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EUROPEAN COMMISSION FOR DEMOCRACY THROUGH LAW
(VENICE COMMISSION)

GEORGIA

**DRAFT AMENDMENTS TO THE ORGANIC LAW OF GEORGIA
“ELECTION CODE OF GEORGIA”**

Article 1 – The following amendments shall be made to the Organic Law of Georgia “Election Code of Georgia” (Legislative Herald of Georgia (“Saqartvelos Sakanonmdeblo Matsne”), (www.matsne.gov.ge), 10.01.2012, Registration Code: 010190020.04.001.016032:

1. Article 8

a) paragraphs 3 and 4 shall be formulated as follows:

“3. A session shall be authorised if attended by the majority of the election commission members in the list.”

4. A commission decision shall be deemed adopted if supported by a majority of the members present at the session (unless this Law provides for a higher quorum), but by not less than one-third of the election commission members in the list. The decisions of an election commission regarding the decisions made by lower election commissions, including the nullification of electoral district/precinct results, opening of packages received from the election commission, and counting of election ballot papers, shall be adopted by not less than two-thirds of those present at the session.”

b) paragraph 6 shall be formulated as follows:

“6. Issues of human resources shall be resolved at the session by the majority vote of the election commission members in the list.”

2. Article 10 shall be formulated as follows:

“Article 10 – Composition of the CEC and procedures for electing the CEC Chairperson

1. The CEC shall be composed of 17 members, including a Chairperson. Termination of the authority of the CEC Chairperson concurrently shall result in the termination of his/her membership. The Parliament of Georgia shall elect 8 members of the CEC, upon recommendation by the President of Georgia, while the parties shall appoint 9 members, under the procedure established by this Law.

2. The CEC Chairperson shall be elected, upon recommendation by the President of Georgia, by two-thirds of the members of the CEC in the list, by secret ballot, or by the Parliament of Georgia based on the procedure established by this Article. The term of office of the CEC Chairperson shall be defined by his/her term as a CEC member.

3. Upon availability of the CEC chairperson vacancy, the President of Georgia shall nominate 1 candidate for the position of the CEC chairperson, from among the CEC members elected by the Parliament.

4. The decision to elect the CEC Chairperson shall be made by the two-thirds of the CEC members in the list, within 5 days following the nomination of candidates. Voting for the election of the CEC Chairperson shall be secret. Each voting member shall have one vote. The minutes of the session and the CEC ordinance on the election of the CEC Chairperson shall be signed by the chairperson of the session.

5. If the CEC Chairperson is not elected within the time frame defined by paragraph 5 of this Article, the President of Georgia shall submit the same candidate to the Parliament of Georgia. the latter shall, within 7 days, elect the CEC Chairperson.

6. A CEC ordinance regarding the election of the Chairperson shall be sent to the Parliament of Georgia within 7 days, and as prescribed by paragraph 6 of this Article, the decision of the Parliament of Georgia shall be submitted to the CEC, within 7 days.”.

3. Article 12

a) Paragraph 1 shall be formulated as follows:

“1. The President of Georgia shall select and submit to the Parliament of Georgia 8 candidates for CEC membership as determined by this Article. The term of office of CEC members elected by the Parliament of Georgia shall be 5 years.”.

b) Paragraph 3 shall be formulated as follows:

“3. The President of Georgia shall issue an ordinance on the vacancy announcement and setting up a selection commission not later than 30 days before the expiration of the term of office of a CEC member, and in case of early expiration of the term of a CEC member, not later than 15 days from its occurrence. A selection commission shall be composed of those non-profit (non-commercial) legal entities registered in Georgia, which have at least 3 years of experience in election observation. Vacancy selection documents shall be submitted not later than 14 days after the vacancy announcement. If the above time frame coincides with the election period, the President of Georgia shall make the vacancy notice not later than 7 days following the announcement of the final results of the election. The CEC member authority shall terminate upon electing a new member.”.

4. Article 13 shall be formulated as follows:

Article 13 – Procedure for appointing and terminating the term of office of the CEC members by parties

“1. A political party shall appoint one CEC member under Article 13 of this Law, once all the below conditions are met:

- a) A party was registered by the CEC Chairperson to run for parliamentary elections and in accordance with Article 125 (4, 5 and 9) was assigned a mandate of the member of the Georgian Parliament;
- b) The party envisaged by paragraph “a” shall be funded from the state budget in accordance with Article 30 of the Organic Law of Georgia “on Political Unions of Citizens”;
- c) At least one member of this political party, as envisaged by paragraph “a”, carries out activities of the member of the Parliament, in accordance with paragraph 10 of Article 224 of the Regulation of the Parliament.
- d) The party appoints the CEC member within 7 days after being authorized.

2. If the number of parties defined in this Article is more than 9, at the time of appointing a CEC member, the priority shall be given to a party that receives more funding from the state budget.

3. In case of equal funding while appointing the CEC member, the priority shall be given to the earliest registered party for the elections.

4. A party may withdraw the CEC member appointed by it. No such withdrawal shall take place during the period from the day of calling elections to the day of summing up the final election results. A party may appoint a new CEC member within the above period only in the case of resignation or death of the appointed member.

5. For the purpose of this Article, the amount of budget funding for the parties in the bloc shall be defined as of January 2021.”.

5. Article 14, paragraph “f” and “g” shall be formulated as follows:

“f) where necessary, to solve the issues defined by this Law, has the right to create a special group by ordinance adopted by at least two-thirds of the members in the list, define the authority and the term of the group;

g) if a lower election commission does not or cannot fulfil the obligations under the legislation of Georgia, has the right to terminate the powers of the commission by ordinance adopted by at least two-thirds of the members in the list and create an interim group to be responsible for exercising the powers until a new commission is established.”.

6. Paragraph 3 shall be added to Article 18 and formulated as follows:

“3. The number of Municipality representative body (Sakrebulo) members elected by proportional and majoritarian system shall be defined by the present Law.”.

7. Article 19 shall be formulated as follows:

“Article 19. Setting up of DECs

1. A DEC is a standing territorial body of the Electoral Administration of Georgia. The CEC shall set up DECs by a majority of the CEC members in the list. A DEC has an official seal with its name on it, a stamp, and a settlement and current bank accounts. The DEC chairperson and accountant are responsible for the DEC expenditure authorized by the CEC. A DEC may spend funds allocated for elections from any account opened with any commercial bank and/or its branch office.

2. The CEC is authorized to set up by ordinance one DEC within the boundaries of one municipality, and 10 DECs within the Tbilisi City Municipality. The boundaries of a municipality concerned shall be the jurisdiction of a DEC.

3. The DEC member shall be elected for a term of 5 years, while the tenure of a DEC member elected by the CEC following the announcement of an election under the paragraph 5 of this Article shall be determined for the period starting with their appointment and ending with the announcement of final results of the respective elections.

4. 5 DEC members of shall be elected for a 5 year-term by the majority vote of the CEC members in the list.

5. After calling the elections, 9 DEC members shall be appointed by the respective political unions under the procedure established by Article 13 of this Law, and 3 members shall be elected by a majority vote of the CEC members in the list for the period until the final results of a respective election are announced.

6. The decision of a party on the appointment of a DEC member shall be submitted to the CEC within 7 calendar days after calling of the elections.

7. A party may, at any time, except a polling day, recall a DEC member appointed by it. The party shall notify the respective electoral commission of this fact.

8. A person nominated as a DEC member shall not be considered a DEC member if the deadline for submitting documents defined under Article 20, paragraph 13 of this Law has not been met, and/or if the documents submitted are incomplete or inaccurate and the deficiencies therein have not been corrected. If the documents submitted fail to comply with the requirements determined under Article 20, paragraph 17 of this Law, the CEC Chairperson shall, within 2 days, notify the party that appointed the DEC member of this fact. Corrected documentation shall be returned to the CEC in 3 days.

9. A person appointed as a DEC member by an authorized party shall not be considered a DEC member either if it is revealed that this person, at the time of his/her nomination to the CEC, is a member of the same or another election commission, and/or a person nominated fails to meet the requirements under Article 20, paragraph 17 of this Law. In this case, the CEC Chairperson shall, within 2 days, notify the party that appointed the DEC member of this fact and give additional 1 day to submit a new DEC member.

10. A DEC shall elect head officers from among its members by a majority vote of the DEC members in the list.

11. A DEC may not be placed in the same building as the administration of a state representative, the municipality representative body (Sakrebulo) or the City Hall, a party, a court, a police division, or a division of the State Security Service of Georgia are located.

12. A party, the election headquarters of a party/an initiative group may not be located in the same building as the DEC.

13. The DEC Chairperson may, during the election period, hire supporting and technical staff (except for an accountant), by contract, for the election commission, as determined by the CEC ordinance. Supporting and technical staff of the DEC commission shall not be public servants under the Law of Georgia on Public Service and they shall not fall under the requirements of incompatibility of offices provided for by the legislation of Georgia.

14. The DEC Chairperson may hire, by contract, an accountant as defined under paragraph 13 of this Article until the end of the procedures provided for by Article 53, paragraph 5 of this Law.”.

8. Article 20

a) Paragraphs 1 and 2 shall be formulated as follows:

“1. A DEC shall consist of 17 members appointed/elected within the period and under the procedure established by this Law by the subjects defined by the same Law.”.

2. If there is a respective vacancy available, a DEC shall elect DEC head officers at the first session from among the commission members, for the term of membership, by a majority vote of the members in the list, by a roll-call voting.”. The term of office of the DEC Chairperson shall be defined by his/her term as a DEC member.

b) Paragraph 9 shall be formulated as follows:

“9. The term of office of 3 DEC members appointed by the CEC under Article 19, paragraph 5 of this Law, and the term of office of commission members appointed by parties under Article 13 of this Law shall cease immediately after the final results of elections are announced.”.

c) Paragraph 16 shall be formulated as follows:

“16. The CEC shall elect DEC members by a roll-call vote. Each candidate shall be voted on separately. A person supported by a majority vote of the CEC members in the list shall be deemed elected. If the number of elected candidates exceeds the number of available vacancies, candidates with the most votes shall be elected. If the winner cannot be determined due to an equal number of votes received by some candidates, the candidates shall be put to a vote immediately in order to determine the winner. If a winner is still not determined, he/she shall be determined by casting lots. If all the vacancies are not filled after polling, the rest of the candidates shall be put to a vote again. If all the vacancies are not yet filled, the rest of the vacancies shall be announced once again.”.

9. Article 21:

a) Paragraph “c” shall be formulated as follows:

„c) if a lower PEC is unable or fails to perform the duties assigned to it under the legislation of Georgia, has the right to request the CEC to suspend the powers of that commission by a majority of members in the list;“.

b) Paragraph “d¹” shall be added to paragraph “d” and formulated as follows:

“d¹) shall open respective election documentation and recount polling results, in case, when the votes received by the subjects, number of voters and/or invalid ballot papers are corrected by the PEC in the summary protocol of polling results, not accompanied by the summary protocol.

“d¹) Not later than on the 6th day after the polling, the DEC shall reveal 5 election precincts on a random selection basis, from among the election precincts located on the territory of the election district, open packages received from those election precincts and recount ballots. Random selection does not include those precincts, where electronic ballot counting machines are located.”.

10. Article 24 shall be formulated as follows:

“Article 24 – Setting up a PEC

1. A PEC shall consist of 7 members and if more than 300 voters are registered within the boundaries of the respective election precinct, additional member shall be added to the PEC composition on every 300 voters registered within the boundaries of the respective election precinct.

2. A respective DEC shall elect the PEC members by a majority vote of the DEC members in the list, provided that they are also supported by at least 3 respective DEC members elected by the CEC for 5-year term. A DEC member shall not participate in the above election process, unless he/she is the family member of the candidate for the membership of the respective PEC (spouse, direct relative in the ascending or descending line, stepchild, sister, brother, stepchild of a parent or a child, spouse’s sister, brother, parent). A person shall not be elected as a PEC member, if he/she has been appointed as an election commission member of any level, during the last general elections, by a political party.

3. PEC members abroad shall be elected by the majority vote of CEC members in the list.

4. A legally competent citizen of Georgia from the age of 18, who meets the requirements defined by this Law, may be elected/ appointed as a member of a PEC.

5. The following subjects shall not be elected as PEC members:

a) a person who has been dismissed from a position in the Electoral Administration of Georgia by the election commission or the court for violating the electoral legislation of Georgia – for 4 years after the day of his/her dismissal;

b) a person who has been recognized as an administrative offender by court for violation of the electoral legislation of Georgia, for 4 years after the entry into legal force of the court decision;

c) a person with previous conviction (except when a fine has been imposed as a sanction);

d) an MP of Georgia or the head of staff of the Parliament of Georgia;

e) ministers and deputy ministers of Georgia and the Autonomous Republics;

f) heads of departments and divisions of the ministries;

g) the chairperson of a municipality representative body Sakrebulo, Mayor, and their deputies;

h) a military service member, employees of the Ministry of Internal Affairs of Georgia, the Ministry of Defense of Georgia, the State Security Service of Georgia, the Georgian Intelligence Service, the state sub-agency institution within the system of the Ministry of Justice of Georgia – the Special Penitentiary Service, the Special State Protection Service of Georgia, the Investigation Service of the Ministry of Finance of Georgia, and an investigator of the State Inspector's Service;

i) judges and their assistants;

j) employees of the Prosecutor's Office;

k) electoral subjects/candidates and their representatives;

l) election observers.

6. A public servant (except for persons provided for in paragraph 5(d-j) of this Article) may be elected as a PEC member. The requirements for incompatibility of offices established by the Law of Georgia on Public Service shall not apply to him/her. In case a public servant is elected as a PEC member, the term of office of the public servant during his/her exercise of powers of a PEC member may be suspended at his/her permanent place of work, for which purpose he/she shall be granted an unpaid leave or his/her due paid leave at his/her own request, under the procedure established by law.”.

11. Article 25

a) Paragraph 1 shall be formulated as follows:

“1. The PEC shall elect a PEC chairperson, deputy chairperson and secretary, upon the vacancy becomes available, at its first session, from among the commission members, for the term of PEC

membership, by a majority vote of the total number of members, by a roll-call vote. Not less than 2 PEC members shall have the right to nominate a PEC candidate.”.

b) Paragraphs 3-5 shall be formulated as follows:

“3. The same candidate may be nominated only twice for the same position of the head of the PEC.

4. For the regular elections, a DEC shall elect the PEC members not later than on the 46th day before the Election Day, and in case of extraordinary elections - not earlier than on the 50th day and not later than on the 46th day. Before the elections of the PEC members, the list of respective candidates shall be published on the CEC official website. Members of a PEC set up in an exceptional case shall be elected not earlier than on the 10th day and not later than the 9th day before the Election Day.

5. The CEC shall elect the PEC members set up abroad not earlier than on the 24th day and not later than the 20th day before the Election Day.”.

c) Paragraphs 6 and 6¹ shall be removed.

d) Paragraph 9 shall be removed.

e) Paragraph 10 shall be formulated as follows:

“10. If the term of office of the DEC member or the PEC member elected by the DEC terminates early, resulting into the number of members in the PEC which is below the set number, the DEC or the CEC, respectively, may elect the PEC member to fill up the vacancy, within 5 days after the deadline for nomination of a new candidates expires.”.

f) Paragraph 11 shall be formulated as follows:

“11. The CEC and DEC shall elect PEC members by roll-call vote. Each candidate shall be voted on separately. A person who is supported by a majority vote of the commission members in the list shall be deemed elected. If the number of elected candidates exceeds the number of available vacancies, candidates with the most votes shall be elected. If the winner cannot be determined due to the equal number of votes received by some candidates, the candidates shall be put to a vote immediately to determine the winner. If a winner is still not determined, he/she shall be determined by casting lots. If all the vacancies are not filled after polling, the CEC shall make an appropriate decision.”.

g) Paragraph 12 shall be formulated as follows:

12. A decision on the election of a PEC member shall indicate the first name and last name of the elected member, also the PEC number in which the candidate has been elected.”.

h) Paragraphs 13 and 13¹ shall be removed.

12. Article 26:

a) Paragraph 1 shall be formulated as follows:

“1. A PEC is an interim territorial body of the Electoral Administration of Georgia.”

b) Paragraph 2(d¹) shall be removed.

13. Paragraphs 3 and 4 of Article 30 shall be formulated as follows:

“3. A CEC decree shall be deemed adopted if supported by at least two-thirds of the CEC members in the list. A CEC decree shall be signed by the Chairperson of a respective CEC session and the CEC Secretary. A CEC decree shall enter into force immediately after its publication in the Legislative Herald of Georgia (“Saqartvelos Sakanonmdeblo Matsne”), unless a later date is defined by the same decree. It is prohibited to adopt a CEC decree within the last 4 days before the polling day. A CEC decree may be appealed from the moment of its adoption. A CEC decree shall be placed on the CEC website within 24 hours after its adoption.

4. Ordinances of an election commission, its chairperson, and secretary, summary protocols of polling/election results are individual administrative-legal acts adopted/issued in cases and within the scope defined in this Law and CEC decree. Commission ordinances shall be signed by the chairperson of a respective commission session and the commission secretary, while other ordinances shall be signed by the issuing official. Summary protocols shall be signed by authorized officers as defined by this Law. A commission ordinance shall be deemed adopted, unless other quorum is identified by this Law, if it is supported by a majority of those present at the session, but not less than one-third of the commission members in the list.”.

14. Paragraphs 5¹ and 5² shall be added to Article 42, after paragraph 5 and formulated as follows:

“5¹. A representative appointed in the PEC by a political party shall be given a remuneration determined for the PEC member from the election funds, once one of the bellow conditions are met:

- a) A party was registered by the CEC Chairperson to run for parliamentary elections and in accordance with paragraphs 4, 5 and 9 of the Article 125 was assigned a mandate of the member of the Georgian Parliament;
- b) The party envisaged by sub-paragraph “a” of this paragraph, shall be funded from the state budget in accordance with Article 30 of the Organic Law of Georgia “On Political Unions of Citizens”;
- c) The party envisaged by sub-paragraph “a” of this paragraph, should have at least one member of Parliament carrying out activities of the member of Parliament in accordance with paragraph 10 of Article 224 of the Rule of Procedure of the Parliament.

5². Only one representative appointed by the party to the PEC shall have a right to receive remuneration as envisaged by paragraph 5¹ of this Article. The mentioned remuneration shall be transferred to the party appointing the representative.”.

15. Article 45:

a) Paragraph 4:

a.a) sub-paragraph “h” shall be formulated as follows:

“h) public servants - during normal business hours and/or when they are directly performing their duties;”;

a.b) sub-paragraph “j” shall be formulated as follows:

j) personnel of the legal entities under public law (except for the personnel of higher and vocational educational institutions, arts institutions, religious organizations and bar associations), nonentrepreneurial (noncommercial) legal entities established by the state or municipalities, directors, educators, teachers, other persons employed in pre-school and educational institutions and general education institutions established by the state or municipality, and other personnel employed there - during working hours or when they perform their official duties.”;

b) Paragraph 12 shall be formulated as follows:

“12. It is not allowed to place agitation materials that are subject to removal/dismantling/taking off at a 25-meter distance from the entrance of the polling station, which is. It is also prohibited to hinder the movement of voters in the polling station or within 100 meters of the polling station on the polling day. It is also inadmissible to gather people or register voters within 100 meters from the polling station on the polling day.”.

16. Sub-paragraph “d” shall be added to paragraph 1 of Article 48 and formulated as follows:

“d) assembly for official reasons of public servants, personnel of the legal entities under public law, nonentrepreneurial (noncommercial) legal entities established by the state or municipalities, directors, educators, teachers, other persons employed in pre-school and educational institutions and general education institutions established by the state or municipality, and other personnel employed there”.

17. Paragraph 8 of Article 71 shall be formulated as follows:

“8. A PEC shall be responsible for posting a photocopy of a summary protocol of polling results for public review. A PEC shall, if requested, immediately give a photocopy of the protocol (attached with discrepant opinions of commission members) to the representatives of a party/an initiative group of voters and to observers from an observer organization. The photocopy of a protocol shall be certified by the PEC seal and signatures of the PEC chairperson and secretary (these protocols shall have the same legal force as PEC summary protocols for polling results). The above-mentioned persons shall endorse the receipt of a photocopy of the protocol by signing in the PEC log-book.”.

18. Paragraph 4¹ shall be added to Article 70 after paragraph 4 and formulated as follows:

“4¹. After affixing the PEC seal and signing it by all the members of the commission, as provided for in paragraph 13 of Article 71, it is prohibited to draw up a protocol amending the summary protocol of polling results.”

19. Article 75

a) Paragraph 1 shall be formulated as follows:

“1. Based on the summary protocols of PECs, and taking into account the results of the consideration of violations of the electoral legislation of Georgia, a DEC shall, not later than the 14th day after polling day, summarize the results of a referendum, elections of the Parliament of Georgia, elections of the municipality representative body Sakrebulo, and of the Mayor. It shall determine the results of the Parliamentary elections of Georgia, elections of the municipality representative body Sakrebulo and of the Mayor, and shall draw up summary protocols of each type for polling and election results held in an electoral district. The DEC shall forward the protocols to the CEC not later than the following day.”.

b) Sub-paragraph 1¹ shall be added after paragraph 1 of Article 75 and formulated as follows:

“1¹. Correction of data in the summary protocol of the polling results drawn up by the PEC shall be allowed only by the DEC ordinance, which shall be based on the decision to open sealed packages received from the PEC, number of voter signatures participating in the polling and recount of ballots.”.

20. Paragraph 1 of Article 76 shall be formulated as follows:

“1. The CEC shall, based on protocols received from DEC^s and PEC^s, and not later than the 25th day after the polling day, summarize at its meetings the results of elections of the Parliament of Georgia, elections of the Mayor of Tbilisi and Sakrebulo of Tbilisi, and shall prepare a summary protocol thereon.”.

21. Paragraphs 7, 8 and 18 of Article 76¹ shall be removed.

22. Article 77

a) Paragraph 2 shall be formulated as follows:

“2. A decision of a PEC/the head of a PEC may be appealed to a respective DEC within 2 calendar days after the decision was made. The DEC shall review the appeal within 4 calendar days. The decision of the DEC may be appealed to a respective district/city court within 2 calendar days. The district/city court shall consider the appeal within 2 calendar days. The decision of the district/city court may be appealed to the Court of Appeals within 1 calendar day after the decision was made. The Court of Appeals shall review the appeal within 2 calendar days. The decision of the Court of Appeals shall be final and cannot be appealed.”.

b) Paragraph 4 shall be formulated as follows:

“4. Decisions of DEC/DEC head officers may be appealed to the CEC within 2 calendar days after decisions were made. The CEC shall examine the appeal within 2 calendar days. The decision of the CEC may be appealed to the Tbilisi City Court within 2 calendar days after its delivery. The Tbilisi City Court shall examine the appeal within 2 calendar days. The decision of the Tbilisi City Court may be appealed to the Court of Appeals within 1 calendar day after the decision is delivered. The Court of Appeals shall deliver its decision within 2 calendar day after filing the appeal. The decision of the Court of Appeals shall be final and cannot be subject to appeal.”.

c) Paragraph 5³ shall be added after paragraph 5² and formulated as follows:

“5³. Complaints may be submitted to the DEC and the CEC both in hard copy and electronic form. Procedure for submitting a complaint in an electronic form shall be determined by the CEC ordinance.”.

23. Paragraph 11 of Article 78 shall be formulated as follows:

“11. Application / complaint on election disputes provided for in Article 78 of this Law submitted to the election commission / Court by persons other than the persons specified in this Article shall remain unconsidered. The application / complaint submitted to the election commission shall also remain unconsidered if the application / complaint is not accompanied by a document certifying the person's identification.”.

24. Paragraph 8¹ shall be added after paragraph 8 of Article 93 and formulated as follows:

“8¹. The decision of the CEC Chairperson and the persons authorized by the CEC (officials) to refuse to draw up a protocol on the violation of the election legislation of Georgia may be appealed before the court within 2 calendar days. The Court shall examine the claim within 10 calendar days. As a result of the examination of the case, the court decides on the imposition of an administrative penalty or refuses to uphold the appeal.”.

25. Paragraph 1 of Article 125 shall be formulated as follows:

“1. Based on protocols received from DEC, PECs and final court decisions, the CEC shall, not later than on the 25th day after Election Day, summarize, at its session, the results of the elections of the Parliament of Georgia and draw up a summary protocol of final results of the elections.”.

26. Article 140 shall be formulated as follows:

“Article 140. Composition of a municipality representative body Sakrebulo

Majoritarian and proportional composition of Sakrebulo of self-governing community and Sakrebulo of self-governing cities (except the city of Tbilisi) shall be defined as follows:

	Majoritarian	Proportional	Total
1. Batumi Electoral District	7	28	35
2. Kutaisi Electoral District	7	28	35
3. Rustavi Electoral District	7	28	35
4. Poti Electoral District	7	28	35
5. Sagarejo Electoral District	13	26	39
6. Gurjaani Electoral District	13	26	39
7. Signaghi Electoral District	12	24	36
8. Dedoplistskaro Electoral District	10	20	30
9. Lagodekhi Electoral District	10	20	30
10. Kvareli Electoral District	9	18	27
11. Telavi Electoral District	13	26	39
12. Akhmeta Electoral District	10	20	30
13. Tianeti Electoral District	9	18	27
14. Gardabani Electoral District	10	20	30
15. Marneuli Electoral District	10	20	30
16. Bolnisi Electoral District	11	22	33
17. Dmanisi Electoral District	10	20	30
18. Tsalka Electoral District	10	20	30
19. Tetrtskaro Electoral District	12	24	36
20. Mtskheta Electoral District	9	18	27
21. Dusheti Electoral District	11	22	33
22. Kazbegi Electoral District	6	12	18
23. Kaspi Electoral District	10	20	30

24. Gori Electoral District	13	26	39
25. Kareli Electoral District	10	20	30
26. Khashuri Electoral District	10	20	30
27. Borjomi Electoral District	11	22	33
28. Akhaltsikhe Electoral District	11	22	33
29. Adigeni Electoral District	11	22	33
30. Aspindza Electoral District	10	20	30
31. Akhalkalaki Electoral District	13	26	39
32. Ninotsminda Electoral District	9	18	27
33. Oni Electoral District	11	22	33
34. Amberolauri Electoral District	10	20	30
35. Tsageri Electoral District	10	20	30
36. Lentekhi Electoral District	7	14	21
37. Mestia Electoral District	11	22	33
38. Kharagauli Electoral District	11	22	33
39. Terjola Electoral District	10	20	30
40. Sachkhere Electoral District	11	22	33
41. Zestaponi Electoral District	12	24	36
42. Baghdati Electoral District	9	18	27
43. Vani Electoral District	10	20	30
44. Samtredia Electoral District	12	24	36
45. Khoni Electoral District	10	20	30
46. Tchiatura Electoral District	11	22	33
47. Tkibuli Electoral District	9	18	27
48. Tskaltubo Electoral District	13	26	39
49. Ozurgeti Electoral District	15	30	45
50. Lanchkhuti Electoral District	10	20	30
51. Chokhjatauri Electoral District	12	24	36
52. Abasha Electoral District	11	22	33
53. Senaki Electoral District	12	24	36
54. Martvili Electoral District	12	24	36
55. Khobi Electoral District	12	24	36
56. Zugdidi Electoral District	14	28	42
57. Tsalenjikha Electoral District	9	18	27
58. Chkhorotsku Electoral District	9	18	27
59. Keda Electoral District	7	14	21
60. Kobuleti Electoral District	12	24	36
61. Shuakhevi Electoral District	7	14	21
62. Khelvachauri Electoral District	8	16	24
63. Khulo Electoral District	8	16	24

27. Paragraphs 1 and 2 of Article 148 shall be formulated as follows:

„1. To determine the number of seats obtained by a party list, the number of votes received by the party list shall be multiplied by the number of the seats to be allocated under the proportional system in the electoral district and divided by the sum of the votes received by those parties that received not less than 3% of the votes cast in the elections. The whole part of the number obtained shall be the number of seats obtained by the party list. The number of votes cast in the election shall not include the number of votes recorded on invalid ballot papers.

2. If the total number of seats obtained by party lists in an electoral district is less than the total number of seats, each unallocated seat shall first be allocated in sequence to the better polling party lists that failed to obtain a seat under the first paragraph of this Article, but received at least 3% of the votes cast in the election. If any undistributed seat(s) is/are still left, each seat shall be allocated in sequence to the party lists that acquired at least one seat and have the largest remainder. The number of votes cast in the election shall not include the number of votes recorded on invalid ballot papers.“.

28. Paragraph 4 of Article 155 shall be formulated as follows:

“4. The Tbilisi Sakrebulo is composed of 50 members, out of which 10 members are elected in the territory of local single-seat majoritarian electoral districts, and 40 – through the proportional electoral system in the whole territory of Tbilisi City Municipality.”.

29. Paragraphs 1-4 of Article 162 shall be formulated as follows:

“1. Seats in the Tbilisi Sakrebulo shall be allocated under the proportional system only to electoral subjects that received at least 2,5% of votes cast in the election. Seats shall be allocated in accordance with the procedures set forth by this Article.

2. To determine the number of seats obtained by a party list, the number of votes received by the party list shall be multiplied by 40 and divided by the sum of the votes received by those parties that received not less than 2,5% of the votes cast. The whole part of the number obtained shall be the number of seats received by the party list. The number of votes cast shall not include the number of votes recorded on the ballot papers declared invalid.

3. If the sum of the seats received by party lists is less than 40 in total, each undistributed seat shall first be allocated, in sequence to the better polling party lists that failed to obtain a seat under the first paragraph of this Article, but received at least 2,5% of the votes cast in the elections. If any undistributed seat(s) is/are still left, each seat shall be allocated in sequence to the party lists that obtained at least one seat and have the largest remainder. The number of votes cast in the elections shall not include the number of votes recorded on invalid ballot papers.

4. If none of the party lists obtains a seat under the paragraph 2 of this Article, each seat shall be awarded to those 40 subjects that received more votes than others. The number of votes cast in the elections shall not include the number of votes recorded on invalid ballot papers.”.

30. Article 196

a) Paragraph 19 shall be formulated as follows:

“1. A political party shall appoint one CEC member, once all the following requirements are met:

- a) A party was registered by the CEC Chairperson to run for parliamentary elections as an independent candidate or through an election bloc and in accordance with paragraphs 3-6 of Article 196 was assigned a mandate of the member of the Parliament of Georgia;
- b) The party envisaged by sub-paragraph “a” of this paragraph shall be funded from the state budget in accordance with Article 30 of the Organic Law of Georgia “on Political Unions of Citizens”;
- c) At least one member of the political party envisaged by sub-paragraph “a” of this paragraph carries out activities of the member of the Parliament, in accordance with paragraph 10 of Article 224 of the Rules of Procedure of the Parliament.

b) Paragraphs 20 and 21 shall be added after paragraph 19 and formulated as follows:

“20. For the purposes of paragraph 19 of this Article, the amount of budget funding for the parties in the bloc shall be determined as of January 1, 2021.

21. In case of equal amount of funding when appointing a CEC member, preference shall be given to a party that has earlier election registration. And in the case of an election bloc, the party ahead of other parties in the list of members of the election bloc.”.

31. Paragraphs 203² and 203³ shall be added to the Law and formulated as follows:

Article 203². Conducting certain actions through electronic means by the CEC during the transition period

“1. For the next municipal elections, the CEC is authorized to carry out the procedures of registration of voters showing up at the polling station, voting, counting of votes and drawing up a summary protocol of the results through electronic means.

2. The CEC shall ensure the registration of voters at all polling stations with an electronic registrar.

3. The CEC shall ensure counting of ballot papers by electronic counter in at least as many precincts as is necessary to reveal the sociologically valid results of that constituency.

4. The rules and conditions for the use of electronic means provided for in paragraph 1 of this Article shall be determined by the CEC resolution.”.

Article 203³. Temporary rules for receiving a remuneration by the PEC representatives appointed by the parties

1. A representative appointed by a political party to the PEC shall be remunerated for the work defined for the PEC member out of funds allocated for conducting the elections, if one of the following conditions is met:

- a) A party was registered by the CEC Chairperson to run for parliamentary elections and in accordance with paragraphs 3-6 of Article 196 was assigned a mandate of the member of the Parliament of Georgia;
- b) The party envisaged by sub-paragraph “a” of this paragraph shall be funded from the state budget in accordance with Article 30 of the Organic Law of Georgia “on Political Unions of Citizens”;

- c) At least one member of the political party envisaged by sub-paragraph “a” of this paragraph carries out activities of the member of the Parliament, in accordance with paragraph 10 of Article 224 of the Rules of Procedure of the Parliament.

2. Only one representative appointed by a party to the PEC shall be authorized to receive remuneration provided for in paragraph 1 of this Article. The mentioned amount shall be deposited by the CEC to the party appointing the representative.

Article 2. Upon the entry into force of this law, the authority of the members appointed by the political parties in the election commissions shall be terminated.

Article 3. This Law shall enter into force upon publication.

President of Georgia

Salome Zourabichvili