral Commission.

4. For the purpose of participating in the voting at national elections, electors not registered in the Republic of Armenia, shall, at least seven days before the voting day, submit an

application on including them in the list of electors, indicating the address of the place of residence in the Republic on the voting day. The authorised body shall, within a three-day period following the receipt of an application, include the elector in a supplementary list of electors of a closest electoral precinct in his or her place of temporary residence and shall issue him or her a statement thereon. The forms of the application and of the statement shall be established by the Central Electoral Commission.

5. At national elections, the Police of the Republic of Armenia shall, by 14:00 at least four days before the voting day, draw up the list of police officers seconded to electoral precincts on the voting day, indicating in it the last name, first name, and patronymic name, the year, month and day of birth (hereinafter referred to as “the date”), as well as the address of the place of registered residence of the electors. Based on these lists, the authorised body shall remove the police officers from the list of electors of their place of registered residence, and shall, in accordance with the requirements prescribed for the lists of electors in Article 9 of this Code, draw up a supplementary list of police officers voting in the precinct, signing and putting a seal on each page of this list, and shall, two days before the voting day, provide it to the chairperson of the precinct electoral commission, together with the list of electors.

6. At national elections, heads of inpatient facilities shall, by 14:00 at least four days before the voting day, submit to the authorised body the list of electors on inpatient treatment willing to participate in the voting, indicating in it the last name, first name, and patronymic name, the date of birth, and the address of the place of registered residence of the electors.

Based on the submitted lists, the authorised body shall remove the electors on inpatient treatment from the list of electors of their place of registered residence, and shall, in accordance with the requirements prescribed for the lists of electors in Article 9 of this Code, draw up a supplementary list of electors participating in the voting in an inpatient facility, by signing and putting a seal on each page of this list, and shall, two days before the voting day, provide it to the chairperson of the precinct electoral commission, together with the list of electors.

7. At national elections, conscript soldiers as well as servicemen undergoing training musters, may, in case of being granted a temporary leave from service in accordance with the legislation, be included in the list of electors in their places of permanent residence, provided that an application on including them in the list of electors is filed within the time limit specified in point 3 of this Article. The form of the application and the list of documents attached thereto shall be established by the Central Electoral Commission.

8. At national elections, conscript soldiers, as well as contract soldiers registered in the territory where a military unit is located, members of their families co-habiting with them, who have the right to vote, as well as electors undergoing training musters, shall be included in the list of electors of the military unit.

9. At national elections, the Ministry of Defence of the Republic of Armenia shall, at least fifty days before the voting day, submit the number of electors registered in military units to the head of community, authorised body and to the Central Electoral Commission, in the manner prescribed by the Central Electoral Commission.

10. Contract soldiers registered outside the territory of a military unit shall be included in the list of electors under the general procedure.

11. Lists of electors in a remand facility shall be drawn up by the head of the penitentiary establishment three days before the voting day.

Article 9. Requirements for the lists of electors

1. Lists of electors shall be drawn up according to the addresses of registration of electors.

2. A list of electors shall include the name of the Marz and of the community, and, in separate columns, elector's:

(1) record number in the list;

(2) last name, first name, and patronymic name (where patronymic name is available);

(3) year, day and month of birth;

(4) address of the place of registered residence, and, in case of electors not registered in the Republic of Armenia, the address of the place of residence in the Republic of Armenia on the voting day.

3. The enumeration — referred to in point 2(1) of this Article — in the lists of electors provided to precinct electoral commissions shall be carried out by precincts; the number of the electoral precinct shall also appear on each sheet of the lists; four more columns shall be provided: the first one shall be for series and number of elector's identification document (hereinafter referred to as "the number"), the second one shall be for elector's signature, the third one shall be for the individual seal of the commission member responsible for the registration of electors, and the fourth one shall be for additional notes. The manner of filling in the additional column in the list of electors shall be prescribed by the Central Electoral Commission.

4. In case of more than one concurrent elections, a separate column for elector's signature shall be provided for each poll.

5. The lists of electors shall be drawn up in the form of a book and paginated for up to 1000 electors, so that each book of the lists of electors provided to an electoral precinct having more than 1000 electors includes data of approximately equal number of electors. Each page of a list of electors may contain data on maximum twenty electors. The list of electors shall be drawn up, paginated, and each page of the list shall be signed and sealed by the authorised body.

Article 10. Providing lists of electors to electoral commissions and to the person possessing the constructions of a polling station

1. The authorised body shall, at least forty days before the voting day, provide to the person possessing the constructions of a polling station one carbon copy of the list of electors containing — on the last page — a statement on the time limits and place of submitting applications on inaccuracies in the lists of electors, on the manner, time and conditions of their consideration, for posting in the polling station. The form of the statement shall be established by the Central Electoral Commission.

2. The authorised body shall, ten as well as three days before the voting day, provide a statement — according to constituencies and electoral precincts — on the number of electors to the Central Electoral Commission at national elections and elections to the Yerevan Council of Elders, and to the constituency electoral commission — at local self-government elections and by-elections of a deputy to the National Assembly.

3. The authorised body shall, two days before the voting day, provide to chairpersons of precinct electoral commissions the lists of electors by precincts and the addresses of residential buildings (houses) included in a precinct, in two printed carbon copies (the first carbon copy of the lists of electors shall be drawn up in the form of a book, and the second carbon copy shall serve for posting in the polling station), as well as the forms necessary for drawing up supplementary lists of electors as provided for in Article 13 of this Code.

4. The authorised body shall, within the time limits prescribed by points 1 and 3 of this Article, provide the lists of electors in an electronic media to the Central Electoral Commission and — according to constituencies — to relevant constituency electoral commissions.

5. The lists of electors registered in a military unit shall be provided to the chairperson of the constituency electoral commission by the commander of the military unit three days before the voting day, in a sealed envelope which shall be opened only on the voting day at the precinct electoral commission.

6. The head of a penitentiary establishment shall, two days before the voting day, deliver the list of electors to the chairperson of the precinct electoral commission.

Article 11. Accessibility of the lists of electors

1. The list of electors of the Republic of Armenia, except for the lists drawn up in military units and remand facilities, as well as the ones signed by electors, shall be open to the public.

Lists signed by electors shall not be published, and no carbon copy of these lists shall be made.

2. The authorised body shall post, with the possibility to download, on the Internet the list of electors of the Republic of Armenia by Marzes and communities, and, in cases provided for by this Code, also by electoral precincts.

3. The person possessing the constructions of the polling station shall, forty days before the voting day, post the list of electors in the polling station, in a place visible to all.

4. The chairperson of a precinct electoral commission shall, two days before the voting day, post a carbon copy of the list of electors, including the supplementary lists, in the polling station, in a place visible to all. These lists shall remain posted in the polling station till the termination of powers of the precinct electoral commission.

5. Lists of electors registered in military units shall, ten days before the voting day, be posted in military units in a place visible to servicemen.

6. In case of forming more than one electoral precinct in a community, the authorised body shall, not later than three days before the voting day, send notifications to the electors on the voting day, number of the polling station, place and time of voting.

Article 12. Procedure on submitting and considering applications on inaccuracies in the lists of electors and on correcting the lists

1. Everyone shall be entitled to file, at least five days before the voting day, an application with the authorised body on eliminating inaccuracies in the lists of electors.

2. Within five days following the receipt of an application, but not later than up to four days before the voting day, the authorised body shall, in case sufficient grounds as prescribed by this Code are present, make necessary alterations or corrections to the list of electors, informing thereof the applicant in writing.

3. Disputes concerning inaccuracies in the lists of electors may be appealed against in the manner and within the time limits prescribed by the Administrative Procedure Code of the Republic of Armenia.

4. During five days preceding the voting as well as on the voting day, judgments concerning applications on eliminating inaccuracies in the lists of electors, as well as concerning applications on including in the lists, shall be delivered within such time frames that enable an elector to participate in the voting.

5. During five days preceding the voting as well as on the voting day, additions to the list of electors based on a judgment or a statement of the authorised body on including in the list of electors, shall be made by a precinct electoral commission, by drawing up a supplementary list on the voting day in the manner prescribed by Article 13 of this Code.

6. Electoral commissions shall not be authorised to make, at their own initiative, any alteration, be it a correction or an addition, to the lists of electors as well as to supplementary lists, except for misspellings and technical errors.

Article 13. Supplementary lists of electors

1. Precinct electoral commissions shall, in the manner prescribed by this Code, draw a supplementary list of electors.

2. Electors submitting court judgments, as well as electors who are registered in the territory of an electoral precinct concerned but are not included in the list of electors, shall, based on the statement of the authorised body, be included in a supplementary list of electors of the precinct. The form of the statement of the authorised body on not being included in the list of electors, which is submitted to precinct electoral commissions, shall be established by the Central Electoral Commission.

3. Supplementary lists of electors shall be drawn up in compliance with the requirements for the lists of electors submitted for voting to precinct electoral commissions, by adding one column for putting the number and date of a court judgment or statement of the authorised body.

4. Each page of a supplementary list of electors drawn up by a precinct electoral commission shall be signed and sealed by the chairperson of the precinct electoral commission; after the end of the voting, the chairperson of the commission shall indicate at the end of the list the total number of electors included in the supplementary list. Documents serving as a basis for including an elector in a supplementary list of electors shall be attached to the supplementary list.

CHAPTER 3
ELECTORAL PRECINCTS AND POLLING STATIONS

Article 14. Electoral precincts

1. The authorised body shall, not later than forty-five days before the voting day and with the participation of the head of community and a member of the constituency electoral commission, form electoral precincts, taking into account local as well as other conditions, with the aim of creating more favourable conditions for voting.

2. Electoral precincts shall be formed by sequential numbering.

3. An electoral precinct shall include not more than 2 000 electors. The number established by this point may be changed in cases of correcting the lists of electors and in cases defined in article 8.

4. An electoral precinct may not include various settlements.

Article 15. Polling station

1. Voting shall be held at a polling station established for that purpose.

2. A polling station must be as much as possible close to the residential buildings and houses located in the electoral precinct. A polling station shall be selected so that the smooth voting process is secured. Due to the lack of appropriate buildings, constructions — in an electoral precinct — belonging to state or local self-government bodies, with the purpose of creating more favourable conditions for electors, the head of community may rent appropriate constructions for locating a polling station. The head of community shall be responsible for selecting an appropriate location of a polling station, as well as for necessary furnishing.

3. A polling station may not be located in buildings occupied by state and local self-government bodies, military educational institutions, military formations and health care facilities.

4. At national elections, polling stations shall be formed also in remand facilities.

5. For ensuring the accessibility of the exercise of the right of suffrage by electors with limited physical capacity, local self-government bodies shall undertake appropriate measures in polling stations.

Article 16. Designating a polling station

1. Heads of communities, as well as heads of penitentiary establishments in cases prescribed by this Code, shall, not later than forty-three days before the voting day, designate a polling station. The head of community shall inform thereof the authorised body, the relevant constituency electoral commission and the person possessing the constructions of the polling station.

2. In case it is not possible to arrange the voting properly or in case it is not possible to hold it in a polling station, the head of community shall be obliged to change, five days before the voting day and upon the request of the chairperson of the constituency electoral commission, the location of the polling station, and, in exceptional cases (natural disaster, accident, fire or

force majeure), to change the location of the polling station also on the voting day, upon the consent of the chairperson of the constituency electoral commission.

3. In case of changing the location of a polling station in accordance with point 2 of this Article, the head of community shall, without delay, inform thereof the electors.

4. Functions prescribed by Articles 15 and 16 of this Code shall be compulsory powers of the head of community, and a failure to perform them as well as an improper performance thereof shall serve as a ground for early termination of powers of a head of community.

CHAPTER 4 CONSTITUENCIES

Article 17. Constituencies

1. Constituencies equal to the number of deputies to the National Assembly under the majoritarian electoral system shall be formed in the territory of the Republic of Armenia.

2. Constituencies shall be formed and numbered by the Central Electoral Commission. A constituency shall be a unified territory and may not include non-bordering settlements.

3. Borders of a constituency shall be determined taking into account the borders of the Marzes, the geographic, topographic, and physical features of the area, availability of means of communication, as well as existing social and other factors. At least one constituency shall be formed in each Marz, provided that the constituency does not include communities of different Marzes.

In each constituency formed in a Marz, the number of electors must not exceed or be less than ten percent of the ratio of the total number of electors in the Marz and the number of constituencies formed in that Marz. Provisions of this paragraph extend also to constituencies to be formed in the city of Yerevan.

4. The Central Electoral Commission shall, within seven days following the entry into force of a decision on the change in the number (borders) of constituencies, publish the diagrams (description) of the constituencies on the Internet website of the Commission as well as in the "*Hayastani Hanrapetutyun*" daily.

5. At early elections to the National Assembly or by-elections of a deputy under the majoritarian electoral system, borders of a constituency shall not be subject to change.

CHAPTER 5 ELECTION CAMPAIGN

Article 18. Main principles of election campaign

1. The State shall ensure the free conduct of election campaign. It shall be ensured by state and local self-government bodies by providing them with halls and other constructions for the purpose of arranging election meetings, meetings of electors with candidates, and other election related events. These shall, in the manner prescribed by the Central Electoral Commission, be provided to candidates, political parties and alliances of political parties (hereinafter referred to as "political parties") on equal grounds and free of charge.

Not later than twenty days after calling national elections, Marzes [Marz governors], the Mayor of Yerevan in Yerevan, shall submit to the Central Electoral Commission the list of those halls and other constructions that are provided to candidates and political parties free of charge. This list shall be posted on the Internet website of the Central Electoral Commission. Provisions of this paragraph cover also elections to the Yerevan Council of Elders.

2. Electors, candidates, political parties shall have the right to conduct — in any manner not prohibited by law — campaign for or against a candidate, a political party.

3. Equal conditions, such as air time or volume, tariff, etc., shall be guaranteed to candidates and political parties for using mass media.

4. After calling elections, candidates, political parties may form election campaign offices. Election campaign offices may not be located in buildings belonging to public administration institutions and may not be rented in those buildings where electoral commissions are functioning. No campaign materials (posters) may be posted on election campaign offices prior to the commencement of the election campaign, with the exception of posters which do not contain direct appeals to vote for or against a candidate, political party, and provided the number of such posters does not exceed the number of election precincts formed for the purpose of elections, and the size of each poster (signboard) does not exceed six square meters. Such posters may not be regarded as print campaign materials within the meaning of this Code.

5. It shall be prohibited to conduct an election campaign and disseminate any type of campaign material by:

(1) state and local self-government bodies as well as state and community servants when performing their occupational duties;

(2) members of the Constitutional Court, judges, officers of the Police, National Security Service and bodies of the Prosecutor's Office, as well as by military servicemen;

(3) charitable and religious organisations;

(4) foreign organisations and nationals (except for electors having the right to participate in local self-government elections);

(5) members of electoral commissions.

6. Election campaign shall start on the seventh day following the last day provided for by this Code for registration of candidates and electoral lists of political parties and shall finish one day before the voting day. Any campaign on the voting day and the day before the voting day shall be prohibited.

7. During election campaigns, candidates and political parties shall be prohibited from giving (promising) — in person or via someone else on their behalf, or in any other manner, gratuitously or on preferential conditions — money, food, securities or goods to electors, as well as from providing (promising) services to them. Those charitable organisations whose names may resemble (be associated with) the names of political parties and the names of candidates, may not carry out charity activities for communities and electors during an election campaign.

8. Candidates, political parties as well as other participants in elections, shall be obliged to observe the established procedure for organising election campaigns. Electoral commissions

shall control the observance of the established procedure for election campaigns. In case of a violation of this procedure by candidates or political parties, the commission which has registered the candidate or the electoral list of a political party, shall apply to the competent authorities in order to prevent them, or apply a warning in respect of a candidate or political party which committed the violation, giving a three-day period for eliminating the violation. In case of a failure to eliminate the violation within the mentioned period, the commission shall file a claim before a court for repealing the registration of the candidate or the electoral list of the political party.

9. Arrested or detained candidates shall conduct election campaigns via their proxies representing them during electoral processes. To that end, arrested or detained candidates shall be entitled, during election campaign, to have meetings with up to three proxies for up to two hours a day in police holding facilities and remand facilities.

Article 19. Election campaign via mass media

1. Candidates for the President of the Republic and political parties participating in elections shall have the right to avail themselves — on equal grounds, free of charge as well as for pay — of air time of the Public Radio and Public Television (including by live transmission).

2. For each national election, the Central Electoral Commission shall, on the next day following the expiry of the time limit provided for registration of candidates, establish the manner and schedule for providing free of charge as well as paid air time to the candidates for the President of the Republic, the political parties.

3. The Public Television and Public Radio shall be obliged to ensure equal conditions for candidates and political parties, adhering to the proportional equality principle.

News programmes on the Public Television and Public Radio must present impartial and unbiased information on election campaign of candidates and political parties, by ensuring the proportional equality principle.

Not organising activities by a candidate or a political party, as well as lack of information on those activities, shall not serve as a ground for the mass media not to publish information on the campaign of other election participants.

4. Not later than ten days after calling national elections and elections to the Yerevan Council of Elders, the price per minute of paid air time shall be publicised through the Public Radio and Public Television, which may not exceed the average cost of commercial advertisement for the last six months preceding the calling of elections and may not be changed till the end of the election campaign.

5. Candidates and political parties shall enjoy also the right to avail themselves — on equal conditions — of air time of other radio and television companies.

Provisions established in points 3 to 5 of this Article equally extend also to other radio and television companies — irrespective of the form of ownership — providing air time to candidates and political parties for conducting campaign.

6. It shall be prohibited to interrupt — by an advertisement of goods or services — radio and television programmes concerning an election campaign.

7. When broadcast, radio and television programmes concerning an election campaign shall be audio and video recorded. These shall be maintained for at least three months.

8. Supervision over the observance by radio and television companies of the established procedure for election campaigns shall be carried out by the National Commission on Television and Radio.

9. During the period of the election campaign at national elections and elections to the Yerevan Council of Elders, the National Commission on Television and Radio shall conduct monitoring of provision — by television and radio companies — of equal conditions for candidates and political parties. To this end, the National Commission on Television and Radio shall elaborate and, not later than twenty days after calling national elections, publish and submit to the Central Electoral Commission a methodology of assessment of provision — by television and radio companies — of equal conditions for candidates and political parties during the period of the election campaign.

10. At national elections and elections to the Yerevan Council of Elders, the National Commission on Television and Radio shall, not later than on the tenth and twentieth day of the time period established for the election campaign, as well as two days prior to the deadline established for summarising the election results, publish and submit to the Central Electoral Commission the findings of the monitoring of fulfilment of requirements of this Article by television and radio companies during the period of the election campaign, as well as the conclusion of the Commission on compliance by television and radio companies with the established procedure for election campaigns.

11. Newspapers and magazines founded by state or local self-government bodies shall be obliged to ensure equal conditions for candidates and political parties during the period of election campaign, by adhering to the proportional equality principle.

Article 20. Procedure for using campaign posters and other materials

1. Candidates and political parties shall have the right to disseminate — on equal grounds and in an unimpeded manner — posters and other print campaign materials. Places for posting campaign posters shall be designated by the head of community.

2. The head of community shall, within ten days after calling elections, decide upon designating places for campaign posters in the territory of the community, establishing such conditions as to ensure equal opportunities for candidates and political parties. Such a decision shall, within a three-day period following its adoption, be submitted to the constituency electoral commission in case of a community with up to 10 000 electors, and to the Central Electoral Commission in case of a community with 10 000 or more electors.

3. Where the head of community fails to take a decision — within ten days after calling elections — on designating places in the territory of the community for campaign posters, places for posting a campaign poster shall be designated by the head of community upon the request filed by a candidate, political party or the authorised representative, within three working days following the receipt of the request. Requests for posting a campaign poster may be filed with the head of community within the time limits established by this Code for submitting documents for registration of candidates and electoral lists of political parties. A request shall contain the dimensions data of the poster, information on the number of posters, and the diagram of the poster shall be attached thereto.

When designating places for campaign posters, the head of community shall be obliged to ensure equal conditions and equal distribution of posters in the territory of the community for all

candidates and political parties. With the purpose of ensuring equal conditions in the territory of the community, candidates and political parties shall adjust dimensions of a poster to the places designated by the head of community for posting posters.

Absence of a request on posting a campaign poster as well as discrepancies in the requests between the numbers of places for posting posters shall not serve as a ground for rejecting the requests of other candidates and political parties or for restricting the number of places for posting campaign posters.

Places – as prescribed by point 2 of this Article — for posting campaign posters shall be provided to candidates and political parties free of charge.

4. The head of community may, at least forty days before the voting day, also take a decision on designating places for posting — for pay — campaign posters by installing billboards or other temporary facilities in the territory of the community, ensuring the conditions prescribed by paragraph 2 of point 2 of this Article as well as an equal tariff for candidates and political parties. Within a period of three days following the adoption of such decision, the head of a community having up to 10 000 electors shall send the carbon copy of the adopted decision to the constituency electoral commission, while the head of a community having 10 000 and more electors — to the Central Electoral Commission.

5. Before posting a campaign poster, its sample shall be submitted to the electoral commission registering the candidate or the electoral list of the political party. In case no decision on prohibiting the posting of a poster is taken by the electoral commission within a three-day period, the poster may be posted.

6. Posting of campaign posters on places other than those provided for by this Code and designated by the head of community, including administrative buildings of public administration institutions or local self-government bodies, public facilities, on and inside public transport, shall be prohibited. Tearing off, tearing, as well as making notes on or damaging in any other way whatsoever posters posted on places designated by the head of community, shall be prohibited.

Posters posted in violation of the provisions of this Article shall be removed by the head of community with the support of the police, if appropriate. This function shall be a delegated power of the head of community.

7. In case of posting campaign posters, organisations controlling outdoor billboards shall, during the period of the election campaign, ensure equal conditions and shall fix equal tariffs for candidates and political parties.

For providing — during the period of the election campaign at national elections and elections to the Yerevan Council of Elders – to candidates and political parties billboards exceeding the surface of five square meters, organisations controlling outdoor billboards shall, within a twenty-day period after calling elections, submit to the Central Electoral Commission information on the number, surface, location, and rental charges for available billboards. The Central Electoral Commission shall post this information on its Internet website for the attention of candidates and political parties. Candidates and political parties shall, within the time limits prescribed by this Code for submitting documents for registration of candidates and of electoral lists of political parties, submit to the Central Electoral Commission an application on posting campaign posters on billboards, mentioning the required number of billboards. Based on this information, the right to post campaign posters on outdoor billboards shall be allocated among candidates and political parties upon the decision of the Central Electoral Commission, ensuring equal conditions for candidates and political parties.

Based on the decision of the Central Electoral Commission, candidates and political parties shall sign contracts with organisations controlling outdoor billboards for posting campaign posters.

8. The head of community, the heads of organisations controlling outdoor billboards shall ensure that campaign posters of candidates and political parties, whose registration has been repealed or declared invalid, posted in accordance with the requirements of this Article are removed.

9. Print campaign materials must contain information on the client, publisher and circulation.

10. Dissemination of anonymous print campaign materials shall be prohibited. In case of detecting anonymous or false print campaign materials the informed electoral commission shall apply to competent authorities to stop the illegal actions.

Article 21. Prohibiting influence on the free expression of the will of electors

1. Employees of radio and television companies, who are registered as candidates, shall be prohibited from providing coverage of elections, from anchoring radio and television programmes or participating therein, except for cases prescribed by Article 19 of this Code.

2. During election campaign, state and community servants, mass media employees shall be prohibited from exercising their powers (rights) with the purpose of influencing the free expression of the will of electors by establishing unequal conditions among candidates, political parties and demonstrating partiality.

3. When publishing findings of an opinion poll on ratings of candidates and political parties, the organisation carrying out the opinion poll shall be obliged to indicate poll time frames, number of respondents and type of sample, type and place of collection, precise question formulation, statistical evaluation of a possible error, and the client.

Publishing — during the seven days prior to the voting day as well as by 20:00 of the voting day — of findings of an opinion poll on ratings of candidates and political parties shall be prohibited.

It shall be prohibited to publish — till the end of the voting — the findings of an opinion poll of electors as for whom they have cast an affirmative vote.

4. Any influence on electors inside, at the entrance of or around polling places shall be prohibited on the voting day as well as on the day before the voting day.

5. Assembling in groups on the territory — with up to fifty meter radius — adjacent to a polling station, as well as cluster of vehicles on the territory adjacent to the entrance of a polling station on the voting day shall be prohibited. The enforcement of the provisions of this point shall be ensured by the Police of the Republic of Armenia, irrespective of any request by an electoral commission.

Article 22. Restrictions for election campaigns of candidates occupying political and discretionary positions, as well as candidates occupying a position of state or community servant

Candidates occupying political and discretionary positions, as well as candidates occupying a position of state or community servant shall conduct election campaigns taking into account the following restrictions:

(1) conducting an election campaign while performing official duties, as well as any abuse of official position to gain advantage at elections, shall be prohibited;

(2) use — for election campaign purposes — of constructions, means of transport and communication, material and human resources provided for performing official duties, shall be prohibited, except for measures applicable in respect of high-ranking officials subject to state protection under the Law of the Republic of Armenia “On ensuring the safety of persons subject to special state protection”.

State property shall be used on general grounds by these candidates for election campaign purposes.

(3) coverage — via mass media — of activities of these candidates shall be prohibited, except for the cases prescribed by the Constitution, official visits and receptions, as well as activities carried out by them during natural disasters.

Where coverage of other activities of a candidate referred to in this Article is made, mass media must consider this when making coverage of the activities of other candidates, in order to comply with the coverage equality principle.

**CHAPTER 6
FUNDING OF ELECTIONS**

Article 23. Funding of organisation and conduct of elections

1. The funding of expenditures for organising and holding elections (including drawing up lists of electors, organising professional courses for conducting elections) as well as expenditures necessary for the activities of electoral commissions shall be made at the expense of the funds of the State Budget. Such expenditures shall be envisaged by a separate budget line in the State Budget and shall be included in one line in the Public Procurement Plan.

When making procurement at the expense of financial means provided for the organisation and conduct of elections, the procurement procedure shall be established by the Central Electoral Commission in accordance with the Law of the Republic of Armenia “On procurement”.

2. In case of holding early elections, elections shall be funded from the reserve fund of the State Budget and, if impossible, from the reserve fund of the Central Bank, provided that afterwards the refund thereof shall be made at the expense of the State Budget.

3. Where budgetary funds are not provided in a timely manner, or no financial means exist in the reserve fund of the Central Bank of the Republic of Armenia, or the allocated financial means are insufficient to fund elections or the second round of elections, the Central Electoral Commission shall be entitled to obtain credit from private banks on a competitive basis or to

use means available on the special account of electoral deposits of the Central Electoral Commission, provided that the credit or means used from the special account of electoral deposits are redeemed (recovered) by the Government within a period of three months.

4. Financial means intended for elections, including those provided for the maintenance of commissions, shall be allocated to the “Staff of the Central Electoral Commission” public administration institution. The “Staff of the Central Electoral Commission” public administration institution shall, in the manner prescribed by this Code and the legislation of the Republic of Armenia, dispose of financial means and shall be responsible for using such means in accordance with the estimates established by the Central Electoral Commission.

The constituency electoral commission shall submit a report on the use of financial means to the Central Electoral Commission within a period of twenty days after elections. The Central Electoral Commission shall submit a report on the expenditures incurred to the Control Chamber of the Republic of Armenia, in the manner and within the periods prescribed by the legislation of the Republic of Armenia.

Article 24. Electoral deposit

1. Candidates as well as political parties shall make payment for an electoral deposit to the account of the Central Electoral Commission.

2. The amount of an electoral deposit shall be returned within a period of seven days after receiving an application, in case of:

(1) being elected or participating in the distribution of seats under the proportional electoral system;

(2) receiving ballot papers with affirmative votes making five or more than five per cent of the number of ballot papers with affirmative votes cast for candidates in the result of elections;

(3) recusal before the registration of candidates or electoral lists of political parties;

(4) declaring the election results invalid and calling a new election;

(5) death of a candidate – to his or her heirs.

3. In all other cases the amount of electoral deposit shall not be returned.

Article 25. Creation of election fund

1. Candidates, political parties shall open an election fund for the purpose of funding their election campaign. Political parties included in an alliance of parties and candidates nominated only under the proportional electoral system may not create a separate election fund. Financial means of election fund of candidates for the President of the Republic as well as of political parties shall be accumulated in the Central Bank of the Republic of Armenia, whereas means of other candidates - in a commercial bank — which has branches in all Marzes of the Republic — determined by the Central Electoral Commission. For the purpose of creating an election fund, banks shall open temporary special accounts on the basis of applications of candidates as well as political parties. Revenues shall not be calculated and paid from those accounts.

2. The election fund shall be made up from:

- (1) personal funds of the candidate;
- (2) funds provided by the political party that has nominated the candidate;
- (3) funds of the political party;
- (4) voluntary contributions by persons having the right to vote;

Amounts paid to the accounts of election funds by natural and legal persons not specified in this point, shall be transferred to the State Budget.

3. The procedure for registration of contributions made to, and expenditures made from, election funds shall be laid down by the Central Electoral Commission.

4. The limits of contributions made to election funds shall be as prescribed by this Code. Amounts — exceeding the limits of contributions as prescribed by this Code — made to election funds shall be transferred to the State Budget.

5. Banks where temporary special accounts are opened, shall submit an income statement of election funds of candidates and political parties to the relevant electoral commission with a periodicity of three days. The Oversight and Audit Service shall summarise such data, compile a brief statement and post it on the Internet website of the Central Electoral Commission.

Article 26. Use of means of election funds

1. For the purpose of funding the conduct of election campaign via mass media, renting halls, premises preparing (posting) campaign posters, acquiring print campaign and other materials, preparing all types of campaign materials, including print materials, to be provided to electors, a candidate as well as a political party shall use only the means of his election fund. Contracts concluded for acquisition of services or property prescribed by this point shall be submitted to the Oversight and Audit Service of the Central Electoral Commission within a period of three days. Free services rendered by third persons to a candidate or a political party for election campaign, as well as donations and campaign posters, print campaign and other materials ordered, acquired or prepared prior to formation of the election fund, all types of campaign materials, including print materials, provided to electors shall be included in the expenditures of election fund in their market value.

2. Where it is substantiated that the free service rendered for election campaign as well as the donation is not included in the expenditures of election fund in their market value, a candidate, a political party shall be obliged to increase by that much the expenditure part of the fund and transfer an amount in the five-fold of the market value thereof from the account of election fund to the State Budget based on the decision of the electoral commission.

3. Where it is proved that the expenditure incurred for any service or other property acquired by a candidate or political party for the organisation of election campaign is essentially smaller than the market value set for a similar service or property, the expenditure side of election fund shall be added by an amount equal to that difference. Upon the decision of the electoral commission, a candidate as well as a political party shall be obliged to transfer an amount in the five-fold of the difference of those values from the account of election fund to the State Budget.

4. Where it is substantiated that the expenditures made for election campaign of a candidate or a political party have exceeded the limit of election fund as prescribed under this Code, a candidate, a political party shall, upon the decision of the electoral commission, be obliged to

transfer to the State Budget an amount in the five-fold of the amount exceeding the limit of election fund prescribed under this Code.

5. Where the amount for election campaign is more than, or equal to, ten per cent of the limit of election fund as prescribed under this Code, the court, upon application of the electoral commission, shall repeal the registration of the candidate or of the electoral list of the political party.

6. In case of failure to transfer the amounts prescribed by this Article to the State Budget within five days after the adoption of the decision of the electoral commission or failure to appeal the decision of the electoral commission through judicial procedure within the same time limits, the court, upon application of the electoral commission, shall repeal the registration of the candidate or of the electoral list of the political party.

7. All operations conducted with the accounts of election funds of candidates and political parties shall be terminated from the voting day.

8. Candidates as well as political parties may be allowed to make payments from the fund also after the voting day, but only for transactions carried out before the voting day.

9. After the election, the remaining means of election fund shall be used for charitable purposes at the discretion of a candidate or a political party within a period of three months following the official publication of election results. After the expiry of a period of three months, the remaining means of election fund shall be transferred to the State Budget.

10. In case of declaring elections as not having taken place, the remaining means of election fund shall be blocked until the registration of candidates or electoral lists of political parties for new elections. In case of new elections, candidates and political parties may use the remaining means of their election fund.

11. The remaining means of election funds of candidates and political parties not participating in new elections shall be transferred to the State Budget.

12. The provisions of this Article are concerned solely with the funding the conduct of election campaign via mass media, funding for renting halls, premises, preparing (posting) campaign posters, acquiring print campaign and other materials, funding for all types of campaign materials, including print materials, to be provided to electors, as prescribed by point 1 of this Article.

Article 27. Declaration on contributions made to election funds and the use thereof

1. Candidates, political parties shall submit a declaration to the Oversight and Audit Service of the Central Electoral Commission on the contributions made to their election funds and the use thereof, on the tenth and twentieth day after commencing the election campaign as prescribed by this Code, as well as not later than three days before the relevant time limits defined by this Code for summarising election results.

2. The form of the declaration shall be established by the Central Electoral Commission. The form of the declaration shall also include guidelines on procedure and time limits for drawing up and submitting the declaration.

3. The following shall be specified in the declaration:

(1) the chronology of all contributions made to the election fund and the amount of contributions;

(2) all expenditures incurred for the acquisition of each service or other property as defined by Article 26(1) of this Code, the time period of incurring thereof, and the data on documents attesting such expenditures;

(3) the amount of remaining means of election fund.

4. The declarations of candidates for the President of the Republic, political parties, candidates for a deputy to the National Assembly under the majoritarian electoral system, shall, within a three-day period, be posted on the Internet website of the Central Electoral Commission, whereas the carbon copies of declarations of other candidates shall be posted in the constituency electoral commission in a visible place; the carbon copies thereof may be provided to mass media representatives and observers.

Article 28. Oversight and Audit Service

With the purpose of exercising supervision over use of funds provided to electoral commissions, the staff of the Central Electoral Commission, contributions made to election funds, their calculation and expenditures, as well as over financial activities of political parties, the Central Electoral Commission shall create an Oversight and Audit Service. The position of the head of the Oversight and Audit Service shall be a civil position; the other two employees of the Service shall be civil servants. The post salary of the head of the Oversight and Audit Service shall be equal to seventy-five per cent of the post salary fixed for a member of the Central Electoral Commission; he or she shall be appointed by the decision of the Central Electoral Commission. The head of the Service may not be a member to any political party.

For the purpose of exercising supervision over contributions made to election funds, their calculation and expenditures, each faction of the National Assembly shall, within a ten-day period upon calling national elections and elections to the Yerevan Council of Elders, appoint one auditor in the Oversight and Audit Service with the right of suffrage in the Republic of Armenia and holding a qualification of an auditor. The auditors appointed in the Service by the alliances of the National Assembly shall work on a voluntary basis; their activities shall terminate on the twentieth day upon publishing the election results.

At national elections, elections to the Yerevan Council of Elders and local self-government elections in the whole territory of the Republic, up to five specialists may be involved in the Oversight and Audit Service on contractual basis for up to a three-month period.

The Oversight and Audit Service shall, within two days after receiving the declarations on the use of means of election funds of candidates or political parties, check, draw up a statement on the check results and submit to the discussion of the Central Electoral Commission. Upon consideration in the sitting of the Commission, the statement shall be posted on the Internet website of the Central Electoral Commission.

The rules of operation of the Oversight and Audit Service shall be defined by the Central Electoral Commission in accordance with the requirements of this Code and the Law of the Republic of Armenia "On political parties".

CHAPTER 7
OBSERVERS, MASS MEDIA REPRESENTATIVES, PROXIES

Article 29. Right to observation mission

1. The following shall have the right to observation mission at elections:

(1) international organisations;

(2) diplomatic and consular representations accredited in the Republic of Armenia;

(3) foreign non-governmental organisations and those of the Republic of Armenia the tasks of which enshrined by the Statutes thereof include issues relating to the democracy and protection of human rights and which do not assist candidates or political parties. The instruments of constitution of non-governmental organisations registered in the Republic of Armenia must comply with the requirements of the legislation of the Republic of Armenia.

2. International organisations, diplomatic and consular representations accredited in the Republic of Armenia and foreign non-governmental organisations may, upon invitation, carry out an observation mission. Nationals of the Republic of Armenia may not be included in the observation missions of international organisations and foreign non-governmental organisations.

The following shall have the right to invite organisations and persons specified in this point to carry out an observation mission:

(1) the President of the Republic;

(2) the President of the National Assembly of the Republic of Armenia;

(3) the Prime Minister of the Republic of Armenia;

(4) the Central Electoral Commission.

3. The reports on elections by international organisations, observation missions of foreign non-governmental organisations shall be posted on the Internet website of the Central Electoral Commission.

4. The procedure for carrying out an observation mission shall be established by the Central Electoral Commission.

Article 30. Accreditation of observers

1. Observers of the organisations specified in Article 29 of this Code shall carry out their mission after having been accredited in the Central Electoral Commission.

2. Applications for making alterations (supplements) to the list of observers accredited or those to be accredited shall be submitted to the Central Electoral Commission after calling elections, but not later than ten days before the voting day.

3. The Central Electoral Commission shall deliver sealed certificates to be issued to observers to those organisations not later than seven days after the receipt of application.

Certificates of observers shall, in case of non-governmental organisations registered in the Republic of Armenia, be sealed also by the seal of the organisations.

4. The Central Electoral Commission shall reject the application on accreditation of observers where the tasks enshrined by the Statute of the organisation do not meet the requirements of Article 29(1)(3) of this Code or the documents submitted do not comply with the requirements of the decision of the Central Electoral Commission prescribed by point 7 of this Article.

5. In case of assisting any candidate or political party by observers, the Central Electoral Commission shall have the right to deprive that organisation of the right to carry out an observation mission.

6. Powers of observers shall terminate on the eighth day upon the official publication of election results, unless an appeal has been lodged with a court against the election results. In case of lodging an appeal with a court against the election results, the powers of observers shall cease on the next day following the publication of a judicial act, unless a revote has been called. Re-registration of observers shall not be required in case of a revote.

7. The procedure for accreditation of observers, the list of documents and information necessary for accreditation of observers, forms of their certificates and the procedure for completing thereof shall be defined by the Central Electoral Commission.

Article 31. Rights and obligations of an observer, mass media representative, and guarantees for activities thereof

1. An observer and mass media representative shall have the right to:

(1) be present at the sittings of electoral commission, and, during the voting, in the polling station as well;

Observers of non-governmental organisations registered in the Republic of Armenia may be present at the sittings of electoral commissions, and during voting—also in the polling station, if they have completed professional courses on holding elections and have been issued qualification certificates. These courses shall be held together with the courses established by this Code for electoral commission membership candidates.

(2) observe, in the manner prescribed by the Central Electoral Commission, the process of printing, transporting, keeping, and counting of ballot papers;

(3) freely get familiar with sample ballot papers, election documents under the disposal of the electoral commission, decisions of the commission, and protocols of sittings, as well as receive their carbon copies and make excerpts from them;

(4) freely move, in the manner prescribed by the Central Electoral Commission, in the polling station for observing ballot papers and ballot box.

2. An observer as well as mass media representative shall have no right to intervene with the activities of the electoral commission.

3. On the voting day, an observer shall observe the activities of the electoral commission and may submit observations and recommendations to the chairperson of the commission.

4. Any limitation of the rights of an observer, mass media representative prescribed by this Code shall be prohibited.

5. An observer, mass media representative shall be obliged to comply with the requirements of this Code and may not be subjected to liability for his or her expressed opinions on the process and results of elections.

Article 32. Status of a proxy

1. Parties, after registering electoral lists and candidates, after being registered, may have proxies for protecting their interests in electoral commissions, in their relations with state and local self-government bodies, organisations and mass media. Only citizens having the right of suffrage in the Republic of Armenia may be a proxy.

2. After registration of electoral lists of political parties and candidates, but not later than up to seven days prior to the voting day, according to the lists provided, proxies shall be issued with sealed certificates in the number of not more than three-fold of the number of precincts established for election. Certificates shall be issued within a five-day period after submitting an application. The relevant commission shall indicate in the certificate the first name, patronymic name, last name of the candidate and the name of the political party. The candidate or his or her authorised representative or the authorised representative of the political party shall complete the certificates and provide them to proxies.

3. The procedure for registration of proxies shall be defined by the Central Electoral Commission. The candidate or his or her authorised representative, the authorised representative of the political party may at any time, but not later than up to seven days prior to the voting day, recall their proxies, appoint new ones.

4. Members of the Constitutional Court, judges, employees of the Police of the Republic of Armenia and the National Security Service of the Republic of Armenia, the Ministry of Defence, the Prosecutor's Office, the Judicial Acts Compulsory Enforcement Service, tax and customs authorities, rescue services, military servicemen, clergymen, and members of electoral commission, heads of state mass media and foreign nationals may not act as proxies.

Article 33. Rights and responsibilities of a proxy and guarantees for activities

1. The proxy shall have the right to:

(1) participate in an advisory capacity at the sittings of the electoral commission, be present in a polling room during the voting;

(2) get familiar with election documents, including relevant judgements of the court, relevant statement issued by the authorised authority;

(3) freely get familiar with election documents under the disposal of the given electoral commission, decisions, protocols of the electoral commissions in the presence of the chairperson, deputy chairperson, secretary of the electoral commission or one of the members of the commission assigned by the commission chairperson, to receive carbon copies thereof (except for the lists signed by electors), make excerpts from them (except for the lists signed by electors). Carbon copies of or excerpts from the decisions, protocols and records of the register shall be sealed and signed by the chairperson (deputy chairperson) and the secretary of the commission. Documents received from the precinct electoral commission shall be sealed only on the day of voting;

(4) in the manner and cases prescribed by this Code, appeal against the decisions, actions and inaction of electoral commissions;

(5) observe, in the manner prescribed by the Central Electoral Commission, the process of printing, transporting, keeping, and calculation of ballot papers;

(6) to be physically present near the member of the commission who register voters, provide a ballot paper and a ballot envelope, seal ballot envelopes and control a ballot box and observe their activities without intervening with the activities of the commission;

(7) observe the activities of the electoral commission on the voting day and submit comments and recommendations thereon to the chairperson of the commission in respect of which he or she undertakes appropriate measures;

(8) when summarising the voting results in the presence of the chairperson, deputy chairperson, secretary of the electoral commission or one of the members of the commission assigned by the commission chairperson, feely get familiar with the cast ballot papers and indications made therein, be present during the counting of ballot papers and summarisation of voting results;

(9) exercise other powers provided for by this Code.

2. The proxy shall exercise his or her powers in the manner prescribed by this Code.

3. One proxy of each candidate and political parties (alliances of political parties) participating in the elections to the National Assembly may be present at the sitting of the electoral commission (in an advisory capacity) and during the voting.

4. No limitation of the rights of the proxies shall be allowed. No one, including electoral commissions, shall have the right to make the proxies leave the voting room or otherwise isolate them from the activities of the commission, except for case of their arrest or remand detention.

5. The proxy shall not be subject to liability for his or her expressed opinion on the process and summarisation of results of elections.

SECTION 2. ELECTORAL COMMISSIONS

CHAPTER 8

THE SYSTEM OF ELECTORAL COMMISSIONS STATUS OF MEMBERS OF ELECTORAL COMMISSIONS

Article 34. The system of electoral commissions

1. For the purpose of organising and holding elections, a three-level system of electoral commissions shall be established in the Republic, consisting of the Central Electoral Commission, constituency electoral commissions, and precinct electoral commissions.

2. A constituency electoral commission shall be formed for each constituency. The seats of constituency electoral commissions shall be determined by the Central Electoral Commission upon the decision of the National Assembly on the formation of majoritarian constituencies.

3. Where the territory of a community is included in more than one constituency, the Central Electoral Commission shall, at least sixty-five days prior to the voting day, determine the constituency electoral commission which is empowered to organise and hold local self-government elections in the community concerned. The constituency under the jurisdiction of that commission must include a greater number of electors in the community concerned.

4. State and local self-government bodies shall provide constituency electoral commissions with necessary office space and facilities, without compensation, and shall support them to ensure their normal work activities.

Article 35. Tasks of electoral commissions

1. Electoral commissions shall ensure the exercise and protection of electors' right of suffrage. Electoral commissions shall be independent from state and local self-government bodies in exercising their powers.

2. Electoral commissions shall act based on the principles of legality, collegiality, and publicity.

Article 36. Acts of electoral commissions

1. The Central Electoral Commission shall adopt regulatory or individual legal acts, whereas constituency electoral commission - individual legal acts.

2. Legal acts of electoral commissions adopted within the scope of their powers shall be binding.

Article 37. Status of members of electoral commissions

1. Members of electoral commissions shall act in the electoral commission independently and shall not represent the one who has appointed him or her.

2. Members of electoral commissions shall be released from mobilisation and training musters and, during the period of national elections - from conscription as well.

3. A member of the Central Electoral Commission may be detained or be subject to administrative liability through judicial procedure only upon the consent of the Central Electoral Commission.

4. Members of the Central Electoral Commission shall work on a permanent basis and shall have no right to engage in other gainful occupation, except for scientific, pedagogical, and creative work.

5. Powers of members of the Central Electoral Commission and constituency electoral commissions shall be exercised until the first sittings of new Central Electoral Commission and constituency electoral commissions, respectively, is convened.

Where the cessation of powers of the Central Electoral Commission overlaps with the period of conducting national elections, the powers of the Commission shall cease seventy days after summarisation of elections results.

6. Members of electoral commissions shall have the right to familiarise in advance with issues and documents submitted to the discussion of the commission, make speeches at the

commission sittings, submit proposals and require to conduct voting with that regard, ask questions to participants of the sitting and receive exhaustive answers.

7. Members of electoral commissions shall be obliged to perform tasks assigned by the chairperson of the commission within the scope of his or her competence.

8. Members of a superior electoral commission shall, upon the assignment of the chairperson of the commission, have the right to participate, in an advisory capacity, in sittings of a subordinate electoral commission and be present at the polling station on the voting day.

9. Members of constituency and precinct electoral commissions may be released from their official duties in the period of elections.

10. Members of electoral commissions shall be obliged to participate in the activities of the commission and fulfil obligations conferred on him or her by law. Failure to fulfil obligations without any good reason shall result in liability prescribed by law.

11. Salaries of members of constituency electoral commissions and precinct electoral commissions in their main workplace shall be preserved.

12. At the first sitting of commissions, each member of the electoral commission shall, after public reading by the chairperson of the electoral commission, sign a commitment "On performing duties of the electoral commission member in accordance with the requirements of the Constitution of the Republic of Armenia and legislation of the Republic of Armenia", which is attached to the record book of the electoral commission. The text of the commitment of the member of electoral commission "On performing duties of the electoral commission member in accordance with the requirements of the Constitution of the Republic of Armenia and legislation of the Republic of Armenia" shall be defined by the Central Electoral Commission.

Article 38. Funding of electoral commissions and remuneration of members of electoral commissions

1. Funding of electoral commissions and remuneration of members of electoral commissions shall be provided at the expense of the State Budget in the manner prescribed by this Article. The CEC shall also have an account for studying the practice of election administration, for implementing programmes geared at improving the quality of election administration out of the State Budget.

2. The post salary of the Chairperson of the Central Electoral Commission shall be equal to the post salary of the member of the Constitutional Court as prescribed by the Law of the Republic of Armenia "On post salaries of chief officials of legislative, executive, and judicial authorities of the Republic of Armenia"; the post salary of the Deputy Chairperson and the Secretary of the Commission shall be equal to eighty-five per cent of the post salary of the Chairperson of the Commission, and the post salary of the members of the Commission shall be equal to seventy-five per cent of the post salary of the Chairperson of the Commission.

3. In case of national new or by-elections, new or by-election to the Yerevan Council of Elders or new or by-elections of a deputy to the National Assembly under the majoritarian electoral system as well as in case of local self-government elections in five and more communities of the constituency simultaneously or (and) in the community having more than 10 000 electors, the chairperson, deputy chairperson of the constituency electoral commission, secretary of the commission shall, for each month of the period of elections (sixty days), be remunerated in the amount of the post salary of the member of the Central Electoral

Commission, whereas members of the commission - in the amount of fifty per cent of the remuneration of the chairperson of the constituency electoral commission.

In case of other elections, the chairperson, deputy chairperson of the constituency electoral commission and secretary of the commission shall be remunerated in the amount of the remuneration of the chairperson.

4. During the period of elections, the chairperson of the precinct electoral commission shall be remunerated in the amount of two-fold of the minimum salary defined by the legislation of the Republic of Armenia, whereas the deputy chairperson, secretary of the commission and members of the commission – in the amount of the minimum salary. Members of precinct electoral commissions shall be remunerated upon summarising the election results. Members of precinct electoral commissions shall not be given additional remuneration in case of a revote, and shall not be given remuneration in case of declaring the voting results in the precinct invalid.

5. In case of national new or by-elections, new or by-elections to the Yerevan Council of Elders, new or by-elections of a deputy to the National Assembly under the majoritarian electoral system, the post salaries of civil servants (employees) of the headquarters of the Central Electoral Commission shall be doubled for each month of the election period (60 days). The difference between the post salaries of civil servants (employees) of the headquarters of the Central Electoral Commission for the period defined by this point shall be included in the costs for preparation and conduct of elections.

6. Up to fifteen per cent of the funds available on the special account of electoral deposits of the Central Electoral Commission may, upon the decision of the Central Electoral Commission, be used, in accordance with the approved estimate for each year, for studying the practice of election administration, for implementing programmes geared at improving the quality of election administration, for technical re-equipment of the electoral commissions and finally for publishing the materials concerning electoral legislation. The remainings of the funds available on the special account of electoral deposits of the Central Electoral Commission upon the decision of the Government, shall be used for technical re-equipment of the electoral commissions and for publishing the materials concerning electoral legislation.

CHAPTER 9 FORMATION OF ELECTORAL COMMISSIONS

Article 39. Fundamentals for establishing electoral commissions

1. Citizens having the right of suffrage shall be involved in the composition of electoral Commissions.

2. Citizens meeting the requirements of Article 40 and 41 of this Code, respectively, may be involved in the composition of the Central Electoral Commission and constituency electoral commissions.

3. Those citizens, meeting the requirements of Article 42 of this Code, may be involved in the composition of precinct electoral commissions, who, in the manner prescribed by the Central Electoral Commission, completed professional courses on holding elections and have been awarded qualification certificates.

4. Training of the members of the constituency electoral commissions shall be carried out upon formation of the commissions.

5. Professional courses on holding elections shall be organised and conducted by the Central Electoral Commission in the manner prescribed by the Commission. The courses shall be organised in the city of Yerevan and in Marzes (in Marzes – by constituencies) at least once a year, based on the applications of citizens and the lists submitted by political parties and non-governmental organisations. Qualification certificates shall be issued based on a written test. Representatives of mass media, of non-governmental organisations may follow the process of courses, tests.

6. A citizen may be involved in the composition of only one electoral commission.

7. Information on the composition of electoral commissions shall be published in the manner prescribed by the Central Electoral Commission.

8. Deputies to the National Assembly, members of the Constitutional Court, judges, ministers and their deputies, Marzpets and their deputies, heads of communities and members of councils of elders, military servicemen, officers of the National Security Service, the Police, Prosecutor's Office, Judicial Acts Compulsory Enforcement Service, Penitentiary Service, Customs Service, rescue services, proxies, authorised representatives, observers, candidates, as well as persons having conviction for crimes provided for in Articles 149 to 154 of the Criminal Code of the Republic of Armenia may not be a member of an electoral commission.

Article 40. Procedure for the formation of the Central Electoral Commission

1. The Central Electoral Commission shall be composed of seven members. Members of the Central Electoral Commission shall be appointed by the President of the Republic for a period of five years, till the cessation of the powers of the Commission.

2. The Human Rights Defender of the Republic of Armenia, the Chairperson of the Chamber of Advocates of the Republic of Armenia and the Chairperson of the Court of Cassation of the Republic of Armenia shall each propose to the President of the Republic five candidates for a member of the Central Electoral Commission. At least one candidate in each group of five candidates for a member of the Central Electoral Commission must have legal education and at least one of them must be a woman.

Seven of the proposed candidates shall be appointed as a member of the Central Electoral Commission, while the others shall remain in the reserve for filling vacant positions of a member of the Commission.

3. At least two of the members of the Central Electoral Commission must have legal education, and at least two of them must be women. In case of each new formation, at least 1/3 of the members of the Central Electoral Commission must be changed.

4. A member of the Central Electoral Commission shall be unchangeable; he or she may not be a member to any political party.

5. A national of the Republic of Armenia having the right of suffrage shall be eligible for membership to the Central Electoral Commission, if he or she is a public servant, does not carry out public social and political activities, demonstrates political restraint and has:

(1) higher legal education or a Law degree and at least five years of professional experience in the last ten years, or

(2) higher education and at least five years of professional experience in the field of public administration in the last ten years, or

(3) higher education and at least three years of professional experience in the last five years in a standing electoral commission or in the staff thereof.

6. The Central Electoral Commission shall assume its powers at the first sitting appointed on the day of cessation of the powers of the previous electoral commission, which shall take place at 12.00 at the administrative building of the Central Electoral Commission. The first sitting of the Central Electoral Commission shall, prior to election of the Chairperson of the Commission, be held by the elder member of the Commission.

7. The Chairperson, Deputy Chairperson and the Secretary of the Central Electoral Commission shall be elected by the Commission from among its members at the first sitting of the Commission.

8. Particulars of candidates for members of the Central Electoral Commission shall be submitted to the Staff to the President of the Republic of Armenia by 18:00 not earlier than thirty days and not later than twenty days prior to the cessation of powers of the Central Electoral Commission. The Chairperson of the Central Electoral Commission shall, no later than fifty days before termination of powers of the Central Electoral Commission, notify the officials empowered to nominate candidates for members of the Commission on termination of powers of the members of the Central Electoral Commission.

9. The Decree of the President of the Republic on appointing the members of the Central Electoral Commission shall be promulgated at least seven days prior to termination of the powers of the Central Electoral Commission.

10. The activities of the Central Electoral Commission shall be managed by the Chairperson of the Commission or his or her deputy upon his or her instruction.

11. The right to nominate candidates for Chairperson, Deputy Chairperson and Secretary of the Central Electoral Commission shall be vested with the members of the Central Electoral Commission.

12. The Chairperson, Deputy Chairperson and Secretary of the Central Electoral Commission shall be elected by open vote. Where one candidate has been voted for the position of the Chairperson, Deputy Chairperson and Secretary of the Central Electoral Commission, he or she shall be elected in case more than half of the votes of the participants of the voting were cast in his or her favour.

Where more than one candidate is voted for the position of the Chairperson, Deputy Chairperson and Secretary of the Central Electoral Commission, the candidate having received the greatest number of affirmative votes shall be elected.

Article 41. Procedure for the formation of a constituency electoral commission

1. A constituency electoral commission shall be comprised of seven members. The Central Electoral Commission shall form the constituency electoral commissions and shall appoint the members thereof for a five-year period, until the cessation of the powers of the commission.

2. At least one member in each constituency electoral commission must have legal education and at least one of them must be a woman. In case of a new formation, at least 1/3 of the members of each constituency electoral commission must be changed.

3. A member of the constituency electoral commission shall be unchangeable; he or she may not be a member to any political party.

4. The Central Electoral Commission shall elect the candidates for members of a constituency electoral commission from among those citizens, who, within the established time limits, file an application with the Central Electoral Commission for being included in the composition of constituency electoral commissions.

5. A national of the Republic of Armenia having the right of suffrage shall be eligible for applying for involvement in constituency electoral commissions, if he or she is a public servant, does not carry out public social and political activities, demonstrates political restraint and has:

(1) higher legal education or a Law degree and at least two years of professional experience in the last five years, or;

(2) higher education and at least three years of professional experience in the field of public administration in the five ten years, or

(3) higher education and at least two years of professional experience in the last five years in a standing electoral commission or in the staff thereof.

Advocates, notaries having the right of suffrage in the Republic of Armenia may also be included in the composition of constituency electoral commissions.

6. Chairpersons, deputy chairpersons and secretaries of constituency electoral commissions shall be elected by the respective commissions from among their members.

Citizens not appointed in constituency electoral commissions shall remain in the reserve for filling vacant positions of a member of a commission.

7. A constituency electoral commission shall assume its powers in the first sitting of the commission convened on the 40th day after the Central Electoral Commission assumes its powers.

8. For selecting candidates for members of the constituency electoral commissions, the Central Electoral Commission shall disseminate, through mass media, an announcement on time limits for submitting applications by citizens and the requirements for a member of the constituency electoral commission. The form of the application and the list of required documents shall be established by the Central Electoral Commission.

9. The decision of Central Electoral Commission on appointing members of constituency electoral commissions shall be adopted not later than seven days prior to the day of the first sitting of constituency electoral commissions.

10. The activities of a constituency electoral commission shall be managed by the chairperson of the commission or his or her deputy upon his or her instruction.

The first sitting of a constituency electoral commission shall commence at 12.00 at the location of the constituency electoral commission. The first sitting of the constituency electoral

commission shall, prior to election of the chairperson of the commission, be held by the elder member of the commission.

11. Chairperson, deputy chairperson and secretary of a constituency electoral commission shall be elected in the manner prescribed for the Chairperson, Deputy Chairperson and Secretary of the Central Electoral Commission.

Article 42. Procedure for the formation of a precinct electoral commission

1. The precinct electoral commission shall be comprised of at least seven members:

2. One member in the precinct electoral commission shall be appointed respectively by:

- 1) President of the Republic,
- 2) political party having a faction in the National Assembly (an alliance of political parties),
- 3) chairperson of a relevant constituency electoral commission.

3. Where no member of the commission is appointed by the President of the Republic or by any political party (alliance of political parties) in the manner and within time limits prescribed by this Code for the formation of the precinct electoral commission, those vacant positions of the commission shall be filled by the chairperson of a relevant constituency commission, instead of them, within a three day period after the expiry of time limits established for the formation of the commission. In case of filling vacant positions of the precinct electoral commission in the manner prescribed by this paragraph the decision of the Central Electoral Commission on distribution by precincts of chairpersons, deputies and secretaries of precinct electoral commissions shall not be changed.

Where the number of political parties having a faction in the National Assembly (alliances of political parties) is less than five, the vacant positions of the commission shall be filled by the chairperson of the relevant constituency electoral commission within the time limits established for the formation of the commission.

4. Chairperson, deputy and secretary of the precinct electoral commission shall be appointed upon the decision of the relevant constituency electoral commission from among the members appointed in the commission by the President of the Republic and political parties (alliances of political parties) except for cases prescribed by this Article.

5. The number of members appointed in the positions of a chairperson, deputy and secretary of the commission by the President of the Republic and each political party (alliance of political parties) in the precinct electoral commission, shall be determined by the principle of proportional equality based on the results of elections to the National Assembly through proportional electoral system.

To this end the following shall be decided:

- the percentage expression of the number of the affirmative votes cast in favour of each political party in the number of valid ballot papers. The obtained figure shall be the number of positions of a chairperson, deputy chairperson and secretary of the commission intended for each political party (alliances of political parties) in the number of constituencies – in percentage expression – separated integers.

- percentage expression of the total number of affirmative votes cast in favour of political parties which have not participated in the distribution of seats in the number of valid ballot papers. The obtained figure shall be the number of positions of a chairperson, deputy chairperson and secretary of the commission appointed by the President of the Republic in the number of constituencies — in percentage expression — separated integers.

The remaining positions of a chairperson, deputy chairperson and secretary of the commission in precinct electoral commissions shall be distributed in the order of the value of remainder.

Distribution of chairpersons, deputy chairpersons and secretaries of precinct electoral commissions by precincts shall be carried out by the procedure established by the Central Electoral Commission.

Where, during local self-government elections, the number of precincts formed in the community is less than the number of members appointed in the commission by the bodies provided for by sub-points 1 and 2 of point 2 of this Article, the distribution of positions of a chairperson, deputy and secretary of precinct electoral commission among the bodies, having formed a commission, shall be carried out by the procedure established by the Central Electoral Commission, given that those three positions may not be filled simultaneously by the representatives of political parties participating in the formation of the government.

6. Applications on appointing members in the precinct electoral commission shall be submitted to the Central Electoral Commission not earlier than 30 days and not later than 25 days prior to the voting day up to 18.00, whereas in case of early elections not earlier than 20 days and not later than 18 days prior to the voting day up to 18.00. An application on appointing members in the precinct electoral commissions shall be signed respectively by the President of the Republic or, upon his assignment, by the Head of the Staff to the President of the Republic, or the Deputy Head of the Staff or Assistant to the President of the Republic or, upon his or her assignment, the deputy head (secretary) of the political party, in case of alliances of political parties — head of faction or secretary of faction.

The procedure for appointing members in the precinct electoral commission, the form of application, The list of necessary documents and information shall be defined by the Central Electoral Commission.

7. The first sitting of a precinct electoral commission shall be convened at the polling station at 12:00 on the third day following the formation of the commission.

8. At 8.00 on the voting day where the number of members of a precinct electoral commission is less than five in case of a polling station with up to 1000 voters and is less than seven in case of a polling station with more than 1000 voters, the number of members of the commission shall be supplemented with up to five and seven members respectively by the chairperson of the constituency electoral commission from among the persons with the right to be involved in the precinct electoral commissions.

9. The powers of precinct electoral commission shall terminate on the seventh day following the voting day unless the election results were not appealed. In case of appealing the election results and conducting re-voting the powers of precinct electoral commission shall terminate on the seventh day following the re-voting day.

Article 43. The procedure for dismissing the chairperson, the deputy chairperson and the secretary of the electoral commission, and for early termination of the powers of a member of the electoral commission

1. The chairperson, the deputy chairperson and the secretary of the electoral commission may be dismissed from their offices if at least two thirds of all the commission members vote for that decision. In case of dismissal, a new chairperson, deputy chairperson and secretary of the electoral commission shall be elected (appointed in case of a precinct electoral commission) in accordance with the procedure defined by this Code, within a three day period after the decision on impeachment.

2. A chairperson, deputy and secretary of the precinct electoral commission may be impeached not later than five days prior to the voting day. Chairperson, deputy and secretary of the precinct electoral commission shall not participate in the voting, where the question of impeachment of a chairperson, deputy or secretary, respectively, are put to vote.

In case of impeachment of a chairperson, deputy chairperson and secretary of the precinct electoral commission his or her powers as a member of the commission shall be early terminated, whereas the vacant position of a member of the commission shall be filled, in the manner and within time limits provided by this Code, by the body authorised to appoint that member of the commission.

3. Powers of a member of the electoral commission shall be early terminated, if:

(1) He or she is not eligible for appointment to the commission;

(2) in the case provided for by paragraph 2 of point 2 of this Article;

(3) He or she refuses to sign the text of the commitment "On performing duties of the electoral commission member in accordance with the requirements of the Constitution of the Republic of Armenia and legislation of the Republic of Armenia";

(4) He or she has been convicted under Articles 149 to 154 of the Criminal Code of the Republic of Armenia;

(5) On the ground prescribed in Article 44(9);

(6) He or she has resigned;

(7) He has been conscripted.

A member of the electoral commission may be recalled by an official or a body having appointed him or her in the commission, in case he or she has violated the provisions of this Code. In this case the powers of the member of the commission shall be early terminated by the superior commission, whereas in case of Central Electoral Commission - by the Administrative Court.

4. In case of early termination of the powers of the electoral commission members, the vacancies shall be filled within a twenty-one day period or, if this happens in election period, within a three-day period, in accordance with the procedure defined by this Code for the formation of the respective type of electoral commission, but not later than three days prior to voting day.

Article 44. Organising the activities of the electoral commission

1. The activities of the electoral commission shall be managed by the chairperson of the commission or, upon the assignment of or in the absence of the chairperson, by the deputy chairperson of the commission.

2. The chairperson of the electoral commission shall define the schedule of regular sittings of the commission.

3. The chairperson of the commission, at his or her own initiative or upon the written request of at least one third of the commission members, on the dates indicated by the latter, may convene an extraordinary sitting of the commission by notifying the members of the commission through available means of communication.

4. The sitting of the electoral commission is valid if attended by more than half of the members of the commission.

The member of the Commission shall be obliged to participate in the voting. The decision shall be adopted, if more than half of the attending members of the commission vote for that decision, except for cases prescribed by this Code.

5. In case of a tie during adoption of the decision on the results of elections, the chairperson of the commission shall have the casting vote.

6. Electoral commissions receive a record book with numbered pages and sealed by superior commissions.

The requirements with regard to the record book, as well as the procedures for keeping the records shall be established by the Central Electoral Commission.

7. The record book is used to record information on participation of the commission members in the sittings. The records shall be signed by the commission members attending the sitting.

8. Members of the electoral commission and persons having a right to participate in the sittings of the commission (including on the voting day in the electoral precinct), except for the voters and the police officers on duty at the polling station, shall carry on their outer clothing identification badges certifying their right to be present at the sitting of the commission (at the electoral precinct). The observers of non-governmental organisations registered in the Republic of Armenia shall, for being present in the election commission, whereas during voting also in the polling station, also have at their disposal qualification certificates for being involved in the composition of the electoral commission. The chairperson of the commission shall prohibit the presence of persons having no right to be present in electoral commissions, whereas during voting — also in polling stations, as well as persons without a relevant identification on their outer clothing in the commission (in polling station).

9. Members of the electoral commission shall be obliged to participate in the sittings of the commission. If a member of the commission fails to attend three consecutive sittings of the commission without good cause, the commission shall, by a positive vote of the majority of its members, have the right to early terminate the powers of that member.

Article 45. Specifics of administrative proceedings in the electoral commission

1. Administrative proceedings in the electoral commission are carried out in compliance with the Law of the Republic of Armenia “On fundamentals of administrative action and administrative proceedings”, and according to the specifics and time limits set forth in this Code.

2. The applicant shall be deemed notified of the discussion of his or her application in the Central Electoral Commission, if information on the date and time of the discussion is placed on the Internet website of the commission and the applicant is informed through any means of electronic communications indicated in the application.

The applicant shall be deemed notified of the discussion of his or her application — in the constituency electoral commission — if information on the date and time of the discussion of the application is placed on the publicly visible place in the commission as well as in case he or she is informed of the date and time of the discussion of the application through any means of electronic communications mentioned in the application.

3. Participants of a proceeding may not challenge the composition or a member of the electoral commission that carries out the administrative proceeding; neither may a member of the electoral commission that carries out the administrative proceeding recuse himself or herself.

4. During the election period, considering the heavy workload, participants of an administrative proceeding are introduced to the materials of the proceeding — before the sitting convened within the scope of the proceeding concerned — at the electoral commission that carries out the proceeding. Brief minutes of the sitting shall be kept, whether the participants of the proceeding are present or not.

5. An administrative act adopted by the Central Electoral Commission shall enter into force upon being placed on the Internet website of the Commission after the publication thereof in the sitting. After being placed on the Internet website that administrative act shall be forwarded through electronic means to the participants of the proceeding, or a short message on the adoption of administrative act shall be forwarded to them.

6. The administrative act adopted by the constituency electoral commission shall enter into force after publication at the sitting upon posting a copy of the act in places visible to all in the Commission. A short message on the adoption of the administrative act shall be forwarded to the participants of the proceeding.

7. The administrative act of the electoral commission shall, upon being adopted, within a three-day period, shall be forwarded to participants of the administrative proceeding by attaching the delivery receipt to the case, where the participants of that proceeding have not received that act in the commission.

8. During the election period, an administrative proceeding may not be suspended.

Article 46. Appealing against decisions, actions and inaction of electoral commissions

1. Everyone shall have the right to appeal against the decisions and actions (inaction) of the electoral commission, if he or she finds that those decisions and actions (inaction) have violated or may violate his or her subjective rights. Where the Commission finds that the subjective right

of suffrage of the applicant was not violated (may not be violated), it rejects the instigation of an administrative proceeding.

2. Decisions and actions (inaction) of the precinct electoral commission may be appealed against before the constituency electoral commission.

3. The decisions, actions (inaction) of the constituency electoral commission, except for applications concerning the decisions on the results of elections to the National Assembly of the deputy and head of community and members of the council of elders under the majoritarian electoral system may be appealed against before the Central Electoral Commission.

4. Decisions and actions (inaction) of the constituency electoral commission, except for the decisions taken with regard to the results of elections to the National Assembly under the majoritarian electoral system, and of the head of community and members of the Council of Elders, may be appealed against before the Central Electoral Commission.

5. In case of lodging an appeal against the decisions and actions (inaction) of an electoral commission, the burden of proof shall be on the applicant. The electoral commission shall have an ex officio right but not an obligation to seek proof.

6. Applications for declaring the registration of a candidate or an electoral list of a political party or an individual candidate from that list invalid or repealing thereof, or appeals against the results of the elections may be brought by a candidate, a political party, and in case of an individual candidate from a political party the respective political party.

7. Applications for the recount of results of voting at a precinct electoral commission may be submitted only to the relevant constituency electoral commission from 10:00 to 16:00 on the day following the voting day.

8. Applications for declaring the registration of a candidate or an electoral list of a political party or an individual candidate from that list as invalid or repealing thereof may be submitted until the voting day, whereas applications concerning the voting results and results of the elections may be submitted to the constituency electoral commissions or the Central Electoral Commission by 18:00 at least two days before the expiry of the time limit established by this Code for summarising the results of the election. In case of national elections and elections to the Yerevan Council of Elders, applications on appealing against decisions and actions (inaction) of precinct electoral commissions may be submitted to constituency electoral commissions by 18:00 at least three days before the expiry of the time limit established by this Code for summarising the results of the election. The processing of applications received after the expiry of these time limits shall be decided upon after summarising the results of elections.

9. After calling elections, prior to summarising the results of elections, the electoral commissions shall address the applications and shall, in cases prescribed by this Code, take decisions relating to these applications within a five-day period but not later than prior to the voting day or summarising the results of elections, correspondingly

10. Decisions adopted on the basis of election results, except for the results of local self-government elections, may be appealed against before the Constitutional Court of the Republic of Armenia.

Article 47. Procedure for considering applications (complaints) and proposals in electoral commissions

1. Applications (complaints) and proposals shall be considered by electoral commissions and addressed within the time limits defined by the legislation of the Republic of Armenia, except for cases prescribed by this Code.

2. An application shall be signed by the applicant and shall contain the first name, last name, address, date, telephone number, and electronic mail of the latter, as well as other information. An applicant shall clearly state his or her request, provide substantiations, and attach available evidence to the application. Applications containing false information or no information about the applicant shall not be considered.

3. If an application contains formal mistakes that can be corrected, the electoral commission shall give an opportunity to the applicant to correct those mistakes or shall correct them itself and notify the applicant thereon before or after taking the action. If the list of enclosed documents is not complete, the electoral commission shall propose the applicant to complete it within the specified time limit.

4. The application shall be submitted to the electoral commission which has jurisdiction to solve the issue. The chairperson of the commission shall address the application to the member of the commission and shall distribute carbon copies of the application among other members of the commission. Issues raised in the application shall be examined by the members of the commission, and every member of the commission shall have the right to submit a draft decision on the application to be considered at the sitting of the commission. If a member of the commission does not submit a draft decision on refusing the institution of an administrative proceeding, the administrative proceeding shall be deemed instituted. In case of refusing the institution of an administrative proceeding, the reply to the application shall be sent to the applicant with the signature of the chairperson of the commission. The applicant shall have the right to participate in the consideration of his or her application at the sitting of the Commission, provide substantiations, ask questions to the speakers concerning the application, and to make a speech.

5. The reply to an application on obtaining information shall be signed by the chairperson of the commission, and carbon copies of the reply shall be distributed among members of the commission. If the required information or the carbon copy of a document is posted on the Internet website of the Central Electoral Commission with the possibility to download, the applicant shall be informed thereof and shall not be provided with photocopies or extracts therefrom.

6. With regard to issues requiring urgent solution, electoral commissions shall take appropriate measures.

Article 48. Procedure for recount of the results of voting

1. A candidate, the proxy registered in the precinct concerned, as well as the member of precinct electoral commission who has delivered a special opinion shall have the right to appeal, in the manner and within the time limits specified by this Code, against the results of voting in the precinct by submitting an application for recount of the results of voting in the precinct (hereafter referred to as "recount") to the constituency electoral commission.

2. The application for recount shall contain the first name, last name and address of the applicant, the number of the electoral precinct where the recount is requested, and the results of voting (if several polls were held simultaneously) for which the recount is requested.

3. If several polls were held simultaneously, a member of the precinct electoral commission may submit an application for recount only with regard to results of the voting in the protocol of which he or she has made an entry on a violation.

4. If several polls are held simultaneously, a separate application for recount shall be submitted with regard to the results of each poll.

5. The constituency electoral commission shall register the submitted applications for recount in the order of submission indicating the date of submission.

6. If the submitted applications for recount comply with the provisions of this Article, each constituency electoral commission shall recount at least seven voting results in the order of submission of the applications and in accordance with the sequence of electoral precincts listed in the application. If the number of voting results referred to in the applications subject to recount exceeds seven, the applicants may, through a joint application, select the seven voting results to be recounted; otherwise a lot shall be drawn. If by the time of drawing lots, the applicants fail to submit a joint application for selecting seven voting results from all the voting results mentioned in the submitted applications that meet the requirements of this Article, at least seven voting results subject to recount shall be determined by drawing lots. The lots shall be drawn on the day following the time limit prescribed for submission of recount applications.

7. The recount process shall start at 09:00 on the next day following the time limit prescribed for submission of recount applications. While carrying out recount, the electoral commission shall work without rest days, from 09:00 to 18:00, and shall extend the working time, if — in case of working till 18:00 — it is not possible to complete the recount for the number of voting results specified in this Article.

Withdrawal of the recount application by the applicant shall not serve as a ground for not carrying out the recount.

8. In case of national elections and elections to the Yerevan Council of Elders, if in any constituency the number of voting results subject to recount is more than seven, the recount of voting results shall also be carried out by the Central Electoral Commission. For this purpose, the Central Electoral Commission shall, two days after the end of the voting, by 13:00, convene an extraordinary sitting, at which each member of the Commission shall present the numbers of two electoral precincts selected by him or her for recount. In the Central Electoral Commission, the recount for each electoral precinct shall be carried out by at least two members of the Commission; staff members of the Central Electoral Commission may also be involved in this process.

9. The duration of recount of each voting results may not exceed four hours.

10. Except for the count of ballot envelopes of the defined sample, the Commission shall carry out the recount in accordance with the requirements specified by this Code for summarising the voting results in a precinct, and shall draw a protocol on the recount of voting results in the precinct by filling in the entries for “Number of Ballot Papers Provided to the Commission”, “Number of Stubs” and “Number of Ballot Envelopes of Defined Sample in the Ballot Box” with the figures registered by the precinct electoral commission, if there are no apparent omissions in these figures.

During the recount, a ballot envelope shall be of non-defined sample where it obviously differs from the defined sample, or is not sealed, or is sealed with a different seal; a ballot paper shall be of non-defined sample where it differs from the defined sample; the validity of a ballot paper shall be determined in accordance with the requirements of Article 68 of this Code.

Based on the results of recount, a protocol on the results of voting shall be drawn up.

Upon their request, persons having the right to attend the sitting of the Commission shall receive carbon copies of this protocol.

11. The list of persons having the right to attend the recount process shall include the members of the respective precinct electoral commission, the persons having the right under this Code to attend the sittings of the electoral commission, the candidate and his or her proxy.

During the recount of voting results, the applicant shall have the right to be introduced, together with other documents, to the lists signed by electors, but shall not have the right to make extracts or photocopies. Proxies, observers, mass media representatives may photograph and videotape the recount process.

12. The absence of the applicant for recount shall not serve as a basis for not carrying out or terminating the recount.

13. The process of recount of voting results in the electoral commission shall be terminated at 14:00 five days after the voting date.

14. The constituency electoral commission shall reject the application for recount of voting results in a precinct, and the recount shall not be carried out, if the recount was requested in violation of the provisions of this Article.

CHAPTER 10 POWERS OF ELECTORAL COMMISSIONS

Article 49. Powers of the Central Electoral Commission

1. The Central Electoral Commission is a standing public authority responsible for organising elections and supervising the legality thereof. The Central Electoral Commission:

(1) shall exercise supervision over using state budget funds allocated for preparing and holding elections;

(2) shall adopt its and its subordinate electoral commissions' rules of procedure;

(3) shall organise and hold professional courses for organising elections, establish the procedure for organising courses and issuing qualification certificates to the members;

(4) shall supervise the uniform application of this Code;

(5) shall define the forms and samples of ballot papers, protocols and other election documents, and the procedures for filling in and keeping thereof, provide electoral commissions with the necessary election documents;

(6) shall specify the standard forms of the documents required for registration of candidates and electoral lists of political parties;

(7) shall adopt such legal acts on application of this Code that are mandatory for electoral commissions responsible for preparing and holding elections;

(8) shall declare the results of voting in the electoral precinct invalid;

(9) shall adopt, within the scope of its powers, decisions that are binding on the whole territory of the Republic ;

(10) shall abolish, repeal, declare invalid or revoke those decisions of commissions that are at odds with this Code, except for the decisions of constituency electoral commissions on election of deputies to the National Assembly under the majoritarian electoral system, and of heads of local self-government bodies and members of Council of Elders;

(11) shall hear the communications of electoral commissions and public authorities on preparing and holding elections;

(12) shall accredit observers and mass media representatives;

(13) shall organise the publication of biographical data of the candidates for the President of the Republic;

(14) shall register deputies to the National Assembly elected under the proportional electoral system, and give them identifications of a National Assembly Deputy;

(15) shall call new elections and by-elections to the National Assembly of the Republic of Armenia;

(16) shall adopt procedures concerning application of this Code and deal with other issues with regard to application of the Code;

(17) shall publish a training manual for members of precinct electoral commissions, proxies and observers, at each national election;

(18) shall define procedures for drawing lots in electoral commissions;

(19) shall exercise supervision over financial activities of political parties;

(20) may establish institutions in accordance with the procedure prescribed by law;

(21) shall exercise other powers provided for by this Code.

2. Within three months following the publication of final results of the national elections, the Chairperson of the Central Electoral Commission or, upon his or her assignment, any member of the Central Electoral Commission shall make a statement to the National Assembly on organisation and holding of elections, on analysis of the violations of the Electoral Code and on amendments to the legislation. This statement shall be posted on the Internet website of the Central Electoral Commission.

3. The Central Electoral Commission may propose to the Government of the Republic of Armenia legislative amendments for improvement of the election process.

Article 50. Powers of the constituency electoral commission

1. The constituency electoral commission is a standing public authority. The constituency electoral commission shall:

(1) organise the training of members of precinct electoral commissions;

- (2) approve the sample ballot papers designed for local self-government elections;
- (3) define, in the manner prescribed by the Central Electoral Commission, the record numbers of electoral precincts and submit this information to the Central Electoral Commission within a two-day period;
- (4) provide information to the Central Electoral Commission on the activities of precinct electoral commissions and on its own activities;
- (5) consider the applications with regard to decisions and activities of precinct electoral commissions, review or abolish those decisions of precinct electoral commissions that are at odds with this Code;
- (6) publish preliminary results of voting for each precinct, based on the data in protocols of precinct electoral commissions;
- (7) announce the date of local self-government elections;
- (8) monitor how the lists of electors are drawn up and posted for public information in polling stations;
- (9) supervise the process of furnishing the polling stations in accordance with the requirements of this Code;
- (10) register candidates for deputies to the National Assembly under the majoritarian electoral system, for the head of community and member of Council of Elders and issue to them identifications in accordance with the sample approved by the Central Electoral Commission;
- (11) supervise the compliance of precinct electoral commissions with the requirements of this Code;
- (12) exercise other powers provided for by this Code.

Article 51. Powers of the precinct electoral commission

The precinct electoral commission shall:

- (1) organise the voting, summarise the results of voting in the precinct;
- (2) prepare a protocol on the results of voting in the precinct and post a carbon copy of the protocol in the polling station;
- (3) submit to the constituency electoral commission the seal, stamp of the commission, the register, two carbon copies of the protocol on the results of voting, the sack for election documents, and the ballot box;
- (4) exercise other powers provided for by this Code.

Article 52. Submission and receipt of election documents in electoral commissions

1. Submission of election documents in electoral commissions shall be effected through signing by the submitting and receiving persons, and giving of a receipt.
2. For preparation and holding of elections the electoral commissions shall be provided with ballot papers, forms, other documents, stationery and other supplies; the chairpersons of electoral commissions shall be responsible for keeping these supplies.
3. After summarising the results of voting, the election documents of a precinct electoral commission shall be deposited in the State Archive of Armenia for maintenance in the prescribed manner.

Article 53. Co-operation of electoral commissions and law enforcement authorities

The central and regional bodies, services and subdivisions of national security and police authorities of the Republic of Armenia shall be obliged to ensure smooth process of elections, unimpeded work of electoral commissions and their members. The Police of the Republic of Armenia shall maintain due order during election-related events, provide support to the commissions upon their request, ensure the safe transfer and the keeping of election documents in electoral commissions.

SECTION 3. VOTING; SUMMARISING THE RESULTS OF VOTING

**CHAPTER 11
ORGANISATION OF VOTING**

Article 54. Place and time of voting

1. Voting shall take place only in the polling stations established on the territory of the Republic of Armenia, between 08:00 and 20:00, except for the cases prescribed by this Code. Electors who are present in the voting room at 20:00, but who have not cast a vote yet, shall have the right to cast a vote.

2. At national elections, the voting for electors who are on inpatient treatment in inpatient facilities and who are not capable of personally visiting the polling stations on the voting day, shall be held through mobile ballot box brought to the inpatient medical facility.

The voting shall be held subject to the principle of confidentiality and in the manner defined by the Central Electoral Commission. Proxies, observers and mass media representatives may be present during the voting organised in inpatient medical facilities. The voting in inpatient medical facilities shall be organised in such a way so that it is completed by 18:00.

Article 55. Voting room

1. The voting shall be held in a room specially furnished for that purpose in each electoral precinct.
2. The voting room shall be, to the maximum extent possible, spacious and meet the following requirements:

(1) It shall give the possibility to ensure during the whole voting process regular simultaneous work of the members of the precinct electoral commission and the persons having the right to attend the voting process;

(2) Members of the precinct electoral commission, proxies and observers shall have the opportunity to keep within eyeshot the polling booths, the ballot box, as well as the entrances and exits of the polling booths and the space between the booths and the ballot box.

3. Furnishing of the voting room shall be completed by the head of community by 24:00 of the day preceding the voting day.

Article 56. Polling booths

1. Booths shall be furnished for voting, the number of booths being determined on the following ratio: at least one booth for 750 electors.

2. The polling booth shall be assembled in such a way that the elector fills in his or her ballot paper privately from those present in the polling station, and that there is sufficient light and a pen.

3. The polling booths shall be placed on tables, within at least one metre distance from each other; they shall be placed in such a way that the elector has his or her back turned to the wall and the face turned to the commission during the voting.

Article 57. Ballot paper and ballot envelope

1. Where several polls are held simultaneously, the ballot papers shall be made in such a way that they clearly differ from each other.

2. The ballot paper shall be perforated and shall contain the name of the printing house and a note on how to fill in the ballot. Ballot papers shall be made from opaque paper.

3. Above the section line of the ballot paper, on the stub, the record number of the ballot paper shall be indicated. Last name, first name and patronymic name of candidates and names of political parties shall be listed on the left in alphabetic order, below the section line, and on the right empty checkboxes shall be placed for the voter to make a note.

4. If only one candidate is voted on, the words "for" and "against" shall be mentioned below the line on which the last name of the candidate is placed, and in front of each of these words, on the right, empty checkboxes shall be placed.

5. The Central Electoral Commission shall ensure the printing of the ballot papers.

6. The ballot papers shall be printed not earlier than nine and not later than three days prior to the voting day.

7. On the day preceding the voting day, ballot papers in a number up to three per cent higher than the number of electors in the precinct shall be provided to the precinct electoral commissions.

8. In case the registration of a candidate or the electoral list of a political party is declared invalid or repealed after printing of the ballot papers, the name of the candidate or the political

party shall be removed from the ballot papers in the manner prescribed by the Central Electoral Commission.

9. The Central Electoral Commission shall ensure the manufacturing of the ballot envelopes. When several polls are held simultaneously, the ballot envelopes for each poll shall be made in such a way that they clearly differ from each other by colours and match the colours of the respective ballot papers.

10. On the day preceding the voting day, ballot envelopes in a number up to three per cent higher than the number of electors in the precinct shall be provided to the precinct electoral commission.

Article 58. Seals, stamps and ballot box

1. Samples of the seals and stamps of electoral commissions and of the individual seals of the members of precinct electoral commissions shall be approved by the Central Electoral Commission. They shall be ordered by the Central Electoral Commission.

2. The seal of a precinct electoral commission shall have a four-digit identification number.

3. The Central Electoral Commission shall place the seals of precinct electoral commissions in opaque packages, close them without making any notes thereon, apply the Commission's seal on them and distribute them among constituency electoral commissions not earlier than five and not later than three days prior to the voting day, in such a way that each precinct gets one stamp, carrying out exceptionally quantitative accounting of the distributed stamps.

4. In constituency electoral commissions the packages shall be sealed and handed to the chairpersons of precinct electoral commissions on the day preceding the voting; each chairperson shall get one packaged seal.

5. In case of national elections and elections to the Yerevan Council of Elders, the seals of precinct electoral commissions shall be submitted to the Central Electoral Commission — in the manner prescribed by the Central Electoral Commission — twenty-four hours after the end of the voting. In case of other elections, the seals of precinct electoral commissions shall be submitted to the Central Electoral Commission within a three-day period after the end of the voting.

In case of carrying out a second round of voting, revote or new elections, new seals shall be distributed among precinct electoral commissions.

6. Members of precinct electoral commissions shall get distinctive individual seals. Individual seals shall be packaged and placed in the precinct electoral commission's disposable sack for election documents (hereinafter referred to as "the sack"), after the end of voting.

After the end of the voting, the stamp of the precinct electoral commission shall, in the manner and within the time limits prescribed by point 5 of this Article, be returned to the Central Electoral Commission.

7. The ballot box shall be manufactured from a transparent material. The sample (dimensions) of the ballot box shall be approved by the Central Electoral Commission.

8. More than one ballot box may be used in a polling station in the manner prescribed by the Central Electoral Commission.

Article 59. Preparation of the voting

1. The voting shall be prepared by the precinct electoral commissions.
2. The ballot papers, the ballot envelopes, the seal package, the stamp and the individual seals of commission members shall be stored in a special fire-resistant safe located in the voting room; the procedure for storing shall be defined by the Central Electoral Commission.
3. During the voting, the chairperson of the precinct electoral commission shall be obliged to ensure the compliance with the requirements of this Code and maintain necessary order in the polling station.
4. Desks shall be placed in the polling station for registration of electors, giving of ballot papers and ballot envelopes to electors and sealing the ballot envelopes. A desk shall be provided for one proxy between the desks for registering electors and desks of members giving ballot papers and ballot envelopes to electors.
5. The ballot box and the desks of commission members shall be placed in places visible to the persons having the right to be present in the precinct.
6. Sample ballot papers, a poster with biographies and photos of candidates for the President of the Republic, electoral lists of political parties shall be posted in the voting room or at the entrance of the voting room.
7. On the day preceding the voting day, the precinct electoral commission shall draw lots at its sitting to select three members of the commission who will sign the ballot papers; these members shall be obliged to sign all the ballot papers and all the pages of the lists of electors by 24:00 of the same day (the signatures shall be put on the rear sides of each page of the ballot papers and lists), making respective entries in the record book. A commission member may use his or her individual seal instead of the signature. Individual seals of a commission member shall be distributed among commission members through drawing lots, one day prior to the voting day, in the manner defined by the Central Electoral Commission.

Article 60. Organisation of voting in diplomatic and consular representations

Electors who are — on the voting day — on diplomatic service in diplomatic and consular representations of the Republic of Armenia, as well as members of their families residing abroad with them and having the right to vote, may participate in national elections, by voting electronically in the manner and within the time limits prescribed by the Central Electoral Commission. The Central Electoral Commission shall be obliged to define such conditions for electronic voting that would guarantee the free expression of the will of voters and confidentiality of the voting.

Electronic voting may be held after the end of the time limit established for the registration of electoral lists of candidates and political parties, but not later than up to five days prior to the voting day.

The provisions of this Article extend also to persons — employed at representations abroad of legal persons registered in the Republic of Armenia — and their family members residing with them abroad and having the right to vote.

Article 61. Organisation of voting in police holding facilities and remand facilities

1. Arrested electors shall participate in the voting in the manner prescribed by the Central Electoral Commission, by means of a mobile ballot box.

2. The voting in remand facilities shall be prepared and organised by the head of the penitentiary establishment in the manner prescribed by this Code and by the Central Electoral Commission.

**CHAPTER 12
VOTING PROCEDURE**

Article 62. Actions of the precinct electoral commission prior to voting

1. At 07:00 of the voting day, at the sitting held at the polling station, the precinct electoral commission shall, by drawing lots, decide upon:

(1) the members carrying out the registration of electors, at the rate of at least one member per 1 000 electors;

(2) the members providing ballot papers and ballot envelopes, at the rate of at least one member per 1 000 electors;

(3) at least one member responsible for sealing ballot envelopes and for the ballot box;

(4) at least one member holding the voting through a mobile ballot box;

(5) the rotation of functions every two hours of members of the precinct electoral commission.

The chairperson and the secretary of the commission shall not participate in drawing lots. The chairperson of the commission shall arrange and supervise the organisation of the voting and the voting process, support members tasked with certain functions when necessary, and replace them in case of their absence. Upon the assignment of the chairperson of the commission, the secretary of the commission shall make notes in the file register, support the members tasked with certain functions, and replace them in case of their absence.

2. The chairperson of the precinct electoral commission shall, in the presence of commission members and persons entitled to attend the voting, open the fire-resistant safe, take out individual seals of commission members, the stamp, ballot papers, ballot envelopes, lists of electors and the packaged seal, open the packaged seal, announce the seal number by putting a seal in the file register. The chairperson shall ensure that the ballot box is empty, close and seal the box, hand the list of electors to the members responsible for registration of electors, hand ballot papers and ballot envelopes (in batches of 100 each) to the members responsible for handing out ballot papers and ballot envelopes, and shall hand the seal and the stamp to the members responsible for sealing the ballot envelopes and for the ballot box. The chairperson of the precinct electoral commission shall make relevant entries in the record book in connection with the mentioned actions.

Article 63. Commencement of and procedure for voting

1. At 08:00 of the voting day, the chairperson of the precinct electoral commission shall declare the commencement of the voting and authorise the entrance of electors into the voting room.

2. Military servicemen, officers serving in national security service and police troops shall enter the polling station not in a marching order and without arms. Entering a polling station with arms and ammunition shall be prohibited, except for cases when the smooth election process is under threat. In such cases entering the polling station with arms and ammunition shall be authorised by the chairperson of the precinct electoral commission.

3. Proxies, observers (as for local observers, only in the presence of qualification certificates on involvement in the electoral commission), mass media representatives and members of superior electoral commissions may be present at the polling station apart from the members of the electoral commission and the voters.

4. No more than fifteen voters may simultaneously be present in the voting room. For the purpose of ensuring the smooth voting process, the chairperson of the precinct electoral commission shall be entitled to admit electors to the voting room one by one. In case of impossibility to ensure the implementation of this point by the electoral commission, it shall be ensured by the support of the Police, upon the request of the chairperson of the precinct electoral commission.

Article 64. Registration of electors

1. Electors personally participate in voting; voting by proxy shall be prohibited. Each elector shall register in the list of electors held by the member of the electoral commission responsible for registration.

2. The member of the electoral commission responsible for registration of electors shall check the elector's identification, find his or her name in the list of electors, fill in the details of the identification document in the blank column next to the name, and the elector shall sign next to the details, in the column intended for elector's signature. The member of the electoral commission carrying out the registration shall put his or her individual seal in the relevant column, next to the signature of the elector. When the elector is not able to sign in the list of electors by himself or herself, he or she is entitled to seek help from other citizens, except from the members of the electoral commission.

3. Identification document shall be the national passport (without biometrical data), the identification card or the temporary document replacing the national passport or the identification card issued by the authorised body; for military servicemen it shall be the military service certificate or the military service record card, where they register (vote) in the list of electors drawn up by the given military unit. Conscript soldiers, who have been granted a temporary leave in the manner prescribed by the legislation, shall vote in the places of their residence with the military service record cards, by also submitting the carbon copy of a document on having been granted a temporary leave from compulsory military service.

The fact of expiry of the validity of an elector's identification document shall not be a ground for not admitting him or her to voting.

Article 65. Voting

1. During the voting, each citizen shall receive one ballot paper (or ballot papers, if several polls are held simultaneously) and one ballot envelope (or envelopes, if several polls are held simultaneously).

2. Immediately after being registered, the elector shall approach the commission member responsible for handing out ballot papers and ballot envelopes. The commission member shall tear the stub of the ballot paper (or ballot papers, if several elections are held simultaneously) and give the bottom part of the ballot paper to the elector, together with the ballot envelope. The elector shall proceed to the voting booth to cast a vote.

3. The elector shall fill in the ballot paper in the voting booth, in a confidential manner. It shall be prohibited to enquire, in any manner, about the vote of the elector.

4. Electors, who are unable to fill in the ballot papers on their own, shall have the right to invite another person into the voting booth, who shall not be a proxy, after notifying the chairperson of the precinct electoral commission. The same citizen shall have the right to assist only one person who is unable to fill in the ballot paper by himself or herself. Except for the said case, the presence of another person in the voting booth at the time of filling in the ballot paper shall be prohibited. The particulars of the citizen assisting the elector unable to fill in the ballot paper on his or her own shall be entered in the record book of the precinct electoral commission.

5. If the elector finds that he or she has filled in the ballot paper incorrectly, he or she may apply to the chairperson of the commission for receiving a new ballot paper. Upon the assignment of the chairperson of the precinct electoral commission, a member of the commission shall provide a new ballot paper to the elector and make a relevant entry in the list of electors next to the given elector's name. A scrub shall be attached to the incorrectly filled in (spoiled) ballot paper and the latter shall be cancelled immediately.

6. The member of the electoral commission responsible for providing ballot papers and ballot envelopes shall, in the manner prescribed by the Central Electoral Commission, arrange the stubs of ballot papers by their sequence and deliver those to the chairperson of the precinct electoral commission. The latter shall place those in a fire-resistant safe in separate bundles.

7. It shall be prohibited to communicate information about the voting at the polling station.

After the voting the elector shall immediately leave the polling station.

During the voting it shall be prohibited for the candidate to stay at the polling station or at the area up to 50 metres away from the polling station except for the case of participation in the voting.

8. Proxies, observers, mass media representatives may photograph and videotape the voting process without violating the principle of secrecy of ballot. Precinct electoral commission shall ensure the secrecy of ballot through prohibiting the photographing or videotaping of the lists of electors, as well as the voting booths on their entrance side.

Article 66. Procedure for filling in the ballot paper and sealing the ballot envelope

1. Electors shall put a uniform mark, in accordance with the procedure established by the Central Electoral Commission, in the tick box next to the name of the candidate or political party they are voting for.

2. When one candidate is voted on, the elector shall mark the square next to the word “for”, if he or she wants to vote for the candidate, or next to the word “against”, if he or she wants to vote against the candidate.

3. After marking the ballot paper, the elector shall fold the ballot paper while in the voting booth, put it in the ballot envelope, and approach the ballot box. In case where several polls are taking place simultaneously, the elector shall put each ballot paper in the appropriate ballot box for that specific poll.

4. The commission member, who is responsible for sealing the ballot envelopes and for the ballot box, shall stamp the ballot envelope, open the ballot box slot and enable the elector to drop the ballot envelope into the ballot box. The ballot envelope shall be sealed by the seal of the precinct electoral commission. At the entire voting process this seal shall remain in the ballot box in a place visible to all.

The member of the commission responsible for putting a seal on the ballot envelopes and for the ballot box shall seal the ballot envelope and allow the elector to drop the ballot envelope into the ballot box only after checking the presence of a stamp in the elector’s identification document pertaining to participation in the given elections, and in case no such stamp is present, only after putting such stamp on the elector’s identification document. When the elector’s identification document already contains a stamp confirming the participation of the elector in the current elections, the commission shall remove the ballot paper from the ballot envelope, return the envelope to the commission member handing out ballot papers and ballot envelopes, attach a scrub to the ballot paper and immediately cancel the ballot paper — without being informed of the vote — in the manner defined by the Central Electoral Commission. At his or her own initiative or at the request of another commission member or the proxy, the commission member responsible for sealing ballot envelopes and for the ballot box may verify (submit to another commission member or a proxy) the identification document of the elector.

5. For the purpose of stamping identification documents, precinct electoral commissions shall be provided with substance which remains for at least twelve hours after stamping, and disappears after maximum twenty-four hours.

6. At the request of a commission member or the proxy, all cases of violations of voting procedures during the voting process as stipulated by this Code, as well as decisions adopted by the precinct electoral commission, shall be recorded in the record book.

CHAPTER 13***PROCEDURE FOR SUMMARISATION AND TABULATION OF VOTING RESULTS,
DETERMINATION OF INACCURACIES AND SUMMARISATION
OF ELECTION RESULTS*****Article 67. Procedure for summarisation of voting results in electoral precincts**

1. At 20:00, the chairperson of the precinct electoral commission shall declare about the end of the voting and forbid the entry of electors into the voting room. The commission shall

allow the electors already present at the voting room to cast their votes, after which the chairperson of the commission shall close the ballot box slot.

2. The precinct electoral commission shall start its sitting for summarising voting results with the attendance of persons entitled to be present at the commission sitting. For this purpose it shall:

(1) package and seal the individual seals of commission members, place those in the sack intended for election documents;

(2) count the total number of unused, incorrectly filled in and returned ballot papers, and cancel ballot papers in the manner defined by the Central Electoral Commission, package the ballot papers, seal the package, and place it in the sack;

(3) count the number of stubs of used ballot papers, package the stubs of used ballot papers, seal the package, and place it in the sack;

(4) separately count the number of electors in each supplementary list of electors, including supplementary lists drawn up at the electoral precinct on the voting day, add the number of electors from the list of electors to that of supplementary ones, thus arriving at the total number of electors in the given precinct;

(5) count the number of electors who participated in the voting (*i.e.* have received ballot papers), based on the signatures of the electors in the list of electors, including supplementary lists, package the said lists, seal the package and place it in the sack.

3. The results of the actions defined in point 2 of this Article shall be published as well as recorded in the record book. The Chairman of the commission communicates the number of electors recorded in the record book to the Chairman of the constituency electoral commission by all available means of communications.

The precinct electoral commission shall collect the unused ballot envelopes and package those, for the purpose of submission thereof to the constituency electoral commission along with the sack of election documents. The package is not placed in the sack.

4. The chairperson of the precinct electoral commission shall open the ballot box, take one ballot envelope out of the ballot box, and announce out loud whether the envelope is of established sample or not, then demonstrate it in such a way that it is visible to those present. If requested, the ballot envelope shall be passed on to the other commission members. If a commission member disagrees with the opinion of the commission chairperson, he or she shall raise an objection. Based on the results of a vote where an objection is raised (the commission member's proposal is put to a vote), or based on the original announcement of the commission chairperson where no objection is raised, the commission chairperson shall take the ballot paper out of the ballot envelope of the established sample, announce whether the ballot paper is valid or invalid, of non-established sample, and, if it is valid, who it is for, then demonstrate it in such a way that it is visible to those present. If requested, the ballot paper shall be passed on to the other commission members. If a commission member disagrees with the opinion of the commission chairperson, he or she shall raise an objection. Based on the results of a vote where an objection is raised (the commission member's proposal is put to a vote), or based on the original announcement of the commission chairperson where no objection is raised, the chairperson shall, according to the marking of the ballot paper, put the ballot paper in the package of ballot papers cast for the respective candidate or political party, and where there is only one candidate, in the packages of "for" or "against" or invalid ballot papers, and put the

ballot envelope in the package of ballot envelopes of established sample, after which the commission chairperson shall take the next envelope out of the ballot box.

This procedure shall be repeated in relation to all the ballot envelopes in the ballot box. During the sorting of ballot envelopes and ballot papers, commission members shall be prohibited from making any notes as well as having with them any pens, pencils or other items for making notes.

5. Where more than one ballot paper for the same poll or a ballot paper (ballot papers) of non-established sample are found in a ballot envelope, the ballot paper (ballot papers) shall be placed back into the envelope, and the envelope shall be placed in the package of ballot envelopes of non-established sample.

If the ballot envelope is of non-established sample, the ballot paper inside such envelope shall not be taken out, and the ballot envelope shall be placed in the package of ballot envelopes of non-established sample.

Ballot envelopes of non-established sample together with the ballot papers inside them shall be immediately cancelled and packaged. The said package shall be submitted to the constituency electoral commission without being placed in the sack.

6. After having sorted all the ballot envelopes and ballot papers in the ballot box, in the presence of commission members, the commission chairperson shall count one by one all the invalid ballot papers inside the ballot envelopes of established sample, as well as ballot papers cast for every candidate or political party, or, where there is only one candidate, the ballot papers cast for or against the candidate.

The calculated numbers shall be published as well as recorded in the record book.

7. Ballot envelopes and ballot papers of non-established sample shall not be considered and counted when summarising the results.

8. The counted and sorted ballot envelopes and ballot papers shall be packaged; the packages shall be sealed and placed in the sack in the manner defined by the Central Electoral Commission.

The packages must bear the signature of the chairperson of the precinct electoral commission; the other commission members and proxies shall also be entitled to sign the packages.

9. The proxies, observers, mass media representatives may photograph and videotape the process of summarising the voting results.

10. If several elections are held simultaneously, the precinct electoral commission shall, first of all, summarise the voting results of the national elections; moreover, if elections for the President of the Republic are held with other elections, the precinct electoral commission shall, first of all, summarise the voting results of the elections for the President of the Republic, in case of elections for the National Assembly – the voting results of the elections under the proportional electoral system, and in case of local self-government elections - the voting results of the elections for the community council of elders.

Article 68. Validity of ballot papers

1. A ballot paper shall be valid where the intention of an elector is clear and unambiguous, and provided there are no markings which might disclose the identity of the elector.

2. A ballot paper of established sample shall be invalid where:

(1) it contains markings for more than one candidate (political party);

(2) when one candidate is voted on, it contains markings both next to the words “for” and “against”;

(3) it contains no marking;

(4) apart from the mark established by the Central Election Commission for voting or one similar to that, it contains another mark disclosing the identity of the elector;

(5) it is not signed;

(6) the manner of marking the ballot paper is breached apparently.

Article 69. Ballot papers of non-established sample

A ballot paper shall be of non-established sample where it differs from the established sample, as well as:

(1) the one that is in the ballot envelope of non-established sample;

(2) all the ballot papers in cases when there is more than one ballot paper in the ballot envelope of established sample;

(3) ballot papers in the ballot box which are without a ballot envelope.

Article 70. Ballot envelopes of non-established sample

A ballot envelope shall be of non-established sample where it obviously differs from the established sample, or the one that is not sealed or is sealed with a different seal, as well as:

(1) the ballot envelope containing no ballot paper;

(2) the ballot envelope containing more than one valid or invalid ballot paper;

(3) the one that contains a ballot paper of non-established sample;

(4) the ballot envelope with markings disclosing the identity of the elector.

Article 71. Precinct electoral commission’s protocol on voting results

1. Based on the calculations made in accordance with the procedure laid down in Article 67 of this Code, the Precinct Electoral Commission shall prepare a protocol on the results of voting in the election precinct, which shall include the following:

- (1) the number of electors separately for each supplementary list of electors, including of those in the supplementary list drawn up at the electoral precinct on the voting day;
- (2) the total number of electors in the precinct, which shall be equal to the number of electors in supplementary list of electors and in the main list of electors;
- (3) the number of voting participants (B) (the number of signatures of the electors who registered and received ballot papers shall be filled in);
- (4) the number of ballot papers provided to the precinct electoral commission (A) and the stub numbers (filled by the constituency electoral commission);
- (5) the total number of cancelled ballot papers (C);
- (6) the number of invalid ballot papers (d2);
- (7) the number of stubs of used ballot papers (E);
- (8) the number of ballot papers cast for each candidate or political party;
- (9) the number of ballot papers cast against a candidate (this line shall be indicated when one candidate is voted on);
- (10) the number of ballot envelopes of established sample in the ballot box (F).

2. The protocol shall be signed by the commission members; it is sealed by the chairperson of the commission.

3. The commission member shall be obliged to sign the protocol. Where the commission member has an objection (special opinion) with regard to the data in the protocol, he or she shall enter his or her opinion in writing in the protocol in the special place provided therefor.

4. The sitting of the precinct electoral commission may not be interrupted from the moment the voting is over until the protocol on precinct voting results is prepared.

5. The commission shall complete the protocol at the end of the sitting, but not later than ten hours after the end of voting, and the commission chairperson shall publish the protocol on precinct voting results.

6. The protocol shall be made in four carbon copies; one carbon copy shall be posted in the polling station next to the list of electors, and one carbon copy shall be placed in the sack of election documents. .

7. The sack must bear the signature of the chairperson of the precinct electoral commission; the other commission members and proxies shall also be entitled to sign (put a stamp on) the sack.

It shall be mandatory to close the sack of election documents at the precinct electoral commission. Failure to close the sack at the precinct electoral commission in the prescribed manner shall entail liability.

8. An excerpt from the protocol on precinct voting results shall be provided to persons — at their request — entitled to be present at the commission sitting; the excerpts shall be certified by the signatures of the commission chairperson (deputy chairperson) and the secretary, and bear the seal of the commission.

9. Not later than twelve hours after the end of voting, the chairperson and the secretary of the precinct electoral commission shall submit the sack, the package of ballot envelopes of non-established sample, the package of unused ballot envelopes, the two carbon copies of the protocol on voting results, the record book, and the seal of the commission to the appropriate constituency electoral commission in the manner defined by the Central Electoral Commission.

Article 72. Procedure for determining the inaccuracies

1. In order to calculate the amount of inaccuracies in a precinct:

- (1) the number of ballot papers provided to the precinct electoral commission shall be compared with the sum of the numbers of cancelled ballot papers, valid ballot papers and that of the invalid ballot papers in the ballot box. The difference - in its absolute value - shall be recorded as the first inaccuracy value.
- (2) the number of signatures in the list of electors shall be compared with the sum of the numbers of valid and invalid ballot papers in the ballot box. If the sum of the numbers of valid and invalid ballot papers in the ballot box is greater than the number of signatures in the list of electors, the difference shall be recorded as the second inaccuracy value. If the sum of the numbers of valid and invalid ballot papers in the ballot box is smaller than, or equal to, the number of signatures in the list of electors , the second inaccuracy value shall be recorded as 0;
- (3) the number of used ballot stubs shall be compared with the sum of the numbers of valid and invalid ballot papers in the ballot box. The difference — in its absolute value — shall be recorded as the third inaccuracy value;
- (4) the number of ballot envelopes of established sample in the ballot box shall be compared with the sum of the numbers of valid and invalid ballot papers in the ballot box. The difference — in its absolute value — shall be recorded as the fourth inaccuracy value.
- (5) the sum of the second and the fourth inaccuracy amounts shall be added to the largest amount among the first and third inaccuracy amounts, and in case they are equal, to any one of the said amounts. The received sum shall be the amount of inaccuracies in the given precinct.

2. The amount of inaccuracies in the precinct shall be calculated and registered by the electoral commission responsible for the summarisation of voting results, by using the “Elections” automated system.

3. In case of declaring the results of voting in the precinct as invalid, the number of voting participants in the precinct shall be registered as the amount of inaccuracies, and this amount shall, in the manner defined by this Code, be considered in the summarisation of the election results.

4. In preparing the protocol on voting results, the number of electors, including those in supplementary lists, of the precinct where the results of voting were declared invalid, the

number of voters, and that of registered ballot papers and numbers of stubs shall be added to the results of voting in other precincts, while the number of cancelled ballot papers shall be the number of ballot papers provided to the given precinct. The other results of the protocol of the electoral precinct where the voting has been declared invalid, except for the amount of inaccuracies, shall be registered as 0.

Article 73. Measures implemented by the constituency electoral commissions after receiving the protocols of the precinct electoral commissions

1. The constituency electoral commission shall check the validity of preparation of the protocols on the precinct voting results; if there are arithmetic errors, the chairperson and the secretary of the appropriate precinct electoral commission shall correct those and endorse the corrections with their signatures. The original data shall not be modified. The original data shall be the results of calculations produced by the precinct electoral commission.

2. The constituency electoral commission shall input the data in protocols on the precinct voting results into a computer by means of special computer software, in the manner defined by the Central Electoral Commission. The software must ensure reasonable guarantees against errors due to incorrect data input. The Commission shall regularly, but not less frequently than every three hours, tabulate the voting results in the constituency through a computer, including the amount of inaccuracies. The constituency electoral commission shall complete the input of data from protocols on precinct voting results into the computer not later than eighteen hours after the end of voting. The voting results per precinct shall be tabulated, sealed and certified by the chairperson (deputy chairperson) and secretary of the constituency electoral commission.

3. A carbon copy of tabulated constituency voting results — endorsed by signatures of the commission chairperson (deputy chairperson) and the secretary as well as by the seal of the commission — shall immediately be posted at the commission in a place visible to everyone. Upon their request, persons entitled to attend electoral commission sittings shall receive a carbon copy of tabulated constituency voting results, endorsed by signatures of the commission chairperson (deputy chairperson) and the secretary as well as by the seal of the commission. The constituency electoral commission — twenty-four hours after the end of the voting — shall submit a carbon copy of the protocol on the precinct voting results to the Central Electoral Commission.

4. At national elections and elections for Yerevan Council of Elders, the constituency electoral commission shall not make a protocol on summarisation of voting results in the constituency; it shall, for recount of voting results, examine the inaccuracies registered on the voting day in the registers of precinct electoral commissions within the time limits defined by this Code, summarise the results at its sitting, and submit the decision thereon to the Central Electoral Commission.

Article 74. Procedure for summarising, at constituency electoral commission, results of elections to the National Assembly under the majoritarian electoral system and of local self-government elections

1. The constituency electoral commission shall, not later than within eighteen hours after the end of voting, in compliance with the requirements of this Article and based on the protocols on precinct voting results, summarise the preliminary results in the given constituency of the elections to the National Assembly under the majoritarian electoral system and of local self-government elections and shall endorse them in the form of a protocol.

If, during voting, such violations of the requirements of this Code have been registered that could affect the voting results, the constituency electoral commission may declare the voting

results in the given precinct as invalid. In this case, the Central Electoral Commission or the constituency electoral commission shall submit the materials to the Prosecutor's Office.

2. On the fifth day after the voting day, the constituency electoral commission shall, based on the protocols on precinct voting results, the results of recounts and the adopted decisions on the voting results, draw up a protocol on the voting results in the constituency.

3. The protocols on the results of the elections to the National Assembly under the majoritarian electoral system and of the elections of the local self-government voting shall include the following:

(1) the total number of electors separately for each supplementary list of electors of the precinct in a constituency, including of those in supplementary lists drawn up in the electoral precincts on the voting day;

(2) the total number of electors of the constituency (it is equal to the sum of the total number of electors from all the electoral precincts set up in the constituency for elections);

(3) the total number of voting participants (B) (the number of signatures of the electors who registered and received ballot papers shall be filled in);

(4) the number of ballot papers provided to the precinct electoral commissions (A) and the stub numbers;

(5) the total number of cancelled ballot papers at the precinct electoral commissions (C);

(6) the number of invalid ballot papers (d2);

(7) the number of stubs of used ballot papers (E);

(8) the number of ballot papers cast for each candidate;

(9) the number of ballot papers cast against a candidate (this line shall be indicated when one candidate is voted on);

(10) the number of ballot envelopes of established sample in the ballot box (F);

(11) the amount of inaccuracies.

The amount of inaccuracies in a constituency (community) shall be equal to the sum of the inaccuracy values in the precincts included in that constituency (community).

4. The protocol shall be signed by the members of the commission and shall be sealed by the commission chairperson.

5. The chairperson of the constituency electoral commission shall publish the protocol.

6. One carbon copy of the protocol shall be posted in a visible place at the commission immediately after the measures provided for by this Article are implemented.

7. A carbon copy of the protocol on voting results, signed by the commission chairperson (deputy chairperson) and the secretary and stamped by the commission seal, shall be provided to persons entitled to attend the commission sitting, upon their request.

8. On the fifth day after the voting day, the constituency electoral commission shall — based on the protocol on constituency voting results, court judgments, decisions made as a result of discussing motions received by the commission, and the adopted decision on the violations registered on the voting day in the record books of precinct electoral commissions — summarise the election results and adopt a decision thereon.

9. The constituency electoral commission shall submit carbon copies of the protocol and decision to the Central Electoral Commission within a two-day period.

Article 75. Procedure for summarising, at the Central Electoral Commission, of results of elections of the President of the Republic and of elections under the proportional electoral system

1. Not later than twenty-four hours after the end of voting, in accordance with the requirements of this Article and based on the precinct voting results received from the constituency electoral commissions, the Central Electoral Commission shall summarise the preliminary results of national elections, endorse those in the form of a protocol and officially announce the preliminary election results in a live broadcast on the Public Radio and Public Television.

Where in the course of voting, violations of the requirements of this Code have occurred that might affect the voting results, the Central Electoral Commission may declare the voting results as invalid in that precinct. In this case, the Central Electoral Commission shall submit the materials to the Prosecutor's Office.

2. On the seventh day after the voting day, the Central Electoral Commission shall, based on the protocols on precinct voting results, the results of recounts and the adopted decisions on the voting results, draw up a protocol on the voting results.

3. The protocol on the voting results shall include the following:

(1) the total number of electors separately for each supplementary list of electors of electoral precincts, including of those in supplementary lists drawn up in the electoral precinct on the voting day;

(2) the total number of electors (it is equal to the sum of the total number of electors from all the electoral precincts set up for elections);

(3) the number of voting participants (B);

(4) the number of ballot papers provided to the precinct electoral commissions (A) and the stub numbers;

(5) the total number of cancelled ballot papers at the precinct electoral commissions (C);

(6) the number of invalid ballot papers (d2);

(7) the number of stubs of used ballot papers (E);

(8) the number of ballot papers cast for each candidate or political party;

(9) the number of ballot papers cast against a candidate (this line shall be indicated when one candidate is voted on);

(10) the number of ballot envelopes of established sample in the ballot box (F);

(11) the amount of inaccuracies.

In case of national elections, the amount of inaccuracies shall be equal to the sum of the inaccuracy values of all the precincts set up.

4. The protocol shall be signed by the members of the commission and sealed by the commission chairperson.

5. A carbon copy of the protocol on voting results, signed by the commission chairperson (deputy chairperson) and the secretary as well as stamped by the commission seal, shall be provided to persons entitled to attend the commission sitting, upon their request.

6. On the seventh day after the voting day, the Central Electoral Commission shall — based on the protocol on voting results, court judgments, decisions made as a result of discussing motions received by the commission, adopted decisions of constituency electoral commissions on the violations registered on the voting day in the record books of precinct electoral commissions, and the decisions on voting results — summarise the election results and adopt a decision thereon.

PART TWO**SECTION 4. ELECTIONS OF THE PRESIDENT OF THE REPUBLIC****CHAPTER 14
GENERAL PROVISIONS****Article 76. Electoral system**

1. At the elections of the President of the Republic, the whole territory of the Republic of Armenia shall be considered as one majoritarian constituency.

2. The President of the Republic shall be elected through the system of absolute majority and, in the second round, through the system of relative majority.

Article 77. Requirements for candidates for the President of the Republic

1. Anyone having attained the age of thirty-five, having been a national of only the Republic of Armenia for the last ten years, permanently residing in the of the Republic of Armenia for the last ten years and having the right of suffrage, may be elected as the President of the Republic.

2. The same person may not be elected as the President of the Republic for more than two consecutive terms.

**CHAPTER 15
NOMINATION AND REGISTRATION OF CANDIDATES FOR THE PRESIDENT
OF THE REPUBLIC****Article 78. The right to nominate a candidate for the President of the Republic**

The right to nominate a candidate for the President of the Republic shall be vested in political parties.

Article 79. Nomination of candidates for the President of the Republic

1. A political party shall nominate a candidate for the President of the Republic upon the decision of its congress or permanently functioning body. Each political party shall have the right to nominate one candidate for the President of the Republic.

2. The decision of the congress or the permanently functioning body of a political party on nominating a candidate for the President of the Republic shall contain the following information about the candidate:

- (1) last name, first name, and patronymic name;
- (2) date of birth;
- (3) place of residence;
- (4) place of employment and position (occupation);
- (5) political party affiliation.

3. The following shall be attached to the decision of the congress or the permanently functioning body of a political party:

(1) data on the authorised representative of a candidate (indicating last name, first name, patronymic name, date of birth, personal identification document number, place of employment and position (occupation));

(2) a receipt on payment of the electoral deposit;

(3) a statement attesting that the candidate has been a national of the Republic of Armenia for the last ten years, which shall also contain a note about not holding the nationality of another State by the national;

(4) a statement attesting that the candidate has been permanently residing in the Republic of Armenia for the last ten years;

(5) a written declaration of consent of the candidate to be registered as a candidate for the President of the Republic;

(6) a carbon copy of the candidate's personal identification document;

(7) the charter of the party.

4. The forms of statements attesting the nationality of the Republic of Armenia and the permanent residence in the Republic of Armenia shall be approved by the Central Electoral Commission. The mentioned statements shall be issued by the authorised state body within a three-day period upon filing a relevant request, but not earlier than making a statement on the voting day of the President of the Republic.

The authorised state body shall refuse and shall not provide the statement (statements) of the mentioned form to the applicant where the data of the applicant do not meet the requirements provided for in Article 77(1) of this Code.

5. The mentioned documents shall be submitted to the Central Electoral Commission only by the candidate or the authorised representative within the time limit prescribed in Article 97(1) of this Code.

6. The Central Electoral Commission shall be obliged to draw the attention of persons having submitted the documents, to the errors, erasures, scratches, misprints, if detected, in the documents submitted for being registered as candidate for the President of the Republic — for the purpose of correction thereof — and, in their presence, correct the evident errors and misprints existing in the submitted documents.

The Commission shall have no power not to accept the submitted documents solely for the reason that they contain such errors, erasures, scratches, or misprints.

The provisions of this part shall not apply to the correction of such errors, erasures, scratches, misprints, as well as to the elimination of other deficiencies, the right whereof is reserved by law to the bodies having adopted or issued such documents.

In case the submitted documents contain inaccuracies referred to in paragraph 2 of this point or in case of incompleteness of documents attached to the application, the Central Electoral Commission shall give 48 hours for the correction of the mentioned inaccuracies and

completion of the attached documents. In case of failure to eliminate inaccuracies or to complete documents within the mentioned time limit, the registration of the candidate shall be rejected.

Article 80. Electoral deposit of candidates for the President of the Republic

Candidates for the President of the Republic shall make an electoral deposit to the account of the Central Electoral Commission in the Central Bank of the Republic of Armenia, in the amount of 8 000-fold of the minimum salary as defined by the legislation of the Republic of Armenia (hereinafter referred to as the minimum salary).

Article 81. Registration of candidates for the President of the Republic

1. A candidate for the President of the Republic may be registered upon nomination by only one political party.

2. A candidate for the President of the Republic shall be registered where no objection on registration thereof is raised by the members of the commission.

3. Prior to registration of the candidate for the President of the Republic, the candidate and the authorised representative thereof shall be entitled to attend the sittings of the Central Electoral Commission in an advisory capacity.

4. The Central Electoral Commission shall make a statement on registration of candidates for the President of the Republic within a three-day period.

Article 82. Rejection of registration of a candidate for the President of the Republic

1. The Central Electoral Commission shall reject the registration of a candidate for the President of the Republic if:

(1) the candidate does not have a right to be elected;

(2) documents submitted for registration are falsified.

2. Where a member of the Central Electoral Commission raises an objection regarding the registration of a candidate for the President of the Republic, it shall be put to vote. The registration shall be rejected upon at least two-thirds of votes of the total number of members of the Commission.

Article 83. Declaring the registration of a candidate for the President of the Republic as invalid

The Central Electoral Commission shall declare the registration of a candidate for the President of the Republic as invalid upon a decision adopted by at least two-thirds of the commission members, if certain facts are revealed after the registration, rendering the candidate as having no right to be elected, or if the documents submitted for registration have been falsified.

Article 84. Procedure for appealing against decisions on rejecting or declaring as invalid the registration of a candidate for the President of the Republic

1. The decision of the Central Electoral Commission on rejecting or declaring as invalid the registration of a candidate for the President of the Republic may be appealed against to the Administrative Court of the Republic of Armenia in the manner and time limits defined by the Administrative Procedure Code of the Republic of Armenia.

2. The candidate shall be registered or re-registered based on the judgment of the court on declaring as invalid the decision of the Central Electoral Commission on rejecting or declaring as invalid the registration of the candidate for the President of the Republic.

Article 85. Repealing the registration of a candidate for the President of the Republic

The registration of a candidate for the President of the Republic shall be repealed upon the decision of the Central Electoral Commission, where he or she:

- (1) has applied for recusal;
- (2) has violated the provision of Article 18(8) of this Code, based on the judgement of the court;
- (3) has violated the provisions of Article 26 of this Code, based on the judgement of the court.

CHAPTER 16
STATUS OF CANDIDATES FOR THE PRESIDENT OF THE REPUBLIC

Article 86. Equality of candidates for the President of the Republic

A candidate for the President of the Republic shall acquire the status upon the registration and until the election of the new President of the Republic. Candidates for the President of the Republic shall have equal rights and duties arising from the status of a candidate for the President of the Republic.

Article 87. Rights and duties of candidates for the President of the Republic

1. Candidates for the President of the Republic, with the exception of those holding political posts, shall be released from the performance of their official duties from the moment of registration as candidates. Candidates for the President of the Republic shall have no right to use their official posts for the purpose of taking advantage during the election campaign.

2. A candidate for the President of the Republic shall be exempt from mobilisation and training musters.

3. Dismissing a candidate for the President of the Republic, transferring to another work or sending on secondment upon the initiative of the employer shall be prohibited.

4. A candidate for the President of the Republic shall have the right to withdraw his or her candidacy in case of submitting an application by 18:00 at least ten days prior to the voting day.

An application on recusal shall be notarised or the candidate shall approve his or her application on recusal at the sitting of the Commission.

In case of a recusal, the Central Electoral Commission shall repeal the registration of the candidate. The candidate shall be obliged to compensate the expenses incurred by the State for his or her election campaign.

5. A candidate for the President of the Republic, as well as the President elect may be arrested or detained or an issue of subjecting to liability through judicial procedure may be instigated against him or her only upon the consent of the Central Electoral Commission. The Central Electoral Commission shall adopt a decision on the mentioned issue by at least the two thirds of votes of the total number of members of the Commission.

CHAPTER 17

ELECTION CAMPAIGN OF A CANDIDATE FOR THE PRESIDENT OF THE REPUBLIC

Article 88. Election fund of a candidate for the President of the Republic

1. For the purpose of conducting his or her election campaign, a candidate for the President of the Republic shall open an election fund in the Central Bank of the Republic of Armenia that shall be made up from voluntary contributions referred to in Article 25 of this Code.

2. The amount of personal contributions made to the election fund of a candidate must not exceed 5 000-fold of the minimum salary.

3. The amount of contributions to the election fund made by the political party having nominated the candidate shall not exceed 25 000-fold of the minimum salary.

4. The amount of expenditures made by candidates from their election funds for conducting the election campaign, renting halls, premises, preparing (posting) campaign posters, acquiring print and other campaign materials, preparing all types of, including print, campaign materials to be provided to electors, shall not exceed 100 000-fold of the minimum salary.

5. Each natural person may make voluntary contributions to the election fund of a candidate in the amount of up to 100-fold of the minimum salary

Article 89. Election campaign of a candidate for the President of the Republic

1. Free and paid use of air time on the Public Radio and Public Television for the election campaign of candidates for the President of the Republic shall be carried out in the manner prescribed by the Central Electoral Commission.

2. A candidate for the President of the Republic shall have the right to use no more than sixty minutes of free air time on the Public Television, and no more than 120 minutes of free air time on the Public Radio.

3. A candidate for the President of the Republic shall have the right to use no more than 120 minutes of paid air time on the Public Television, and no more than 180 minutes of paid air time on the Public Radio at the account of the election fund.

4. During the second round of elections, as well as at the early elections of the President of the Republic, a candidate for the President of the Republic shall have the right to use no more than fifteen minutes of free air time on the Public Television, and no more than twenty-five

minutes of free air time on the Public Radio, as well as no more than twenty-five minutes of paid air time on the Public Television and no more than thirty-five minutes of paid air time on the Public Radio, at the account of the election fund.

CHAPTER 18
BALLOT PAPERS
SUMMARISATION OF ELECTION RESULTS

Article 90. Ballot papers

The ballot paper for the elections of the President of the Republic shall contain the last names of candidates in alphabetical order, first names, patronymic names as well as names of nominating political parties.

Article 91. Summarisation of election results

1. The Central Electoral Commission shall summarise the results of the elections and shall adopt one of the following decisions in the manner and within the time limits prescribed by Article 75 of this Code:

- (1) on the election of the President of the Republic;
- (2) on holding a second round of elections;
- (3) on declaring the election as invalid and on failure to elect a President of the Republic;
- (4) on declaring the election as not having taken place and on failure to elect a President of the Republic.

2. An application on challenging the decision adopted on the basis of the results of elections of the President of the Republic may be submitted to the Constitutional Court on the fifth day following the day of official announcement of the results, by 18:00.

Article 92. Decision of the Central Electoral Commission on the election of the President of the Republic

1. The Central Electoral Commission shall adopt a decision on the election of a candidate as the President of the Republic, who has received more than half of affirmative votes of electors cast in favour of all the candidates.

2. Where only one candidate is voted on, he or she shall be elected if he or she receives more than half of "for" votes of those participating in the voting.

3. At the second round of the elections for the President of the Republic, the candidate, having received the greater number of affirmative votes of the electors, shall be elected as the President of the Republic.

Article 93. Decision of the Central Electoral Commission on holding a second round of elections of the President of the Republic

Where more than two candidates were voted on and none of them have received the required number of affirmative votes, a second round of elections of the President of the Republic shall be held on the fourteenth day after the voting. The two candidates who have

received the greater number of affirmative votes may participate in the second round of elections of the President of the Republic.

Article 94. Decision of the Central Electoral Commission on declaring the elections of the President of the Republic as invalid

Elections of the President of the Republic shall be declared as invalid in any round, if:

(1) the amount of inaccuracies is more than, or equal to, the difference of the number of affirmative votes given to two candidates having received the greater number of affirmative votes – and is more than, or equal to, the difference of the number of affirmative and negative votes given to the candidate — where one candidate was voted on — that significantly affects the result of the elections, *i.e.*, it is impossible to re-establish the actual results of the elections and to determine the elected candidate;

(2) violations of this Code that may have affect the results of the elections have taken place in the course of preparation and holding of elections.

Article 95. Decision of the Central Electoral Commission on declaring the elections of the President of the Republic as not having taken place

Elections of the President of the Republic shall be declared as not having taken place, if:

(1) the only candidate voted on has not received the required number of "for" votes;

(2) the candidate, having received the necessary number of affirmative votes for being elected, has died prior to the summarisation of the election results.

CHAPTER 19
HOLDING ELECTIONS OF THE PRESIDENT OF THE REPUBLIC

Article 96. Time frame for holding elections of the President of the Republic

1. Elections of the President of the Republic shall be held fifty days prior to the cessation of powers of the President of the Republic.

2. Not later than seventy days prior to the day of elections, the Chairperson of the Central Electoral Commission shall make a statement on the Public Radio and Public Television on the day of elections of the President of the Republic.

3. At elections of the President of the Republic, the voting day shall be declared as a non-working day.

Article 97. Time frame for registration of candidates for the President of the Republic

1. Documents required for the registration of a candidate nominated by a political party for the President of the Republic shall be submitted to the Central Electoral Commission by 18:00 not earlier than fifty-five and not later than forty-five days prior to the voting day.

2. Registration of candidates shall be carried out not earlier than forty-five and not later than thirty-five days prior to the voting day.

Article 98. New elections of the President of the Republic

1. If the President of the Republic is not elected in cases provided for by Articles 94 and 95 of this Code, as well as in case of resignation or death of the President elect prior to the assumption of powers after the elections, new elections shall be called, and the voting shall be held on the fortieth day after calling new elections.

2. In case of emergence of insurmountable obstacles for one of the candidates for the President of the Republic, elections of the President of the Republic shall be adjourned for a period of two weeks. In case obstacles declared as insurmountable are not eliminated, new elections shall be called, and the voting shall be held on the fortieth day after the expiration of the mentioned period of two weeks.

3. In case of death of one of the candidates, new elections shall be called, and the voting shall be held on the fortieth day after calling new elections.

4. New elections of the President of the Republic shall be held by new nomination of candidates, in the manner prescribed for early elections by this Code.

Article 99. Early elections of the President of the Republic

1. In cases of resignation, death, impossibility to discharge powers or impeachment of the President of the Republic in the manner prescribed by Article 57 of the Constitution, early elections of the President of the Republic shall be called, and the voting shall be held on the fortieth day after the position of the President of the Republic remains vacant.

2. Elections of the President of the Republic may not be held during martial law and state of emergency, and the President of the Republic shall continue to perform his or her powers. In that case, on the fortieth day after the end of the martial law or state of emergency, elections of the President of the Republic shall be held in the manner prescribed by this Code for early elections.

Article 100. Announcement of the day of new and early elections of the President of the Republic

Not later than thirty-nine days prior to the voting day, the Chairperson of the Central Electoral Commission shall make a statement on the Public Radio and Public Television about the new and early elections of the President of the Republic.

Article 101. Nomination and registration of candidates for the President of the Republic, formation of electoral precincts, designation of polling stations and publication of lists of electors at new and early elections of the President of the Republic

1. Documents required for the registration of a candidate nominated by a political party for the President of the Republic shall be submitted to the Central Electoral Commission by 18:00 not earlier than thirty days and not later than twenty-five days prior to the voting day.

2. Registration of candidates shall be carried out not earlier than twenty-five days and not later than twenty days prior to the voting day.

3. Electoral precincts shall be formed and polling stations shall be designated at least twenty-five days prior to the voting day. At least twenty-five days prior to the voting day, the

authorised body shall submit the lists of electors to the person possessing the premises of the polling station, who shall post them in the polling station, in a place visible to all.

SECTION 5. ELECTIONS TO THE NATIONAL ASSEMBLY

CHAPTER 20 GENERAL PROVISIONS

Article 102. Composition of the National Assembly

The number of deputies of the National Assembly shall be prescribed by the Constitution of the Republic of Armenia.

Article 103. Electoral system

Elections to the National Assembly shall be held under the proportional and majoritarian electoral systems. From a multi-mandate constituency covering the whole territory of the Republic of Armenia ninety deputies shall be elected under the proportional electoral system from among candidates nominated by political parties in the electoral lists, and forty-one deputies shall be elected under the majoritarian electoral system — one deputy from each constituency.

Article 104. Right to vote

1. Each elector shall have the right to one vote in the elections under the proportional electoral system and right to one vote in the elections under the majoritarian electoral system, except for cases prescribed by this Code.

Article 105. Right to be elected

Anyone having attained the age of twenty-five, having been a national of only the Republic of Armenia for the last five years, permanently residing in the Republic in the last five years and having the right of suffrage shall have the right to be elected as a deputy to the National Assembly of the Republic of Armenia.

CHAPTER 21 NOMINATION AND REGISTRATION OF CANDIDATES FOR DEPUTIES

Article 106. Right to nominate a candidate for deputy

1. The right to nominate candidates for deputies to the National Assembly under the proportional electoral system shall be vested in political parties and alliances of political parties.

A candidate for deputy may be nominated only by the electoral list of one political party and only in one majoritarian constituency.

2. Alliances of political parties may be formed in case at least two political parties form an election alliance.

3. During elections, political parties included in alliances of political parties may not be included in other alliances of parties.

4. The decision on joining an alliance of political parties shall be adopted by the permanently functioning body of the political party.

5. Electoral lists of alliances of political parties shall be drawn up from a separate list presented by each political party included in the alliance. The order of candidates for deputy in the electoral lists of an alliance shall be determined during joint consultations held by the political parties included in the alliance and shall be approved by the permanently functioning body of each political party included in the alliance.

6. Where a political party leaves the alliance of parties, the names of candidates for deputy nominated by that political party shall be removed from the electoral list of the alliance of parties.

7. Political parties registered in the Republic of Armenia, shall have the right to nominate candidates for deputies to the National Assembly under the majoritarian electoral system.

Article 107. Restrictions of nomination

1. Members of the Constitutional Court, judges, employees (officers) of the Police of the Republic of Armenia and the National Security Service of the Republic of Armenia, of the Judicial Acts Compulsory Enforcement Service, tax authorities, customs authorities, Penitentiary Service, Rescue Service, Prosecutor's Office, as well as military servicemen may not be nominated as candidates for deputies to the National Assembly.

The nationals of the Republic of Armenia holding nationality of another State may not be nominated and registered as candidates for deputies to the National Assembly.

2. Employees and officials of state and local-self government bodies with respect whereto the restrictions provided for in this Article are not applied, may be temporarily exempted from performance of their official duties after being registered as candidates for deputy to the National Assembly and till the end of the election campaign, with the exception of persons occupying political posts,.

Article 108. Nomination of candidates for deputies to the National Assembly under the proportional electoral system

1. Political parties shall file an application with the Central Electoral Commission on running in the elections to the National Assembly under the proportional electoral system, upon the decision of their permanently functioning body; the application shall be signed and sealed by the leader of the political party. Alliances of political parties shall file an application on running in the elections to the National Assembly under the proportional electoral system, upon decisions of permanently functioning bodies of political parties included in the alliance of parties; the application shall be signed and sealed by the leaders of member political parties of the alliance.

2. Each political party shall have the right to nominate only one electoral list of candidates. A political party included in an alliance of parties shall have no right to nominate a separate list of candidates on its own behalf. One woman shall be included among the first ten candidates of the electoral list of a political party for the elections to the National Assembly under the proportional electoral system, whereas starting from the eleventh number of the list, women shall make up at least 20% of each integer group of five candidates (11-15, 11-20, 11-25 and subsequently till the end of the list). At least 10 candidates shall be included in the electoral list presented by a political party for the elections to the National Assembly under the proportional

electoral system. Individuals who are not members of a given political party shall also be included in the list of that political party.

3. The following shall be attached to the application of a political party on running in the elections to the National Assembly:

- (1) the Statute of the party (in case of an alliance of parties - the Statutes of the parties included in the alliance) ;
- (2) the decision of the permanently functioning body of the political party (in case of an alliance of parties — the decisions of permanently functioning bodies of member parties of the alliance) on the nomination of an electoral list of candidates for deputies to the National Assembly under the proportional electoral system, which shall include — by consecutive numbers — the last name, first name, patronymic name, date of birth, political affiliation, personal identification document number, place of registered residence, work place and position (occupation) of candidates;
- (3) written statement of the candidates nominated by the electoral list of the political party on their consent for being registered as candidates for deputies;
- (4) separate electoral lists presented by the political parties included in the alliances of parties;
- (5) the receipt on the payment of the electoral deposit in the amount of 8 000-fold of the minimum salary;
- (6) a statement certifying that candidates included in the electoral list of a political party have been nationals of the Republic of Armenia for the last five years, which must also contain a note about not holding the nationality of another State by the national;
- (7) a statement certifying that candidates included in the electoral list of a political party have been permanently residing in the Republic of Armenia for the last five years;
- (8) carbon copies of personal identification documents of the candidates included in the electoral list of a political party.

4. The forms of statements attesting the nationality of the Republic of Armenia and the permanent residence in the Republic of Armenia shall be approved by the Central Electoral Commission. The mentioned statements shall be issued by the authorised state body within a three-day period upon filing a relevant request but not earlier than calling elections.

The authorised state body shall refuse and shall not provide the statement (statements) of the mentioned form to the applicant where the data of the applicant do not meet the requirements provided for in Article 105 of this Code.

5. Data on up to two authorised representatives (indicating their last name, first name, patronymic name, date of birth, personal identification document number, place of employment and position (occupation)) shall be attached to the decision of the permanently functioning body of the political party.

6. Registration documents shall be submitted to the Central Electoral Commission only by the authorised representative of the party within time limits prescribed by this Code.

After expiration of the time limit for the submission of registration documents, no changes may be made in the electoral list by a political party.

7. In case of detection of inaccuracies, deletions, erasures, misprints in the documents submitted for registration of the electoral list of a political party, the Central Electoral Commission, with a view of correction, shall be obliged to bring them to the attention of persons having submitted the documents as well as to correct, in their presence, the evident inaccuracies and misprints existing in the submitted documents.

The Commission shall have no right not to accept submitted documents only for the reason that they contain such inaccuracies, deletions, erasures or misprints. The provisions of this part shall not apply to correction of such inaccuracies, deletions, erasures, misprints or elimination of other deficiencies the right whereof is reserved by law to the bodies having adopted or issued such documents.

In case the submitted documents contain inaccuracies referred to in paragraph 2 of this point or in case of incompleteness of attached documents, the Central Electoral Commission shall give forty-eight hours for the correction of the mentioned inaccuracies and completion of attached documents. In case of failure to eliminate, within the mentioned period, inaccuracies regarding the electoral list of a political party or regarding a candidate included in the electoral list, or in case of failure to complete the documents, the registration of the electoral list of a political party shall be rejected, whereas, in case a candidate is included in the electoral list, his or her name shall be removed from the electoral list of the political party.

Article 109. Registration of electoral lists of political parties for the elections to the National Assembly under the proportional electoral system

1. The electoral list of a political party shall be registered in case of no objections is raised by the members of the Central Electoral Commission with respect to the registration of the electoral list of the political party.

2. Not later than within three days after the expiry of the time limit for registration, the Central Electoral Commission shall publish the electoral lists of political parties.

3. An authorised representative of a political party shall have the right to attend the sitting of the Commission held for the discussion of the issue of registering the electoral list of the political party.

Article 110. Rejection of registration of an electoral list of a political party or a candidate included therein

1. The Central Electoral Commission shall reject the registration of the electoral list of a political party, if:

- (1) submitted documents are incomplete or falsified;
- (2) candidates do not have the right to be elected as a result whereof the number of candidates included in the electoral list falls below ten;
- (3) the political party has been dissolved;
- (4) activities of the political party have been suspended or prohibited.

2. The electoral list of a political party shall be put to vote in case of an objection is raised by a member of the Central Electoral Commission with respect to the registration of the electoral list of the political party. The registration of the electoral list of a political party shall be rejected by at least two thirds of votes of the total number of members of the Commission.

3. The Central Electoral Commission shall reject the registration of a candidate included in the electoral list of a political party, if:

(1) the candidate does not have the right to be elected;

(2) documents submitted thereon are incomplete or falsified.

4. In case of an objection by a member of the Central Electoral Commission with respect to the registration of a candidate included in the electoral list of the political party, it shall be put to vote. The registration of a candidate included in the electoral list of a political party shall be rejected by at least two thirds of votes of the total number of members of the Commission.

Article 111. Declaring registration of an electoral list of a political party or a candidate included therein as invalid

1. The Central Electoral Commission shall declare as invalid the registration of an electoral list of a political party, if the registration is followed by emergence of facts, by virtue whereof:

(1) the number of candidates in the electoral list falls below ten as a result of declaring the registration of candidates included in the electoral list of a political party as invalid;

(2) documents submitted with respect to the political party are falsified.

2. The registration of a candidate included in the electoral list of a political party shall be declared as invalid, if the registration is followed by emergence of facts, by virtue whereof:

(1) the candidate does not have the right to be elected;

(2) documents submitted thereon are falsified.

In such cases the name of the candidate shall be removed from the list.

3. The registration of an electoral list of a political party or a candidate included therein shall be declared as invalid upon a decision adopted by at least two thirds of votes of the total number of members of the Central Electoral Commission.

Article 112. Procedure for appealing against decisions on rejecting or declaring as invalid the registration of an electoral list of a political party or a candidate included therein

1. The decision of the Central Electoral Commission on rejecting or declaring as invalid the registration of an electoral list of a political party or a candidate included therein may be appealed against to the Administrative Court of the Republic of Armenia in the manner and within time limits prescribed by the Administrative Procedure Code of the Republic of Armenia.

2. The electoral list of a political party or a candidate included therein shall be registered or re-registered on the basis of a court judgment on declaring as invalid the decision of the Central

Electoral Commission on rejecting or declaring as invalid the registration of an electoral list of a political party or a candidate included therein.

Article 113. Repealing the registration of the electoral list of a political party or a candidate included therein

1. The registration of the electoral list of a political party shall be repealed, if:

- (1) an application on recusal has been filed;
- (2) the provision of Article 18(8) of this Code has been violated, based on the judgement of the court;
- (3) the provisions of Article 26 of this Code have been violated, based on the judgement of the court;
- (4) the political party has been dissolved;
- (5) activities of the political party have been suspended or prohibited;
- (6) the number of political parties included in the alliance of parties has become less than two.

2. The registration of a candidate included in the electoral list of a political party shall be repealed, if he or she:

- (1) has filed an application on recusal;
- (2) has violated the provision of Article 18(8) of this Code, based on the judgement of the court;
- (3) has violated the provisions of Article 26 of this Code, based on the judgement of the court.

Article 114. Nomination of candidates for deputies to the National Assembly under the majoritarian electoral system

1. Political parties shall have the right to nominate one candidate per each constituency.

2. Candidates for deputies to the National Assembly under the majoritarian electoral system shall be nominated upon the decision of the permanently functioning body of the political party.

3. A political party may also nominate as a candidate for deputy a person who is not a member of that party.

Article 116. Registration of candidates for deputies to the National Assembly under the majoritarian electoral system

1. The decision of a political party on nomination of a candidate to the National Assembly under the majoritarian electoral of system shall contain the number of the constituency and the following information on the candidate:

- (1) last name, first name, and patronymic name;

- (2) date of birth;
- (3) place of registered residence;
- (4) place of employment and position (occupation);
- (5) political affiliation;

as well as data on up to two authorised representatives (indicating their last name, first name, patronymic name, date of birth, personal identification document number, place of employment and position (occupation)).

2. The following shall also be submitted to the constituency electoral commission:

- (1) the written statement of the candidate on the consent of being registered in the given constituency as a candidate for deputy;
- (2) the receipt on payment of the electoral deposit in the amount of 1 000-fold of the minimum salary;
- (3) a statement certifying that the candidate has been a national of the Republic of Armenia for the last five years, which shall also contain a note about not holding the nationality of another State by the national;
- (4) a statement certifying that the candidate has been permanently residing in the Republic of Armenia for the last five years;
- (5) a carbon copy of the candidate's personal identification document.

3. The forms of statements on being a national of the Republic of Armenia and on permanently residing in the Republic of Armenia shall be approved by the Central Electoral Commission. The mentioned statements shall be issued by the state authorised body within three days after filing an application but not earlier than calling elections.

The state authorised body shall refuse and shall not provide a statement (statements) of the mentioned form to the applicant, if the data of the applicant do not meet the requirements of Article 105 of this Code.

4. Documents defined by this Article shall be submitted to the constituency electoral commission only by candidate or his or her authorised representative within the time limits prescribed by this Code.

5. In case of detection of inaccuracies, deletions, erasures, misprints in the documents submitted for registration of a candidate for deputy of the National Assembly, the constituency electoral commission, with the view of correction, shall be obliged to bring them to the attention of persons having submitted the documents as well as correct, in their presence, evident inaccuracies and misprints existing in the submitted documents.

The Commission shall have no right not to accept submitted documents only for the reason that they contain such inaccuracies, deletions, erasures, or misprints.

The provisions of this part shall not apply to correction of such inaccuracies, deletions, erasures, misprints or elimination of other deficiencies the right whereof is reserved by law to the bodies having adopted or issued such documents.

In case submitted documents contain inaccuracies referred to in paragraph 2 of this point or in case of incompleteness of attached documents, the constituency electoral commission shall give forty-eight hours for the correction of the mentioned inaccuracies and completion of attached documents. In case of failure to eliminate inaccuracies within the mentioned period, the registration of the candidate shall be rejected.

6. Candidates for deputy of the National Assembly under the majoritarian electoral system shall be registered upon the decision of the constituency electoral commission.

The candidate shall be registered, if there is no objection by the members of the constituency electoral commission with respect to the registration.

7. The nominated candidate and the authorised representative shall have the right to attend the sitting of the constituency electoral commission held for the discussion of the issue of registering the candidate.

Article 117. Rejection of registration of a candidate for deputy of the National Assembly under the majoritarian electoral system

1. Constituency electoral commission shall reject the registration of a candidate for deputy, if:

- (1) the candidate does not have the right to be elected;
- (2) submitted documents are incomplete or falsified.

2. The registration of a candidate shall be put to vote in case of an objection by a member of the constituency electoral commission. The registration shall be rejected by at least two thirds of votes of the total number of members of the constituency electoral commission.

Article 118. Declaring as invalid the registration of a candidate for deputy of the National Assembly under the majoritarian electoral system

1. A constituency electoral commission shall declare as invalid the registration of a candidate for deputy, if the registration is followed by emergence of facts, by virtue whereof:

- (1) the candidate does not have the right to be elected;
- (2) submitted documents are falsified.

2. The registration of a candidate shall be declared as invalid upon a decision adopted by at least two thirds of votes of the total number of members of the constituency electoral commission.

Article 119. Procedure for appealing decisions on rejecting or declaring as invalid the registration of a candidate for deputy to the National Assembly under the majoritarian electoral system

1. The decision of a constituency electoral commission on rejecting or declaring as invalid the registration of a candidate for deputy may be appealed to the Administrative Court of the Republic of Armenia in the manner and within time frames prescribed by the Administrative Procedure Code of the Republic of Armenia.

2. The candidate for deputy shall be considered as registered or re-registered on the basis of a court judgment on declaring as invalid the decision of the constituency electoral commission on rejecting or declaring as invalid the registration of the candidate.

Article 120. Repealing the registration of a candidate for deputy of the National Assembly under the majoritarian electoral system

Registration of a candidate for deputy of the National Assembly under the majoritarian electoral system shall be repealed, if he or she:

- (1) has filed an application on recusal;
- (2) has violated the provision of Article 18(8) of this Code, based on the judgement of the court;
- (3) has violated the provisions of Article 26 of this Code, based on the judgement of the court.

**CHAPTER 22
STATUS OF A CANDIDATE FOR DEPUTY**

Article 121. Equality of candidates for deputies to the National Assembly

A candidate for deputy shall acquire the status upon registration and up to being elected as a deputy. After the entry into force of the decision of the Central Electoral Commission on the election of deputies under the proportional electoral system, a person included in the electoral list of the political party, but not elected as a deputy shall acquire a status of a candidate after the seat under the proportional electoral system remains vacant.

Candidates shall have equal rights and duties arising from the status of a candidate for deputy.

Article 122. Rights, duties and guarantees of activities of candidates for deputies to the National Assembly

1. Candidates for deputy shall be exempt from mobilisation, compulsory military service, and training musters until the official announcement of the election results.

2. Candidates for deputy shall have the right to withdraw their candidacy in case of submitting an application by 18:00 ten days prior to the voting day, as well as after the voting day. An application on recusal shall be notarised, or the candidate shall approve his or her application on recusal at the sitting of the Commission.

First name and last name of a national included in the electoral list of the political party shall be removed from the list in the manner prescribed by the Central Electoral Commission.

3. By 18:00 at least ten days prior to the voting day, political parties shall have the right to file an application on recusal, and the candidate – on removing from the electoral list.

4. A candidate for deputy of the National Assembly, a deputy elect may be arrested, detained or an issue on subjecting to liability through judicial procedure may be instigated against him or her only upon the consent of the Central Electoral Commission. The Central Electoral Commission shall adopt a decision on the mentioned issue by the two thirds of votes of the total number of members of the Commission.

CHAPTER 23 ***ELECTION CAMPAIGN DURING ELECTIONS TO THE NATIONAL ASSEMBLY***

Article 123. Election fund of a candidate for deputy and of a political party

1. For the purpose of conducting election campaign, a candidate for deputy and a political party shall open an election fund that shall be made up from voluntary contributions referred to in Article 25 of this Code.

2. A candidate for deputy under the majoritarian electoral system shall have the right to make a contribution to his or her election fund in the amount of up to 1 000-fold of the minimum salary, and to the political party having nominated the candidate – up to 2000-fold of the minimum salary, and political parties or parties included in an alliance of parties together shall have the right to make contributions to the election fund of the political party or of the alliance of parties, respectively, in the amount of 15 000-fold of the minimum salary.

3. Each natural person may make a voluntary contribution to the election funds of a candidate for deputy and a political party in the amount of up to 100-fold of the minimum salary.

4. During the election campaign, a candidate for deputy shall have the right to spend an amount not exceeding 10 000-fold of the minimum salary, and a political party, an alliance of parties— an amount not exceeding 100 000-fold of the minimum salary – for conducting the election campaign, renting halls, premises, preparing (posting) campaign posters, acquiring print and other campaign materials, preparing all types of, including print, campaign materials to be provided to electors.

Article 124. The election campaign

1. During elections to the National Assembly, election campaign shall be conducted in the manner and within time frames defined by this Code.

2. During elections to the National Assembly, political parties shall enjoy the rights prescribed by Article 89 of this Code.

CHAPTER 24 ***BALLOT PAPERS*** ***SUMMARISATION OF ELECTION RESULTS***

Article 125. Ballot papers

1. Elections to the National Assembly under the proportional and majoritarian electoral systems shall be held through separate ballot papers.

2. A ballot paper for the elections to the National Assembly under the proportional electoral system shall contain the names of political parties, in alphabetical order, as well as last names, first names, and patronymic names of the first three candidates in the electoral list.

3. The ballot paper for the elections to the National Assembly under the majoritarian electoral system shall contain last names (in alphabetical order of last names), first names, and patronymic names of candidates for deputy, as well as the names of nominating parties.

Article 126. Summarisation of results of elections to the National Assembly under the proportional electoral system

1. In the manner and within time frames prescribed by Article 75 of this Code, the Central Electoral Commission shall summarise the election results and shall adopt one of the following decisions:

- (1) on election of deputies to the National Assembly under the proportional electoral system;
- (2) on declaring as invalid the elections to the National Assembly under the proportional electoral system.

2. Seats envisaged for the proportional electoral system of the National Assembly shall be distributed among the electoral lists of those political parties and alliances of parties that have received at least five per cent affirmative votes - in case of parties, and seven per cent affirmative votes - in case of alliances of parties, respectively, of the total sum of the total number of affirmative votes and the number of inaccuracies. Where an electoral list of only one political party or one alliance of parties has received respectively at least five per cent or seven per cent of affirmative votes of the total sum of the total number of affirmative votes and the number of inaccuracies, the next two political parties (alliances of parties) that have received the respective highest number of affirmative votes shall participate in the distribution of seats. Where up to three political parties (alliances of parties) run in the elections to the National Assembly under the proportional electoral system, all the parties (alliances of parties) shall participate in the distribution of seats.

3. Seats envisaged for the proportional electoral system of the National Assembly shall be distributed among electoral lists of political parties in proportion to the number of affirmative votes cast in favour of each of them. The calculation of seats available for each political party shall be carried out in the following way: the number of affirmative votes cast in favour of each list shall be multiplied by the number of seats available for the electoral lists; the product shall be divided by the total number of affirmative votes cast in favour of electoral lists participating in the distribution of seats, then integers shall be distinguished, which shall be the number of seats available to each electoral list.

4. The undistributed seats shall be distributed among electoral lists by order of magnitude of residuals, with the principle of one seat to each. In case the residuals are equal, the contested seat shall be given to the list that has received the highest number of affirmative votes, and in case of a tie, the matter shall be settled by drawing lots.

5. A candidate, whose record number in the electoral list is smaller or equal to the number of seats to be given to that electoral list, shall be considered elected from the electoral list.

6. The seat of a candidate elected to the National Assembly under the proportional electoral system, if he or she has also been elected under the majoritarian electoral system, shall be given to the candidate who is the next in the electoral list.

7. Distribution of seats among candidates included in the electoral list shall be carried out upon protocol of the Central Electoral Commission through registering deputies of the National Assembly elected from the electoral list of each political party. If the number of candidates included in the electoral list of a political party is smaller than the number of seats available for the party as a result of distribution of seats, then these seats shall remain vacant.

The seat of a deputy elected to the National Assembly under the proportional electoral system, whose powers have terminated prematurely, shall be given to the next candidate in the electoral list of that political party upon the protocol of the Central Electoral Commission within a period of one week after the notification to the Commission. If there is no other candidate in the electoral list of a political party, the seat shall remain vacant.

8. Elections to the National Assembly under the proportional electoral system shall be declared as invalid, if violations of this Code that may have affected the election results have taken place in the course of preparation and holding of elections.

9. An application on challenging the decision adopted based on the results of elections to the National Assembly under the proportional electoral system may be brought before the Constitutional Court on the fifth day following the official announcement of the results, by 18:00.

10. Not earlier than fifteen and not later than thirty days after the entry into force of the decision on declaring as invalid the elections to the National Assembly under the proportional electoral system, revote shall be held in the manner prescribed by this Code and with the same composition of political parties.

In case the results of revote for the elections to the National Assembly under the proportional electoral system are declared as invalid, new elections shall be held not later than seventy days after the entry into force of that decision. In the event of new elections, the Central Electoral Commission shall adopt a decision on calling the voting day on the seventh day after the adoption of the decision on declaring as invalid the elections to the National Assembly under the proportional electoral system.

New elections shall be held by new nomination of candidates and in the manner and within time frames prescribed for early elections.

Article 127. Summarisation of results of elections to the National Assembly under the majoritarian electoral system

1. A constituency electoral commission shall summarise the election results in the manner and within time limits prescribed by Article 74 of this Code and shall adopt one of the following decisions:

(1) on the election of deputy;

(2) on declaring the elections of deputy as invalid;

(3) on declaring the elections of deputy as not having taken place.

2. A candidate who has received the greater number of "for" votes of electors shall be elected as a deputy.

3. Where only one candidate is voted on, he or she shall be elected if he or she receives more than half of votes of those participating in the voting.

4. If two and more candidates have received equal number of the highest affirmative votes, the elected candidate shall be determined by drawing lots.

5. The elections of the deputy shall be declared as invalid, if:

(1) the amount of inaccuracies is more than, or equal to, the difference of the number of affirmative votes given to two candidates having received the greater number of affirmative votes, or, where one candidate was voted on, is more than, or equal to, the difference of affirmative and negative votes given to the candidate,

(2) violations of this Code, that may have affected the results of the elections, have occurred in the course of preparation and holding of elections.

6. The elections of the deputy shall be considered as not having taken place, if:

(1) the only candidate voted on has not received the required number of "for" votes;

(2) the candidate having received the highest number of affirmative votes has died before the summarisation of the election results;

(3) no candidate has been registered in the manner and within time limits prescribed by this Code for the registration of candidates or less than two candidates have been registered within the same time limit.

7. The chairperson of a constituency electoral commission shall submit the decision on the summarisation of the election results to the Central Electoral Commission within a period of two days.

8. An application on challenging the decision adopted on the basis of the result of the elections to the National Assembly under the majoritarian electoral system may be submitted to the Constitutional Court on the fifth day after the official announcement of the result of the elections, by 18:00.

9. In the event elections of the deputy are declared as invalid, not earlier than ten and not later than twenty days after the entry into force of the decision thereon, revote shall be held in the manner prescribed by this Code with the same candidates.

In case the results of the revote in the course of election of a deputy to the National Assembly under the majoritarian electoral system are declared as invalid, not earlier than thirty and not later than forty days after the entry into force of that decision, revote shall be held.

10. In case the elections of the deputy are declared as not having taken place, new elections shall be held not earlier than thirty and not later than forty days after the entry into force of the decision thereon.

11. In case of death of one of the candidates till the end of the voting, new elections shall be called, and the voting shall be held not earlier than thirty and not later than forty days after new elections are called. In case of death of the elected deputy prior to the assumption of powers after the elections, new elections shall be called, and the voting shall be held not earlier than thirty and not later than forty days after calling new elections.

12. New elections shall be held by new nomination of candidates and within time limits prescribed for early elections.

CHAPTER 25
CALLING AND HOLDING ELECTIONS TO THE NATIONAL ASSEMBLY

Article 128. Time frames for calling and holding regular elections to the National Assembly and for nominating and registering candidates for deputy

1. Regular elections to the National Assembly shall be held not earlier than forty and not later than thirty days before the cessation of powers thereof.

2. Not later than seventy days prior to the voting day, the President of the Republic shall promulgate a decree on calling regular elections.

3. The registration of documents of candidates for deputy to the National Assembly under the proportional electoral system shall be submitted by political parties to the Central Electoral Commission by 18:00 not earlier than fifty-five and not later than forty-five days prior to the voting day.

4. Registration of electoral lists of political parties shall be carried out by 18:00 not earlier than forty-five and not later than thirty-five days prior to the voting day.

5. The registration documents of candidates for deputy to the National Assembly under the majoritarian electoral system shall be submitted to the Central Electoral Commission by 18:00 not earlier than fifty-five and not later than forty-five days prior to the voting day.

6. Registration of candidates for deputy to the National Assembly under the majoritarian electoral system shall be carried out by 18:00 not earlier than forty-five and not later than thirty-five days prior to the voting day.

Article 129. Calling and holding by-elections to the National Assembly

1. In case a seat in the National Assembly under the majoritarian electoral system remains vacant due to early termination of powers of a deputy, by-elections shall be held in that constituency.

2. By-elections to the National Assembly under the majoritarian electoral system shall be held in the manner prescribed for regular elections and within a period of eighty days after the seat concerned remains vacant.

3. Elections under the majoritarian electoral system shall not be held within the last one year of powers of the National Assembly.

Article 130. Calling and holding early elections to the National Assembly

1. Early elections to the National Assembly shall be held not earlier than thirty and not later than forty days after dissolving the National Assembly.

2. Together with the decree on dissolving the National Assembly, the President of the Republic shall promulgate a decree on calling early elections.

3. Documents required for the registration of candidates for deputy to the National Assembly under the proportional electoral system shall be submitted to the Central Electoral Commission by 18:00 not later than twenty-five days prior to the voting day.

4. Registration of electoral lists of political parties shall be carried out by 18:00 not earlier than twenty-five and not later than twenty days prior to the voting day.

5. Documents required for the registration of candidates for deputy to the National Assembly under the majoritarian electoral system shall be submitted to the constituency electoral commission by 18:00 not later than twenty-five days prior to the voting day.

6. Registration of candidates for deputy to the National Assembly under the majoritarian electoral system shall be carried out by 18:00 not earlier than twenty-five and not later than twenty days prior to the voting day.

7. Electoral precincts shall be formed and polling stations shall be designated at least twenty-five days prior to the voting day. At least twenty days prior to the voting day, the authorised body shall submit the lists of electors to the person possessing the premises of the polling station, who shall post them in the polling station, in a place visible to all.

SECTION 6. LOCAL SELF-GOVERNMENT ELECTIONS

CHAPTER 26 GENERAL PROVISIONS

Article 131. Electoral system

1. At elections of a head of community, a single-mandate majoritarian constituency shall be formed in the territory of the community.

2. At elections of community council of elders, one multi-mandate majoritarian constituency shall be formed in the territory of the community.

3. The community council of elders shall consist of:

- (1) five members in a community having up to 2 000 electors;
- (2) seven members in a community having 2 001 to 4 000 electors;
- (3) eleven members in a community having 4 001 to 10 000 electors;
- (4) fifteen members in a community having 10 001 to 75 000 electors.
- (5) twenty-one members in a community having more than 75 001 electors.

Article 132. Right of suffrage

Each elector shall have the right to one vote:

- (1) at elections of a head of community;
- (2) at elections of a member of the council of elders.

Article 133. Requirements set for candidates for a head of community and a member of the council of elders

1. Persons, having attained the age of twenty-five and having been registered for the last two years prior to the voting day in the population register of the community where elections are held, and having the right to vote at local self-government elections under Article 2 of this Code, may be elected as a head of community.

2. Persons, having attained the age of twenty-one and having been registered for the last two years prior to the voting day in the population register of the community where elections are held, and having the right to vote at local self-government elections under Article 2 of this Code, may be elected as a member of community council of elders (with the exception of the Yerevan Council of Elders).

3. Members of the Constitutional Court, judges, officers (employees) of the Prosecutor's Office, the police, national security service, penitentiary, rescue, tax and customs authorities, judicial acts compulsory enforcement authorities, as well as military servicemen may not be nominated as candidates for the head of community and the community council of elders.

CHAPTER 27
NOMINATION OF CANDIDATES FOR A HEAD OF COMMUNITY
AND A MEMBER OF COUNCIL OF ELDERS

Article 134. Nomination of candidates for a head of community and a member of council of elders

1. Candidates for a head of community and those for members of council of elders shall be nominated by the political parties based on the decision of their respective territorial (primary, local) units, and also eligible citizens shall nominate themselves submitting an application defined by the CEC.

A political party may also nominate a person, who is not its member, as a candidate for a head of community and a member of community council of elders.

2. The decision of the respective territorial (primary, local) unit on the nominating a candidate for a head of community and a member of council of elders and the application shall contain the name of the community and the following information about the candidate:

- (1) last name, first name, patronymic name;
- (2) date of birth;
- (3) place of registered residence;
- (4) place of employment and position (occupation);
- (5) party affiliation

as well as may contain information on up two authorised representatives of the candidate (their last name, first name, patronymic name, date of birth, the personal identification document number, place of employment and position (occupation)).

3. The candidates for the head of community and the members of council of elders shall submit to the constituency electoral commission the following attached to the decision of the respective territorial (primary, local) unit of the political party and the application:

(1) receipt of payment of the electoral deposit;

The amount of the electoral deposit shall be as follows: a candidate for a head of community in a community having up to 2 000 electors shall pay the 50-fold of the minimum salary, and candidates for a member of council of elders — the 10-fold of the minimum salary; a candidate for a head of community in a community having from 2 001 to 4 000 electors shall pay the 100-fold of the minimum salary, and a candidate for a member of council of elders — the 15-fold of the minimum salary; a candidate for a head of community in a community having from 4 001 to 10 000 electors shall pay the 300-fold of the minimum salary, and a candidate for a member of council of elders — the 30-fold of the minimum salary; a candidate of a head of community in a community having from 10 001 to 75 000 electors shall pay the 500-fold of the minimum salary, and a candidate for a member of council of elders — the 70-fold of the minimum salary; a candidate for a head of community in a community having more than 75 000 electors shall pay the 1 000-fold of the minimum salary, and a candidate for a member of council of elders — the 100-fold of the minimum salary;

(2) statement on being registered in the population register of the community concerned for the last two years;

(3) carbon copy of personal identification document.

4. The form of the statement referred to in point 2(2) of this Article shall be defined by the Central Electoral Commission. The mentioned statement shall be issued by the state authorised body within a period of three days following the request but not earlier than the calling of elections.

The state authorised body shall reject and shall not issue the statement in the mentioned form, where data on the applicant do not meet the requirements provided for by Article 133 of this Code.

5. Registration documents shall be submitted only by a candidate or an authorised representative within the time limits established by this Code.

6. Where errors, deletions, erasures, misprints are found in documents submitted for the registration of a candidate for a head of community and a member of council of elders, the constituency electoral commission shall be obliged to draw the attention of the person submitting such documents thereto for the purpose of correction, as well as correct, in their presence, on its own, evident errors and misprints available in submitted documents.

The commission shall have no right not to accept the submitted documents only for the reason that they contain such errors, deletions, erasures, or misprints. The provisions of this part shall not apply to correction of such errors, deletions, erasures, misprints or elimination of other deficiencies the right whereof is reserved by law to the bodies having adopted or issued such documents.

In case of inaccuracies referred to in paragraph 2 of this point or in case of incompleteness of attached documents, the constituency electoral commission shall give forty-eight hours for the correction of the mentioned inaccuracies and completion of attached documents. In case of

failure to eliminate inaccuracies or to complete the documents within the mentioned time period, the registration of the candidate shall be rejected.

Article 135. Registration of candidates for a head of community and a member of council of elders

1. Candidates for a head of community and a member of council of elders shall be registered by the decision of the constituency electoral commission.

In case of no objection is raised by members of the constituency electoral commission with regard to the registration, the candidate shall be registered.

2. A candidate and the authorised representative shall have the right to attend the sitting of the constituency electoral commission held for discussion of the issue of registering the candidate.

Article 136. Rejection of registration of a candidate for a head of community and a member of council of elders

1. The constituency electoral commission shall reject the registration of a candidate, where:

- (1) the candidate has no right to be elected;
- (2) submitted documents are incomplete or falsified.

2. In case of an objection is raised by a member of the Commission with regard to registration of a candidate for a head of community and a member of council of elders, it shall be put to vote. The registration shall be rejected by at least two thirds of the votes of the total number of the members of the constituency electoral commission.

Article 137. Declaring the registration of a candidate for a head of community and a member of council of elders invalid

The constituency electoral commission shall declare the registration of a candidate for a head of community and a member of council of elders invalid, where by virtue of facts having emerged after the registration:

- (1) the candidate has no right to be elected;
- (2) submitted documents are falsified.

The registration of a candidate shall be declared invalid by a decision adopted by at least two thirds of the votes of the total number of the members of the constituency electoral commission.

Article 138. Procedure for appealing against decisions on rejecting or declaring the registration of a candidate for a head of community and a member of council of elders invalid

1. An appeal may be brought before the Administrative Court of the Republic of Armenia against the decision of the constituency electoral commission on rejecting or declaring the registration of a candidate for a head of community or a member of council of elders invalid, in

accordance with the procedure and within the time limits provided for by the Administrative Procedure Code of the Republic of Armenia.

2. A candidate shall be considered as registered or re-registered under a court judgment on declaring invalid the decision of the constituency electoral commission on rejecting or declaring the registration of a candidate for a head of community or a member of council of elders invalid.

Article 139. Repealing of registration of a candidate for a head of community or a member of council of elders

The registration of a candidate for a head of community or a member of council of elders shall be cancelled, where he or she:

- (1) has applied for recusal;
- (2) has violated the provision of Article 18(8) of this Code — based on the judgement of the court;
- (3) has violated the provisions of Article 26 of this Code – based on the judgement of the court.

CHAPTER 28
STATUS OF CANDIDATES FOR A HEAD OF COMMUNITY AND A MEMBER
OF COUNCIL OF ELDERS

Article 140. Equality of candidates for a head of community and a member of council of elders

1. Candidates for a head of community or a member of council of elders shall acquire their status upon the registration and up to being elected as a head of community or a member of Council of Elders. Candidates shall have equal rights and duties arising from the status of a candidate for a head of community or a member of council of elders.

2. A candidate for a head of community or a member of council of elders may apply for recusal not later than ten days before the voting day, by 18:00.

CHAPTER 29
ELECTION CAMPAIGN OF CANDIDATES FOR A HEAD OF COMMUNITY
AND A MEMBER OF COUNCIL OF ELDERS

Article 141. Election fund of candidates for a head of community and a member of council of elders

1. Candidates for a head of community and a member of council of elders having more than 10 000 and more electors shall open an election fund. In case a community has up to 10 000 electors, a candidate for a head of community and a member of council elders shall open an election fund if he or she spends (is entitled to spend) an amount not exceeding the total sum of contributions made by himself or herself as defined by paragraph 2 of point 2 of this Article for the purpose of the funding the conduct of the election campaign through mass media, renting halls and premises, preparing (posting) campaign posters, acquiring print and other materials, preparing all kind of campaign materials — including print materials — to be provided to electors.

2. The fund shall be made up of voluntary contributions referred to in Article 25 of this Code.

In case of a community having up to 10 000 electors, the candidate for a head of community and a member of council of elders is entitled to make contribution to his or her fund in the amount of 150-fold of the minimum salary, whereas the political party nominating him or her — in the amount of 200-fold.

In case of a community having 10 000 and more electors, the candidate for a head of community and a member of council of elders is entitled to make contribution to his or her fund in the amount of 500-fold of the minimum salary, whereas the political party nominating him or her — in the amount of 1000-fold.

3. Any natural person may make a voluntary contribution to the election fund of a candidate respectively in the amount of up to:

- (1) 25-fold of the minimum salary, in a community having up to 4 000 electors;
- (2) 50-fold of the minimum salary, in a community having from 4 001 to 10 000 electors;
- (3) 100-fold of the minimum salary, in a community having more than 10 000 electors.

4. During the election campaign, for the purpose of funding the conduct of the election campaign through mass media, renting halls, premises, preparing (posting) campaign posters, acquiring print and other campaign materials, preparing of any kind of campaign materials, including print ones, provided to electors, a candidate shall have the right to spend in the amount of up to:

- (1) 3 000-fold of the minimum salary, in a community having up to 4 000 electors;
- (2) 7 000-fold of the minimum salary, in a community having from 4 001 to 10 000 electors;
- (3) 15 000-fold of the minimum salary, in a community having from 10 000 to 75 000 electors;
- (4) 25 000-fold of the minimum salary, in a community having more than 75 000 electors.

Article 142. Election campaign

At local self-government elections, election campaign shall be conducted by the procedure and within the time limits established by this Code.

CHAPTER 30 BALLOT PAPERS AND SUMMARISATION OF ELECTION RESULTS

Article 143. Ballot papers

1. In case of election of a head of community, the candidates' last names, first names and patronymic names (in alphabetical order of last names) and the name of nominating party shall be specified in the ballot paper, and in cases of self-nomination the word self-nomination.

Where last names, first names and patronymic names of candidates coincide, the date of birth shall be stated.

2. In case of election of a member of council of elders, the candidates' last names, first names and patronymic names (in alphabetical order of last names) and the name of nominating party shall be specified in the ballot paper, and in cases of self-nomination the word self-nomination. Where last names, first names and patronymic names of candidates coincide, the date of birth shall be stated.

Article 144. Summarisation of election results of a head of community

1. The constituency electoral commission shall, by the procedure and within the time limits established by Article 74 of this Code, summarise election results and take any of the following decisions:

- (1) on the election of a head of community;
- (2) on declaring the election of the head of community invalid;
- (3) on declaring the election of the head of community as not having taken place.

2. The candidate who has received the highest number of affirmative votes of electors shall be elected as a head of community. Where only one candidate is voted on, the latter shall be elected, if he or she has received more than half of the "for" votes of those participating in the voting.

Where two or more candidates have received equal number of the highest affirmative votes, the elected candidate shall be determined by drawing a lot between them.

3. The election of a head of community shall be declared invalid, where:

- (1) the amount of inaccuracies is more than, or is equal to, the difference of the number of votes cast in favour of two candidates having received the greater number of affirmative votes, and, in case one candidate is voted on, the difference of the number of the votes cast in favour or against the candidate;
- (2) in the course of preparation and holding of elections, such violations of this Code have occurred that might have affected the election results.

4. The elections of a head of community shall be declared as not having taken place, where:

- (1) the only candidate voted on has failed to receive necessary number of affirmative votes;
- (2) no candidate has been registered within the time limit and in the manner prescribed by this Code for the registration of candidates or the number of candidates registered within the same time limit is less than 2;
- (3) in the cases prescribed by point 5 of this Article;
- (4) revote results have been declared invalid.

5. Where one of the candidates dies by the end of elections, a new election shall be called. Where the candidate having received the highest number of affirmative votes dies before summarisation of the election results, or where, after the election, the elected head of community dies before assuming powers, a new election shall be called.

6. The chairperson of the constituency electoral commission shall, within a period of two days after taking a decision on the election of a head of community, submit it to the Central Electoral Commission and the Marzpet.

7. Where elections of a head of community are declared invalid, revote shall be held with the same composition of candidates, twenty-one days after the voting day. Revote with the same composition of candidates shall be held only once.

8. An application on challenging the decision adopted by constituency electoral commission on the results of elections of a head of community may be submitted to the Administrative Court of the Republic of Armenia in the manner and within the time limit prescribed by the Administrative Procedure Code of the Republic of Armenia.

Article 145. Summarisation of election results of members of council of elders

1. The constituency electoral commission shall, by the procedure and within the time limits established by Article 74 of this Code, summarise the election results and take any of the following decisions:

- (1) on the election of the members of community council of elders;
- (2) on declaring the election to the community council of elders invalid;
- (3) on declaring the election to the community council of elders as not having taken place.

2. Appropriate number of candidates for the member of a council of elders referred to in Article 131(3) of this Code, who have received the highest number of affirmative votes shall be elected to the community. In case of a tie of affirmative votes, the elected candidate shall be determined by drawing a lot between them by the procedure prescribed by the Central Electoral Commission.

3. Elections of a member of community council of elders shall be declared invalid, where:

- (1) the amount of inaccuracies excludes the possibility of determining the elected candidates, the number whereof shall be equal to at least half of the number of the members of council of elders referred to in Article 131(3), *i.e.*, the difference of the number of votes cast in favour of an elected candidate or of a failed candidate is less than, or is equal to, the difference of the amount of inaccuracies and the number of the candidates for members of council of elders;
- (2) in the course of preparation and holding of elections such violations have occurred that might have affected the election results.

4. Where elections of members of community council of elders are declared invalid, revote shall be held with the same candidates, twenty-one days after the voting day.

Revote with the same candidates may be held only once.

5. Election of members of community council of elders shall be deemed as not having taken place, where within the time limit and in the manner prescribed by this Code for the registration of candidates, the number of registered candidates is less than or is equal to the number of the members of community council of elders or the number of candidates after the registration is less than the half of the number of members of community council of elders referred to in Article 131(3) of this Code or, as a result of the revote, election to the community council of elders has been declared invalid.

6. The chairperson of the constituency electoral commission shall, within two days after taking a decision on the election of members of a community council of elders, submit it to the Central Electoral Commission and the Marzpet.

7. An application on challenging the decision adopted by the constituency electoral commission regarding the results of the election of members of a community council of elders may be submitted to the Administrative Court of the Republic of Armenia - by the procedure and within the time limits established by the Administrative Procedure Code of the Republic of Armenia.

CHAPTER 31 ***TIME LIMITS AND PROCEDURE FOR CALLING AND HOLDING LOCAL*** ***SELF-GOVERNMENT ELECTIONS***

Article 146. Time limits for calling and holding regular elections and nominating and registering candidates

1. Regular local self-government elections, except for the elections of Yerevan Council of Elders, may be held up to than four times annually. The voting days of regular elections of the local self-government bodies shall be defined by the Central Electoral Commission for each year.

2. Local self-government elections in the community shall be called by the Marzpet not later than seventy days before the expiry of the term of powers of a head of community, members of community council of elders.

3. Documents necessary for the registration of candidates shall be submitted to the constituency electoral commission not earlier than thirty-five and not later than thirty days before the voting day, by 18:00.

4. Candidates shall be registered not earlier than thirty and not later than twenty-five days before the voting day, by 18:00.

Article 147. Calling and holding a new election

A new election shall be held on the last Sunday of the period of forty days following the day of the death or resignation of the elected head of community, who has not assumed powers, or following the day when the constituency electoral commission has taken a decision on declaring the elections of a head of community or members of a council of elders as not having taken place, or following the day of entry into force of a court judgment. The new election shall be held by a new nomination of candidates by the procedure prescribed by this Code for early election of a head of community or members of council of elders. The new election shall be called by the Marzpet.

Article 148. Calling and holding an early election

1. An early election of a head of community shall be held on the last Sunday of the period of forty days after entry into force of the decision of the Government of the Republic of Armenia on removal from office of a head of community or early termination of his or her powers.

2. The Government shall take a decision on calling an early election concurrently with removal from office of a head of community or early termination of powers.

3. Where the total number of the members of community council of elders reduces by half, an early election of members of community council of elders shall be held on the last Sunday of the period of forty days after entry into force of the decision of the Government of the Republic of Armenia on calling a regular election.

4. Documents necessary for the registration of candidates shall be submitted to the constituency electoral commission not earlier than twenty-one and not later than seventeen days before the voting day, by 18:00.

5. Candidates shall be registered not earlier than seventeen and not later than fifteen days before the voting day, by 18:00.

6. Electoral precincts shall be formed and polling stations shall be designated at least twenty days before the voting day, and lists of electors, at least seventeen days before the voting day, shall be posted in the polling station, in a place visible to all.

SECTION 7. ELECTION TO THE YEREVAN COUNCIL OF ELDERS

CHAPTER 32

PROCEDURE FOR ELECTION TO THE YEREVAN COUNCIL OF ELDERS

Article 149. Composition of the Yerevan Council of Elders

The Council of the Yerevan city (hereinafter referred to as "Yerevan") shall consist of sixty-five members.

Article 150. Right to vote at elections to the Yerevan Council of Elders

Persons who are included in the population register of the Yerevan city and have the right to vote at local self-government elections pursuant to Article 2 of this Code, shall participate in voting at elections to the Yerevan Council of Elders.

Article 151. Electoral system

1. Elections to the Yerevan Council of Elders shall be held under the proportional electoral system.

2. At elections to the Yerevan Council of Elders, the whole territory of Yerevan shall be a multi-mandate constituency.

Article 152. Right to be elected

1. Persons who have reached the age of twenty-one and have been registered in the population register of the Yerevan city (administrative district of the Yerevan city) at least for the last three years before the voting day and, pursuant to Article 2 of this Code, have the right to vote at local self-government elections, shall have the right to be elected as a member of the Yerevan Council of Elders.

2. Members of the Constitutional Court, judges, employees (officers) of the Police and the National Security Service, of penitentiary, tax, customs authorities, Prosecutor's Office, judicial acts compulsory enforcement service as well as rescue and military servicemen may not be nominated as a candidate for a member of the Yerevan Council of Elders.

CHAPTER 33**CALLING AND HOLDING ELECTIONS OF THE YEREVAN COUNCIL OF ELDERS****Article 153. Time limits for calling and holding regular elections to the Yerevan Council of Elders and for nominating and registering electoral lists of political parties**

1. Regular election to the Yerevan Council of Elders shall be held not earlier than thirty and not later than forty days prior to the cessation of its powers.

2. Regular elections shall be called by the decision of the Government of the Republic of Armenia on the account that the decision of the Government of the Republic of Armenia on calling an election enters into force not later than seventy days before the voting day.

3. Documents necessary for the registration of electoral lists shall be submitted to the Central Electoral Commission by the political parties not earlier than fifty-five and not later than forty-five days before the voting day, by 18:00.

4. Electoral lists of political parties shall be registered not earlier than forty-five and not later than thirty-five days before the voting day.

Article 154. Calling and holding early elections to the Yerevan Council of Elders

1. An early election to the Yerevan Council of Elders shall be held on the last Sunday of forty-day time limit after the entry into force of the decision of the Government of the Republic of Armenia on dissolving the Yerevan Council of Elders.

2. The decision of the Government of the Republic of Armenia on calling early elections shall be promulgated concurrently with the decision on dissolving the Yerevan Council of Elders.

3. The Chairperson of the Central Electoral Commission shall make a statement regarding the day of the early election to the Yerevan Council of Elders on the Public Radio and Public Television not later than twenty-nine days before the voting day.

4. Political parties shall submit the documents necessary for the registration of electoral lists to the Central Electoral Commission not later than twenty-five days before the voting day, by 18:00.

5. Electoral lists of political parties shall be registered not earlier than twenty-five and not later than twenty days before the voting day, by 18:00.

CHAPTER 34
NOMINATION AND REGISTRATION OF CANDIDATES FOR MEMBERS
OF THE YEREVAN COUNCIL OF ELDERS

Article 155. Right to nominate candidates for members of the Yerevan Council of Elders

1. The right to nominate candidates for members of the Yerevan Council of Elders shall be vested in political parties and alliances of parties.

A candidate may be nominated by the electoral list of only one political party.

2. Alliances of parties may be established in case of formation of an electoral alliance of at least two parties.

3. Political parties included in an alliance of parties may not be included in another alliance of parties in the course of elections.

4. The decision on joining an alliance of parties shall be adopted by the decision of the permanently functioning body of the political party.

5. Electoral lists of alliances of parties shall be drawn up by separate lists submitted by each political party included in the alliance. The order of candidates in the electoral lists of an alliance shall be determined in the course of joint consultations held by the parties included in the alliance and shall be approved by the decision of the permanently functioning body of each political party included in the alliance.

6. Where any political party leaves the alliance of parties, names of candidates of such party shall be removed from the electoral list of the alliance of parties.

Article 156. Registration of electoral list of a political party

1. Political parties shall submit the application for running in elections to the Central Electoral Commission upon the decision of their permanently functioning body. The application shall be signed and sealed by the leader of the party. Alliances of parties shall submit the application for running in elections to the Central Electoral Commission upon the decisions of the permanently functioning bodies of the member parties of the alliance. The application shall be signed and sealed by the leaders of the member parties of the alliance.

2. Each political party shall have the right to nominate only one electoral list. The party included in the alliance of parties shall have no right to nominate on its own behalf a separate list of candidates. At least ten candidates shall be included in the electoral list submitted by the party, and women shall make at least ten per cent thereof; moreover, at least every tenth candidate of the electoral list shall be female. Individuals who are not members of the given party may also be included in the electoral list of a political party.

3. The following shall be attached to the decision of the party to run in the elections to the Yerevan Council of Elders:

(1) the Statute of the party;

(2) the decision of the permanently functioning governing body of the party on nominating the electoral list of candidates in the elections to the Yerevan Council of Elders, as well as the electoral list, which shall include the candidate's:

- (a) record number in the electoral list;
- (b) last name, first name, and patronymic name;
- (c) date of birth;
- (d) place of registered residence;
- (e) place of employment and position (occupation);
- (f) party affiliation.

4. The following shall be submitted to the Central Electoral Commission concurrently with the decision on nominating the electoral list of candidates for member of the Yerevan Council of Elders:

- (1) a statement on being included in the population register of the Yerevan city (administrative district of the Yerevan city) for the last three years;
- (2) the written statement of the candidate regarding the consent to be registered as a candidate for a member of the Yerevan Council of Elders.

The statement referred to in sub-point (1) of this point shall be issued by the state authorised body within a period of three days following the application but no earlier than the calling of elections. The form of the statement shall be defined by the Central Electoral Commission. The state authorised body shall reject and shall not issue the statement of the mentioned form to the applicant, where data of the applicant do not meet the requirements provided for by Article 152(1) of this Code;

- (3) separate electoral lists submitted by the political parties included in the alliance of parties;
- (4) receipt of payment of the election deposit in the amount of 3 000-fold of the minimum salary;
- (5) carbon copies of personal identification documents of the candidates.

5. Information on up to two authorised representatives shall be attached to the decision of the permanent functioning body of the party stating information thereon (last name, first name, patronymic name, date of birth, personal identification document number, place of employment, position). Registration documents shall be submitted to the Central Electoral Commission only by the authorised representative of the political party within the time limits defined by this Code.

6. Where errors, deletions, erasures or misprints are found in documents submitted for the registration of the electoral list of the political party, the constituency electoral commission shall be obliged to draw the attention of the persons submitting such documents thereto for the purpose of correction, as well as correct, in their presence, on its own, evident errors and misprints available in the submitted documents.

The Commission shall have no right not to accept submitted documents only for the reason that they contain such errors, deletions, erasures, or misprints. The provisions of this part shall not apply to correction of such errors, deletions, erasures, misprints or elimination of other deficiencies the right whereof is reserved by law to the bodies having adopted or issued such documents.

In case submitted documents contain inaccuracies referred to in paragraph 2 of this point or in case of incompleteness of documents attached to the application, the Central Electoral Commission shall give forty-eight hours for the correction of the mentioned inaccuracies and completion of attached documents.

In case of failure to eliminate inaccuracies regarding the electoral list of a political party, regarding a candidate included in the electoral list, or in case of failure to complete the documents, the registration of the electoral list of a political party shall be rejected, and, if a candidate is included in the electoral list, his or her name shall be removed from the electoral list of the political party.

7. After expiry of the time limit for the submission of documents for registration, no changes may be made in the electoral list by a political party.

The electoral list of a political party shall be registered in case of no objections are raised by the members of the Central Electoral Commission with regard to the registration of the electoral list of the political party.

Within a period of three days after the expiry of the time limit laid down for the registration of the electoral lists of the parties, electoral lists shall be published in "*Hayastani Hantapetutyun*" daily.

8. An authorised representative of a political party shall have the right to attend the sitting of the Commission held for the discussion of the issue of registering the electoral list of the political party.

Article 157. Rejection of registration of an electoral list of a political party or a candidate included in the list

1. The Central Electoral Commission shall reject the registration of the electoral list of a political party, where:

- (1) submitted documents are incomplete or falsified;
- (2) candidates have no right to be elected as a result whereof the number of candidates included in the electoral list falls below ten;
- (3) the political party has been dissolved;
- (4) activities of the political party have been suspended or prohibited.

2. The electoral list of a political party shall be put to vote in case of an objection is raised by a member of the Central Electoral Commission with respect to the registration of the electoral list of the political party. The registration of the electoral list of a political party shall be rejected by the decision adopted by at least two thirds of votes of the total number of members of the Commission.

3. The Central Electoral Commission shall reject the registration of a candidate included in the electoral list of a political party, where:

- (1) the candidate has no right to be elected;
- (2) documents submitted thereon are incomplete or falsified.

4. In case of an objection is raised by a member of the Central Electoral Commission regarding the registration of a candidate included in the electoral list of the political party, it shall be put to vote. The registration of a candidate included in the electoral list of a political party shall be rejected by the decision adopted by at least two thirds of votes of the total number of members of the Commission.

Article 158. Declaring the registration of an electoral list of a political party or a candidate included therein invalid

1. The Central Electoral Commission shall declare the registration of an electoral list of a political party invalid, where by virtue of facts having emerged after the registration:

- (1) the number of candidates included in the electoral list falls below ten as a result of repealing the registration of candidates included in the electoral list of a political party;
- (2) documents submitted with regard to the political party are falsified.

2. The registration of a candidate included in the electoral list of a political party shall be declared invalid, where by virtue of facts having emerged after the registration:

- (1) the candidate has no right to be elected;
- (2) documents submitted thereon are falsified.

In such cases the name of the candidate shall be removed from the list.

3. The registration of an electoral list of a political party or a candidate included therein shall be declared invalid upon a decision adopted by at least two thirds of votes of the total number of members of the Central Electoral Commission.

Article 159. Procedure for appealing against the decisions on rejecting or declaring the registration of an electoral list of a political party or a candidate included therein invalid

1. The decision of the Central Electoral Commission on rejecting or declaring the registration of an electoral list of a political party or a candidate included therein invalid may be appealed before the Administrative Court of the Republic of Armenia by the procedure and within time limits laid down by the Administrative Procedure Code of the Republic of Armenia.

2. The electoral list of a political party or a candidate included therein shall be registered or re-registered based on the judgment of a court on declaring invalid the decision of the Central Electoral Commission on rejecting or declaring the registration of an electoral list of a political party or a candidate included therein invalid.

Article 160. Repealing of registration of an electoral list of a political party or a candidate included therein

1. The registration of the electoral list of a political party shall be cancelled, where:
 - (1) an application on recusal has been filed;
 - (2) the provision of Article 18(8) of this Code has been violated, based on the judgement of the court;
 - (3) the provisions of Article 26 of this Code have been violated, based on the judgement of the court;
 - (4) the political party has been dissolved;
 - (5) activities of the political party have been suspended or prohibited;
 - (6) the number of political parties included in the alliance of parties is less than two.

2. The registration of a candidate included in the electoral list of a political party shall be repealed, where he or she:
 - (1) has applied for recusal;
 - (2) has violated the provision of Article 18(8) of this Code, based on the judgement of the court;
 - (3) has violated the provisions of Article 26 of this Code, based on civil judgement.

CHAPTER 35

STATUS OF A CANDIDATE FOR A MEMBER OF THE YEREVAN COUNCIL OF ELDERS

Article 161. Competencies of candidates for a member of the Yerevan Council of Elders

A candidate for a member of the Yerevan Council of Elders shall acquire his or her status upon registration and up to the Council of Elders is elected. After the decision of Central Electoral Commission on being elected as members of Yerevan Council of Elders enters into force, the person who is included in the electoral list of the party but is not elected as a member of Council of Elders shall acquire the status of a candidate after the seat remains vacant.

Candidates shall have equal rights and duties arising from the status of a candidate for a member of the Yerevan Council of Elders.

Article 162. Rights, duties and guarantees for activities of candidates for a member of the Yerevan Council of Elders

1. Employees of state and local self-government bodies and public officers, except for the officers holding political and discretionary positions, shall be temporarily exempt from performance of their official duties after being registered as a candidate till the end of election campaign.

2. Candidates shall be exempt from mobilisation, compulsory military service, and training musters.

3. A candidate shall have the right to withdraw his or her candidacy at least up to ten days prior to the voting day as well as shall have the right to withdraw his or her candidacy after the voting day. The name, last name of a citizen included in the electoral list of a party shall be removed from the list under the procedure defined by the Central Electoral Commission.

The application on recusal shall be notarised or the candidate shall approve his or her application on recusal in the sitting of the commission.

CHAPTER 36

ELECTION CAMPAIGN AT ELECTIONS TO THE YEREVAN COUNCIL OF ELDERS

Article 163. Election campaign at elections to the Yerevan Council of Elders

1. Election campaign shall be conducted by the procedure prescribed by Articles 18 to 22 of this Code.

2. The Central Electoral Commission shall ensure the political parties equal opportunities for using live air time on the Public Radio and Public Television free of charge and on a paid basis.

3. Political parties shall conduct election campaign by using air time on the Public Radio and Public Television by the procedure and based on the schedule defined by the Central Electoral Commission.

The schedule of using air time on the Public Radio and Public Television shall be defined by a lot drawn by the Central Electoral Commission.

4. At elections to the Yerevan Council of Elders, a political party shall have the right to use – free of charge – air time on the Public Television for not more than thirty minutes and air time on the Public Radio for not more than fifty minutes, and in case of early elections – for fifteen and twenty-five minutes, respectively.

5. At elections to the Yerevan Council of Elders, a political party shall have the right to use air time on the Public Television on paid bases not more than fifty minutes and air time on the Public Radio not more than eighty minutes, and in case of early elections – twenty-five and forty minutes, respectively.

Article 164. Election fund of a party in the elections to the Yerevan Council of Elders

1. A political party or political parties included in the alliance of parties running in the elections to the Yerevan Council of Elders may together make a contribution in the amount of up to 10 000-fold of the minimum salary to the fund of the political party or the alliance of parties, respectively.

2. Each natural person may make a voluntary contribution in the amount of up to 100-fold in election funds of a political party, alliances of political parties.

3. During the election campaign, for the purpose of funding the conduct of the election campaign through mass media, renting halls, premises, preparing (posting) campaign posters, acquiring print and other campaign materials, preparing any kind of campaign materials,

including print ones, provided to electors, a political party, an alliance of political parties shall have the right to spend an amount of up to 75 000-fold of the minimum salary.

CHAPTER 37
BALLOT PAPERS. SUMMARISATION OF ELECTION RESULTS

Article 165. Ballot papers

1. Names of political parties (by alphabetical order) and last names, first names and patronymic names of the first three candidates included in the electoral list shall be specified in ballot paper of the elections to the Yerevan Council of Elders.

Article 166. Summarisation of voting and election results

1. Election results of the members of the Yerevan Council of Elders shall be summarised by the procedure for summarisation of voting results of elections under the proportional electoral system of the National Assembly of the Republic of Armenia.

2. The Central Electoral Commission shall, by the procedure and within the time limits established by Article 75 of this Code, summarise election results and take any of the following decisions:

(1) on the election of members of the Yerevan Council of Elders;

(2) on declaring the elections of the members of the Yerevan Council of Elders invalid;

3. Seats of the members of the Yerevan Council of Elders shall be allocated among electoral lists of candidates of those political parties and alliances of parties, that accordingly have received, in case of the political parties, at least six per cent and in case of alliances of parties, at least eight per cent of the affirmative votes of the sum of the total number of affirmative votes and the number of inaccuracies.

Where up to three political parties run in the election to the Yerevan Council of Elders, all the political parties shall take part in the allocation of seats.

4. Seats of members of the Yerevan Council of Elders shall be allocated among electoral lists of political parties in proportion with the number of votes cast in favour of each of them. The number of seats available to the electoral list of each political party shall be calculated as follows: the number of votes cast in favour of each electoral list shall be multiplied by the number of seats available to electoral lists; the product shall be divided by the total number of votes cast in favour of the electoral lists participating in the allocation of seats, and the integers, which shall be the number of seats available to the electoral list of each party, shall be separated.

Where, as a result of the allocation of seats by the procedure prescribed by this point, any political party receives more than forty per cent of the seats but not the absolute majority, such political party shall be granted the absolute majority of the seats, and the remaining seats shall be allocated among electoral lists of other parties having acquired the right to participate in the allocation of the seats.

5. The remaining seats shall be allocated among electoral lists by order of magnitude of residuals, with the principle of one seat to each. In case of equal magnitude of residuals, the

contested seat shall be given to such electoral list that has received the highest number of affirmative votes, and, in case of a tie, the matter shall be settled by drawing a lot.

6. A candidate, whose record number in the electoral list is less than, or equal to, the number of seats available to that electoral list, shall be considered to be elected from the electoral lists of a political party. The Central Electoral Commission shall draw up a protocol on candidates elected as members of the Yerevan Council of Elders.

7. Elections to the Yerevan Council of Elders shall be declared invalid, where during preparation, conduct of elections and summarisation of voting results such violations have occurred that might have affected the election results or make it impossible to determine the actual election results.

8. An application on challenging the decision adopted on the result of election of the Yerevan Council of Elders, may be submitted to the Administrative Court of the Republic of Armenia by the procedure and within the time limits established by the Administrative Procedure Code of the Republic of Armenia.

9. In case of declaring the elections of the Yerevan Council of Elders invalid, not earlier than fourteen and not later than twenty-one days following the entry into force of the decision thereon, revote shall be held with the same composition of political parties by the procedure prescribed by this Code.

10. Revote shall be held once. In case the elections are declared invalid after the revote, the Central Electoral Commission shall call a new election within a period of twenty-one days. New elections shall be held by new nomination of candidates and by the procedure and within the time limits prescribed by this Code for early elections.

11. In case of early termination of powers of a member of the Yerevan Council of Elders, within a period of one week after notifying the Commission thereof, his or her seat shall be given to the next candidate in the electoral list of political party, upon a protocol by the Central Electoral Commission. In case of absence of other candidate in the electoral list of the party or the next candidates renounce the seat, the seat shall remain vacant.