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EUROPEAN COMMISSION FOR DEMOCRACY THROUGH LAW
(VENICE COMMISSION)

REPUBLIC OF MOLDOVA

DRAFT ELECTORAL CODE

TITLE I GENERAL PROVISIONS

Chapter I GENERAL NOTIONS AND PRINCIPLES

Article 1. General notions

For the purposes of this Code, the following general terms are defined:

electoral posters — photos and other material used by electoral competitors, candidates, trusted individuals and/or referendum participants for electoral agitation or initiative groups and candidates nominated for extra-electoral agitation;

electoral agitation — calls, statements and preparatory and information dissemination actions aimed at encouraging voters to vote for some electoral competitors or for one of the referendum options;

extra-electoral agitation — calls, declarations, actions to nominate candidates in elections, preparation and collection of signatures to support them, including all such actions undertaken by the nominated candidate himself/herself, as well as preparation and collection of signatures for the initiation of a referendum;

elector — a citizen of the Republic of Moldova with the right to vote;

elections — if no specification is made, elections to Parliament for the office of President of the Republic of Moldova in local public administration authorities, as well as referendums;

general elections — any type of election that usually takes place on a single Sunday, according to the act determining the elections, throughout the country;

early elections — elections held in the event of the dissolution of Parliament or early termination of the term of office of the President of the Republic of Moldova or in the case of an administrative-territorial reorganization at country level;

invalid elections — elections thus declared by decision of the Central Electoral Commission if:

- less than 1/3 of the number of persons on the electoral roll in the case of parliamentary elections, the first ballot in the case of presidential elections or referendums participated;

- in some constituencies less than 1/4 of the number of persons on the electoral roll in the case of local elections participated;

new elections — elections other than early and partial elections;

null and void elections — elections so declared by the Constitutional Court, in the case of parliamentary and presidential election and republican referenda or by the Central Electoral Commission, in the case of local elections and referenda if, during elections and/or vote counting, violations of this Code were committed, which influenced the voting results and the allocation of seats.

by-election — elections held where, following general local elections, mayors or the number of councilors set in one or more constituencies have not been elected;

electoral bloc — the voluntary union of 2 or more political parties formed for the purpose of participating jointly in the elections and registered by the Central Electoral Commission, in the case of any type of suffrage;

election campaign — a period of activity meant, under the terms of this Code, to induce voters to cast their votes for the election of one electoral competitor or another or for the expression of one option or another in the referendum;

candidate — person who is designated to fill an eligible public office by political parties or electoral blocks;

nominee — person applying or proposed by political parties, electoral blocks or initiative groups to register as electoral competitor or candidate on the list;

independent candidate — a person who nominates his/her candidacy for eligible public office independent of political parties and electoral blocks;

certification of electoral training/specialization — procedure for the attestation of knowledge and competence in electoral matters carried out by the Centre for Continuous Electoral Training in accordance with the rules approved by the Central Electoral Commission, as confirmed by the relevant certificate of qualification.

electoral constituency — the administrative electoral unit in which elections and referenda are organised and conducted;

national constituency — national constituency in which the election of the President of the Republic of Moldova, the Members of Parliament and the Republican referendum is organised and conducted;

Code of Conduct — agreement between electoral competitors and representatives of media outlets on how to run and reflect the election campaign that excludes the impairment of the dignity and image of electoral competitors;

collector — member of the initiative group collecting signatures in support of the nominee to an elected position, including in support of his/her own candidacy, or with a view to launching a referendum;

electoral competitors — political parties, electoral blocks, electoral competitors, nominees, initiative groups, as well as referendum participants participating and/or receiving (material) financial support for the election campaign and/or their activity, including those who only campaign or carry out electoral promotion activities that do not entail financial expenditure;

electoral competitors:

a) political parties, electoral blocks and candidates for the office of Member of Parliament registered by the Central Electoral Commission — in the case of parliamentary elections;

b) candidates for the office of the President of the Republic of Moldova, as well as political parties and electoral blocks nominating them, registered by the Central Electoral Commission — in the case of the presidential elections;

c) political parties, electoral blocks and candidates for the office of mayor or councilor to the local council and registered by the respective electoral constituency councils — in the case of local elections.

Central Electoral Commission — an independent and apolitical public authority, established to conduct electoral policy with a view to the proper organisation and conduct of elections (referenda), to monitor and monitor compliance with the legal provisions on the financing of political parties and election campaigns;

appellant — subject with the right to appeal under the terms of this Code;

appeal — written application, including prior application, made by the appellant under the terms of this Code;

residence declaration — procedure whereby the citizen with the right to vote declares his/her whereabouts on election day in order to be included on the basic electoral roll;

relief — attraction as an electoral official in the work of electoral bodies by reducing part of the tasks and duties at the workplace, while maintaining the salary at the permanent place of work, in accordance with labour law and this Code;

nomination of candidates — procedure for the adoption by political parties, electoral blocks of decisions on nominations for elected positions, held at meetings of the competent bodies of political parties, electoral blocks, under their statutes or constituent agreements, and under the conditions laid down in this Code;

domicile — the place where the natural person has his or her habitual residence, as confirmed in the identity document;

electoral right — the constitutional right of the citizen to vote, to be elected and to express his or her attitude to the most important problems of the state and society in general and/or local issues in particular;

electoral equipment — booths, ballot boxes, computers and other assets with which the polling station is equipped;

electoral education — activity of an educational, apolitical nature, carried out by civil society organisations and groups, educational institutions, media outlets and other stakeholders, aimed at increasing citizens' knowledge of political and electoral processes, for the exercise of conscious and free voting. Electoral education may be carried out freely by interested subjects through seminars, training courses, round tables, information campaigns, public electoral debates and other educational actions not regulated by the Central Electoral Commission or by other authorities;

financing of election campaigns — direct and/or indirect financing as well as material support through other forms of electoral competitors (referendum participants), including volunteering actions and services provided free of charge to electoral competitors (referendum participants) by natural and/or legal persons, as appropriate, by the State;

financing of groups of initiatives — direct and/or indirect financing as well as material support through other forms of initiative groups, including volunteering actions and services provided free of charge to initiative groups by natural and/or legal persons;

financing of political parties — direct and/or indirect financing, that is the offering, allocation or transmission of financial, material or other means, including volunteering and services provided free of charge to political parties by natural and/or legal persons, as well as financial means in the form of state budget allowances (subsidies);

eligible (elective) civil service — public office or local elected office that is occupied by mandate obtained directly, following the elections, under the terms of this Code. The general rules governing the public office or local elected office, the legal status of persons holding such office and other relationships arising from the exercise of those functions shall be governed by special laws;

electoral official means a natural person who, under the terms of this Code, is a member of the electoral body, employed by the electoral body and/or employed in public institutions and other organisational structures founded by the Central Electoral Commission;

initiative group — a group of citizens with the right to vote, registered under the terms of this Code, to collect signatures in support of an elected candidate or to initiate the referendum;

list of candidates — list of candidates nominated by political parties or electoral blocks to participate in the elections;

subscription list — list of signatures of voters supporting the candidate nominated for an eligible public office or with a view to launching a referendum, under the terms of this Code;

basic electoral roll — list of all citizens with the right to vote who are domiciled or temporarily residing in the radius of a polling station;

additional electoral roll — electoral roll in which voters who are entitled to vote at the polling station concerned but have not been entered in its basic electoral roll;

locality — administrative-territorial unit organised in accordance with the law (district, municipality, city, sector, village (commune), administrative-territorial unit with special status);

location of the polling station — space where voters exercise their right to vote and where, as a rule, the electoral bureau of the polling station has its seat;

minimum of special electoral display places — specially equipped places for electoral display located in a locality. The billboards shall be placed uniformly throughout the territory of the municipality. The electoral display space offered to electoral competitors (referendum participants) must be equal for all;

observer — person authorised as per this Code, who may represent domestic, foreign or international organisations or institutions and who carries out the task of observing the organisation and conduct of elections and referenda;

operator of the State Automated Information System 'Elections' — person authorised as established to process the personal data of the voter who physically appeared at the polling station on election day and to record his/her participation in the vote, with a view to not admitting multiple voting;

electoral bodies — bodies organising the elections of the Parliament, for the office of President of the Republic of Moldova, in the local public administration authorities, as well as running the referendums;

referendum participant — the political parties, the electoral blocks, the President of the Republic of Moldova or the mayor in respect of whom the referendum for his/her dismissal (revocation) has been initiated, which registers with the electoral body concerned, with a view to participating in the election campaign for the referendum;

political parties — voluntary associations of citizens, established and registered under Law No 294/2007 on political parties;

electoral period — a period between the date of adoption of the act on the fixing of the date of election and the date on which the results of the elections are confirmed by the competent bodies, but not exceeding 120 days;

persons authorised to attend electoral operations — electoral officials, representatives of electoral competitors (referendum participants) in electoral bodies, observers accredited by electoral bodies, where applicable, their interpreters, and journalists legitimised by media outlets and subsequently confirmed by the Central Electoral Commission;

reports on the financing of the work of the initiative group — reports of the initiative group on cash flow, as well as on all services and actions provided free of charge by natural and legal persons and all volunteering actions during the signature collection period, as well as other relevant information;

reports on the financing of election campaigns — reports of the electoral competitor (referendum participant) on the flow of cash, including accumulated financial means, their source of origin and campaign expenditure, including all services and actions provided free of charge by natural and legal persons and all volunteering actions and other relevant information;

reports on financial management — reports of the political party on income earned under the rules on the financing of the activity of political parties, approved by the Central Electoral Commission, and Law No 294/2007 on political parties, their source, expenditure incurred during the management period, and other relevant information;

referendum — election by which the people express their choice on the most important issues of the state and society as a whole, aimed at resolving them, or consulting citizens on local issues of particular interest, as well as on the dismissal of the President of the Republic of Moldova or the dismissal of the mayor of a municipality;

State Registry of Voters — single integrated information system for voters, an integral part of the State Automated Information System 'Elections', intended to collect, store, update and analyse information on citizens of the Republic of Moldova who have reached the voting age;

Register of Electoral Officials — database for the national record of electoral officials, part of the Automated State Information System 'Elections', managed by the Central Electoral Commission, indicating their name and surname, year of birth, profession (occupation), position, place of work, contact phone, domicile (temporary residence), the subject who appointed him/her, and in the case of participation in elections, an indication of the date and type of these elections, as well as the capacity held in their electoral bodies or work apparatus. The manner in which the data are completed and recorded in the registry shall be laid down in a regulation of the Central Electoral Commission;

administrative resources — human, financial and material resources equally available to persons in public offices, officials and civil servants deriving from the control of such persons over staff, financial resources and allocations from the public budget, access to public facilities or the management by such persons of movable and immovable property forming part of the public domain of the State or of administrative-territorial units;

temporary residence — the place where the natural person has his/her temporary or secondary residence, as confirmed in the identity document;

dismissal — early termination of office as a dignitary by referendum under the terms of this Code or withdrawal by the court of the mandate of the eligible public office holder, as well as cases of cessation of membership of the electoral body.

polling station — each of the electoral units into which an electoral constituency is divided (in relation to the number of voters) and which is set up by the electoral bodies in accordance with this Code;

State Automated Information System 'Elections' — information system managed by the Central Electoral Commission and intended to automate the electoral process;

treasurer — person in charge of the finances of the electoral competitor, referendum participant or initiative group;

repeated voting — elections organised by the Central Electoral Commission if the elections (referenda) have been declared invalid, within the terms and conditions laid down in this Code.

Article 2. Principles of participation in elections

(1) The citizen of the Republic of Moldova participates in elections by universal, equal, direct, secret and freely expressed suffrage.

(2) Participation in elections is free (voluntary). No one shall be entitled to exert pressure on the voter to participate or not in the elections and on the expression by him/her of his/her free will.

(3) Citizens of the Republic of Moldova residing outside the country shall enjoy full electoral rights under the terms of this Code. The Government of the Republic of Moldova, the Central Electoral Commission, diplomatic missions and consular posts are obliged to create conditions for citizens to exercise their electoral rights in a free manner.

Article 3. Universal suffrage

The citizens of the Republic of Moldova may elect and be elected without distinction as to race, nationality, ethnic origin, language, religion, sex, opinion, political affiliation, wealth or social origin.

Article 4. Equal vote

In any ballot, each elector shall be entitled to one vote. Each vote shall have equal legal power.

Article 5. Direct vote

The elector shall vote in person. Voting in place of another person shall be prohibited.

Article 6. Vote by secret ballot

Voting in elections and/or referendum shall be confidential, thus excluding the possibility of influencing the will of the voter.

Article 7. Free vote cast

No one shall be entitled to exert pressure on the voter to vote or not to vote and to prevent him/her from expressing his/her will independently.

Article 8. Election day

(1) Elections shall take place on a single Sunday, in accordance with the act determining the elections, throughout the territory of the country or municipality concerned.

(2) By way of derogation from paragraph (1), elections in certain constituencies or polling stations may, for objective reasons, be held over two days (Saturday and Sunday), which shall be determined by decision of the Central Electoral Commission at least 25 days before election day.

(3) Detailed electoral procedures aimed at securing voting, preserving and ensuring the integrity over two days of used and unused ballot papers, rules on ensuring confidentiality of information in electoral rolls on voter participation, video monitoring, etc. shall be laid down in the regulation approved by the Central Electoral Commission.

Article 9. Place where the right to vote is exercised

(1) The right to vote shall be exercised in the place where the elector is domiciled, except in the cases provided for in this Code.

(2) If the voter also has his/her domicile and temporary residence during the period of validity of the temporary residence, he/she shall vote in the place where he/she has his/her temporary residence.

Article 10. Voting for only one electoral competitor

In a ballot, the elector shall vote for a single electoral competitor and in a referendum, he/she shall decide on only one option.

Article 11. Principle of stability of electoral relations

(1) The electoral system and the way in which constituencies are established may not be changed until at least one year before the national elections.

(2) Draft legislative acts amending the Electoral Code shall be submitted for approval to the Central Electoral Commission.

Article 12. Calculation of time limits

(1) For the purposes of this Code, the reference to the day(s) for calculating the deadline for the conduct of electoral procedures and actions shall be deemed as reference to one calendar day or calendar days respectively, unless the deadline is expressly set in working

days. If the calculation of the deadline is determined by election day, the latter shall not be included in the calculation.

(2) The calculation of the deadline for the conduct of electoral procedures and actions shall include non-working holidays as well as declared rest days in accordance with the Labour Code.

(3) Where electoral procedures and actions must be carried out on/by the electoral body, the deadline shall expire at the time and date set by that electoral body.

(4) For the purpose of uniform application of the provisions relating to the calculation of deadlines under this Code, for the organisation and conduct of any type of election, the Central Electoral Commission shall approve the Calendar Programme of Electoral Actions, setting out the time limits expressed in calendar days for their completion.

Article 13. State Automated Information System 'Elections'

(1) The State Automated Information System 'Elections' is designed to automate the electoral process in order to:

a) ensure transparency of electoral procedures and actions carried out by electoral bodies;

b) offer an alternative possibility to vote;

c) record voting participation and counter multiple voting;

d) obtain operationally truthful data on voting results;

e) streamline collection, distribution and transmission of information and data on the electoral procedures carried out;

f) reduce budgetary expenditure and optimize the use of human resources for the organisation and conduct of elections and referenda;

g) develop and standardise electoral processes for the performance of electoral bodies' tasks.

(2) The State Automated Information System 'Elections' shall interact with other information systems managed by other public authorities and institutions, consisting of IT subsystems (blocks of functions) whose technical requirements, functionalities and implementation phases are regulated by internal administrative acts.

(3) When implementing and developing IT subsystems, which form part of the State Automated Information System 'Elections', the Central Electoral Commission shall work with other public entities, within the remit and obligation to provide information, technical, material, organisational, regulatory and other support, in accordance with the relevant regulatory framework.

(4) Under the conditions of paragraph (3), the Central Electoral Commission may benefit from the assistance and support of international electoral organisations.

Chapter II THE RIGHT TO VOTE AND TO STAND FOR ELECTION. RESTRICTIONS

Article 14. The right to vote

The right to vote shall pertain to all citizens of the Republic of Moldova who have reached the age of 18, including on election day, with the exception of those deprived of this right by the court decision establishing the judicial protection measure.

Article 15. Right to stand for election

The right to stand for election shall pertain to citizens of the Republic of Moldova with the right to vote who meet the conditions laid down in this Code.

Article 16. Restrictions on the exercise of electoral rights

(1) Individuals who do not meet the conditions laid down in Article 14 shall not be entitled to vote.

(2) The following individuals may not stand for election:

a) individuals performing military service (military personnel);

b) individuals referred to in paragraph (1);

c) individuals who are sentenced to imprisonment (deprivation of liberty) by final judicial decision and serve their sentence in prison institutions, as well as individuals who have unsettled criminal records for intentional crimes. Electoral bodies shall be informed of the existence of a criminal record by the bodies of the Ministry of Internal Affairs and/or the National Integrity Authority;

d) individuals deprived of the right to hold responsibility positions by final judicial decision. The Ministry of Justice, the National Integrity Authority and/or the Ministry of Internal Affairs shall inform electoral bodies of the existence of the ban.

(3) Citizens of the Republic of Moldova who, by virtue of their position, and with a view to respecting the legal regime of conflicts of interest, incompatibilities, other restrictions and limitations provided for by special legal rules, including for the purpose of preventing the illicit use of administrative resources during the electoral period, shall be suspended from their office from the start of the election campaign. Such individuals shall include:

a) the deputy prime ministers, ministers and ex-officio members of the Government;

b) the Secretary-General of the Government, the Deputy Secretaries-General of the Government, the Secretaries of State, the Secretaries-General of the Ministries;

c) the heads and deputy heads of the central public authorities and of the organisational structures within their area of competence;

d) the chairs and vice-chairs of the districts;

e) the mayors and deputy mayors;

f) the praetors and deputy praetors;

g) the secretaries of the local councils;

h) the civil servants/employees who are required to suspend their service/employment relationships, in accordance with the specific legal rules governing their work.

**TITLE II
COMMON PROVISIONS**

**Chapter III
ELECTORAL BODIES**

Article 17. System of electoral bodies

(1) For the purposes of organising and conducting elections and referenda, the following shall be constituted:

a) the Central Electoral Commission;

b) second and first level electoral constituency councils;

c) electoral bureaux of polling stations;

(2) In the system of electoral bodies, the Central Electoral Commission is the hierarchically superior electoral body operating on a permanent basis.

(3) Second level constituency councils are electoral bodies, which usually operate permanently in second level constituencies. The permanent activity of second-level electoral councils shall be ensured in accordance with Article 35 (3).

(4) First-level electoral constituency councils and electoral bureaux of polling stations are the electoral bodies that are established and operated only during the electoral period.

(5) In setting up electoral bodies, as well as in the procedure for appointing members and in the procedure for electing the president and secretary, compliance with the principle of gender equality shall be sought.

Section 1

Central Electoral Commission

Article 18. Mission of the Central Electoral Commission

The mission of the Central Electoral Commission is to create the best conditions for the citizens of the Republic of Moldova to exercise their constitutional right to vote and to stand as candidates in free and fair elections without hindrance, including by ensuring compliance with legislation on the financing of political parties and election campaigns.

Article 19. Status of the Central Electoral Commission

(1) In carrying out its duties, the Central Electoral Commission shall be independent from an organisational, functional, operational and financial point of view, in accordance with the provisions of this Code.

(2) The Central Electoral Commission shall conduct its activity in accordance with the Constitution, this Code and other legislative acts, including the rules of activity of the Central Electoral Commission, approved by decision of the Central Electoral Commission, as well as international standards and good practice in electoral matters.

(3) The Central Electoral Commission shall be a collegial body, made up of seven members, who shall be active on a permanent basis for the duration of the term of office, under the terms of this Code.

(4) The Central Electoral Commission is a legal person governed by public law, has its own budget, has treasury accounts and a seal with the image of the State coat of arms, as well as other attributes required. The seat of the Commission, including the legal address for correspondence and other contact details shall be laid down in its Rules of Procedure.

(5) To implement the electoral policy, the Central Electoral Commission may set up public institutions or other organisational structures under the conditions of the relevant normative framework.

(6) In relations with the official authorities of foreign states, the Central Electoral Commission shall act within the limits of its competence. The Commission may participate in the work of the relevant international bodies and become a member thereof.

Article 20. Constitution, composition and term of office of the members of the Central Electoral Commission

(1) The members of the Commission shall be appointed as follows:

a) one member shall be appointed by the President of the Republic of Moldova;

b) two members shall be appointed by the Superior Council of Magistracy;

c) two members shall be appointed by the Government;

d) two members shall be appointed by Parliament, with due regard for proportional representation of majority and opposition.

(2) The authorities referred to in paragraph (1) shall carry out the procedure for selecting candidates for the position of member of the commission, on grounds of competence and professionalism, in accordance with their own procedures and in compliance with Article 22 (1). Administrative acts relating to the appointment of members by these authorities shall be transmitted to the Central Electoral Commission and published in the Official Gazette of the Republic of Moldova within 10 days of their adoption.

(3) The Central Electoral Commission shall be considered legally constituted if at least five members are appointed.

(4) After being appointed, the member of the Central Electoral Commission shall take the following oath at the first commission meeting in which he/she participates, but no later than 15 days after his/her appointment: 'I swear to uphold the Constitution and the laws of the Republic of Moldova, to defend the fundamental rights and freedoms of the citizens, to carry out with honour, conscience and without bias the duties assigned to me under my office, not to make political declarations during my term of office'.

(5) The term of office of the member of the Central Electoral Commission shall be seven years, which shall begin on the date of entry into force of the administrative act appointing him or her, but not until he/she takes the oath. Each member of the Commission shall be entitled to two consecutive terms.

(6) After the expiry of the deadline referred to in paragraph (5), the members of the Commission may be replaced or reconfirmed for a new term of office. Should the term of office of the members of the Central Electoral Commission expire during the electoral period, the term of office shall be automatically extended until the end of that period.

(7) In the event of early termination of the term of office, the appointing authority shall appoint a new member of the Commission under the terms of this Code.

(8) During their term of office, members of the Commission may not make statements or take any action likely to impair their independence or take advantage of their office to obtain political, economic or other advantages.

Article 21. Procedure for electing the President and Secretary of the Central Electoral Commission

(1) The President and Secretary of the Central Electoral Commission shall be elected from among the members of the Commission by secret ballot, by an absolute majority of its members, by a decision to that effect. The procedure for electing the President and Secretary of the Central Electoral Commission shall be described in the rules of procedure of the Central Electoral Commission.

(2) Each member of the Central Electoral Commission shall have the right to submit proposals for nominations for the positions of President and Secretary, including to propose and to vote for his/her nomination.

(3) The meeting held for the election of the President and Secretary of the Central Electoral Commission shall take place within maximum 15 days from the occurrence of the vacancy for these positions during the term of office. If these positions are vacated during an electoral period, the election session shall be held within 3 days of the occurrence of the vacancy.

(4) In the event of a replacement of the full composition of the Central Electoral Commission, the first meeting for the election of the President and the Secretary shall be chaired by two members of the Commission, elected by a simple majority of its members, whose task is to organise and supervise the procedure for the debate and election of candidates.

(5) If, at the first vote, the candidate for the position of President or Secretary of the Central Electoral Commission has not obtained an absolute majority of votes, a repeated vote shall be held, in which members who candidate for the same position in the first vote may also take part.

(6) In the absence of the President of the Commission and in the event of legal vacancy and until a new President is elected, the duties of the President shall be exercised by the Secretary.

Article 22. Status of the members of the Central Electoral Commission

(1) An individual meeting all the following conditions may be appointed as member of the Central Electoral Commission:

- a) holds the nationality of the Republic of Moldova;
- b) has at least 5 years' professional experience in the electoral field or 10 years in the field of law or public administration;
- c) has an irreproachable reputation;
- d) is not prohibited from holding a public office or public dignity office resulting from a declaratory act of the National Integrity Authority;
- e) for the past 5 years, does not have a negative record concerning the professional integrity for breach of the obligation laid down in Article 7 (2) (a) of Law No 325/2013 on the evaluation of institutional integrity.

(2) The members of the Central Electoral Commission shall not, during their term of office:

- a) be members of political parties;
- b) participate in and/or contribute in any way to the activities of political parties, electoral competitors, initiative groups or referendum participants, except in the exercise of the powers provided for in this Code;
- c) make statements in favour of or against the subjects referred to in point (b).

(3) Prior to their appointment, candidates for the position of member of the Central Electoral Commission shall be subject to verification in accordance with Law No 271/2008 on the verification of holders and candidates for public office. Information about the results of the verification shall be made public by the authority issuing the administrative act of appointment.

(4) The members of the Central Electoral Commission hold public dignity functions obtained by appointment and are subject to the provisions of the legislation on the status of individuals exercising public office functions.

(5) The rights and obligations of the members of the Central Electoral Commission shall be laid down in the rules of operation of the Central Electoral Commission.

Article 23. Termination of membership of the Central Electoral Commission

(1) Membership of the Central Electoral Commission shall cease in the case of:

- a) expiry of the term of office;
- b) resignation;
- c) dismissal from office;
- d) definitive impossibility of performing assigned duties for more than 60 consecutive days, as established by the decision of the Commission and notified to the authority appointing him or her;
- e) death.

(2) The member of the Central Electoral Commission shall be relieved from office by the appointing authority if:

- a) a final conviction was adopted against him/her for a criminal offence committed intentionally;
- b) the citizenship of the Republic of Moldova was lost;
- c) a judicial protection measure in the form of guardianship was applied;
- d) the declaratory act establishing the issue/adoption of an administrative act, directly or through a third party concluding a legal act, or taking or participating in the taking of a decision in breach of the legal provisions on conflict of interest, has become final;
- e) incompatibility, as established by the declaratory act, which has become final;
- f) failure to submit a declaration of personal assets and interests or refusal to submit it, in accordance with Article 27 (8) of Law No 132/2016 on the National Integrity Authority;
- g) order by the court, by means of an irrevocable judgment, the confiscation of unjustified assets;
- h) serious and obvious professional incompetence was found;
- i) acts incompatible with his/her office were committed;
- î) failure to comply with the requirements laid down in Article 22 (2);
- j) impossibility to perform duties under paragraph (1) (d) was found.

(3) In accordance with paragraph (2), the authority appointing the member of the Central Electoral Commission shall initiate, ex officio or upon referral to the responsible entities, the procedure for his/her removal from office, with the issuing of an administrative act to that effect.

(4) The administrative act of dismissal shall be challenged directly before the Chisinau Court of Appeal in accordance with the procedure laid down by the Administrative Code.

Article 24. Remuneration of members of the Central Electoral Commission

(1) The remuneration of members of the Central Electoral Commission shall be made in accordance with the relevant legislative framework, and for the electoral period, regardless of the type of election, they shall receive an allowance of up to 35 per cent of the average salary.

(2) In exceptional cases, with the agreement of the members of the Central Electoral Commission, the duration of working time may derogate from the extended limit set in accordance with Article 104 (5) of the Labour Code.

Article 25. General tasks of the Central Electoral Commission

As a specialised electoral body, the Central Electoral Commission shall:

- a) study how elections are organised and conducted with a view to fine-tuning legislative acts and electoral procedures;
- b) submit proposals to the Government and Parliament as to whether changes to the electoral law should be made;
- c) draw up and approve regulations and instructions to improve electoral procedures;
- d) draw up and issue opinions on draft legislative acts submitted for approval to the Central Electoral Commission by other public authorities, as well as opinions on complaints concerning constitutional review of legislative acts in the electoral field;
- e) prepare and approve annual work plans, strategic plans and reports on activities carried out in accordance with established work plans;
- f) adopt development strategies ensuring the setting of objectives in its field of activity;
- g) draw up and approve activity reports, publish them on its official page;
- h) maintain and manage the State Automated Information System 'Elections', draw up and approve the legislation on the operation of the IT subsystems, which are integral parts thereof;

- i) set up second-level electoral constituency councils with permanent status and appoint the presidents of such councils in accordance with this Code and Law No 158/2008 on the civil service and the status of public officials;
- j) implement electoral and civic education programmes, including through the Centre for Continuous Electoral Training;
- k) prepare programmes to inform voters, including during the electoral period;
- l) provide media outlets with information on the conduct and organisation of elections (referenda) and ensure the transparency of the electoral procedures conducted;
- m) provide stakeholder consultations on the conduct of election and civic education activities;
- n) organise, by means of the Centre for Continuous Electoral Training, specialised training for electoral officials and other subjects involved in the electoral process, at their request;
- o) describe the procedure for the attestation/certification of electoral knowledge and competence by the Centre for Continuous Electoral Training, approving a regulation to that effect;
- p) carry out post-election analyses following the conduct of national elections, including through public events, with a view to identifying regulatory or other shortcomings, and analyse electoral fraud, including alleged fraud, take measures to prevent and/or remove them, formulate conclusions and recommendations in this regard and forward them to those in charge of implementing them;
- q) initiate the procedure for validating a mandate of Member of Parliament in the event of vacancy for the position of Member of Parliament, in accordance with the procedure laid down in this Code;
- r) remove or declare vacant the mandate of local councillor in the cases established by Law No 768/2000 on the status of local authority, Law No 436/2006 on local public administration and other related legislative acts;
- s) assign the mandate of an councillor in the event it becomes vacant, in accordance with the rules approved by decision of the Central Electoral Commission;
- t) find infringements and draw up reports of infringements under the conditions of the Code of Criminal Offences;
- u) apply or request the application of sanctions, laid down in this Code, Law No 294/2007 on political parties and other related legislative acts, for infringement of electoral law, and refer matters to the competent bodies for offences punishable by administrative or criminal liability;
- v) work with international governmental and non-governmental organisations, with the electoral authorities of other states in order to exchange experience and identify best practices in the electoral field;
- w) participate in regional and international electoral associations and decide on their membership and payments related to their participation and/or registration;
- x) have the right to access information held by public authorities at all levels and state registers, as well as data held by private institutions and licensed banks, including personal data, in compliance with legislation on the protection of personal data.
- y) process personal data as controller, in accordance with Law No 133/2011 on the protection of personal data.

Article 26. Tasks of the Central Electoral Commission in the area of supervision and control of the financing of political parties and election campaigns

(1) As an independent supervision and control body on the financing of political parties and campaigns, the Central Electoral Commission shall:

a) draw up and issue the necessary legislative acts to implement and comply with the legislation on the financing of political parties and election campaigns;

b) draw up guidance documents (forms, guides, methodological rules), approved by order of the President of the Central Electoral Commission, for the purpose of assisting financial activity and training political parties, electoral competitors, referendum participants or initiative groups with regard to their rights, obligations and responsibilities in the financial management process;

c) collect and systematise reports on the financial management of political parties, reports on the audit of political parties, reports on campaign financing submitted by electoral competitors or referendum participants, and reports on financing the work of initiative groups;

d) analyse and verify the information in the reports submitted under the terms of this Code and Law No 294/2007 on political parties, adopt enforceable decisions on the results of the verification;

e) ensure the publication on its official page of the information and reports submitted under the terms of this Code and of Law No 294/2007 on political parties;

f) examine referrals and complaints concerning breaches of legislation on the financing of political parties, election campaigns and the work of initiative groups;

g) work together, in order to ensure compliance with the legislation on the financing of political parties, election campaigns and the work of initiative groups, with central public authorities and local public administration, as well as with other institutions or entities, regardless of the legal form of organisation;

h) cooperate and provide information assistance in the development of independent studies to monitor the financing of political parties, election campaigns and the work of initiative groups;

i) study and monitor the application of legislation on the financing of political parties, election campaigns and the work of initiative groups, and submit proposals to Parliament and Government to amend the legislative framework in this area;

j) report annually to Parliament by 1 June on the financing of political parties, election campaigns and/or the work of initiative groups;

k) exercise other powers to supervise and control compliance with legislation on the financing of political parties, election campaigns and the work of initiative groups, in accordance with the provisions of this Code and Law No 294/2007 on political parties.

(2) For the purposes of this Article, the exercise of supervision and control over the financing of election campaigns shall also apply to the work of initiative groups to collect signatures in support of candidates in elections or to initiate a referendum.

Article 27. Powers of the Central Electoral Commission during the electoral period

During the electoral period, the Central Electoral Commission shall have the following tasks:

a) supervise the execution of the provisions of this Code and of other legislative acts containing provisions relating to the conduct of elections and referenda;

b) approve the calendar programme of electoral actions and supervise the execution within the prescribed deadlines of the measures and actions provided for therein;

c) coordinate the work of all electoral bodies with a view to preparing and conducting elections or referenda under the terms of this Code;

d) set up constituencies and electoral constituency councils, oversee the work of the lower hierarchical electoral bodies;

e) issue decisions on the work of electoral bodies, on electoral procedures, on how to organise and conduct elections (referenda) and on technical-administrative issues;

f) decide to convene or relieve members of electoral councils from their permanent duties, approve the organisation chart and determine the number of electoral officials of electoral councils and bureaux that may be relieved, including the deadline for which they are relieved;

g) publish the list of political parties entitled to participate in elections (referenda) on the basis of the data submitted by the Public Services Agency;

h) determine the number of councillors based on the number of inhabitants of the administrative-territorial unit on 1 January of the year in which the elections take place, according to the data in the State Register of Population, presented by the Public Services Agency;

i) ensure that electoral rolls are drawn up and verified, working with central and local public administration authorities, the Ministry of Foreign Affairs and European Integration, diplomatic missions and consular posts;

j) distribute the financial means foreseen for the conduct of elections and coordinate the process of technical and material securing of the elections (referenda);

k) establish the template of the ballot papers, documents, forms and other acts relating to the conduct of elections or referenda, as well as the template of the stamps used by the electoral bodies, including the technical parameters and/or standards relating to electoral equipment;

l) draw up documents on optimising and standardising the application of electoral procedures relating to the organisation, fitting-out and endowing of polling station premises with the equipment necessary for the smooth running of the voting process;

m) examine communications from public authorities in matters relating to the preparation and conduct of elections (referenda);

n) resolve questions on how to participate in elections for citizens who are outside the country on the day of the vote;

o) ensure monitoring of the respect of the principle of equality between women and men in the electoral process;

p) work with the mass-media and public associations to organise electoral and civic education events for voters and information on the conduct of the electoral process;

q) provide voters with electoral information through the media and at any time upon request;

r) organise prior consultations with political parties, electoral blocs as well as media representatives and ensure that they sign the Code of Conduct before the start of the election campaign;

s) examine applications and complaints under the terms of this Code, adopt enforceable decisions on them;

t) ensure that the second ballot, repeated votes, early, new and partial elections are held under the terms of this Code;

u) systematise information on voters' turnout, make preliminary totals of elections and publicise the final results;

v) take stock of the elections by country and, where appropriate, report on the results of the elections to the Constitutional Court.

Article 28. Cooperation of the Central Electoral Commission with other entities in organising and conducting elections

(1) As a specialised electoral body, the Central Electoral Commission shall work together with the central and local public administration authorities, as well as with some entities which, when organising and conducting the elections, within their remit, have the following additional responsibilities:

1) Ministry of Internal Affairs:

- a) ensuring security of all individuals participating in the elections;
- b) ensuring security and public order in the places and premises intended for meetings of electoral competitors or other subjects with voters in the territory, including from the perspective of compliance with the public health measures set out in the decisions adopted by the National Extraordinary Public Health Commission;
- c) assisting electoral bodies and local public administration authorities in keeping material assets in electoral councils and offices, escorting the transport of ballot papers and ensuring their integrity and other electoral documentation;
- d) preventing, countering and detecting administrative misdemeanours and offences in the electoral process;
- e) assisting the presidents of the electoral bureaux of polling stations in ensuring public order on election day, in the polling station and within a radius of 100 metres from it;
- f) conducting training for electoral officials on fire protection measures and actions to be taken in the event of fire;
- g) providing the response capability of subordinate forces and means for operational response in the event of fire and/or other emergencies;
- h) providing assistance to the electoral bodies in order to verify that the provisions of the legislative acts concerning the financing of election campaigns and the activity of initiative groups are correctly implemented, delegating qualified staff to set up working groups for this purpose.

2) Ministry of Infrastructure and Regional Development:

- a) ensuring the monitoring of the uninterrupted power supply to all the seats of the electoral bodies;
- b) providing access routes to polling stations;
- c) providing, where necessary, at the request of local public administration authorities and/or electoral bodies, information assistance concerning the training of carriers in the territory to carry out transport;
- d) preventing, countering and detecting infringements in the field of passenger transport in an electoral context.

3) Ministry of Foreign Affairs and European Integration:

- a) providing the necessary assistance, within the limits of the competence and the legal framework relating thereto, in the organisation and conduct of elections in polling stations established abroad;
- b) ensuring the necessary number of staff and providing logistical assistance in the process of setting up and operating the electoral bureaux of polling stations abroad;
- c) coordinating the organisation and functioning of the electoral bureaux of polling stations abroad;
- d) working together to accredit overseas media under the Ministry of Foreign Affairs and European Integration to reflect the electoral process in the Republic of Moldova;
- e) coordinating the transportation, transmission and return of ballot papers from the electoral bureaux of the polling stations abroad, as well as all materials related to the organisation and conduct of elections.

4) **Reintegration Policies Bureau** — jointly with the local public administration authorities in the Security Area and the Delegation of the Republic of Moldova in the Joint Control Commission, shall take all possible measures, within the perimeter under the effective control of the Moldovan authorities, aimed at facilitating:

a) submitting proposals to organise, for the voters in the municipalities of the left bank of Nistru (Transnistria) and Bender, several polling stations based in the territory of the Republic of Moldova under the constitutional jurisdiction of the central public authorities;

b) support for publicising information on the boundaries of polling stations and the premises of election bureaux and how to contact relations;

c) ensuring voters' access to the electoral process and their respective electoral bodies;

d) support for publicising the voting time and place for voters in the municipalities on the left bank of Nistru (Transnistria) and Bender;

e) organising and conducting the election information and education campaign for voters in the municipalities on the left bank of Nistru (Transnistria) and Bender.

5) Intelligence and Security Service:

a) ensuring security of actions relating to the manufacture of ballot papers, the printing and distribution of ballot papers, the clearance of the mould;

b) rejecting unauthorised access to technical means, including printing of ballot papers and other electoral documents;

c) within the existing competence and legal framework, ensuring the information security of connections within the State Automated Information System 'Elections', including the cybersecurity of the Central Electoral Commission's work on the organisation and conduct of elections;

d) within the existing competence and legal framework, informing the relevant electoral authorities and the working group about misconduct in the process of financing of election campaigns or the activity of initiative groups.

6) Ministry of Finance:

a) assisting electoral bodies in monitoring compliance with legislation on financing the work of initiative groups, financing election campaigns and delegating qualified staff to set up a working group for this purpose;

b) drafting and approving the Regulation on how to grant interest-free credits to electoral competitors for running the election campaign.

7) **National Bank of Moldova** — supervising free and equal access to banking services for electoral competitors, referendum participants and initiative groups;

8) **Licensed banks in the country** — ensuring free and equal access to banking services for electoral competitors, referendum participants and initiative groups;

9) **Agency for Public Property** — ensuring the functionality of state printing houses for the provision of ballot paper printing services.

10) Public Services Agency:

a) updating the data on citizens in the State Register of Population;

b) examining applications and documentation submitted by voters for home or temporary residence registration, in particular in the light of the grounds for applying for such registration, during the election period;

c) presenting, at the request of the Central Electoral Commission, information on population records and other data relevant to the proper organisation of polls;

d) issuing, at the request of citizens of the Republic of Moldova, within a reasonable time, but not later than on the election day, the identity documents necessary for voting.

11) **National Regulatory Agency for Electronic Communications and Information Technology** — overseeing the operation of mobile and fixed communications networks within the perimeter of the seat of the electoral constituency councils and the electoral bureaux of the polling stations.

12) **Information Technology and Cyber Security Service:**

a) securing connection within the information network, part of the State Automated Information System 'Elections';

b) ensuring cyber security of the information system at the premises of the Central Electoral Commission within the boundaries of the telecommunications system of public administration authorities.

13) **SOE 'Radio communications'** — ensuring uninterrupted broadcasting of national radio and television programmes reflecting elections and referenda in accordance with legislation;

14) **S.A. 'Moldtelecom':**

a) at the request of local public administration authorities, businesses, institutions and organisations, electoral officials — ensuring that fixed telephony and Internet networks are connected (networks are moved), as technically possible, at the electoral councils and electoral bureaux of polling stations, on a contractual basis;

b) ensuring the uninterrupted operation of fixed telephony networks, in particular at the offices of the electoral constituency councils and the electoral bureaux of the polling stations;

15) **Electricity distribution system operators** — ensuring the seats of electoral constituency councils and polling station electoral bureaux without interruption, according to the territorial areas of activity.

16) **Local public administration authorities:**

a) ensuring that provisions on the designation of those responsible for electoral rolls in local public administration authorities are updated;

b) ensuring that those designated for that purpose keep electoral rolls up to date;

c) adopting decisions on the establishment and guarantee of a minimum of special electoral display places and providing a minimum number of premises for meetings with voters, making them available, within the deadline laid down in the calendar schedule approved by decision of the Commission;

d) ensuring respect for the principle of equality between women and men in the process of nominating individuals to the electoral bodies;

e) within the limits of competence, ensuring access for people with disabilities to premises where polling stations are located;

f) ensuring access at local level to polling stations;

g) examining, jointly with representatives of the Technical Supervision Agency, the state of fire defence at the sites where polling stations will be located and meetings with voters will be held, ensuring compliance with the legal requirements for fire safety and civil protection.

(2) When organising and conducting elections, the Central Electoral Commission may decide to come up with additional responsibilities, according to the scope of its activities, for some central government authorities and local public administration authorities, as well as for some institutions or entities, regardless of the legal form of organisation. The Commission's decision to that effect shall be binding on all authorities of the central and local public administration, natural and legal persons, regardless of their field of activity and legal form.

Article 29. Central Electoral Commission apparatus

(1) The Central Electoral Commission shall be assisted by an apparatus, the structure and limits of which shall be approved by the Commission. The President of the Commission shall approve the organisation chart.

(2) The staff of the apparatus shall consist of civil servants, subject to the regulations of Law No 158/2008 on the civil service and the status of civil servants, and contract staff engaged in ancillary activities, subject to labour law regulations. The President of the Commission shall appoint or engage the staff of the apparatus in accordance with the law.

(3) The remuneration of permanent employees of the Central Electoral Commission shall be made in accordance with the relevant legislative framework, and for the electoral period, regardless of the type of election, they receive an allowance of 35 per cent of the average salary.

(4) In exceptional cases, with the consent of the employee, the duration of the working time may derogate from the extended limit laid down in Article 104 (5) of the Labour Code and Article 19 of Law No 158/2008 on the civil service and the status of public officials.

(5) During the electoral period, regardless of the type of election, the Central Electoral Commission may, where appropriate, by individual employment agreement, employ staff in the Commission's apparatus, relieving them of their duties at the permanent place of work.

Article 30. Financing of the Central Electoral Commission

(1) The Central Electoral Commission shall be financed from the State budget within the limits of the budgetary allocations approved by the annual budget law.

(2) The budget of the Central Electoral Commission shall be drawn up, approved and administered in accordance with the principles, rules and procedures laid down in Law No 181/2014 on Public Finance and Fiscal Responsibility.

(3) The President of the Central Electoral Commission shall organise and implement the internal management control system and bear responsibility for managing the budget of the institution and the public assets under management.

Article 31. Meetings and activities of the Central Electoral Commission

(1) Meetings of the Central Electoral Commission shall be convened by its President on his/her own initiative or at the request of two members of the Commission. If the members of the Commission request that the meeting be convened, the decision to convene the meeting shall be taken no later than 48 hours after the request is made.

(2) The meetings of the Central Electoral Commission shall be deliberative if attended by an absolute majority of its members.

(3) All meetings of the Central Electoral Commission shall be open to representatives of the media and to the public. Meetings shall be announced 24 hours before they are held, with the exception of meetings during the electoral period, when they must be announced within a shorter time as the problems require urgent consideration.

(4) The Central Electoral Commission shall ensure transparency of electoral procedures, allowing the media and the public to appreciate the work of the Commission.

Article 32. Administrative acts of the Central Electoral Commission

(1) The Central Electoral Commission shall take its decisions by the vote of the absolute majority of its members. Decisions amending, supplementing and repealing previous decisions shall be taken under the same conditions.

(2) Decisions of the Central Electoral Commission, taken within the limits of its competence, are administrative acts of individual or regulatory scope, enforceable for lower

electoral bodies, public authorities, companies, institutions and organisations, individuals holding responsibility positions, political parties and their bodies, and all citizens.

(3) By way of derogation from Article 31 (3), at the request of two members, decisions of the Central Electoral Commission may be taken in the deliberation chamber without the participants in the administrative procedure or other persons being present. The detailed procedure for adopting the decisions in the deliberation chamber shall be laid down in the rules of operation of the Central Electoral Commission.

(4) The decisions of the Central Electoral Commission shall take effect from the moment of their adoption or on the date indicated in the text of the decision.

(5) The decisions taken shall be signed by the President of the Central Electoral Commission and, in his/her absence, by the Secretary. In the absence of the President and the Secretary, the President of the meeting shall sign the decisions of the Central Electoral Commission.

(6) The decisions of the Central Electoral Commission shall be placed, within 24 hours of their adoption, on its website and decisions of a normative nature shall be published in the Official Gazette of the Republic of Moldova.

(7) The members of the Central Electoral Commission who do not agree with the decisions adopted shall have the right to express their separate opinion in writing within 24 hours of adoption, which shall be annexed to those decisions.

Article 33. Centre for Continuous Electoral Training

(1) The Centre for Continuous Training in electoral matters is a public institution founded by the Central Electoral Commission, which carries out training, education, research and information activities in the electoral field.

(2) Under the terms of the rules approved by the Central Electoral Commission, the Centre shall train and certify electoral officials and other categories of people concerned and/or trained in the electoral process.

(3) The Centre shall develop and implement electoral and civic education programmes for all categories of citizens.

(4) The Centre shall have legal personality, the seal with the image of the State coat of arms, its own heritage, administrative, scientific and teaching autonomy.

(5) The Centre shall be financed from the resources provided for separately in the budget of the Central Electoral Commission. Other sources of financing, not prohibited by law, are also accepted.

(6) The Centre's rules of operation shall be approved by the Central Electoral Commission.

(7) The remuneration of permanent employees of the Centre shall be carried out in accordance with the relevant legislative framework, and for the electoral period, regardless of the type of election, they shall receive an allowance of 35 per cent of the average salary.

(8) In exceptional cases, with the agreement of employees, the duration of working time may derogate from the extended limit laid down in Article 104 (5) of the Labour Code.

Section 2

Electoral constituencies and electoral constituency councils

Article 34. Setting up of electoral constituencies

(1) The Central Electoral Commission shall set up the permanent constituencies, which usually correspond to the borders of the second-level administrative units of the Republic of Moldova, the autonomous territorial unit of Gagauzia, the municipalities of

Chisinau and Balti. In similar circumstances, the Commission is a second-level electoral constituency for polling stations abroad and for localities on the left bank of Nistru (Transnistria).

(2) At least 55 days before the election day, the Central Electoral Commission shall make public the name and order number assigned to second-level constituencies.

(3) First-level electoral constituencies shall correspond, as a rule, to the boundaries of the first-level administrative-territorial units of the Republic of Moldova and shall be established under the conditions laid down in Title V and Chapter XV.

Article 35. Setting up of electoral constituency councils

(1) The Central Electoral Commission shall set up second-level constituency councils, which operate on a permanent basis, shall consist of an odd number of members of minimum 7 and maximum 11 persons.

(2) In the case of parliamentary, presidential, republican referenda and general local elections, the Central Electoral Commission shall confirm the nominal composition of the second-level electoral constituency council.

(3) In the composition of the second-level electoral constituency council, its chairperson, appointed by the Central Electoral Commission and subject to the regulations of Law No 158/2008 on the civil service and the status of the civil servant, shall be appointed on a permanent basis.

(4) The other members of the second-level electoral constituency council shall be appointed at least 55 days before election day, as follows:

a) two members shall be appointed by the district court in the jurisdiction of which the electoral council for the relevant constituency is located;

b) two members shall be appointed by the second-level local council, as appropriate, by the People's Assembly of Gagauzia, in the jurisdiction of which the electoral constituency council concerned is located;

c) one is appointed by each political party represented in Parliament.

(5) For the position of member of the electoral council of any level, individuals who have received training at the Electoral Training Centre and hold appropriate certificates of qualification valid at the date of confirmation shall be designated. Applications nominated by the district courts and local councils, where appropriate by the People's Assembly of Gagauzia, must have higher legal or public administration studies.

(6) In the case of local elections and referenda, first-level electoral constituency councils shall be set up by second-level constituency councils, and if necessary, by the Central Electoral Commission. Those electoral councils shall consist of an odd number of members of minimum 7 and maximum 11 persons at least 40 days before the day of the election.

(7) For the setting up of first-level electoral constituency councils, at least 45 days before election day, the nominations of 2 members shall be nominated by the first-level local council, and in the absence of such proposals, the remaining seats shall be filled in by the Central Electoral Commission from the number of persons included in the Register of Electoral Officials. The political parties represented in Parliament, one from each political party, shall make nominations of the other members. As far as possible, persons with higher legal or public administration qualifications shall be included in the composition of constituency councils.

(8) If the political parties do not appoint their nominations in the composition of the electoral constituency council in maximum 5 days before the expiry of the deadline for its setting up, the necessary number of nominations shall be completed by the local councils and, if necessary, by the People's Assembly of Gagauzia. If they fail to submit the nominations and if, after nomination or in the absence of nomination by all subjects of law, the number of

candidates is not sufficient or constitutes an even number, the remaining seats shall be filled in by the Central Electoral Commission from the number of persons included in the Register of Electoral Officials.

(9) Within 3 days of the date of confirmation of the nominal composition of the second-level electoral council, its members shall elect the Secretary of the Council from among them. Within the same time limit from its setting up, the members of the first-level electoral constituency council shall elect from among themselves the Chairperson and Secretary of the electoral council. The results of these elections shall be communicated immediately to the Central Electoral Commission and, where appropriate, to the relevant second-level electoral constituency council.

(10) During the electoral period, the electoral constituency council shall adopt its decisions by the vote of the absolute majority of its members.

(11) The specific features of the organisation and functioning of the electoral constituency council shall be laid down in its rules of operation, approved by decision of the Central Electoral Commission.

(12) For polling stations abroad, the Central Electoral Commission shall form a separate electoral council, based in the municipality of Chisinau, which shall ensure the organisation of electoral processes for polling stations established abroad.

(13) For the polling stations located on the left bank of Nistru (Transnistria), the Central Electoral Commission shall form a separate electoral council, based in the municipality of Chisinau, which will ensure the organisation of the electoral processes for the polling stations set up for the municipalities on the left of Nistru (Transnistria).

Article 36. Electoral constituency council apparatus

The electoral constituency council shall be assisted during the electoral period by an apparatus whose staff shall be approved by the Central Electoral Commission on a proposal from the electoral constituency council. In respect of their activity during the electoral period, officials of the electoral constituency council shall receive an allowance, calculated based on the average national salary for the previous year and paid out of the financial means allocated for the elections. The salary of officials of the electoral constituency council who are relieved of their duties at their permanent place of work in the budgetary institutions shall be retained at their permanent place of work.

Article 37. Powers of the electoral constituency council

(1) During the electoral period, the electoral constituency council shall have the following functions:

a) exercise control over the implementation of the provisions of this Code and of other legislative acts containing provisions on the conduct of elections;

b) set up, under the terms of this Code, first-level electoral constituencies and polling stations, first-level electoral constituency councils and electoral bureaux of polling stations, supervise their activity;

c) propose that duties at the permanent place of work be relieved and/or that the members of the second-level electoral constituency council be summoned and the organisation chart of its apparatus be approved;

d) decide to relieve members of first-level electoral councils and, as appropriate, electoral bureaux from duties at the permanent place of work during their work in the composition of such councils and bureaux;

e) distribute financial means to the electoral bureaux of the polling stations and, as appropriate, to the first-level electoral constituency councils, as well as ensure that they are

provided with the materials and forms of electoral documents necessary for the smooth organisation and conduct of the electoral process;

f) examine communications and complaints relating to the organisation and conduct of elections, submitted by local public administration authorities, businesses, institutions and organisations involved in the electoral process and, as appropriate, take action on those communicated or referred to;

g) decide on applications for registration of initiative groups, independent candidates and candidates/lists of candidates from political parties in local elections, and publicise information about them;

h) receive, examine and publish reports on the financing of election campaigns of independent candidates in local elections, as well as on the financing of the work of the initiative groups set up to collect signatures to support those candidates;

i) ensure public access to the declaration of assets and interests of electoral competitors registered in local elections, in accordance with the provisions of this Code;

j) examine applications and appeals on decisions and actions/inactions of the electoral bureaux of polling stations, as appropriate, to first-level electoral constituency councils;

k) examine applications and appeals on actions/inactions of registered electoral competitors and initiative groups, as well as on the financing of election campaigns of independent candidates in local elections;

l) collect and systematise information from the electoral bureaux of polling stations on the opening of polling stations, voter turnout, where applicable, the existence of incidents at polling stations, the totalisation of preliminary election results and hand it over to the Central Electoral Commission via the State Automated Information System 'Elections' or other means;

m) totalise the results of the constituency elections, submit the electoral documents and materials to the Central Electoral Commission, ensure that they are displayed on its premises and at the local public administration, in accordance with this Code and the instruction approved by the Commission to that effect;

n) decide to approve the report of the totalisation of the results of the local elections in the constituency concerned, confirm or invalidate their legality;

o) declare the elected candidates, award and validate, while confirming the legality of local elections, the mandates of elected mayors and local councillors, confirm the list of alternate candidates, and adopt decisions to that effect;

p) assist the hierarchically superior electoral bodies in carrying out supervisory and control tasks in relation to the financing of campaign and political parties;

q) carry out other actions relating to the organisation and conduct of elections.

(2) The chairperson of the second-level electoral constituency council shall carry out the following duties:

a) represent the council in relations with the Central Electoral Commission, other public authorities, companies, institutions, media, organisations, political parties, electoral competitors, and citizens;

b) ensure the preservation of assets received from the local public administration authority and the Central Electoral Commission, subject to material liability under the law;

c) be the authorising officer of the financial resources allocated to the council;

d) provides for the organisation of the work of the council within the limits of its competence;

e) conclude, on behalf of the council, contracts relating to the organisation and performance of permanent work in the constituency, as well as individual employment agreements, service agreements for the duration of the performance of permanent activities;

f) inform the members of the council, the voters and the subjects concerned of the implementation, within the limits of the competences established, of the decisions of the Central Electoral Commission and of other administrative acts relating to the application of electoral procedures;

g) participate in the procedures for updating the data and information contained in the State Registry of Voters, as well as in the procedures for checking and updating electoral rolls in the constituency concerned;

h) contribute, within established functional limits, to the performance by the Central Electoral Commission of tasks of oversight and control over compliance with legislation on the financing of political parties and election campaigns;

i) provide assistance in the organisation and conduct of electoral and civic education activities organised by the Central Electoral Commission and the Centre for Continuous Electoral Training;

j) assist in the training and certification of electoral subjects in the electoral constituency by the Centre for Continuous Electoral Training;

k) monitor the respect for the principle of equality between men and women by the subjects participating in the electoral process by checking documents, systematising and submitting statistical data in this regard;

l) exercise the other powers provided for in this Code, the Rules of Procedure of the electoral council, approved by the Commission, and other legislative acts in the field of elections.

Section 3

Polling stations and electoral bureaux of polling stations

Article 38. Setting up of polling stations and electoral bureaux of polling stations

(1) In order to carry out voting and vote counting, constituencies shall be divided into polling stations.

(2) Polling stations shall be set up by electoral constituency councils in localities, based on the proposals from the mayors of towns (municipalities) and villages (communes), at least 35 days before the date of elections, and shall comprise minimum 30 and maximum 3000 voters. At the proposal of the mayors of towns (municipalities) and villages (communes), the ceiling of 3000 voters may be exceeded by a maximum of 10 per cent. For elections at all levels and for republican referendums, polling stations shall be constituted within the same deadline. The premises of polling stations shall, as a rule, be established on the ground floor of publicly owned premises and shall be arranged in such a way as to facilitate access to them for elderly and disabled persons.

(3) Special polling stations may be set up in addition to hospitals, sanatoriums, maternities, nursing homes and retirement homes. These polling stations must include at least 30 voters.

(4) Persons serving military service shall vote at the polling station in the place where the military unit is located.

(5) In the case of new, partial local elections of the local referendum, where no second-level electoral constituency council is established, polling stations and their electoral bureaux shall be established by the first-level electoral constituency council.

(6) The electoral constituency council shall number the polling stations in the constituency and publicise information on the boundaries of each polling station, the address of the electoral bureaux of the polling stations, the address of the location for voting and the contact method for relations.

(7) Polling stations are numbered in alphabetical order, starting with the domicile of the electoral constituency council, then continuing with those in municipalities (sectors), towns, communes and villages.

(8) Town halls shall provide the electoral bureaux of the polling stations with the information and support necessary for the performance of their duties under this Code.

(9) Electoral bureaux of polling stations shall be set up by electoral constituency councils at least 25 days before the election day, from an odd number of members of minimum 5 and maximum 11 persons.

(10) The members of the electoral bureau of the polling station shall be appointed as follows:

- a) three applications shall be nominated by the local council;
- b) one is appointed by each political party represented in Parliament.

(11) If the political parties fail to submit their nominations in the composition of the electoral bureau of the polling station no later than 5 days before the expiry of the deadline for its establishment, the required number of nominations shall be filled in by the local council, and if the local council fails to submit the nominations, and if, after appointment or in the absence of appointment of nominations by all legal persons, their number is not sufficient or is an odd number, the remaining seats shall be filled in by the electoral constituency council, on a proposal from the Central Electoral Commission, from among the persons included in the Register of Electoral Officials.

(12) For the position of member of the electoral bureau of the polling station, only persons who have completed refresher training in the Electoral Training Centre and hold appropriate certificates of qualification valid on the date of confirmation shall be designated. As far as possible, the composition of electoral bureaux shall include persons with higher legal qualifications or in the field of public administration.

(13) Within 2 days of the date of setting up of the electoral bureau of the polling station, its members shall elect the secretary of the bureau from among themselves, communicating immediately the results of these elections to the electoral constituency council and publicly announcing the composition and seat of the electoral bureau, and how to contact them for relations.

(14) The electoral bureau of the polling station shall take decisions by a vote of an absolute majority of members.

(15) The specific features of the organisation and functioning of the electoral bureau of the polling station shall be laid down in its rules of activity, approved by decision of the Central Electoral Commission.

(16) For the purpose of securing and implementing electoral law, the Central Electoral Commission may set up polling stations and electoral bureaux of polling stations in other cases.

Article 39. Specificities of the establishment and functioning of polling stations abroad and the electoral bureaux of polling stations abroad

(1) All polling stations established abroad shall operate in accordance with the particularities laid down in this Code and shall be organised at least 35 days before the date of the election.

(2) In the case of parliamentary, presidential and republican referendum election, one or more polling stations may be organised in addition to the diplomatic missions and consular posts of the Republic of Moldova for voters who are abroad at the time of the election.

(3) In addition to the polling stations referred to in paragraph (2), with the agreement of the competent authorities of the countries concerned, polling stations may be organised in

one or more localities where, according to the data of the Ministry of Foreign Affairs and European Integration, at least 500 voters who are citizens of the Republic of Moldova are temporarily present or permanently residing abroad.

(4) The establishment of the polling stations referred to in paragraphs (2) and (3) shall be established by the Central Electoral Commission, with the prior opinion of the Ministry of Foreign Affairs and European Integration, which shall refer to the fulfilment of the condition aimed at obtaining the consent of the competent authorities of the country concerned, as well as to the possibility of ensuring the voting process from a technical and logistical point of view.

(5) The basic grounds for the establishment of polling stations is the dynamics of voter participation in polling stations abroad at the last 3 ballots, taking into account the pre-registration data of Moldovan citizens abroad and the information provided by the Ministry of Foreign Affairs and European Integration on the number and location of Moldovan citizens abroad (collected on the basis of consular records or other relevant data). The Central Electoral Commission shall approve the rules on the establishment of polling stations abroad and the rules on prior registration.

(6) The electoral bureaux of polling stations abroad shall consist of an odd number of members of minimum 5 and maximum 13 persons. The legal persons shall propose members of the electoral bureau of the polling station abroad as follows:

a) two members are proposed by the Ministry of Foreign Affairs and European Integration, who perform ex officio the functions of chairperson and secretary of the electoral bureau concerned;

b) the parties represented in Parliament shall each propose one member.

(7) If the political parties fail to submit their nominations in the composition of the electoral bureau no later than 5 days before the expiry of the deadline for its establishment, and if, after the appointment of nominations by all legal entities, their number is insufficient or the composition of the electoral bureau is an even number, the nominations shall be submitted by the electoral constituency council on a proposal from the Ministry of Foreign Affairs and European Integration, and if it fails to submit the nominations, the remaining seats shall be filled in by the Central Electoral Commission from among the persons included in the Register of Electoral Officials.

(8) The specific features of the organisation and functioning of the electoral bureaux of polling stations abroad shall be regulated by the Central Electoral Commission, in coordination with the Ministry of Foreign Affairs and European Integration.

Article 40. Particularities of the establishment and functioning of polling stations for voters on the left bank of Nistru (Transnistria) and the electoral bureaux of polling stations for the localities on the left bank of Nistru (Transnistria)

(1) In the case of parliamentary elections, presidential elections and republican referendums, for voters in the localities on the left bank of Nistru (Transnistria), the Central Electoral Commission, at least 35 days before the date of the election, may organise polling stations based in the territory of the Republic of Moldova under the constitutional jurisdiction of the central public authorities.

(2) When setting up these polling stations, the Central Electoral Commission shall take into account the data in the State Registry of Voters in relation to the dynamics of voter participation in the last 3 ballots, taking into account the information or proposals of the entities responsible for implementing the reintegration and security policy, which, when drawing up these proposals, will take into account the administrative-territorial organisation, the specificities of access and communication routes, and the provision of voters' access to the electoral process and to the electoral bodies concerned.

(3) The electoral body in charge shall set up separate polling stations for voters in the localities on the left bank of Nistru (Transnistria), which belong to the respective constituency established by the Central Electoral Commission under the approved rules. These polling stations shall report to the electoral council set up in accordance with the provisions of Article 35.

(4) When setting up the electoral bureaux of polling stations for voters in the localities on the left bank of Nistru (Transnistria), the provisions of Article 38 shall apply in the appropriate manner. The power to appoint the members to the electoral bureau of the polling station for the voters in the localities on the left bank of Nistru (Transnistria) is incumbent upon the local public administration body, which manages the administrative-territorial unit or the sector in which the seat of this section is located.

(5) The particularities of the organisation and functioning of the electoral bureaux of the polling stations for voters in the localities on the left bank of Nistru (Transnistria) shall be regulated by the Central Electoral Commission.

Article 41. Tasks of the electoral bureau of the polling station

During its period of activity, the electoral bureau of the polling station shall carry out the following tasks:

- a) receive and maintain electoral rolls, ensure their integrity and access to the data contained therein under the conditions laid down in this Code;
- b) examine requests in relation to errors in the electoral roll, make the necessary changes thereto and issue voting certificates to voters under the terms of this Code;
- c) draw up additional electoral rolls and lists relating to voting at the location in accordance with the conditions laid down in this Code and in the rules approved by the Central Electoral Commission;
- d) establish the number of ballot papers to be printed for the polling station in the country;
- e) ensure the reception, preservation and integrity of ballot papers, voting certificates and other (material) electoral documents necessary for the organisation of its work and the conduct of electoral procedures;
- f) appoint members to be relieved from duties at their permanent place of work or to be convened, propose to the electoral constituency council the staff for engaging/appointing the electoral bureau to the work apparatus;
- g) confirm the representatives of the electoral competitors (referendum participants) in the respective electoral bureau;
- h) display the lists of candidates at the election office;
- i) communicate to voters who have their domicile or temporary residence in the polling station's radius the date and place of voting, as well as the location of the polling station;
- j) ensure the preparation of the voting premises, the installation of ballot boxes and polling booths, the preservation and integrity of the electoral stamps and other necessary electoral equipment, in accordance with the procedure laid down by the committee;
- k) organise voting on the day set for the elections;
- l) take measures to ensure order in the polling station premises;
- m) compile the election results in the polling station, draw up minutes and reports and hand them over, together with other (material) electoral documents, to the electoral constituency council;
- n) systematise and report to the electoral constituency council information on the opening of the polling station, data on voter turnout, as well as data necessary for the

totalisation of preliminary election results, through the State Automated Information System 'Elections' and other means;

o) assist the hierarchically superior electoral bodies in carrying out supervisory and control tasks in the field of campaign financing;

p) exercise the other functions provided for in this Code and in the Rules governing the activity of the electoral bureaux of polling stations, approved by the Commission, as well as by other legislative acts in the field of elections.

Article 42. Incompatibilities and restrictions in the work of a member of the electoral council and bureau

(1) When performing his/her duties, the member of the electoral council or bureau shall:

a) not be entitled to engage in any other activity as a subject involved in the electoral process;

b) in the case of local elections, he or she may not be the spouse, affinity or first degree relative of the person who is a candidate in the electoral constituency in which the electoral body to which he/she is a member is located;

c) if he/she is a judge designated in the composition of the electoral council, he/she may not examine electoral disputes in that constituency from the date on which the council was set up;

d) not make statements or agitations in favour of, or at the expense of, electoral competitors, referendum participants or initiative groups, as well as to express an option in the referendum;

e) not support financially or otherwise, directly or indirectly, any electoral competitor, referendum participant or group of initiatives.

(2) Failure to comply with the incompatibilities and restrictions laid down in paragraph (1) shall serve as a basis for the legal entity to remove the member and replace him/her by another member or apply other sanctions laid down in Article 102 (6).

Article 43. Change in the composition of electoral councils and bureaux

(1) Membership of the electoral council or bureau shall cease:

a) upon request;

b) by revocation;

c) in the event of death.

(2) The member of the electoral council or electoral bureau shall be revoked by the entity appointing him/her for violation of the restrictions laid down in Article 42, including for the violation of electoral rights of voters, unmotivated absence at 2 meetings of the electoral body in a row, or refusal to implement the decisions of the electoral body to which he/she belongs, as found by decision of the electoral body to which he/she belongs. If the decision has been challenged, the revocation shall take place after confirmation by the hierarchically superior electoral body.

(3) If the member of the electoral council or of the electoral bureau is in breach of the provisions of this Code and of other legislative acts in the electoral field, the Central Electoral Commission, as the case may be, may impose on him/her the penalties provided for in Article 102 (6).

(4) If a member resigns or is removed from the electoral council or bureau, another member may be appointed or may be proposed as per this Code. The composition may be changed no later than 5 days before the elections.

Section 4.
Organisation of the work of electoral councils and bureaux.
Their dissolution

Article 44. Supporting and providing technical and material support to the work of electoral councils and bureaux

(1) Public authorities, businesses, institutions and organisations, regardless of their legal form of organisation, official persons, political parties and their bodies shall be required to support electoral councils and bureaux in the performance of their duties, to provide them with the information and material necessary for their work. Support from public authorities and their exponents shall be granted only upon request and cannot be manifested in actions manifestly disproportionate to existing needs.

(2) Local public administration authorities, businesses, institutions and organisations, regardless of their legal form of organisation, shall provide electoral councils and bureaux with premises suitable for their activities, as well as the technical and material and logistical equipment necessary for the organisation, conduct and totalisation of election results.

(3) Outside the electoral period, local public administration authorities shall provide the Chairperson of the second-level electoral council with a seat for his/her permanent activity.

(4) The entities referred to in Article 28 shall, within the limits of their functional competences and additional responsibilities, provide the necessary support to electoral councils and bureaux in the process of organising and conducting elections.

(5) The electoral council and the electoral bureau may refer matters relating to the organisation and conduct of elections to public authorities, companies, institutions, organisations, whatever their legal form of organisation, official persons, political parties and their bodies, the latter being obliged to examine the referral and to respond within 3 days of the date of receipt of the referral, but no later than the election day.

(6) Failure to comply with the provisions of paragraphs (1) to (4) shall serve as a basis for referring the matter to the inspection bodies under the conditions laid down in Article 104.

(7) The chairpersons of electoral councils and bureaux shall be required to ensure the preservation and return of property received from the Central Electoral Commission, local public administration authorities or other entities, bearing material liability for the damage caused.

Article 45. Relieving of duties at the permanent place of work or summoning electoral officials. Method of remuneration and guarantees for electoral officials

(1) The Central Electoral Commission shall determine by decision the number of members of electoral bodies and officials of their work apparatus who may be relieved of duties at the permanent place of work or summoned and the deadline for such reliefs/summonses.

(2) The electoral constituency council shall, as a rule, at its first establishment meeting, adopt a decision appointing members relieved from duties at the permanent place of work and/or summoned within the deadlines set by the Central Electoral Commission in accordance with paragraph (1). This shall also contain the proposal for approval of the organisation chart of the council's apparatus. This decision shall be forwarded immediately to the electoral body establishing the electoral council concerned, but no later than 3 days after its establishment.

(3) The electoral bureau of the polling station at the first meeting, shall, as a rule, adopt a decision appointing members relieved from duties at the permanent place of work or convened within the deadlines set by the Central Electoral Commission in accordance with paragraph (1). It shall forward it immediately, but no later than 3 days after the establishment

of that bureau, to the electoral constituency council, which shall decide, within its remit, on the relieving/summoning of members of the electoral bureaux.

(4) The relieving/summoning and approval of the organisation chart shall be carried out by the electoral body establishing the council and/or the electoral bureau concerned.

(5) In respect of their activity during the electoral period, relieved persons from budgetary institutions or units other than budgetary institutions and units summoned shall receive an allowance, calculated based on the average national salary for the preceding year and paid out of the financial means allocated for the elections.

(6) The salary of members of electoral bodies and officials of the electoral constituency council who are relieved of their duties at the permanent place of work in the budgetary institutions shall be retained at their permanent place of work.

(7) Civil servants who are members of electoral bodies and officials of their work apparatus, who are relieved of duties at their permanent place of work for the electoral period, shall retain their status of civil servant.

(8) For their work during the electoral period, including in the election day, unrelieved and unsummoned members of electoral bodies, as well as officials of electoral bureaux apparatus, shall be set an allowance for 20 per cent of the average national salary for the previous year, paid out of the financial means allocated for the elections.

(9) The electoral constituency council shall be assisted by a work apparatus whose organisation chart shall be approved by the Central Electoral Commission on a proposal from the electoral constituency council. The organisation chart of the apparatus shall include accounting units (including an accounting officer), specialists (consultants, operators) and other technical staff. In respect of their activity during the electoral period, officials of the electoral constituency council shall receive an allowance, calculated according to the average national salary for the previous year and paid out of the financial means allocated for the elections.

(10) Depending on the type of election organised, the electoral bureau shall be assisted by a work apparatus made up of operators of the State Automated Information System 'Elections' and other technical staff. The electoral council shall adopt a decision appointing, on a proposal from the electoral bureau, and determining the period of service of staff employed in the work apparatus assisting the electoral bureau.

(11) The basis for payment of the allowance in accordance with the conditions laid down in paragraphs (5), (8) to (10) shall be the decisions on the establishment and modification of the composition of the electoral bodies and on the relieves/summonses of electoral officials.

(12) Where two ballots are being held simultaneously and in the cases laid down in Articles 8 (2) and 158, electoral officials shall be entitled to an increase of 5% to 10% of the allowance laid down in accordance with paragraphs (5), (8) to (10).

(13) Where necessary, individual employment or service agreements may be concluded for the period of performance of specified activities. Expenditure shall be made from the means allocated for elections/referenda.

(14) Under the conditions of the tax legislation, the allowance paid to unrelieved or unsummoned electoral civil servants, in respect of work carried out in electoral bodies, shall qualify as a source of non-taxable income.

(15) Members of electoral bodies and officials of their work apparatus shall, as a rule, enjoy one day off immediately after the election day, granted under the conditions laid down in the Labour Code.

Article 46. Dissolution of electoral councils and bureaux

Electoral councils and bureaux, established under the terms of this Code, shall cease their activities and shall be deemed automatically dissolved on the date of confirmation of the results of the election and validation of mandates by the competent authority, but not earlier than the resolution of all appeals lodged during the electoral period.

Chapter IV**PROVISION OF MATERIAL SUPPORT FOR THE CONDUCT OF THE ELECTIONS. RESPONSIBILITIES FOR THE MANAGEMENT OF THE FINANCIAL MEANS ALLOCATED FOR ELECTIONS OR REFERENDA AND FINANCIAL REPORTING****Article 47.** Providing the necessary means for the conduct of elections

(1) Expenditure for preparing and conducting elections or referenda shall be borne from the State budget.

(2) Expenditure for preparing and conducting elections or referenda shall be an integral part of the budget of the Central Electoral Commission.

(3) The Central Electoral Commission shall estimate the costs of organising and conducting elections or referenda and approve by decision the expenditure estimate. The expenditure estimate shall comprise separately the expenditure on the activities of the Central Electoral Commission, on the activity of the Centre for Continuous Electoral Training and on the activity of the electoral constituency councils, including the expenditure provided for in paragraphs (4) and (5), depending on the type of election organised.

(4) The Centre for Continuing Training in Electoral Matters shall estimate the training expenditure during the electoral period and submit them to the Commission for approval in accordance with paragraph (3).

(5) The electoral constituency councils shall be financed from the State budget account within the limit set by the Central Electoral Commission. The method of distribution and use of the financial resources allocated shall be determined by the Central Electoral Commission according to the expenditure estimate approved for each electoral constituency council.

(6) For polling stations established abroad, as well as for voters in the municipalities on the left bank of Nistru (Transnistria), expenditure shall be estimated in advance by the Government and the Central Electoral Commission, and if they are not sufficient or are not foreseen in the budget allocated for elections or referendum, the financial means shall be allocated from the reserve fund of the Government.

(7) The decision approving the expenditure estimate shall be delivered to the competent authorities within a short time after being adopted in order to provide the financial means necessary for the organisation and conduct of the elections.

(8) Unused financial means for the organisation and conduct of elections shall be returned to the State budget.

Article 48. Responsibilities for managing the financial means allocated for elections and referenda

(1) The electoral bodies shall bear responsibility for the efficient use of the financial means allocated for elections or referenda as intended and within the approved budgetary limits, as well as for ensuring budgetary and financial discipline in accordance with the regulatory framework on accounting and financial reporting.

(2) The particularities of the accounting of expenditure for the organisation and conduct of elections or referenda, including the responsibilities of chairpersons of electoral

constituency councils regarding accounting and financial reporting on the management of the financial means allocated, shall be laid down in an instruction approved by the Central Electoral Commission.

(3) The President of the Central Electoral Commission shall organise and implement the system for financial management and internal control and hold managerial responsibility for administering the financial means allocated for elections or referenda.

(4) The director of the Centre for Continuous Electoral Training shall have the financial means allocated to training, education and information activities during the electoral period and shall be responsible for their efficient management.

(5) The chairperson of the electoral constituency council shall be the authorising officer of the financial resources allocated to that council, who shall be responsible for the efficient management of the financial means allocated to the elections.

(6) The breach of budgetary and financial discipline and responsibilities related to the management of the financial means allocated to the elections shall entail legal liability in accordance with the law.

Article 49. How to report expenditure for the conduct of elections and referenda

(1) Once the electoral period is completed, but no later than 45 days after the confirmation of the election results, the electoral constituency councils shall submit the financial report on the management of the financial means allocated to the Central Electoral Commission. The financial report shall be signed by the chairperson of the second-level or as the case may be, the first-level electoral constituency council, and by the accounting officer of that electoral council.

(2) The Central Election Commission shall report to Parliament on the management of the financial resources allocated for the elections.

(3) In accordance with paragraph (2), the report on the management of the financial resources allocated for elections shall be submitted to Parliament no later than 30 days after the approval of the audit report by the Court of Auditors.

Chapter V
FINANCING OF THE ACTIVITY OF INITIATIVE GROUPS
AND FINANCING OF ELECTION CAMPAIGNS

Article 50. Principles for financing the activity of initiative groups, electoral competitors and referendum participants

Financing as well as material support in whatever form of the activity of initiative groups, election campaigns of electoral competitors and referendum participants shall be carried out in accordance with the following principles:

a) Legality by complying with the provisions of this Code and the related legal framework and proportionality, applied in individual situations;

b) Equal opportunities, including in terms of gender dimension and respect for equality for people with special needs, where appropriate;

c) Transparency of revenue and expenditure, by presenting and publishing reports on the financing of election campaigns and initiative groups in a fair and objective manner by electoral competitors, initiative groups, independent candidates and referendum participants;

d) Independence of initiative groups, independent candidates, electoral competitors and referendum participants from donors;

e) Integrity of the election campaign.

Article 51. State material support for election campaigns

(1) State material support for election campaigns shall be provided in the form of subsidies from the State budget to political parties in line with Law No 294/2007 on political parties, free airtime, interest-free credits and other forms provided for by law.

(2) In any type of election, with the exception of referendums, the Central Electoral Commission shall determine by decision the amount of the interest-free credit that may be granted to electoral competitors.

(3) In the case of parliamentary and local elections, the amount of interest-free credits shall be established for political parties, electoral blocks and separately for independent candidates, irrespective of the number of registered candidates and/or eligible positions for which they stand. In the case of presidential elections, the amount of the interest-free credit shall be set in a single size for all electoral competitors.

(4) The regulation on how to grant and repay interest-free loans to electoral competitors to run the election campaign shall be approved by the Ministry of Finance.

(5) Credits from the State budget shall be received only through a financial agent appointed for that purpose by the electoral competitor. The agent may be a natural person or a legal person registered with the Ministry of Finance, who shares joint and several liability with the electoral competitor appointing him/her. The application for credit shall be submitted to the Ministry of Finance.

(6) The credits received from the State are partially extinguished by the State, depending on the total number of valid votes cast for the electoral competitor in the constituency concerned. The amount of money, determined by dividing the amount of the loan by the number of voters who took part in the vote, then by multiplying the highest valid result of the votes cast for the electoral competitor concerned, shall be extinguished from the State budget.

(7) An electoral competitor who has withdrawn his/her candidacy shall be obliged to repay the credit allocated from the State budget for the conduct of election campaign within 2 months of the withdrawal of his/her candidacy.

(8) Political parties, electoral blocks and independent candidates shall repay the credits without interest in the amount determined in accordance with paragraph (7) within 3 months from the date of the elections.

(9) The provisions of paragraphs (2) to (8) shall not apply to initiative groups and participants in a referendum.

(10) Political parties that have set up initiative groups and/or nominated candidates for elections, benefiting from subsidies from the State budget, shall have the right to transfer maximum 50% of the amounts allocated from the State budget, existing in the account of the political party at the beginning of the electoral period to bank accounts with the words 'Electoral Fund'/'For the initiative group', respecting the overall national ceiling of the financial means that can be transferred for each type of election.

Article 52. Compensation for expenditure relating to the organisation and conduct of elections

(1) If circumstances leading to the termination of the term of office of President of the Republic of Moldova or mayor before the expiry of 12 months from the date of adoption of the decision validating the mandate occur, the electoral competitor nominating the candidate elected for the position of President of the Republic of Moldova or the candidate elected for the position of mayor shall offset the costs incurred by the State budget in connection with the organisation and conduct of the elections.

(2) The provisions of this Article shall not apply to reasoned requests for resignation invoking:

a) detection, according to the medical certificate, of contraindications which do not allow the performance of duties for a term of more than 2 months in the case of the President of the Republic of Moldova, or of more than 5 months in the case of the mayor;

b) establishment of the degree of disability for a specified period of more than 2 months in the case of the President of the Republic of Moldova or more than 5 months in the case of the mayor;

c) other objective circumstances.

(3) The mechanism and the amount of the financial means to be compensated under the terms of this Article shall be determined by decision of the Central Electoral Commission.

(4) Expenditure in connection with the organisation and conduct of elections shall be compensated by the candidate elected as President of the Republic of Moldova or as mayor. If political parties or electoral blocks have nominated the elected candidates, they shall compensate the expenses. In the case of political parties receiving allocations from the State budget, the amount of expenditure determined shall be deducted from the amount of allowances pursuant to the decision of the Central Electoral Commission.

Article 53. Overall ceiling on the financial means that can be transferred to the 'Electoral Fund'/'For the initiative group'

(1) The overall national ceiling of the financial means that can be transferred to the 'Electoral Fund' or 'For the initiative group' constitutes 0.1 % of the revenue provided for in the State Budget Law for that year.

(2) In any type of election or referendum, the overall ceiling of the means that can be transferred to the 'Electoral Fund'/'For the initiative group' shall be determined by decision of the Central Electoral Commission.

(3) When determining the overall ceiling of the means that may be transferred to the 'Electoral Fund'/'For the initiative group', the Central Electoral Commission shall determine the coefficient according to the formula: the overall ceiling for financial means per country calculated in accordance with paragraph (1) shall be divided by the total number of voters in the country determined on the date of adoption of the decision referred to in paragraph (2).

(4) The overall ceiling of the means which may be transferred to the 'Electoral Fund' of the electoral competitor/referendum participant shall be set by the Central Electoral Commission by multiplying the coefficient established in accordance with paragraph (3) by the total number of voters in the country. The Central Electoral Commission shall determine the maximum ceiling for each electoral constituency by multiplying the coefficient laid down in paragraph (3) by the number of voters in the respective constituency. The data on the number of voters shall be those fixed on the date of adoption of the Commission's decision under paragraph (2).

(5) The overall ceiling of the financial means which may be transferred 'For the initiative group' shall be set by the Central Electoral Commission by multiplying the coefficient laid down in paragraph (3) to the maximum number of signatures required to be collected by the initiative group in order to support a candidate for an elected position or to initiate a referendum.

Article 54. Conditions and way of providing financial support for the work of initiative groups and election campaigns

(1) The following sources may be used to finance the work of initiative groups and election campaigns:

a) own financial means accumulated in the accounts of the political party at the start of the electoral period (levies, donations, subsidies, and other statutory income);

b) donations;

c) interest-free State loans.

(2) The financing of initiative groups and election campaigns of electoral competitors or referendum participants by natural or legal persons shall be subject to the conditions laid down in this chapter and the regulations on the financing of initiative groups and election campaigns, approved by the Central Electoral Commission.

(3) The responsibility for compliance with the conditions and way of providing financial support for the work of initiative groups or election campaigns, for recordkeeping of contributions and expenditure made, including the timely preparation and submission of reports on the financing of the activity of initiative groups and reports on campaign financing, in accordance with the conditions laid down in this chapter and the relevant legislative acts, shall be incumbent upon:

a) leaders of political parties, as the case may be, other persons designated according to their constituent acts — if they nominate candidates in elections, set up initiative groups or register as referendum participants;

b) persons with the power of representation/governing bodies of electoral blocks, designated according to their constituent agreements — if they nominate candidates in elections, set up initiative groups or register as referendum participants;

c) candidates for the position of President of the Republic of Moldova;

d) independent candidates;

e) leaders of initiative groups who nominate and/or support candidates in elections or launching a referendum;

f) persons responsible for the finances (treasuries) of initiative groups, electoral competitors or referendum participants, confirmed under the conditions of Article 55.

(4) For infringements of the provisions of this Code and other legislative acts in the field of financing of the activity of initiative groups and election campaigns, the subjects referred to in paragraph (3) may be subject to legal liability, including criminal or administrative liability in accordance with the law.

(5) The financing or material support in any form of the activity of initiative groups, election campaigns of electoral competitors or referendum participants shall be prohibited by:

a) citizens of the Republic of Moldova under the age of 18 and citizens in respect of whom a guardianship measure has been established;

b) natural persons who are not citizens of the Republic of Moldova;

c) anonymous persons or on behalf of third parties;

d) legal persons which, in the three years preceding the start of the electoral period, have concluded public works, supply or service agreements within the meaning of Law No 131/2015 on public procurement or which have received State aid within the meaning of Law No 139/2012 on State aid;

e) non-commercial and trade union organisations, associations or foundations of the Republic of Moldova or abroad, charitable or religious organisations;

f) public authorities financed from the public budget, public authorities/institutions as self-financing bodies, state enterprises and joint stock companies, the founders of which are central and local public authorities, state or municipal undertakings, in accordance with Law No nr.246/2017, or other legal persons financed from the public budget or having State capital, except where the provision of services or material support is expressly provided for by law;

g) foreign legal persons, including foreign or joint ventures;

h) other states or international organisations, including international political organisations.

(6) Electoral competitors, referendum participants and initiative groups shall not be entitled to:

a) offer to voters/supporters money, goods, including foodstuffs, alcoholic beverages and tobacco products, provide services or other benefits, including from humanitarian aid or other charitable actions, to determine the voter/supporter to exercise or not to exercise his/her electoral rights in elections/referenda;

b) use for private purposes the financial means entered in the 'Electoral Fund'/'For the initiative group' account;

c) use financial means other than from the account 'Electoral Fund'/'For the initiative group';

d) use undeclared financial and material funds or excess expenditure over the overall ceiling laid down in Article 53;

e) use administrative resources, with the exception of Article 70 (6);

f) receive financial means into the 'Electoral Fund' account later than the day before election day.

(7) The amounts received under paragraphs (5) and (6) shall be paid to the state budget, under a decision of the Central Electoral Commission. The Commission with the opinion of the Ministry of Finance shall approve the assessment methodology.

(8) The materials and objects of electoral or campaign agitation referred to in Article 181 (3) of the Criminal Code do not fall within the category of property referred to in paragraph (6) (a).

(9) Within 5 days of the start of the electoral period, media service providers, who have submitted statements to reflect the elections, must publish the conditions under which they offer advertising space (including price/minute) and other services related to electoral competitors, referendum participants or initiative groups, informing the Central Electoral Commission and the Audiovisual Council. The Central Electoral Commission shall publish this information on its official page. During the electoral period, media service providers are obliged to provide the Central Electoral Commission with weekly information on the political/electoral advertising revenues of each political party/electoral block/electoral competitor.

(10) Within 5 days of the start of the electoral period, advertisers (legal persons), which are holders of private billboards, are obliged to publish the conditions under which they offer advertising space and other services related to electoral competitors, referendum participants or initiative groups, informing the Central Electoral Commission. The Central Electoral Commission shall publish this information on its official page. During the electoral period, advertisers (legal persons), holders of private billboards, are obliged to provide the Central Electoral Commission with weekly information on the revenue from political/electoral advertising of each political party/electoral block/electoral competitor.

(11) Public authorities and institutions are required to provide support to the Central Electoral Commission and electoral constituency councils in their oversight and enforcement of legislation on the financing of initiative groups and election campaigns of electoral competitors/referendum participants.

Article 55. Person in charge of finances (Treasurer)

(1) The electoral competitor, referendum participant or initiative group shall designate and submit for confirmation a person responsible for its finances (treasurer) as follows:

a) Central Electoral Commission — for initiative groups and electoral competitors in parliamentary and presidential elections, for political parties and electoral blocks nominating candidates for local elections and for participants in referenda of all levels;

b) electoral constituency council — for initiative groups and independent candidates in local elections.

(2) The request for confirmation of the Treasurer may be submitted to the electoral body when the set of documents relating to the registration as an electoral competitor, a referendum participant or an initiative group is submitted or after registration in that capacity.

(3) In order to be confirmed by the electoral body as treasurer, the designated person must have specialised economic, accountancy studies and do not hold public office functions.

(4) The electoral competitor, referendum participant or initiative group shall have the right to appoint as treasurer a person responsible for its finances, under a contract submitted for confirmation to the electoral body, in accordance with paragraph (1).

(5) The status of treasurer is incompatible with any other status of subject involved in the electoral process. In a ballot, several initiative groups or electoral competitors/referendum participants may not designate the same person as treasurer, regardless of the level of the constituency in which they stand, unless the political parties constitute an electoral bloc.

Article 56. Regime of bank accounts marked 'Electoral Fund'/'For the initiative group'

(1) The electoral competitor, the referendum participant or the initiative group shall, within 3 days after registration, open an account with the bank marked 'Electoral Fund'/'For the initiative group', transferring to it its own financial means as well as other financial means received in accordance with the law from natural persons who are citizens of the Republic of Moldova or legal persons of the country.

(2) Banks shall open an account marked 'Electoral Fund'/'For the initiative group' after registration of the electoral competitor, referendum participant or initiative group, but no later than 3 days after the submission of the application at the bank. The opening and closing of those accounts shall be free of charge.

(3) In the case of political parties and electoral blocks, the account marked 'Electoral Fund'/'For the initiative group' may also be opened before the registration of the electoral competitor, referendum participant or group of initiative, but the proceeds, transfers and expenses of the money from this account shall only be made after the registration of the electoral competitor, referendum participant or initiative group.

(4) Within 24 hours of the opening of the account marked 'Electoral Fund'/'For the initiative group', the electoral competitor, the referendum participant or the initiative group shall inform the Central Electoral Commission or, where appropriate, the electoral constituency council in writing and communicate the relevant bank details.

(5) Within 3 days of registration, the electoral competitor, the referendum participant or the initiative group which does not open an account with the bank marked 'Electoral Fund'/'For the initiative group' shall inform the Central Electoral Commission in writing, or as the case may be the electoral constituency council, and shall only carry out campaign or electoral promotion activities that do not entail any financial expenses.

(6) Political parties and electoral blocks which have nominated candidates in local elections shall open a single bank account marked 'Electoral Fund' and propose for confirmation to the Central Electoral Commission a person responsible for finance (treasurer) in accordance with Article 55. All financial means related to the financing of the election campaign of registered candidates from electoral parties and blocks shall be managed through this account.

(7) If more than one type of election is organised on the same day, electoral competitors shall open separate accounts for each type of election.

(8) All expenditure on the activity of initiative groups and election campaigns shall be made from the means on the account marked 'Electoral Fund'/'For the initiative group'.

(9) The financial means from the 'Electoral Fund'/'For the initiative group' account may be used only after they have been declared to the Central Electoral Commission and, in the case of independent candidates in local elections, to the electoral constituency council;

(10) Cash collection and/or transfer of cash to/from the 'Electoral Fund'/'For the initiative group' account shall be carried out exclusively in national currency.

(11) The bank in which accounts are opened marked 'Electoral Fund'/'For the initiative group' shall inform the Central Electoral Commission, or as the case may be the electoral constituency council, of the cash movements and the balance on the respective bank accounts on a daily basis. The manner in which the information referred to in this paragraph is to be presented shall be determined by the Central Electoral Commission and shall be presented at the request of the Commission or, where appropriate, at the request of the electoral constituency council. The bank shall also submit the documents relating to the operations in those bank accounts.

(12) Immediately after the expiry of the deadline for collecting signatures or the completion of the signature collection process, the initiative group shall inform the bank of this fact with a view to suspending operations in the account 'For the initiative group' and shall take action to close this account in accordance with the banks' internal procedures.

(13) In the case of electoral competitors and referendum participants, the last payments from the 'Electoral Fund' account shall be made on Monday following the day of the vote. On Tuesday, banks shall suspend operations in the bank account 'Electoral Fund' and shall take action to close down or suspend the account, in accordance with the banks' internal procedures.

(14) Cash collection and/or transfer of cash to the 'Electoral Fund'/'For the initiative group' account after submission of the final report in accordance with Article 58 shall be prohibited.

(15) After submission and examination of final reports, the electoral competitor, the referendum participant or the initiative group shall be required to transfer the balance from the 'Electoral Fund'/'For the initiative group' account into the State budget and to take action to suspend or close down the account in accordance with the banks' internal procedures, with the following exceptions:

a) in the case of initiative groups set up by political parties, the balance in the 'For the initiative group' account may be transferred to the political party's bank account or to the 'Electoral Fund' account, immediately informing the committee thereof. The balance may also be transferred, on written request, within 3 days of the expiry of the time limit laid down in paragraph (12), to the branch of the bank where the account 'For the initiative group' has been opened;

b) in the case of initiative groups set up by citizens to support candidates in elections, the balance in 'For the initiative group' account may be transferred to the 'Electoral Fund' account of the candidate supported and registered as an electoral competitor, immediately informing the committee of this fact or, where appropriate, the electoral constituency council. The balance may also be transferred, on written request, within 3 days of the expiry of the time limit laid down in paragraph (12), to the branch of the bank where 'For the initiative group' account has been opened;

c) in the case of political parties, the balance on the 'Electoral Fund' account may be transferred to their bank account and immediately communicated to the committee. The

balance may also be transferred, on written request, within 3 days of the expiry of the time limit laid down in paragraph (13), to the branch of the bank where the 'Electoral Fund' account has been opened;

d) the provisions of subparagraphs (a) and (c) shall also apply accordingly to the electoral blocks provided the procedure to that effect is laid down in the agreements establishing the electoral blocks.

(16) In the event of non-compliance with the provisions of paragraph (15), the Central Electoral Commission, or as the case may be, the electoral constituency council, within 3 days after the expiry of the period referred to in paragraph (15) (a) to (c), may order to close the account marked 'Electoral Fund'/'For the initiative group' of the electoral competitor, the referendum participant or the initiative group, and to oblige the bank to transfer the balance from the 'Electoral Fund'/'For the initiative group' account to the State budget, after all fees have been charged.

(17) Once the decision of the Central Electoral Commission on the establishment of the second ballot or the repeated vote is adopted, the suspension of operations in the Electoral Fund account shall be cancelled by the banking institution under the request of the electoral competitor.

Article 57. Regime of donations

(1) Donations to initiative groups, electoral competitors or referendum participants may consist of:

a) cash donations from employee, entrepreneur, scientific or creative work carried out by citizens of the Republic of Moldova from scholarships, pensions, social benefits or other statutory income, excluding social assistance.

b) donations in the form of property, goods, merchandise, objects, works or services free of charge or on terms more favourable than commercial or market value. These donations shall be reflected in their market value and shall not exceed the limits of the donations provided for in paragraph (4).

(2) Initiative groups, electoral competitors and referendum participants, including political parties that have nominated candidates for elections or set up initiative groups, shall only be entitled to accept donations in money directly to the 'Electoral Fund'/'For the initiative group' account.

(3) Political parties that have formed groups of initiative and/or nominated candidates in the elections shall be entitled to accept donations exclusively to 'Electoral Fund'/'For the initiative group' account, in accordance with the rules laid down in this Code. The political party may transfer to 'Electoral Fund'/'For the initiative group' account its own financial means held in its account on the date on which the election campaign or signature collection period begins, subject to the submission of the financial report to the Central Electoral Commission indicating the dates referred to in Article 58 (1).

(4) Contributions in the form of donations may be made by natural and legal persons, subject to the restrictions laid down in Article 54 (5), as follows:

1) Natural persons who are citizens of the Republic of Moldova:

a) shall be entitled to donate during the period of activity of the initiative groups and during election campaigns up to 6 average monthly salaries set for that year, and this ceiling may not exceed 30% of their annual income for the previous calendar year;

b) if they hold the status of public persons, civil servants, including special status, or employees of public organisations within the meaning of Law No 133/2016 on the declaration of assets and personal interests, they may donate maximum 10% of their annual income, not exceeding 6 average monthly salaries determined for that year;

c) where the donor enjoys only scholarships or other social benefits, the donation ceiling may not exceed an average monthly salary for the year in question;

d) donations may be made, in the course of a budget year, to one or more initiative groups, electoral competitors or referendum participants up to the ceilings laid down in subparagraphs (a) to (c);

e) may donate cash of up to an average national salary set for that year. Cash donations may be used only after they have been deposited in the 'Electoral Fund'/'For the initiative group' account. The Central Electoral Commission shall determine the procedure for collecting and depositing cash donations;

f) may donate more than the limit laid down in point (e) exclusively by means of banking operations. Donations carried out through banking transactions can be made via bank card accounts opened in banks in the country or abroad and/or by transfer (bank transfer) to 'Electoral Fund'/'For the initiative group' account.

2) Legal persons:

a) shall have the right to donate to the bank account 'For the initiative group' and 'Electoral Fund' cumulatively up to 12 average monthly salaries set for that year;

b) may donate cash to the 'Electoral Fund'/'For the initiative group' account only by transfer, together with a declaration on honour that there are no restrictions provided for in Article 54 (5) (d), (f) and (g);

c) shall present the information issued by the State Tax Service confirming the absence of debts to the State budgets.

(5) Donations made in excess of the fixed ceilings, as well as the amounts received in breach of paragraph (4), point 2, shall be paid to the State budget, based on the decision of the Central Electoral Commission.

(6) The specific features of contributions in the form of donations, the conditions and the manner in which they are recorded, and the procedure for reporting them, shall be laid down in regulations approved by the Central Electoral Commission.

Article 58. Reports on financing the work of initiative groups and election campaigns

(1) Political parties and electoral blocks nominating candidates, electoral competitors, referendum participants and initiative groups, whose campaign or signature collection involves financial and material resources, shall submit reports containing information on accrued income and expenditure (including full name and surname of the donor, personal identification number (IDNP), residence, day, month and year of birth, place of work, position held (occupation/type of activity), party membership, income or donor financing sources, state identification number (IDNO) and name of the legal person), with copies of the primary documents attached, in accordance with patterns and procedure approved by the Central Electoral Commission. The Central Electoral Commission shall approve the template of reports regarding the financing of work of initiative groups and election campaigns.

(2) All services and actions referred to in paragraph (1), provided free of charge by natural and legal persons, as well as all volunteering activities during the signature collection period and during the election campaign of the candidate, electoral competitor or referendum participant, shall be evaluated by them and must be indicated in the financial report in accordance with the procedure laid down in the regulations approved by the Central Electoral Commission.

(3) In the case of parliamentary, presidential and local elections, as well as referenda of whatever type, political parties and electoral blocks nominating candidates for elections, referendum participants, initiative groups, candidates for the office of President of the Republic of Moldova and independent candidates, with the exception of those referred to in paragraph

(4), shall submit to the Central Electoral Commission reports on the cash accumulated and expenditure incurred in the election campaign or during the period of activity of the initiative groups, respectively, within the following deadlines:

a) weekly, in accordance with the timetable approved by the Commission in the calendar programme;

b) within 3 days after the voting day (Tuesday), for the entire election campaign (final report);

c) in the case of initiative groups, the final report for the entire period of activity of the initiative group shall be submitted no later than 3 days after the submission or, as the case may be, the final date of submission of the subscription lists to the Commission.

(4) Independent candidates in local elections, as well as the initiative groups set up to collect signatures to support them, shall submit to the electoral constituency council appropriate reports on the accumulated cash resources and expenditure incurred in the election campaign or during the period of activity of the initiative groups, respectively, under the signature of the persons responsible, in accordance with the following deadlines:

a) weekly in accordance with the timetable approved by the Commission in the calendar programme;

b) within 3 days after the voting day (Tuesday), for the entire election campaign (final report);

c) in the case of initiative groups, the final report for the entire period of activity of the initiative group shall be submitted no later than 3 days after the date of submission or, as the case may be, the deadline for submission of subscription lists to the electoral constituency council.

(5) Reports on the financing of the activity of initiative groups and election campaigns shall be submitted using, on a mandatory basis, automated electronic reporting methods, through the IT sub-system 'Financial Control', part of the State Automated Information System 'Elections', and at the request of the Central Electoral Commission and in paper form.

(6) Reports on the financing of the activity of initiative groups and election campaigns received under paragraphs (3) and (4) shall be verified in advance by the Central Electoral Commission, or as appropriate by the electoral constituency council, with regard to the completeness of the information and compliance with the requirements for its preparation.

(7) If the information submitted by the initiative group, the electoral competitor, the referendum participant under paragraphs (1) and (2) is incomplete and/or the related documents have not been attached to the report, the Central Electoral Commission, or as the case may be, the electoral constituency council, shall have the right to request from the subject who submitted them additional data and/or documents, and the latter shall be obliged to submit them within the time limit indicated, but no later than 48 hours from the time of the request.

(8) No later than 24 hours after receipt and/or acceptance of the reports, verified in advance in accordance with paragraph (6), the Central Electoral Commission shall place them on its website in compliance with the legislation on the protection of personal data, and the electoral constituency councils shall send them to the Central Electoral Commission and the relevant local public administration authorities for publication on their websites under the same conditions.

(9) For the purposes of compliance with legislation on access to information, freedom of expression and protection of personal data, information contained in the financial reports of initiative groups or electoral competitors shall be made public, with the exception of the personal ID, the date and month of birth, domicile or temporary residence of the individual.

(10) Reports on the financing of the work of initiative groups and election campaigns shall be verified and analysed by the Commission, or as appropriate, by the electoral constituency council, which shall take a decision to that effect.

(11) For the purpose of verification and examination of reports, the Central Electoral Commission, or as appropriate, the electoral constituency council, shall have the right to request and receive from natural and legal persons, whatever the form of organisation of the legal person, information necessary within the limits of its competence (including personal data, information assigned to trade secrets, banking, tax, etc.). The persons concerned shall be obliged to submit the requested information within the prescribed time limit, but no later than 48 hours after the registration of the application. On request and depending on the nature of the information requested, the Central Electoral Commission may extend the time limit or, where appropriate, the electoral constituency council, but in total the period allowed shall not exceed 3 days.

(12) To avoid reasonable doubt, the Central Electoral Commission, or as the case may be, the electoral constituency council, may collaborate with or refer the matter to the public authorities which have public information systems and/or have control powers, with a view to submitting the necessary information or carrying out additional checks, within the limits of the functional powers of those authorities.

Article 59. Basic principles of supervision and control regarding the financing of the work of initiative groups and election campaigns

(1) The purpose of supervising the financing of the work of initiative groups and election campaigns is to verify how initiative groups, electoral competitors and referendum participants comply with the regulatory framework during the period in which they operate, including checking the correctness, completeness of the information and the timing of the submission of financial reports with the relevant annexes, within the limits declared and submitted by the subject.

(2) The control of the financing of the work of initiative groups and election campaigns aims to verify how initiative groups, electoral competitors and referendum participants comply with the regulatory framework during the period in which they operate, including by checking the content of financial reports and primary accounting documents, in terms of the consistency of campaign activities carried out and the reflection of all revenue and expenditure during the period of activity of initiative groups and election campaign.

(3) The supervision and control of the financing of the work of initiative groups and election campaigns shall be exercised ex officio or on the spot.

(4) The results of the supervision of the financing of the work of initiative groups and election campaigns shall be approved by decision of the Central Electoral Commission, or as appropriate by the electoral constituency council, as reflected in the report on the results of elections and referenda.

(5) The control procedure for the financing of the work of initiative groups and election campaigns shall comprise a set of methods and operations for the organisation and conduct of control and the exploitation of their results and shall be organised using the following methods and operations: factual, desk, full, partial, thematic, operational, counterbalancing. The results of the control of the financing of the work of initiative groups and election campaigns shall be carried out within 6 months of the confirmation of the results of the elections and referenda, which may be extended if necessary.

(6) The process of planning, organising and conducting the control of the financing of the work of initiative groups, political parties and election campaigns shall be laid down in regulations approved by the Central Electoral Commission.

(7) In the process of supervision and control of the financing of the work of the initiative groups and election campaigns, the Central Electoral Commission may request additional documents and/or explanations that it considers necessary and the persons responsible shall be required to submit them within the deadlines set by the Commission.

(8) Supervision and control of the financing of the work of initiative groups and election campaigns may be carried out repeatedly if new circumstances have subsequently been detected showing signs of breach of the regulatory framework and therefore new ballot is required.

(9) Repeated monitoring of the financing of the work of initiative groups and election campaigns may also be carried out in the context of the examination of complaints and complaints.

(10) Repeated control of the financing of the work of initiative groups and election campaigns shall be approved by a decision of the Central Electoral Commission.

Chapter VI ELECTORAL ROLL

Article 60. State Registry of Voters

(1) The Central Electoral Commission is the holder of the State Registry of Voters and ensures that it is administered and kept up to date. The training, administration and updating of the State Registry of Voters shall be laid down in a regulation approved by the Central Electoral Commission.

(2) The State Registry of Voters is systematically updated automatically based on the State Register of Population. At the request of the Commission, the authority holding the State Register of Population shall provide free of charge other data or information necessary to update the State Registry of Voters.

(3) The following data shall be included in the State Registry of Voters for each voter:

- a) name, surname and patronym;
- b) date, month and year of birth;
- c) State Identification Number (IDNP);
- d) sex;
- d) home address (country, town, street, house, block, apartment);
- e) temporary residence address (country, town, street, house, block, apartment);
- f) serial number of the identity document (identity card, passport);
- g) number of the polling station where he/she is assigned according to his/her domicile or where he/she has expressed a wish to vote and the address of the polling station;
- h) status of voter;
- i) references to prohibitions on voting;
- j) date of the last change in personal data.

(4) Citizens of the Republic of Moldova with the right to vote who have been removed from the registry at their domicile or temporary residence in the Republic of Moldova, including those who have established their domicile or temporary residence abroad, shall remain entered in the State Registry of Voters with the marking 'no residence'.

(5) On the basis of the information provided by the holding institutions (Public Services Agency, Ministry of Justice, Ministry of Defence), for persons who have lost their electoral rights, the corresponding mention shall be made in the State Registry of Voters. Persons who have lost electoral rights shall remain registered with the State Registry of Voters with the appropriate mention and shall not be included in the electoral roll.

(6) The data and information contained in the State Registry of Voters are intended solely for electoral processes and are accessible on the website of the Central Electoral Commission, with each voter having access only to personal information.

Article 61. Electoral roll

(1) Electoral rolls are documents, authenticated by the Central Electoral Commission, and comprise all citizens entitled to vote who have their domicile or temporary residence in the territory of a polling station. Voters may only be registered in one electoral roll and at one polling station. Voters who also have their domicile and residence shall, during the period of validity of the temporary residence, be included in the electoral roll at the polling station in whose jurisdiction he/she has his/her temporary residence. The rules on the establishment, administration, dissemination and updating of electoral rolls shall be approved by the Central Electoral Commission.

(2) The basic electoral roll shall contain the following data:

- a) name and date of the election;
- b) town, polling station number and constituency number;
- c) name and surname, year of birth of voter;
- d) domicile/temporary residence of the voter;
- e) State Identification Number (IDNP), where applicable, serial number and ID number;
- f) heading 'Note';
- g) headings intended for signature by the member of the electoral bureau and voter.

(3) Electoral rolls are drawn up by polling stations based on the information in the State Registry of Voters. The list of a polling station is in alphabetical order by name, name of voters, or street name, house/block number in increasing order, name and surname of voters. The assignment of voters at polling stations shall be carried out by local public authorities' registrars, authorised to do so, in accordance with the procedure laid down in the Regulation on the State Registry of Voters.

(4) For persons serving military service, electoral rolls shall be drawn up based on the data submitted by the commanders of the respective military units. Military personnel registered outside military units, as well as members of their families, shall be entered on the electoral roll at home.

(5) For polling stations set up in sanatoria and rest houses, hospitals and other stationary curative establishments, electoral rolls shall be drawn up based on their own declaration of residence or the data submitted by the directors of those establishments.

(6) For polling stations established outside the Republic of Moldova, electoral rolls shall be drawn up in accordance with the procedure laid down in the Regulation on the establishment, administration, dissemination and updating of electoral rolls, approved by the Central Electoral Commission.

(7) If the voter changes his/her domicile or if he/she is not on the election day at home or temporary residence, the electoral office of the polling station where the voter is included in the basic electoral roll shall, at his/her request and based on the identity document accepted for participation in voting, issue a voting certificate. The voter shall acknowledge receipt of the voting certificate by signing in a special register kept by the electoral bureau. The mention about the voting certificate shall be made by the electoral bureau in the heading 'Note', where the date of issue, the number of the voting certificate and the name of the member of the electoral bureau who issued it is indicated.

(8) Persons with the right to vote who, after their last participation in the elections, have changed their domicile shall be entitled, no later than 30 days before the next parliamentary

elections, presidential elections or the Republican referendum, to declare their new domicile, so that they are included on the voters' list at the polling station corresponding to the domicile. The procedure for declaring the domicile shall be laid down in a regulation approved by the Central Electoral Commission.

(9) Electoral rolls shall be transmitted by the Central Electoral Commission to the local public administration authorities at least 22 days before the election day in a copy, stamped and with other protective signs on each page. The electoral roll shall be sent immediately to the electoral bureau of the polling station to ensure its verification by voters, representatives of electoral competitors/referendum participants and observers. Once the changes have been made, at least 7 days before the election day, the lists shall be printed repeatedly and sent at the latest together with the ballot papers, in 2 official stamped copies and other protective signs on each page. A copy shall be sent for storage to the town hall via the electoral bureau.

(10) Changes to the electoral roll may be requested from the Central Electoral Commission or the electoral bureau no later than 7 days before the election day. The electoral bureau shall immediately communicate the requested amendments to the registrars of the local public administration authorities, together with the supporting documents. The Registrar shall check the data and, where appropriate, make the corresponding entries in the State Registry of Voters.

Article 62. Verification of electoral rolls

(1) Electoral rolls containing the name, surname, year of birth and place of temporary residence of each voter shall be made accessible at the polling station premises 20 days before the election day. By the same deadline, voters are communicated through all available means of communication (media, telephone, posters, Internet), the possibility of checking electoral rolls at the polling station office.

(2) The voter may check his/her data by means of the information resources of the Central Electoral Commission, in accordance with the procedure laid down for that purpose.

(3) Voters, representatives of electoral competitors, referendum participants and observers shall be given the opportunity to acquaint themselves with the electoral roll and to verify that data on voters are correct, without the right to take copies, photographs or videos. They shall have the right to submit requests for inclusion or exclusion from the list, as well as for the correction of errors in the registration of data relating to themselves or other voters no later than 7 days until the election day. Requests shall be examined within 24 hours by the electoral body seized and stakeholders in the court, following the established procedure, if they have been refused correction or listing, may challenge decisions on applications.

(4) The electoral rolls used on the election day, with full data on the voters assigned at the polling station concerned, in accordance with Article 61 (2), shall be sent to the electoral bureaux at the latest together with the ballot papers. Access to the lists shall be granted to the members of the electoral bureau based on a privacy statement, the model of which shall be approved by the Central Electoral Commission.

(5) The Central Electoral Commission shall draw up and approve the procedure for drawing up, verifying and updating electoral rolls, expressly regulating the method of transmission of the lists to the electoral bureaux; the conditions and manner of inclusion/exclusion of voters by members of the electoral bureau of the polling station; rules for the subsequent presentation of the final electoral roll and other necessary aspects.

Chapter VII
NOMINATION AND REGISTRATION OF CANDIDATES.
CONFIRMATION OF REPRESENTATIVES OF ELECTORAL COMPETITORS

Article 63. Nomination of candidates

(1) In the case of parliamentary and presidential elections, the nomination process begins 60 days before the election day and ends 30 days before the election day. In the case of local elections, nominations shall be made after the setting up of the electoral constituency councils in accordance with Article 157, but not earlier than 60 days before the election day.

(2) The right to nominate candidates for elections, if all the conditions laid down in this Code are met, shall belong to:

a) registered political parties, until the date of election is fixed, in accordance with their statutes (regulations) and legislation;

b) electoral blocks;

c) citizens of the Republic of Moldova submitting their own applications (independent candidates, candidates for the position of President of the Republic of Moldova).

(3) The nomination process shall comprise:

a) in the case of political parties and electoral blocks — the approval, at meetings of the bodies authorised in accordance with the statutory provisions or the instruments establishing them, of the decisions/resolutions confirmed by the minutes (extracts from the minutes) on the appointment of candidates/lists of candidates for elective public office, and, in the case of presidential elections, the setting up of initiative groups for the collection of signatures in order to support the nominated candidates, including the drawing up and submission of the documents required under the terms of this Code for registration as an electoral competitor;

b) in the case of independent candidates/candidates for the position of President of the Republic of Moldova — submission of their own nomination to an eligible public office, as appropriate, setting up of the initiative group for the collection of signatures in order to support the candidate, including drawing up and submitting the documents required under the terms of this Code for registration as an electoral competitor.

(4) The procedure for nominating candidates also includes the collection of signatures by the persons submitting their own applications and/or initiative groups in order to support the candidates in the eligible positions.

(5) The subjects referred to in paragraph (2) may not take decisions to start the process of nominating candidates/own applications before the start of the nomination period referred to in paragraph (1), and the documents drawn up for this purpose may not be dated before the start of that period.

Article 64. Specific features of the establishment and registration of electoral blocks

(1) The electoral blocks for all types of elections shall be registered by the Central Electoral Commission.

(2) In the case of parliamentary, presidential and local elections, the documents required for the registration of the electoral blocks shall be submitted to the Central Electoral Commission no earlier than 30 days before the start of the nomination period.

(3) The political parties may agree to form an electoral block by recording the decision to participate in its establishment in a minutes approved in accordance with their statutes (regulations).

(4) The electoral blocks shall be formed under the establishment agreement, approved by the registered political parties in the manner prescribed by law, until the date of elections, which have decided to participate in the creation of an electoral bloc.

(5) The agreement establishing the electoral block shall include:

- a) constituent parts of the electoral block;
- b) full name, short name of the block and, where appropriate, the electoral symbol in graphic form, together with its textual description;
- c) person/body with representation power;
- d) how to withdraw one of the parties from the composition of the electoral block and/or association with another political party;
- e) procedure for nominating the candidate(s)/ list(s) of candidates and amending the list(s) of candidates, as appropriate, the procedure for setting up the initiative group;
- f) method and procedure for distributing allocations from the State budget;
- g) method of repayment of the loan requested and allocated from the State budget for the conduct of the election campaign and of the expenditure relating to the organisation and conduct of elections in accordance with Articles 51 and 52;
- h) procedure for the winding up (cessation of service) of the electoral block;
- i) where applicable, the documents laid down in Article 68 (1);
- j) other provisions, which are not contrary to the provisions of this Code.

(6) Within 5 days of receipt of the documents, the Central Electoral Commission shall adopt a decision on the registration or refusal to register the electoral block.

(7) The political parties, which established the electoral block, shall not be entitled to nominate the candidate(s)/ list(s) of candidates in their own name.

(8) If, after the end of the appointment period, only one constituent party remains in the composition of the block, the block shall not be deemed legally dissolved.

Article 65. Collection of signatures to support the candidate for the office of President of the Republic of Moldova and the independent candidate

(1) For the purposes of this Article, signatures shall only be collected to support candidates for the office of President of the Republic of Moldova and independent candidates for the office of Member of Parliament of the Republic of Moldova, councillor of the local council and/or mayor.

(2) The collection of signatures in support of candidates for one of the elective positions listed in paragraph (1) shall be carried out in compliance with the general requirements laid down in this Article and the special conditions laid down in Titles III-V, corresponding to the type of election for which the candidate is supported, as well as with the regulatory administrative acts adopted by the Central Electoral Commission to this end, including ensuring compliance with legislation on the protection of personal data.

(3) Independent candidates and candidates for the office of President of the Republic of Moldova, as well as members of the initiative groups (collectors) set up to support those candidates in elections shall have the right to collect signatures. In the case of presidential elections, the establishment and registration of initiative groups for the collection of signatures shall be mandatory. In the case of parliamentary and local elections, the independent candidate may not establish an initiative group if he or she decides to collect signatures alone.

(4) The method of establishing and registering initiative groups to support candidates for one of the elective positions listed in paragraph (1) shall be laid down in Titles III-V and in the regulatory administrative acts of the Commission adopted to that effect. The initiative group, set up under the terms of this Code, shall be registered at:

a) the Central Electoral Commission — in the event of support for the candidate for the office of President of the Republic of Moldova or the independent candidate for the office of Member of Parliament of the Republic of Moldova;

b) the electoral constituency council — in the case of support for the independent candidate for the office of municipal councillor and/or mayor.

(5) The collection of signatures to support the candidate for elections shall start from the date of appointment of the candidate in accordance with Article 63, but not earlier than the date of issue of the subscription lists and the badges of the members of the initiative group and/or the candidate.

(6) Signatures to support the candidate in one of the elective positions listed in paragraph (1) shall be collected based on the subscription lists, the model of which shall be approved by the Central Electoral Commission. The electoral body authorised to register the candidate shall issue subscription lists for the collection of signatures.

(7) The subscription lists shall indicate the elective function for which the signatures are collected, the candidate's name and surname, the year of birth, the profession (occupation), function, place of work and the subject appointing him/her, as well as the name and surname of the collector.

(8) In the subscription list, the candidate's supporter personally completes his/her personal details and affixes his/her signature. If, for objective reasons, the candidate's supporter is unable to complete the requested data personally, it shall be completed by the collector, the signature in the subscription list being affixed directly by the supporter and, in the event of impossibility, by a representative of the latter.

(9) The collector shall be responsible for ensuring the authenticity of the data contained therein, for which he/she signs each subscription list drawn up. At the end of each sheet of the subscription lists, the collector shall make a reference certifying that he/she collected the signatures personally and that he/she confirms the authenticity of the signatories and then signs.

(10) The collector shall be liable under the law for infringing the provisions establishing the procedure for the collection of signatures as well as the provisions on the protection of personal data.

(11) The candidate's supporter must be the person who, at the time of signing the subscription list, has the right to vote. A voter may, by signature, support several candidates, including for several elective positions, but may not support the same candidate by signature twice and more.

(12) Depending on the type of elections held, signatures shall be collected:

a) in any locality within the national electoral constituency — in the case of parliamentary elections;

b) in any locality in at least half of the number of second-level administrative territorial units established in accordance with Law No 764/2001 on the administrative-territorial organisation of the Republic of Moldova — in the case of presidential elections;

c) in the locality(s) within the constituency in which he/she is standing as a candidate — for local elections.

(13) The subscription list shall only contain signatures of supporters who are listed in a single constituency in which elections are to be held. In the case of elections for President of the Republic of Moldova, the subscription list shall only contain signatures of supporters in the same second-level administrative territorial unit.

Article 66. Presentation of subscription lists

(1) Subscription lists shall be submitted to the relevant electoral body together with the documents required for the registration of candidates. The procedure for the reception of documents and subscription lists shall be laid down in the Specifications for the nomination and registration of candidates for each type of election, approved by the Central Electoral Commission.

(2) In the case of a candidate in parliamentary, presidential or local elections, subscription lists of supporters' signatures shall be submitted to the appropriate electoral body for verification no later than 30 days before the election day. The submission of additional subscription lists shall not be permitted after the electoral body has received and registered the subscription lists.

(3) After receiving the subscription lists, the electoral body shall verify the signatures, in accordance with Article 67. The check of the subscription lists shall be carried out simultaneously with the examination of the documents submitted for the registration of candidates, in accordance with the conditions and time limits laid down in Article 68.

Article 67. Verification of subscription lists

(1) The electoral body shall verify the authenticity of the data entered and the signatures in the subscription lists within the limit of the number laid down in Articles 113, 139 and 164.

(2) In order to verify the subscription lists, the electoral body will use the electronic application. The President of the Central Electoral Commission shall approve the Guide on the functioning of the application.

(3) When checking subscription lists, they shall be entitled to assist the election candidates and/or leaders of the initiative group, as well as accredited observers, based on a request to the electoral body. Election candidates and/or leaders of the initiative group shall only be entitled to attend the process of checking the subscription lists they have submitted. The conditions for assisting in the process of verifying the subscription lists shall be laid down in the guide referred to in paragraph (2).

(4) The subscription lists shall be invalidated in full if:

a) represent a model or series (number) other than those issued to the collector by the electoral body;

b) are not signed by the collector;

c) do not contain the name and surname of the candidate for whom signatures are collected.

(5) The signature in the subscription list shall be invalidated if the supporter:

a) entered the personal data but did not sign it;

b) has no right to vote on the date of signature in the subscription list;

c) entered his/her expired identity document;

d) is assigned to a constituency other than the one in which the signatures were collected;

e) entered incorrect identity data in the subscription list, which do not allow it to be identified.

(6) The method of drawing up subscription lists, the procedure for collecting signatures and the deadline for their submission and verification, as well as the responsibilities of the persons collecting the signatures of supporters, shall be laid down in a regulation approved by the Central Electoral Commission.

Article 68. Registration of electoral competitors

(1) For registration as competitor, political parties, electoral blocks, independent candidate or candidate for the office of President of the Republic of Moldova shall submit the following documents no later than 30 days before the election day, to the Central Electoral Commission or to the electoral constituency councils:

a) ruling/decision confirmed by the minutes or, as the case may be, by an extract from the minutes of the meeting of the central or territorial body of the political party or electoral block on the nomination of the candidate (list of candidates drawn up in accordance with Articles 111 and 163).

b) subscription lists with a sufficient number of signatures of supporters of the independent candidate or candidate for President of the Republic of Moldova, in accordance with Articles 113, 139 and 164;

c) candidate's biographical data;

d) declaration of the candidate's consent to stand as a candidate for the position for which he/she has been appointed;

e) declaration of personal assets and interests during the last year before the ballot. The declaration shall be made public according to the procedure laid down in the rules approved by the Central Electoral Commission.

f) candidate's declaration on honour confirming that:

– he/she is not be subject to the restrictions laid down in Article 16 (2) (c) and (d);

– no definitive declaratory acts have been issued on his/her name in connection to the regime of declaration of personal assets and interests, situations of incompatibility and the confiscation of unjustified assets, documents that are not prescribed;

g) health certificate of the candidate for President of the Republic of Moldova, issued by the medical institution in which he/she is registered;

h) statement by the candidate for the office of President of the Republic of Moldova or for the position of mayor on the suspension, during his/her term of office, from office incompatible with the office of President of the Republic of Moldova or mayor if the person is elected and validated;

i) declaration of suspension from office, from the time of registration as an electoral competitor - for persons falling within the scope of Article 16 (3);

j) copy of the study diploma, in the case of candidates for the position of President of the Republic of Moldova and mayor;

k) where applicable, the electronic and paper electoral symbol;

l) copy of the candidate's identity document.

(2) The templates or technical characteristics of the documents referred to in paragraph (1) and the manner in which they are to be completed and/or submitted shall be laid down in the regulations on the specific characteristics for the nomination and registration of candidates for each type of election approved by the Central Electoral Commission.

(3) Lists of candidates for parliamentary and local elections shall be drawn up respecting the minimum representation quota of 40 % for both sexes. Candidates shall be placed on the lists according to the formula: a minimum of four candidates for every ten seats.

(4) Representatives of political parties, electoral blocks, candidates for President of the Republic of Moldova and independent candidates shall submit the necessary documents for registration only after the Central Electoral Commission, the respective electoral constituency councils make public the information on the place (office) and time of receipt of the documents. The time elapsing between the adoption of the decision determining the place and time of receipt of the documents and the time set for receipt of the documents shall be at least 24 hours. Where representatives of more than one political party, more than one electoral block,

several candidates submit at the same time all the documents required for registration with the respective electoral body, the order for receipt of the documents shall be determined by drawing lots, in accordance with the rules approved by decision of the Central Electoral Commission.

(5) Within 7 days of receipt of the documents listed in paragraph (1), the electoral body concerned shall register or refuse to register the candidates nominated in elections. Decisions taken by electoral bodies to that effect may be challenged under the conditions laid down in Chapter XIII.

(6) In the same elections, a person may stand for more than one elective positions, but for different categories/levels and from only one electoral party or block, or as an independent candidate.

(7) Candidates registered in elections may not be employed or work in any electoral body during the election period.

(8) The electoral body registering the candidates shall issue badges to registered candidates as soon as possible, but no later than 3 days from the date of registration.

(9) The electoral body registering the candidates shall publish its decisions on the registration of independent candidates or lists of candidates in the media financed from the budget.

(10) Upon expiry of the deadline for registration of candidates, the electoral body concerned shall publish in full the list of candidates, which it has registered, indicating the name, surname, year of birth, political affiliation, profession (occupation) of the candidates and the name of the party, political or electoral block, which nominated them. The lists of candidates shall be available for consultation at each polling station.

(11) Where an electoral competitor submits the list of candidates nominated for elections which do not meet the requirements of paragraph (3), and where restrictions referred to in paragraph (1) (f) exist, the Central Electoral Commission or the electoral constituency council shall refuse to register it.

Article 69. Nomination and confirmation of representatives in electoral bodies and courts

(1) Electoral competitors may appoint, for the electoral period, one representative in each electoral bodies registering them, as well as in the lower hierarchical electoral bodies. Political parties and electoral blocks may also appoint a representative for the electoral period to the Central Electoral Commission.

(2) The respective electoral bodies shall confirm the representatives of the electoral competitors within 3 days at the latest. Nominations must be persons entitled to vote. Candidates in elections may not be appointed as representatives.

(3) Representatives of the electoral competitor shall have the right to participate in all electoral operations, in all meetings of the electoral body confirming it, including on the election day, to represent the interests of the electoral competitor and in other authorities involved in the electoral process. They shall have access to all electoral information, electoral rolls, minutes drawn up by electoral bodies, photographic and video filming with notification to the President of the electoral body, without jeopardising the secrecy and security of voting. The status of the representatives of the electoral competitors and their other rights and obligations shall be laid down in a regulation approved by the Central Electoral Commission.

(4) The representative nominated and confirmed by the electoral body in accordance with the provisions of this Article may defend the interests of the electoral competitor in electoral disputes as well as in the court under the terms of the Administrative Code and the Code of Civil Procedure.

Chapter VIII
ELECTION CAMPAIGN.
RIGHTS AND OBLIGATIONS OF ELECTORAL COMPETITORS

Article 70. Electoral agitation

(1) Citizens of the Republic of Moldova, political parties, electoral blocks, candidates and persons of confidence of candidates shall have the right to freely discuss and approach all aspects of electoral programmes of electoral competitors, political, professional and personal qualities of candidates, as well as to engage in electoral agitation in assemblies, rallies, meetings with voters, by means of the media, by displaying electoral posters or by means of other forms of communication.

(2) The exercise of this right may be subject to formalities, conditions, restrictions or penalties laid down by law which are necessary in a democratic society, for national security, territorial integrity or public security, for the prevention of disorder and crime, for the protection of health or morals, for the protection of reputation, for the protection of the rights of others, in order to prevent the disclosure of confidential information or to safeguard the authority and impartiality of the judiciary.

(3) Regardless of the type of ballot, the election campaign shall begin on the date of registration, but no earlier than 30 days before the day of the vote, and shall end on the date of cancellation of the registration of the electoral competitor or on Friday before the day of the vote. In the case of presidential and local elections, candidates who have passed the second ballot may conduct an election campaign after the date of the second ballot has been fixed, by decision of the Central Electoral Commission, but no later than 10 days before the election day.

(4) In electoral programmes, electoral agitation materials, electoral agitation and electoral advertising action targeting in one way or another initiative groups, electoral competitors and referendum participants, no images representing religious worship or component parts thereof, foreign officials, state institutions or public authorities abroad, or international organisations may be used. The combination of colours and/or sounds invoking symbols of another state, the use of material showing historical personalities abroad, the symbolism of foreign states or international organisations, or the image of foreign official persons shall be prohibited. By way of derogation, the provisions of this Protocol shall not apply in cases concerning commitments undertaken by the Republic of Moldova under international agreements concluded with the European Union.

(5) The organised transport of voters to the polling station on election day in order to induce voters to exercise their electoral rights, as well as the organisation during the electoral period of the transportation of voters to the polling station, shall be prohibited.

(6) Candidates may not use administrative resources, including by launching or participating in the launch of infrastructure projects or procurement from the public budget, using public equipment, means and assets during the electoral period. Public authorities/institutions and those assimilated thereto may not pass on/grant to competitors public goods or favours other than under a contract, on equal terms for all electoral competitors.

(7) How electoral advertising is placed on billboards on an equal footing, including the private ones, shall be approved by the Central Electoral Commission under a regulation.

(8) Responsible for the content of electoral advertisements, whether broadcast or published, is the initiative group, the electoral competitor or the referendum participant. Each

advertisement must comply with the requirements laid down in Article 9 of Law No 62/2022 on advertising.

(9) Each advertisement of independent candidates declaring on their honour that they have not used the printing services of specialised entities and have not opened the bank account marked 'Electoral Fund' shall contain the name/surname of the electoral competitor, the date of printing, the printout of the material and the mention 'Printed to his/her own technical equipment'.

(10) Local public administration authorities shall be required, within 3 days of the start of the election campaign, to establish and ensure a minimum of special electoral display places, a minimum of premises for meetings with voters. Those decisions (provisions) shall be displayed immediately at the premises of such authorities and brought to the attention of the subjects concerned through the media or other available communication means.

(11) Electoral competitors may organise meetings with voters, with local government authorities being obliged to ensure that such meetings take place on equal terms and conditions. Electoral bodies may be notified of irregularities in the organisation and conduct of meetings.

(12) Electoral agitation shall only be allowed until Friday before the day of the vote.

(13) During the electoral period, electoral competitors shall not be allowed to organise concerts, competitions, other events or demonstrations involving interpreters, creative and/or artistic staff both in the country and abroad, to display slogans or other messages, and/or to distribute material containing the electoral competitor's symbolism or other identifiers, as well as to participate in such events for political promotion.

(14) The provisions of this Article shall also apply to the participants in the referendum.

Article 71. Trusted people of electoral competitors

(1) In each electoral constituency electoral competitors may have trusted people who have the right to vote. Trusted people shall help their electoral competitors run their election campaigns, make electoral agitations in their favour and represent their interests in relations with public authorities, voters, electoral councils and bureaux.

(2) The number of trusted persons, the confirmation procedure, their rights and obligations shall be determined by this Code and the rules on the activity of trusted people, approved by decision of the Central Electoral Commission.

(3) The Central Electoral Commission shall confirm the trusted people of the electoral competitors in the parliamentary and presidential elections, as well as the participants in the Republican referendum. In the case of local elections and referenda, the relevant electoral constituency council shall confirm the trusted persons of electoral competitors and referendum participants. That electoral body shall confirm, by decision, the trusted persons of the electoral competitors (referendum participants).

(4) Electoral competitors may, no later than 7 days before the day of the election, ask the electoral body concerned to further confirm the trusted people, suspend their powers of attorney or replace them with other people, in compliance with the number criteria and conditions laid down in this Article and the rules approved by the Central Electoral Commission.

(5) Decisions of the electoral body on confirmation, refusal of confirmation and/or substitution of trusted people may be challenged under the conditions of Chapter XIII.

(6) In presidential and local elections, the trusted people of electoral competitors, confirmed in the prescribed manner, may also operate in the second ballot. Trusted people of electoral competitors holding public functions cannot use public means and goods in the election campaign.

(7) The provisions of this Article shall also apply to the participants in the referendum.

Article 72. Rights and obligations of electoral competitors (referendum participants)

(1) Electoral competitors (referendum participants) shall, on an equal basis, participate in the election campaign and enjoy equal rights in the use of the media, under the conditions laid down in Chapter XII.

(2) Candidates, during the election campaign, shall enjoy, except in the cases set out in Article 16 (3), the right to be suspended from office under the conditions laid down in the labour law and/or the law governing their activity.

(3) The electoral competitor may back out by written request to the electoral body registering him/her, but no later than 10 days before the election day. In the case of candidates nominated by political parties and electoral blocks, requests for backing out of elections shall be submitted to the electoral body within the same deadline, through the respective political parties and electoral blocks.

(4) After the expiry of the time limit referred to in paragraph (3), only the electoral body registering him/her may cancel the registration of the electoral competitor, under the decision of the court, in the event of his/her death or the conditions laid down in Article 16 (2) and under Article 102 (5). If the electoral competitor withdraws his/her candidacy or the registration is cancelled after the ballot papers have been printed, in the bulletin, next to the ballot box, the electoral bureau of the polling station shall affix the stamp marked 'Withdrawn'.

(5) Political parties and electoral blocks may bring changes to the lists registered in accordance with the conditions and deadlines laid down in Articles 68 (3), 111, 115 and 163.

Chapter IX BALLOT PAPERS

Article 73. Template and text of ballot papers

(1) Regardless of the type of election, the template of the ballot paper shall be established by a decision of the Central Electoral Commission. The text of the ballot paper for the parliamentary, presidential and the organisation of the Republican referendum shall be approved by the Central Electoral Commission and the text for the local elections and for the organisation of the local referendum shall be approved by a decision of the relevant electoral constituency council.

(2) Electoral competitors shall be entered in the ballot papers in the order resulting from the drawing of lots carried out daily by the electoral body concerned, in accordance with the procedure laid down in the rules approved by the Central Electoral Commission.

(3) The ballot paper shall be divided into rectangles, corresponding to the number of electoral competitors participating in the elections. The rectangle must have a size that is sufficient to include the candidate's name and surname, the name of the political party, electoral block that submitted the list of candidates or the candidate concerned, or the mention 'independent candidate', the electoral symbol of the electoral competitor, at his/her convenience. The electoral symbol may be changed at the request of the competitor until the start of the election campaign. The identity of electoral symbols shall not be accepted. In the case of independent candidates with the same name and surname, the patronym and the year of birth if applicable shall be also indicated.

(4) In the rectangle, on the left, the symbol of the electoral competitor who submitted the list of candidates or that candidate, or the electoral symbol of the independent candidate, shall be printed at his/her convenience. Electoral symbols shall be presented to the electoral body together with the documents for the registration of electoral competitors. Regardless of

the type of election, political parties and electoral blocks shall submit their electoral symbol in the required format, in a centralised manner, to the Central Electoral Commission, and independent candidates shall only submit the electoral symbol to the electoral body registering them, if they have it.

(5) In the case of referenda, the ballot paper shall contain the text of the question submitted to the referendum and two rectangles shall be placed horizontally with the words 'YES' and 'NO' to the right of the text.

(6) In each rectangle, to the right, at an equal distance from the top and bottom, a circle of 15 mm diameter shall be printed in which the elector shall affix the stamp 'voted' if he/she votes for an electoral competitor or one of the options exposed to the referendum.

(7) Ballot papers shall be drawn up in Romanian.

(8) If more than one type of election is carried out simultaneously, ballot papers must be distinguished by colour.

Article 74. Preparation of ballot papers

(1) Ballot papers shall be printed in accordance with the instruction approved by the Central Electoral Commission. The members of the Commission shall assist and representatives of the electoral competitors (referendum participants) may be present in the production of the ballot paper matrix, in the printing of the ballot papers as well as in the liquidation of the mould.

(2) Ballot papers shall be printed on opaque paper (matt) no later than 3 days before the election day in a quantity corresponding to the number of voters. Two numbers shall be affixed to each bulletin, corresponding to the serial number of the constituency and the serial number of the polling station concerned.

(3) Printed ballot papers shall be kept at the electoral constituency council and remitted on the eve of elections to the electoral bureau of the polling station based on a handover/receipt document, except for those referred to in paragraph (7).

(4) The location where the ballot papers are held shall be guarded by the representatives of the police forces. Only the chairperson of the electoral constituency council concerned or the chairperson of the electoral bureau of the polling station concerned, accompanied by at least two members of the board or bureau, shall have access to the ballot papers.

(5) Representatives of electoral competitors (referendum participants), observers as well as voters shall be entitled to take note of the ballot paper templates at the respective electoral bureau.

(6) In national elections, ballot papers shall be sent to the electoral constituency councils by the Central Electoral Commission no later than 2 days before the election day.

(7) The electoral bureaux of polling stations established outside the Republic of Moldova shall send their ballot papers to the polling stations established outside the Republic of Moldova at least 5 days before the election day, based on the estimated number of voters established according to the information provided by the Ministry of Foreign Affairs and European Integration and the information gathered by the Central Electoral Commission, but no more than 5000 ballot papers per election bureau per voting day.

Chapter X VOTING TIME

Article 75. Voting time and place

Voting shall take place on the election day between 07.00 and 21.00. The electoral bureau of the polling station shall make public the voting time and place no later than 10 days before the election day.

Article 76. Voting conditions

(1) During voting time, closing the voting room and suspending voting shall be prohibited, except in cases of mass disorder, natural disasters, other unforeseen circumstances, which put voters at risk or make it impossible to carry out the vote. In such cases, the chairperson of the electoral bureau of the polling station may suspend the vote for a maximum of 2 hours, during which he/she shall bring the premises of the polling station to the appropriate state or find another premises, informing the voters thereof.

(2) In local elections, if the voting process suspended in accordance with paragraph (1) cannot be resumed within 2 hours, voting shall be deemed to be suspended for a period not exceeding 2 weeks and the Central Electoral Commission shall, within 3 days, adopt a decision on the date of resumption of the suspended vote. Voting shall resume under the same legal conditions.

(3) Persons entitled to attend voting may not be obliged to leave the premises of the polling station during the suspension of voting.

Article 77. Organisation of voting

(1) The premises of polling stations shall be arranged in such a way as to ensure compliance with the requirements of accessibility, legality, transparency, efficiency and solemn character of the voting process. The solemn character of the voting process shall be ensured by the intonation of the state anthem at the opening of the polling station and the display of state symbols in the polling station. The method of arranging the infrastructure of the polling station shall be determined by instruction from the Central Electoral Commission.

(2) Voting shall take place in specially equipped premises with tables where ballot papers are issued, booths or rooms for secret ballot and ballot boxes. The ballot boxes shall be installed in such a way that the voter, in order to approach them, necessarily crosses the booth or room for secret ballot. The polling station premises must be equipped with a sufficient number of booths or rooms to avoid congestion.

(3) To ensure order in the polling station and avoid congestion, the electoral bureau of the polling station shall establish a route for voters, starting from the entrance, to the tables recording the fact of participating in the vote, then the ballot papers shall be issued, then the secret ballot booth and ballot boxes shall be entered.

(4) The location of the polling station must be arranged in such a way as to enable members of the electoral bureau of the polling station and other persons authorised to attend electoral operations, to continuously supervise all aspects of the voting process, including the identification of the voter, the handing over of the ballot papers and their insertion in ballot boxes, the counting of votes and the drawing up of minutes.

(5) Local public administration authorities shall be required to provide electoral bodies with premises corresponding to the rigours set out in the regulation on accessibility of the electoral process for people with disabilities, approved by the Central Electoral Commission. The local public administration authorities shall provide the polling station with booths, ballot

boxes and other necessary materials, in accordance with the instruction laid down in paragraph (1).

(6) The electoral bureau of the polling station shall bear responsibility for organising voting, secrecy of voters' expression, the fitting-out of premises and keeping order at the premises.

Article 78. Carrying out voting

(1) Each voter shall perform the voting personally. Voting in place of other persons shall not be allowed. The voter shall present the identity document to the electoral bureau of the polling station in order to record his/her presence at the polling station and to verify its inclusion in the basic electoral roll. The electoral bureau then delivers the ballot paper to the voter. On receipt of the ballot paper, the voter shall sign in the electoral roll next to his/her name.

(2) Voters in the district of the polling station not included in the basic electoral roll shall be entered in an additional electoral roll upon presentation of the document certifying their domicile or temporary residence within the perimeter of the polling station concerned. Those voters shall sign to confirm on their honour their abstention from multiple voting and that they are informed of criminal liability in the event of a breach of this obligation.

(3) In the case of parliamentary, presidential election and Republican referenda, the following shall also be entered on the same additional list:

a) voters who arrived at the polling station with the voting certificate. The voting certificate shall remain at the polling station office and shall be attached to the additional list;

b) persons detained based on an arrest warrant until the judgment is pronounced, persons sentenced to imprisonment (deprivation of liberty) whose sentence is not final, those serving an administrative penalty in the form of arrest, persons sentenced to imprisonment (deprivation of liberty) by final judgment, in prison institutions located in a municipality other than the registered domicile or temporary residence;

c) voters who do not have a registered place or residence or temporary residence. Voters who have not been included in the basic electoral roll due to the fact that they do not have a registered domicile or temporary residence shall be able to vote, in the polling stations corresponding to the place of registration at their last domicile or temporary residence;

d) voters with the right to vote who on the day of the vote are in sanatoria and rest houses, hospitals and other stationary curative establishments located in a municipality other than the place where they have registered their domicile or temporary residence but situated in the territory of the Republic of Moldova;

e) citizens of the Republic of Moldova with the right to vote abroad and present themselves on the election day at the polling station concerned;

f) citizens with the right to vote from the left bank of Nistru (Transnistria), who have a registered domicile or temporarily reside in municipalities provisionally outside the sovereign control of the constitutional authorities of the Republic of Moldova, as confirmed by the respective entry in the identity document;

g) students and pupils entitled to vote registered with educational establishments in a municipality where they do not have a registered domicile or temporary residence;

h) military personnel in military units, based on data submitted by the commanders of the respective military units.

i) electoral officials of the electoral bureaux of polling stations operating on election day at the polling station concerned, without submitting the voting certificate.

(4) According to paragraph (3) point g), students and pupils with the right to vote, registered in educational establishments in a municipality where they do not have a registered

domicile or temporary residence, may vote at any polling station opened in that municipality, and shall be required to present the identity card and student card of the educational establishment in question.

(5) In the case of local elections and referenda, voters shall be included in the additional electoral roll in accordance with the conditions laid down in paragraph (2) and:

a) persons detained under an arrest warrant until the judgment is pronounced, persons sentenced to imprisonment (deprivation of liberty) whose sentence is not final, those serving an administrative penalty in the form of arrest, persons sentenced to imprisonment (deprivation of liberty) by final judgment in prison institutions only if they are temporarily resident or resident in the administrative-territorial unit in which those institutions are located;

b) voters with the right to vote, who on the day of the vote are in sanatoria and rest houses, hospitals and other residential institutions only if they have their domicile or temporary residence in the administrative territorial unit in which those institutions are located;

c) electoral officials, based on the voting certificate, at the polling station in which they operate, but which is located in the same constituency in the territory of which their domicile/temporary residence is registered.

(6) Voting shall be carried out in accordance with the procedure laid down by the Central Electoral Commission, based on one of the following identity documents:

a) the identity card of the citizen of the Republic of Moldova confirming the domicile or temporary residence of the voter on the territory of the polling station;

b) provisional identity card indicating the nationality of the Republic of Moldova, the domicile or temporary residence of the holder;

c) passport of the citizen of the Republic of Moldova.

(7) The chairperson of the electoral bureau of the polling station shall record the important events that have occurred during the vote and during the counting of the votes, and shall record these data in the activity report at the electoral bureau. At the request of members of the bureau or of persons authorised to attend electoral operations, or of any voter, the chairperson shall note the comments and objections made by them to the voting procedure in an act that shall be attached to the minutes of the electoral bureau of the polling station.

(8) The electoral bureau shall decide to extend the voting time by a maximum of 3 hours in order to allow voters sitting in the polling station concerned to fulfil their rights by informing the electoral constituency council and the Central Electoral Commission of the extension.

Article 79. Procedure for filling in the ballot paper

(1) The voter ballot shall fill in the ballot paper only in the boot for secret ballot. A voter who cannot fill in the ballot paper personally shall have the right to call another person to assist him/her, with the exception of electoral officials from the electoral bureau of the polling station, representatives of electoral competitors (referendum participants) and persons authorised to attend electoral operations. These cases shall be specifically recorded in the report of the electoral bureau of the polling station.

(2) The voter shall affix the stamp with the inscription 'voted' inside the circle of a single rectangle in the ballot paper, which means that he/she voted for the corresponding electoral competitor or for one of the referendum options. The circles in the other rectangles shall remain as such.

(3) Photography and public display of the filled in ballot paper or removal of the ballot paper handed over to the polling station shall be prohibited.

(4) A voter may vote for only one electoral competitor or one of the options in the referendum.

(5) If the voter has incorrectly filled in the ballot paper, at his/her request, the electoral bureau of the polling station shall cancel this ballot paper and issue a new ballot paper only once. This case shall be mentioned in the minutes of the results of the counting, as indicated under the heading 'number of ballot papers not used and cancelled' as well as in the electoral roll.

(6) The voter shall introduce the ballot paper with the 'voted' stamp in the ballot box.

Article 80. Ensuring the security of the voting process

(1) On election day, at 07.00, the chairperson of the electoral bureau of the polling station, in the presence of at least half of the members of the polling station, shall check ballot boxes, seal them, verify the existence of electoral rolls, ballot papers, stamps and draw up a minutes in two copies. All members of the electoral bureau present shall sign the minutes and one copy shall be introduced in the ballot box, after which the chairperson shall declare the vote open.

(2) Ballot papers shall be kept in a safe place inside the polling station, in tied packages of 100 pieces, and distributed by the chairperson of the electoral bureau of the polling station to the members of the bureau to be released to voters as necessary.

(3) Electoral officials working in the electoral bureau of the polling station, representatives of electoral competitors (referendum participants) and persons authorised to attend electoral operations shall be required to wear visible identity badges. Persons entering the premises of polling stations shall not be allowed to wear and show badges, electoral symbols or other signs of electoral agitation.

(4) Where the voter, for health or other reasonable reasons, is unable to come to the voting location in whose jurisdiction he or she has his/her domicile or temporary residence, the electoral bureau of the polling station shall, at the written request of the polling station, appoint at least 2 members of the bureau travelling with a mobile ballot box and with the necessary equipment for voting to the place where the voter is located, in order to carry out the vote. Requests may be made in writing 2 weeks before the day of the vote until 14.00 on the day preceding the vote. On the day of the vote, the electoral bureau shall approve requests by 14.00 only in the presence of a medical certificate. The Central Electoral Commission shall decide on the voting procedure with the mobile ballot box at the place of the voter. The provisions of this paragraph shall not apply to polling stations established abroad and those organised for voters in localities on the left bank of Nistru (Transnistria).

(5) Persons detained under an arrest warrant until the judgment is pronounced, persons sentenced to imprisonment (deprivation of liberty) whose sentence is not final, those serving an administrative penalty in the form of arrest, persons sentenced to imprisonment (deprivation of liberty) by final court decision in prison institutions shall vote in accordance with paragraph (4) with the mobile ballot box.

(6) Where the chairperson of the electoral bureau of the polling station authorises the removal of a mobile ballot box from the premises of the polling station, the fact of the ballot box and the list of voters who requested voting at the location shall be brought to the attention of the representatives of the electoral competitors (referendum participants) and of the persons authorised to attend the electoral operations. Such persons shall be offered the possibility to accompany the mobile ballot box, using, where necessary, their own means of transport.

(7) The chairperson of the electoral bureau of the polling station shall bear responsibility for ensuring order on the election day, at the polling station and in the surrounding territory within 100 metres of the voting station. Decisions taken to this end shall

be mandatory for all. Failure to comply with the provisions of the chairperson of the electoral bureau shall entail administrative liability.

(8) In all meetings of the electoral bodies, as well as in the process of counting and totalising votes, in operations related to electoral rolls, ballot papers and other electoral documents, the drawing up of minutes on totalisation of election and referendum results, may be assisted by:

- a) members and representatives of hierarchically superior electoral bodies;
- b) representatives of electoral competitors (referendum participants) in electoral bodies;
- c) national and international observers accredited by the respective electoral bodies, as well as their interpreters, as appropriate;
- d) journalists authorised by media outlets and subsequently confirmed by the Central Electoral Commission.

(9) No other person may stay in the polling station for longer than necessary for voting. Within 100 metres of the voting premises, including other rooms of the premises where the polling station is located, the continuous or permanent presence of representatives of the police forces designated to ensure the maintenance of public order and the security of the electoral process shall be permitted.

(10) Carrying firearms or white weapons in the voting room shall be forbidden, except by the representatives of the law enforcement forces who may enter the polling station with firearms only if they exercise their right to vote in the polling station or are called by the chairperson of the electoral bureau to restore order.

Chapter XI

COUNTING OF VOTES AND TOTALISATION OF ELECTION RESULTS

Article 81. Counting and totalisation of votes by the electoral bureau of the polling station

(1) Upon expiry of the voting time, the chairperson of the electoral bureau of the polling station shall declare the vote closed and order the polling station to be closed. The electoral bureau of the polling station shall start counting the votes.

(2) Before ballot boxes are opened, all remaining unused ballot papers shall be counted and cancelled by the electoral bureau of the polling station, in accordance with the procedure laid down by the Central Electoral Commission, and shall be separately tied and sealed.

(3) Before counting the votes obtained by the electoral competitors or those expressed in the case of referendum options, the electoral bureau of the polling station shall determine the number of voters, to whom the ballot papers have been issued, based on the number of voters on the electoral roll (basic, additional lists and lists for voting at the place of residence) next to the name to which the signature has been affixed.

(4) After checking the seals on the ballot boxes, the chairperson of the electoral bureau of the polling station, in the presence of the electoral officials of the bureau and the persons authorised to attend electoral operations, shall open the ballot boxes. First, the mobile ballot boxes shall be opened, then the ballot papers inside them shall be counted, after which the other boxes shall be opened.

(5) The polling section shall be provided with sufficient tables to ensure that all ballot papers in the ballot box are counted in a single place visible to all members of the electoral bureau of the polling station and those present. To count the votes, pennants with the name

or names of the electoral competitors, and in the case of referenda with 'YES' and 'NO' options shall be arranged on the tables.

(6) Ballot papers in mobile ballot boxes shall first be counted separately, shall be confronted with the number of ballot papers issued for that purpose, and then be added to the other ballot papers to count the votes obtained by electoral competitors or those cast in the case of 'YES' or 'NO' options in the referendum.

(7) According to a procedure established by the Central Electoral Commission, the members of the electoral bureau of the polling station shall check the ballot papers and determine for which electoral competitor or referendum option the vote has been cast. Ballot papers with votes cast for each electoral competitor or referendum option shall be counted and tied separately and the results of the counting, once established, shall be recorded in the minutes of the vote count.

(8) Members of the Electoral Bureau, before signing the minutes on the results of the vote count, shall give persons authorised to attend electoral operations the opportunity to verify the data in the minutes.

(9) The electoral bureau of the polling station shall not include invalid ballot papers in the total number of valid votes cast.

(10) As from the closure of the polling station, the electoral bureau of the polling station shall remain in the sitting during the counting of votes and the drawing up of minutes and report of the electoral bureau. Electoral officials of the electoral bureau of the polling station shall remain at the polling station and participate in electoral operations, except in exceptional and objective circumstances.

Article 82. Invalid ballot papers

(1) The ballot papers shall be declared invalid:

- a) where the constituency identification number and the identification number of the polling office do not correspond to that of the constituency or voting office concerned;
- b) by a pattern other than the one established;
- c) where the stamp 'voted' was affixed in several rectangles;
- d) where the stamp with the inscription 'voted' has not been affixed in any circle in any rectangle;
- e) where the stamp with the inscription 'voted' for the electoral competitor who withdrew or was excluded from the electoral race was affixed;
- f) where deformed or worn in such a way that the choice of the voter is not clear.

(2) The ballot paper shall not be declared invalid solely because the voter has affixed the stamp with the inscription 'voted' several times in a single rectangle or because the stamp was affixed outside the circle in the rectangle or on the sign or symbol of the electoral competitor if the voter's choice is clear.

(3) The chairperson of the electoral bureau of the polling station shall give all members of the bureau and persons authorised to attend electoral operations the opportunity to examine the ballot paper that is to be declared invalid.

(4) If the members of the electoral bureau of the polling station have doubts as to the validity of the ballot paper, the matter shall be resolved by vote and the result of the vote shall be recorded in the minutes of the bureau meeting.

Article 83. Minutes and report of the electoral bureau of the polling station

(1) The electoral bureau of the polling station shall draw up minutes in two copies, containing:

- a) the number of voters included in the basic electoral roll;

- b) the number of voters included in the additional lists;
- c) the number of voters who received ballot papers;
- d) the number of voters who took part in the vote;
- e) the figure reflecting the difference between the number of ballot papers received by voters and the number of voters who took part in the vote;
- f) the number of ballot papers declared invalid;
- g) the number of valid votes cast per electoral competitor (for each option on the questions submitted to the referendum);
- h) the total number of valid votes cast;
- i) the number of ballot papers received by the electoral bureau of the polling station;
- j) the number of unused and cancelled ballot papers, including those wrongly filled in and cancelled.

(2) The template and procedure for filling in the minutes of the results of the vote count by the electoral bureau of the polling station shall be established by the Central Electoral Commission for any type of election.

(3) The result of the counting shall be examined at the meeting of the electoral bureau of the polling station and shall be recorded in minutes, which must be signed by the chairperson, the secretary and the other members of the bureau. The absence of signature of members of the electoral bureau of the polling station shall not affect the validity of the minutes unless the number of signatures is below the absolute majority. The reasons for the absence of signatures shall be mentioned in the bureau's report.

(4) The minutes of the voting results shall be drawn up in the presence of members of the electoral bureau of the polling station, representatives of electoral competitors (referendum participants) and other authorised persons. A copy of the minutes shall be kept at the electoral bureau of the polling station, one copy shall be submitted to the electoral constituency council, and the other copy shall be displayed immediately at the entrance of the polling station. Copies of the minutes of the results of vote count, authenticated by the chairperson of the electoral bureau, shall be handed over to the persons authorised to attend the election.

(5) The chairperson of the electoral bureau of the polling station shall ensure that the bureau's report is filled in based on the written records of the activities carried out by the bureau during the electoral period. The report shall contain a brief summary of the requests and appeals concerning the actions of the electoral bureau of the polling station and of the decisions taken by the bureau based on them. The chairperson shall sign the report and give the other members of the bureau the opportunity to express in writing their comments and additions to the report and to sign it.

(6) The chairperson of the electoral bureau of the polling station shall hand over the ballot papers, electoral rolls, stamps and other (material) electoral documents to the electoral constituency council as soon as possible, but no later than 18 hours after the announcement of the closure of polling stations, in accordance with the procedure laid down by the Central Electoral Commission. The chairperson of the electoral bureau, two bureau members and representatives of the police forces shall ensure security and integrity of electoral documents (material) when transported to the electoral constituency.

(7) The minutes drawn up by the electoral bureaux of the polling stations abroad, together with all requests relating to the electoral operations of the electoral bureau of the polling station, shall be sent by e-mail to the electoral constituency council no later than 24 hours after the closure of the sections. The accuracy of the data in these minutes shall be confirmed by telephone and, in the event of sufficiently substantiated inconsistencies and shortcomings, the electoral constituency council concerned shall correct them.

Article 84. Totalisation of the results of the vote by the electoral constituency council

(1) After receiving the minutes and reports of the electoral bureaux of the polling stations indicating the results of the counting of votes in polling stations, the electoral constituency council shall first determine the number of voters who participated in the elections and shall communicate this figure to the Central Electoral Commission. If, in the elections throughout the constituency, fewer voters have participated than the number required to declare the valid elections in that constituency, the constituency council shall notify the Central Electoral Commission of this fact. The Central Electoral Commission shall make a public announcement declaring the elections invalid for the whole country or for the given constituency.

(2) Based on the minutes of the electoral bureaux of the polling stations, the electoral constituency council shall determine throughout the constituency:

- a) the number of voters included in the basic electoral roll;
- b) the number of voters included in the supplementary lists;
- c) the number of voters who received ballot papers;
- d) the number of voters who took part in the vote;
- e) the figure reflecting the difference between the number of ballot papers received by voters and the number of voters who took part in the vote;
- f) the number of ballot papers declared invalid;
- g) the number of valid votes cast per electoral competitor (for each option on the questions submitted to the referendum);
- h) the total number of valid votes cast;
- i) the number of ballot papers received by the electoral constituency council;
- j) the number of unused and cancelled ballot papers, including those wrongly filled in and cancelled.

(3) The electoral constituency council shall record the results of the totalisation of votes throughout the constituency in minutes, which must be signed by all members of the council, who shall have the opportunity to comment in writing on the minutes. The absence of signature by members of the council shall not affect the validity of the minutes unless the number of signatures is below an absolute majority. The reasons for the absence of signatures shall be mentioned in the council's report. Copies of the minutes of the totalisation of the election results, authenticated by the chairperson of the electoral council, shall be given, on a compulsory basis, to the persons authorised to attend the election.

(4) The electoral constituency council shall submit the minutes of the totalisation of constituency election results to the Central Electoral Commission within 48 hours after the closure of polling stations. When submitting the minutes to the Central Electoral Commission, the electoral constituency council shall display, at the entrance to its premises, detailed information on the results of the elections by constituency.

(5) In the case of local elections and referenda, the electoral constituency council shall, by decision, approve the minutes on the totalisation of the results of the local elections in the constituency concerned, confirm or invalidate their legality. When found that the elections are legal, it shall declare the candidates elected, award and validate the mandates of the elected mayors and local councillors, confirm the list of alternate candidates, with the adoption of decisions to that effect. Those documents, as well as the electoral documents relating to the totalisation of election results, shall be submitted to the Central Electoral Commission, in accordance with the terms and procedure laid down in Titles V and VI.

Article 85. Totalisation of election results by the Central Electoral Commission

(1) In the case of parliamentary, presidential, general local elections and the Republican referendum, based on the acts submitted by the electoral constituency councils, the Central Electoral Commission shall, within 5 days, draw up minutes containing:

- a) the number of voters included in the basic electoral roll;
- b) the number of voters included in the supplementary lists;
- c) the number of voters who received ballot papers;
- d) the number of voters who took part in the vote;
- e) the figure reflecting the difference between the number of ballot papers received by voters and the number of voters who took part in the vote;
- f) the number of ballot papers declared invalid;
- g) the number of valid votes cast per electoral competitor (for each option on questions submitted to the Republican referendum);
- h) the total number of valid votes cast.

(2) In the case of parliamentary elections, presidential elections and republican referendums, the Central Electoral Commission shall record the results of the totalisation of votes by country as a whole in minutes, in accordance with paragraph (1), which shall be signed by the members of the Commission, and shall draw up a report on the results of the elections.

(3) In the event of disagreement with the preliminary voting results, before confirming the results by the competent authorities, electoral competitors (referendum participants) may ask these authorities to order the recounting of votes. Recounting may be ordered by the Constitutional Court in the case of parliamentary and presidential elections and Republican referenda, or by the Central Electoral Commission in the case of local elections and referenda, under the conditions of Chapter XIII. The same electoral bodies, replacing fraudulent electoral officials, shall carry out recounting. The general recounting procedure shall be approved by decision of the Central Electoral Commission.

(4) The acts referred to in paragraph (2) shall be submitted to the Constitutional Court in order to confirm the results of the elections (referenda) and/or to validate the mandates of the Members of Parliament and the mandate of President of the Republic of Moldova.

(5) In the case of general local elections, the Central Electoral Commission shall record the results of the totalisation of votes by country as a whole in minutes, which shall be signed by the members of the Commission and draw up a report on the results of the election.

Article 86. Announcement of preliminary results

(1) Before obtaining the results of the vote in all lower electoral councils and bureaux, the electoral body responsible for the totalisation of election results shall regularly make the preliminary results publicly known as soon as possible after their receipt. In the case of parliamentary, presidential, local general elections and republican referenda, preliminary results, detailed by polling stations, shall be placed on the information resources of the Central Electoral Commission as soon as they are processed.

(2) Once the voting results have been obtained in all the lower councils and bureaux, the electoral body responsible for the totalisation of election results shall publish the overall election results as soon as possible if the objections submitted to it or the court do not affect the results of the elections.

(3) Responsible for the totalisation of the final election results shall be:

- a) the Central Electoral Commission — in the case of parliamentary, presidential, general local elections and Republican referenda;

b) the electoral constituency council concerned — in the case of local elections and referenda.

Article 87. Keeping of electoral documents

(1) Electoral documents (materials), with the exception of those referred to in paragraph (2), shall be kept at the Central Electoral Commission in accordance with Law No 880/1992 on the archive fund of the Republic of Moldova and the Regulation on the organisation and functioning of the archive of the Central Electoral Commission, approved by decision of the Central Electoral Commission.

(2) After the expiry of 3 months from the confirmation of the election results, ballot papers with valid votes, invalid ballot papers and cancelled ballot papers, electoral rolls as well as voting certificates delivered for temporary keeping at the territorial police inspectorates shall be destroyed.

Chapter XII
MONITORING AND REFLECTING ELECTIONS
IN THE MEDIA

Article 88. Observers

(1) Observer status is incompatible with that of an electoral official serving on the electoral body, candidate for election, member of the initiative group, representative or trusted person of the electoral competitor or referendum participant, treasurer.

(2) Observers may be:

a) national observers — citizens of the Republic of Moldova with the right to vote, accredited by electoral bodies under the conditions laid down in this Code, at the request of public associations and electoral training and research institutions of the Republic of Moldova, who have the task of observing how the elections are organised and conducted;

b) international observers — citizens of the Republic of Moldova, as well as foreign citizens, representatives of foreign electoral authorities and electoral training and research institutions, international organisations, foreign state governments and non-governmental organisations abroad, as well as international electoral experts accredited by the Central Electoral Commission under the terms of this Code;

(3) Public associations/non-governmental organisations dealing, in accordance with the Statute or other internal acts, with the protection of human rights or democratic values may request the accreditation of observers. Upon request, electoral constituency councils shall also accredit national observers from public associations of the Republic of Moldova.

(4) International observers may be accredited at the invitation of the Central Electoral Commission to the entities referred to in paragraph (2) (b), and shall confirm their interpreters.

(5) The subjects referred to in paragraph (2) may submit requests for the accreditation of observers before the start of the electoral period, but no later than 7 days before the election day, and may carry out their work until the results of the elections and the validation of mandates have been confirmed.

(6) In the event of a request for accreditation of national observers, the electoral body shall adopt, within a period of up to 5 days, as a rule in the presence of the applicant or his/her representative, a decision accrediting or rejecting the candidacy of the person proposed for election observation and, in the case of international observers, within 10 days, but no later than the day preceding the election day.

(7) In the event of rejection of the candidature, the electoral body shall be required to inform the person who submitted the candidacy of the reasons for its decision. The refusal of

the accreditation of observers shall be justified and may be challenged under the conditions of Chapter XIII.

(8) Observers accredited by the Central Electoral Commission may monitor the electoral process throughout the country and at all polling stations, including those outside the country, and observers accredited by electoral constituency councils shall operate only within the respective constituency.

(9) Accredited observers shall have the right to attend all electoral operations, all meetings of electoral bodies, including on the election day, without interfering with the electoral process or other electoral operations, and to inform the chairperson of the electoral body of the irregularities observed. Observers shall have access to all electoral information, electoral rolls, minutes drawn up by the electoral bodies, photographic and video filming with notification to the chairperson of the electoral body, without jeopardising the secrecy and security of voting, and national observers may also submit complaints of irregularities, which shall be examined by the electoral body, with the notifier being compulsorily informed of the decision taken. Observers shall have the right to inform the public of their findings. On the election day, observers shall not be entitled to express findings that would favour or disadvantage certain electoral competitors or referendum participants.

(10) The records of observers accredited by electoral bodies and their complaints shall be made through the information application State Automated Information System 'Elections', managed by the Central Electoral Commission.

(11) The procedure for the accreditation of observers, their rights and obligations shall be laid down in regulations approved by the Central Electoral Commission.

Article 89. General principles regarding the coverage of elections by media outlets

(1) The provisions of this Article shall apply to media outlets, with the exception of those founded by political parties.

(2) Media outlets shall be required to respect the principles of fairness, balance and impartiality when covering elections. They must offer initiative groups, electoral competitors and referendum participants, airtime or space for electoral advertising on equal and non-discriminatory terms.

(3) Media outlets shall not adopt privileged treatment of initiative groups, electoral competitors and referendum participants by virtue of their social status and/or the functions held by their candidates.

(4) During the electoral period, media outlets shall make a clear distinction in their journalistic material between the exercise of official office and the electoral activity of persons not covered by Article 16 (3).

(5) Electoral competitors/candidates or referendum participants who consider that their right have been violated shall have the right of reply. The written request for a right of reply shall be submitted to the media outlet within 2 calendar days of the dissemination/publication of the information. The refusal to grant the right of reply, in the case of media service providers, shall be challenged before the Audiovisual Council and in the case of print media outlets - at the Central Electoral Commission. The right of reply shall be granted within 3 calendar days of the submission of the application/appeal, on terms equal/similar to those under which legitimate rights have been infringed.

(6) Electoral advertising in the Internet and by mobile telephony shall be treated as electoral advertising in the print media.

(7) Media outlets shall have the right to cover the elections and to inform the public about all electoral matters free of any interference or interference by public authorities, electoral competitors/election candidates, initiative groups, referendum participants or other

entities. Journalists legitimised by media outlets and confirmed by the Central Electoral Commission shall have access to meetings of electoral bodies, electoral operations and electoral information, under the same conditions as observers.

Article 90. Peculiarities of the coverage of elections by media outlets

(1) During the electoral period, audiovisual electoral programmes and written material, which in one way or another target initiative groups, electoral competitors (election candidates) and referendum participants, are broadcast/published in compliance with the Rules on the coverage of elections by media outlets, approved by the Central Electoral Commission.

(2) In audiovisual media services, initiative groups, electoral competitors (election candidates), referendum participants, their representatives and trusted people may not intervene directly or indirectly or be targeted by third parties in audiovisual programmes other than those of an electoral nature, expressly set out in statements of editorial policies of media service providers. Audiovisual electoral programmes shall be deemed to be the following:

a) news and current affairs programmes — information headings or groupings, highlighted by unique acoustic and visual signals, where information about voting technique, electoral system, other aspects of the electoral process, opinion polls and campaign activities of initiative groups, electoral competitors and referendum participants can be disseminated;

b) Electoral information broadcasts — those where initiative groups, electoral competitors (election candidates), referendum participants or their representatives can present political programmes and discuss various issues of public interest organised at the initiative of the media service provider;

c) Electoral promotion broadcasts — those during which airtime granted to initiative groups, electoral competitors and referendum participants are disseminated in accordance with the provisions of this Code;

d) Electoral debates — those in which initiative groups, electoral competitors (election candidates), referendum participants or their representatives are asked to express their views on the topics proposed for discussion by the media service provider.

e) Electoral advertising programmes — those intended exclusively for the dissemination of electoral advertising.

(3) The audiovisual programmes referred to in paragraph (1) shall be realised and broadcast only during the electoral period and, where applicable, during the election campaign, in compliance with the provisions of the Audiovisual Media Services Code and the Regulation on the coverage of elections by media outlets, approved by the Central Electoral Commission.

(4) During the electoral period, political advertising and messages of public interest shall be disseminated in accordance with the procedure laid down in the rules approved by the Central Electoral Commission.

(5) Within the first 7 days of the start of the electoral period, media service providers shall submit to the Audiovisual Council a statement on editorial policy to cover the elections/referendum or a notification informing that they do not participate in the coverage of the elections/referendum. Statements corresponding to the legislation shall be approved by the Audiovisual Council and published on its website and on the media service providers' webpages. Monitoring of compliance with editorial policy shall be exercised by the Audiovisual Council ex officio, in accordance with the provisions of the Audiovisual Media Services Code of the Republic of Moldova.

(6) In the election campaign for parliamentary elections, presidential elections and republican referenda, national providers of general and/or news audiovisual media services operating in the locality where the elections take place, whose editorial policy statements have

been adopted by the Audiovisual Council, shall be required to organise electoral debates and regional or local providers have the right to organise them. In the election campaign for local elections and referenda, regional and local providers of general and/or news audiovisual media services, active in the locality where the elections take place, whose editorial policy statements have been adopted by the Audiovisual Council, shall be required to organise electoral debates and national providers have the right to organise them. The format, duration, frequency and time of the circulation of electoral debates shall be determined by the media service providers on an equal footing and shall be indicated in the statement of editorial policy. Electoral debates shall be broadcast at peak hours, as laid down in the Audiovisual Media Services Code.

(7) In the election campaign for parliamentary and presidential elections and republican referenda, national media service providers who will reflect the election campaign, the list of which is updated and made public by the Audiovisual Council, shall give electoral competitors or referendum participants free of charge 5 minutes of television broadcasting and 10 minutes of sound broadcasting services for the entire election campaign in order to display electoral programmes and inform voters. This airtime may not be used to disseminate electoral advertising.

(8) In parliamentary and presidential elections and republican referenda, public media service providers shall provide electoral competitors or referendum participants free of charge for one minute a day to place electoral advertising.

(9) For electoral advertising against payment, each initiative group, during its activity, and each electoral competitor or referendum participant during the election campaign shall be offered no more than 2 minutes per day on each audiovisual media service. The tariff for electoral advertising may not exceed the tariff for commercial advertising applied up to 6 months before the date of the election. The airtime for electoral advertising against payment shall be granted on equal terms, within the slots set by media service providers in the statements of editorial policy. Media service providers not participating in the coverage of elections and public media service providers shall not have the right to place electoral advertising against payment.

(10) Within 3 days of the request, media service providers shall grant airtime according to the order set out in the statement of editorial policy.

(11) The refusal to broadcast or publish, under the terms of this Code, electoral advertising, whether in return for payment or free of charge, may be challenged before the court.

(12) During the electoral period, the procedures for organising and conducting opinion polls on the political preferences of voters and exit polls shall be laid down in a regulation approved by the Central Electoral Commission. Only authorised opinion polls may be published. The dissemination and coverage of the results of unauthorised opinion polls shall be sanctioned in accordance with the law.

(13) On the election day, before 21:00, Moldovan time, media outlets shall not publicise material, including interviews with voters, or the results of voters' queries on electoral options, interviews on the number of votes held by electoral competitors during the day and their chances, including exit-poll results.

(14) Media outlets founded by public authorities, reflecting the elections, shall publish free of charge and the media service providers, both public and private, whose editorial policy statements have been approved, shall broadcast free of charge, at the request of the electoral bodies, messages of public interest, in accordance with Chapter III of Law No 62/2022 on advertising.

(15) During the electoral period, the Audiovisual Council shall monitor how media service providers comply with the statements of editorial policy to cover the elections/referendum. Depending on the technical possibilities, general media and news service providers who, according to the measurements made by the specialised institution, had the highest audience shares in the three months preceding the month in which the date of the election/referendum is fixed shall be monitored as a matter of priority.

(16) During the electoral period, the Audiovisual Council shall publish monitoring reports on a weekly basis and take decisions based on the results of the monitoring. Two days before the date of the elections/referendum, the Audiovisual Council shall publicly present a report of totalisation. The monitoring reports, as well as the totalisation report, shall be submitted to the Central Electoral Commission and shall be placed on the website of the Audiovisual Council and on the web pages of the media service providers monitored, at the latest on the day following the public submission.

(17) Within two weeks after the date of the election, the Audiovisual Council shall publicly present a final report summarising the way audiovisual media service providers covered the elections/referendum.

Chapter XIII JUDICIAL PROCEEDINGS

Section 1 Challenges to the organisation and conduct of elections

Article 91. Appeals

(1) For the purposes of this Code, appeal means a written application (referral), including a prior request, which:

a) urges the electoral body to review, cancel in whole or in part, or issue an administrative act, to bring an action or to order the electoral body to refrain from acting;

b) challenges actions/inactions found to be illegal by subjects registered, accredited or confirmed or to be registered, accredited or confirmed by electoral bodies, hereinafter referred to as electoral subjects;

c) challenges the facts considered as a violation of the manner in which the election campaign was covered, broadcast or placed in electoral advertising;

d) challenges the facts alleged to constitute a breach of the regulatory framework regarding the financing of political parties, election campaigns, nominated candidates, initiative groups and referendum participants.

e) formulates criticisms in relation to other violations of electoral law.

(2) Appeals lodged under the terms of this Code shall be examined by the electoral bodies, respecting their hierarchy. In the cases laid down by this Code and by other legislative acts, appeals shall be examined by other bodies (authorities) within the limits of the powers conferred on them.

(3) For the purposes of paragraph (2), the legality of the administrative acts of the issuing electoral body, as well as its actions/inactions, shall be challenged directly before the hierarchically superior electoral body. Following compliance with the prior procedure, the decision of the issuing electoral body, where applicable, the decision of the hierarchically superior electoral body in the case of a new decision on the preliminary application, shall be challenged directly in the court within whose jurisdiction the electoral body concerned is situated.

(4) The objections described in paragraph (1) (b) shall be lodged with the electoral body, which has registered, accredited or confirmed, or will register, accredit, confirm the electoral subjects whose actions/inactions are challenged. The decisions of the electoral bodies on these appeals shall be challenged under the conditions laid down in paragraph (3).

(5) Appeals concerning the legality of decisions of the Central Electoral Commission and decisions of the Audiovisual Council, as well as their actions/inactions, shall be lodged, without following the prior procedure, with Chisinau Court of Appeal.

(6) Appeals concerning the financing of political parties and election campaigns and other competitors or electoral subjects shall approach the Central Electoral Commission, with the exception of appeals concerning the financing of independent candidates, initiative groups in local elections and the mayor registered as a participant in the local referendum, which shall address the electoral constituency councils.

(7) Appeals concerning the coverage of elections by media service providers shall be examined by the Audiovisual Council in accordance with the provisions of this Code and the Audiovisual Media Services Code.

(8) Appeals relating to the preparation and/or placement of electoral advertisements, including on the content of such publicity material, shall be examined by the electoral bodies in the part concerning the actions/inactions of the electoral subjects registered or who are to be registered or confirmed by the electoral bodies.

(9) Appeals lodged after the day of the vote may only relate to infringements relating to the exercise of the right to vote, the organisation of electoral procedures on the day of the vote and/or the totalisation of voting results by the electoral bodies, if such violations adversely affect the rights of the objectors and influence the results of the vote by the redistribution of the elected candidates' mandates.

(10) The procedure for examining appeals during the electoral period, as well as appeals relating to the financing of political parties and election campaigns, shall be approved by a decision of the Central Electoral Commission.

Article 92. Form and content of the appeal

(1) The appeal may be lodged in writing, sent by post or transmitted electronically to the competent authority.

(2) The appeal shall contain the following mandatory elements:

a) the name of the authority which is requested to examine the appeal;

b) the name and surname or name of the objector, as well as other identification and correspondence data;

c) description of the facts alleged as infringements, in particular of the rights violated, with the exception of appeals lodged under Article 91 (1) (d) and (6), an indication of the legal basis, the listing and annex of evidence confirming the facts alleged and the requirements of the objector;

d) the date on which the appeal was lodged and the signature of the objector or his/her representative.

(3) The objector shall have the right to withdraw his/her appeal, amend the requirements and/or supplement it, except for its subject matter, by submitting a written application to the competent authority. In the event of a change in the subject matter of the appeal, it shall be regarded as a new appeal. The appeal may be withdrawn until the competent authority takes a decision and the appeal may be amended or replaced by the day admitted for appeal in accordance with Article 95.

(4) When lodging appeals on the coverage of elections by media service providers, they shall take into account the form and content requirements set out in the Audiovisual Media Services Code.

(5) The form and content of appeals lodged with the court must comply with the requirements laid down in the Administrative Code and the Code of Civil Procedure.

Article 93. Conditions for admissibility of appeals

(1) Electoral bodies shall verify *ex officio* whether the conditions for the admissibility of the appeal are met. If the appeal is inadmissible, it shall be declared as such by decision of the electoral body.

(2) The appeal shall be declared inadmissible in particular where:

- a) it has been submitted by a person other than that referred to in Article 94 (1) or by a person without a power of attorney;
- b) the procedure for examining the prior application has not been followed;
- c) it has been lodged after the expiry of the time limit laid down in this Code;
- d) it does not meet the form and content requirements and the objector has not remedied the shortcomings within the time limit set by the electoral body;
- e) the objector may not claim that his/her electoral rights have been infringed, with the exception of appeals lodged in accordance with Article 91 (1) (d) and (6);
- f) there is a ruling on an electoral dispute between the same parties, on the same subject matter and on the same legal grounds;
- g) it was lodged at the same time with another electoral body, another competent authority or with the court, in accordance with Article 99;
- h) in other cases laid down in this Chapter.

Article 94. Lodging the appeal

(1) The subject of the appeal may be the voter, the nominee, the initiative group, the electoral competitor or the referendum participant, who claims that his or her legitimate rights under this Code and other legislative acts in the electoral field have been infringed. Political parties entitled to participate in the election may also submit objections under the conditions laid down in Article 27 (g).

(2) The objectors shall lodge and/or participate in the procedure for examining appeals in person or through the representatives authorised under the Administrative Code, as the case may be, the Code of Civil Procedure. Within the electoral bodies, the lodging and/or participation in the procedure for examining appeals shall be determined based on the decisions approved by the Central Electoral Commission.

(3) The Central Electoral Commission, where appropriate, the electoral constituency council or the Audiovisual Council, may initiate *ex officio* the procedure for examining infringements referred to in Article 91 (1) (c) and (d).

Article 95. Deadline for lodging appeals

(1) During the electoral period, the general deadline for lodging appeals is 3 calendar days, which shall be calculated from the day following the day on which the action was committed, the inaction was identified or the decision was adopted.

(2) In the cases provided for in this Code or in other legislative acts, the deadline for lodging appeals may not be later than the election day or another specific or determinable date (circumstance).

(3) In the event of divergence between the rules of this Code and other legislative acts, the provisions of this Code shall apply in the part pertaining to the deadline for lodging appeals during the electoral period.

(4) Objections relating to the facts referred to in Article 91 (1) (d) shall be submitted to the appropriate electoral body within 3 calendar days from the identification of the infringements, including after election day, but before the validation of the mandates.

(5) Appeals regarding election coverage by media service providers shall be submitted to the Audiovisual Council within 3 calendar days of the identification of the infringements by which the rights of the objector have been infringed.

(6) Applications for a right of reply and for appealing the refusal to grant the right of reply shall be submitted within the deadline laid down in Chapter XII.

(7) Applications for cancellation of the registration, accreditation or confirmation of electoral subjects shall be submitted to the competent electoral body no later than 5 days before the election day. Applications submitted after that deadline shall be examined when the results of the elections are totalised and confirmed.

(8) The lodging of administrative actions and the lodging of appeals against judicial acts shall be carried out within the same deadline laid down in paragraph (1).

(9) After the day of elections or referenda, appeals may be lodged within 3 calendar days of the day of the vote, but no later than:

a) the adoption of decisions by electoral bodies on the approval of minutes on the totalisation of the results of local elections and referenda and/or the validation of the mandates of local elected representatives;

b) the confirmation of the results of parliamentary and presidential election or republican referenda and the validation of the mandates of candidates elected by the Constitutional Court.

(10) Applications for vote recounting may be submitted within 3 calendar days of the preliminary voting results being made public. The Central Electoral Commission, where applicable, shall order the recounting of votes if the infringements referred to in the application are likely to influence the results of voting and the distribution of seats, respectively. Applications for recounting the votes are well founded if a difference of up to 10% between valid votes cast for electoral competitors or between votes cast in referendum is established, and if the data recorded or the corrections made in the minutes on vote count question their compliance and veracity.

(11) The lodging of appeals shall not suspend the execution of acts issued by electoral bodies or other competent authorities, unless the legislative acts in the electoral field provide otherwise or the authority, as the case may be, has not ordered the suspension of the enforcement of the contested acts under the conditions of the Administrative Code.

Article 96. Burden of proof

(1) Each objector shall establish the facts on which his/her claims are based and shall be liable for the veracity and quality of the evidence submitted.

(2) The obligation to confirm compliance with the deadline for lodging an appeal under Article 95 shall lie with the objector.

Article 97. Legal regime governing the competence of public authorities to examine appeals

(1) When lodging an appeal, the powers and duties of the public authorities with regard to the examination of appeals, the type of election, the alleged infringements and the

place where they were committed, as well as the requirements submitted shall be taken into account.

(2) Based on the provisions of this Code and other related legislative acts, the power to examine appeals shall lie with:

1) electoral constituency councils in the event of appeals submitted under the terms of this chapter. Electoral councils shall have the power to also examine:

a) cancellation requests for electoral subjects registered, accredited or confirmed by the electoral council concerned;

b) appeals against the decisions of the election bureaux approving the minutes on the results of the vote count and/or the report on their activity during the electoral period;

c) appeals against the decisions of the first-level constituency councils approving the minutes on the totalisation of the voting results and/or the report on their activity during the electoral period, as well as on the declaration of elected candidates, the allocation and validation of the mandates of local elected representatives, the confirmation of lists of alternate candidates in local elections.

2) the Central Electoral Commission in the event of appeals submitted under the terms of this chapter. The Central Electoral Commission shall also examine:

a) cancellation requests for election subjects registered, accredited or confirmed by the Commission;

b) requests to recount votes in case of disagreement with preliminary voting results in local elections and referenda;

c) appeals against decisions of the electoral bodies on the totalisation of voting results and/or on the approval of the report on their activity during the electoral period;

d) appeals against decisions concerning the declaration of elected candidates, the allocation and validation of the mandates of elected representatives, confirmation of lists of alternate candidates in local elections;

e) appeals against the reflection or dissemination of false information placed by electoral subjects in the print media or online space.

3) the Audiovisual Council in the event of appeals submitted under the terms of this chapter, as well as applications provided for in the Audiovisual Media Services Code of the Republic of Moldova.

(3) Where the examination does not fall within the competence of the body concerned, the appeal and the material attached to it shall be submitted for examination in accordance with the competence, as a matter of urgency, no later than 2 calendar days after the date of receipt, except in the cases referred to in Article 93 (2) (g) and Article 99.

(4) After the dissolution of the electoral bureaux, where applicable, the electoral constituency councils, they shall be replaced by the Central Electoral Commission in the examination of electoral appeals and disputes.

Article 98. Jurisdiction to examine appeals

(1) In the order of administrative litigation, the courts shall examine electoral cases as follows:

1) District courts at first instance shall decide on appeals against actions/inactions and decisions of electoral bodies, after conducting the procedure for examining the preliminary application;

2) Chisinau Court of Appeal at first instance shall settle:

a) appeals against actions/inactions and administrative acts of the Central Electoral Commission;

b) appeals against actions/inactions and decisions of the Audiovisual Council;

3) The courts of appeal shall settle appeals against judicial acts issued by judges in electoral disputes;

4) The Supreme Court of Justice shall settle appeals against judicial acts of the courts of appeal adopted in electoral disputes.

(2) Appeals lodged with the courts shall be examined in accordance with the provisions of this Code, the Administrative Code and the Code of Civil Procedure.

(3) The court programme shall be organised in such a way that appeals can be lodged and examined without delay.

Article 99. Solving conflicts of jurisdiction

(1) If the same appeal is lodged simultaneously with more than one electoral body, it shall be examined by the hierarchically superior electoral body to the body whose actions/inactions and decisions are challenged, and in the case of actions/inactions of electoral competitors, referendum participants or groups of initiatives, as well as other electoral subjects, by the electoral body which registered, accredited or confirmed them.

(2) If it has been addressed to the electoral bodies and the court, the appeal shall be examined by the court, unless the prior examination procedure has not been followed.

(3) In all such cases, the electoral bodies, which receive the appeals, but do not proceed to examine their merits, shall declare them inadmissible in accordance with Article 93.

(4) In the case of appeals concerning the financing of the election campaigns of candidates nominated by the political parties or electoral blocks and stating the requirement to impose a penalty for the cancellation of their registration, the electoral body registering the candidates shall proceed with the examination of this requirement only after examination of the appeal by the Central Electoral Commission in the part of facts considered by the objector as breaches of the financing of the election campaign, as well based on the findings and solutions issued by the Commission as a result of the examination.

(5) If facts found to be unlawful are communicated in the appeal, but the examination of those facts falls within the competence of more than one competent (electoral) body, the body which received the appeal shall proceed to the examination of the appeal on the part of its competence, while the other matters shall be referred to the authorities responsible under Article 97 (3).

Article 100. Deadline for examining appeals

(1) During the electoral period, the competent authorities shall examine objections within 3 calendar days of submission, but no later than the election day. When examining electoral disputes, the courts shall apply the same deadline, including in appeal proceedings.

(2) By way of derogation from paragraph (1), the deadline for examination may not exceed:

a) the deadline set for the registration, accreditation or confirmation of the subjects concerned by the electoral bodies;

b) 3 days before the voting day in the case of requests for cancellation of the registration, accreditation or confirmation of electoral subjects, as applicable, simultaneously with the totalisation and confirmation of the election results;

c) or simultaneously with the examination of the results of elections, appeals regarding the financing of election campaigns of electoral competitors and other electoral subjects;

(3) The examination of appeals concerning the financing of the activity of political parties shall not be subject to the limitation periods laid down in this chapter. The rules of this

Code and of Act No 294/2007 on political parties, as well as the provisions of the regulation on the financing of the activity of political parties, approved by decision of the Central Electoral Commission, shall apply to the examination of appeals concerning the financing of the activity of political parties.

(4) Appeals lodged on the election day shall be examined on the same day, with the exceptions laid down in this chapter, while those lodged after the end of the vote shall be examined simultaneously with the procedure for the totalisation and confirmation of the results of referenda and elections, including the validation of mandates of the elected candidates.

(5) Applications for vote recounting in the event of disagreement with the preliminary voting results shall be examined within 3 calendar days of the submission. Where the recount procedure is ordered, it shall be held within 5 calendar days in accordance with the conditions laid down by the Central Electoral Commission.

(6) In the case of appeals lodged between the two ballots, they shall be examined within 3 calendar days of the submission, if appropriate, simultaneously with the procedure for totalisation and confirmation of the results of the election and the validation of mandates of the candidates elected after the second ballot.

(7) When examining electoral appeals and disputes, the competent authorities shall prioritise those dealing with the registration, accreditation or confirmation of electoral subjects, as well as those aimed at refusing or cancelling their registration, accreditation or confirmation, including those relating to the correctness of drawing up electoral rolls and the exercise of the right to vote.

(8) The electoral constituency councils and the Constitutional Court respectively shall confirm the results of the elections and validate the mandates of the elected candidates, as well as confirm the lists of alternate candidates only after the final settlement of the appeals.

Article 101. Settlement of appeals

(1) The decision on the appeals shall be adopted by a vote of an absolute majority of the members of the electoral body and in accordance with the procedure described in the regulations governing the activities of those bodies.

(2) The electoral body, after examining the appeal, shall be entitled to adopt the following solutions:

- a) declare the appeal inadmissible;
- b) uphold the appeal in whole or in part;
- c) dismiss the appeal as unfounded;
- d) establish breaches of the provisions of the electoral normative framework and/or compel the parties to remedy the infringements established;
- e) impose or request the application of penalties for infringements found.

(3) In the event of an appeal to the decisions of the lower electoral bodies, the hierarchical superior electoral body shall have the right to:

- a) declare the appeal inadmissible;
- b) dismiss the appeal and maintain in force the decision of the lower hierarchical electoral body;
- c) uphold the appeal and amend, where appropriate, cancel in part or in full the decision of the lower hierarchical electoral body by adopting a new decision.

(4) In the event of appeals concerning the coverage of elections by media service providers, the Audiovisual Council shall take decisions and respond appropriately in accordance with the procedure laid down by the Audiovisual Media Services Code of the

Republic of Moldova, with the exception of the deadline and procedure applicable under this Code.

(5) Decisions of electoral bodies and decisions of the Audiovisual Council, issued under the terms of this chapter, shall be enforceable from their adoption, except in cases where their execution is suspended.

(6) The courts shall adopt and issue judgments and decisions, and issue decisions in accordance with the provisions of the Administrative Code and the Code of Civil Procedure.

(7) Judicial acts issued under the terms of this chapter shall be final and enforceable from their delivery, except in cases where their enforcement is suspended.

Section 2

Liability for violations of electoral law

Article 102. Legal liability

(1) Natural and legal persons, initiative groups, electoral competitors and referendum participants, as well as other subjects involved in the electoral process, who violate the provisions of electoral laws, prevent the free exercise of electoral rights, impede the work of electoral bodies, shall be held liable in accordance with the law.

(2) For infringements of legislative electoral acts, the Central Electoral Commission, where appropriate, may, ex officio or upon a request of another competent authority or objectors, impose or request the application of the following basic or complementary sanctions:

- a) warning;
- b) denial of airtime free of charge and/or against payment, for a period from 24 to 48 hours, which may be applied only after the penalty in the form of a warning has been given;
- c) deprivation of state budget allowances;
- d) application of administrative penalty under the Contravention Code;
- e) cancel of the registration, accreditation or confirmation of electoral subjects;
- f) request of ex officio deregistration of political parties.

(3) The penalty in the form of a warning may be imposed by decision of the Central Electoral Commission for infringement of legislative electoral acts other than those laid down in paragraph (5), in the case of any election, and by decision of the electoral constituency council — in the case of local elections and referenda.

(4) The Central Electoral Commission shall impose on political parties registered as electoral competitors the additional penalty of deprivation of State budget allowances for a period of 2 months to one year only in the event of repeated application of the penalty in the form of a warning, during an electoral period, for infringements relating to the financing of the work of initiative groups and/or of the election campaign.

(5) The cancellation of registration shall apply by decision of the electoral body registering the subject of the election if established that:

- a) more than 1 per cent of undeclared financial and material funds was used in relation to the ceiling of the means that can be transferred to the electoral fund account or to the initiative group account;
- b) expenditure exceeded the ceiling of funds of the electoral fund or the initiative group;
- c) financial means from abroad were used, with the exception of donations from citizens of the Republic of Moldova with income obtained outside the country;
- d) the candidate required to be suspended from office was not suspended. In such a case, the registration of the electoral competitor, the independent candidate shall be cancelled or the candidate shall be excluded from the list of the electoral competitor;

(6) In the event of infringement of the provisions of this Code and of other legislative acts in the electoral field by electoral officials, the Central Electoral Commission, where appropriate, the electoral constituency council, may impose the following sanctions:

- a) warning;
- b) removal from the composition of the electoral bodies and their work apparatus;
- c) removal from the Register of Electoral Officials;
- d) deprivation of the right to engage in any activity in electoral bodies for a period of one to four years.

(7) For violations of legislative acts on the election coverage by media service providers, the Audiovisual Council may apply the sanctions set out in the Audiovisual Media Services Code of the Republic of Moldova.

(8) In the event of a breach by the observer of the electoral regulatory framework, the electoral body accrediting the observer shall be entitled to cancel the accreditation by adopting a decision in this respect. For the purposes of this Article, any act of electoral agitation for or against a political party or electoral competitor, initiative group, referendum participant, choice of questions submitted to the referendum or attempt to influence the voter's choice, as well as failure to comply with the observer's obligations, shall qualify as a violation.

(9) The Central Electoral Commission may ask the Public Services Agency to deregister political parties ex-officio under the terms of Law No 294/2007 on political parties.

Article 103. Criminal liability

(1) Offences set out in the Criminal Code shall be deemed as violations of this Code and shall be liable to criminal liability.

(2) The chairpersons of the electoral bodies and other officials shall be required to inform, no later than the second working day following the finding, the public Prosecutor's Office bodies or the internal affairs bodies of actions violating the organisation and conduct of elections or the financing of political parties and election campaigns, which have become known to them.

Article 104. Liability for administrative offences

(1) The offences set out in the Administrative Code shall be deemed as violations of this Code and shall be liable to administrative liability.

(2) Violations shall be found and examined in accordance with the provisions of the Contravention Code. The chairpersons of the electoral bodies and other persons holding conclusive information about the commission of administrative offences shall be required to inform the inspectors, no later than the second working day following the finding, of actions violating the organisation and conduct of elections or the financing of political parties and election campaigns, which have become known to them.

TITLE III PARLIAMENTARY ELECTIONS

Article 105. Application of the provisions of this Title

The provisions of this Title shall apply only to parliamentary elections.

Article 106. Election of Parliament

(1) Parliament is elected by universal, equal, direct, secret and freely expressed suffrage, for a term of 4 years.

(2) The election of Parliament shall take place in a single national electoral constituency, in which 101 Members are elected.

Article 107. Electoral constituencies and electoral constituency councils

For the purposes of organising and conducting parliamentary elections, the Central Electoral Commission shall constitute electoral constituencies and electoral constituency councils, in accordance with Articles 34 and 35, which shall apply accordingly.

Article 108. Polling stations and electoral bureaux of polling stations

Polling stations and electoral bureaux of polling stations shall be set up in accordance with Articles 38 to 40, which shall apply accordingly.

Article 109. Candidates for the office of Member of Parliament

Candidates for the office of Member of Parliament may be persons with the right to vote who have reached, including on the election day, the age of 18, hold the nationality of the Republic of Moldova and meet other conditions laid down in this Code.

Article 110. Setting out of the date of elections

(1) Parliamentary elections shall take place no later than 3 months after the expiry of Parliament's term of office or the dissolution of the previous Parliament.

(2) The date of parliamentary elections shall be fixed by a decision of Parliament at least 70 days before the election day.

(3) In the event of the dissolution of Parliament, the date of election of the new Parliament shall be fixed by the same decree of the President of the Republic of Moldova. Early elections shall take place at least 60 days, but no later than 3 months, after the dissolution of Parliament.

Article 111. Nomination of candidates from electoral parties or blocks

(1) Candidates for the office of Member of Parliament shall be nominated in accordance with Article 63, in accordance with the statutory provisions of the parties or in accordance with the agreements establishing electoral blocks.

(2) The electoral party or block shall submit the list of candidates, which shall not include less than 51 and more than 111 persons.

(3) The template of the list of candidates shall be drawn up by the Central Electoral Commission.

(4) Lists of candidates for parliamentary elections shall be approved in accordance with the statutory provisions of the parties or the agreements establishing electoral blocks.

(5) Lists of candidates shall be drawn up in accordance with Article 68 (3).

(6) Failure to comply with the conditions laid down in paragraphs (2) to (5) and Article 112 (2) shall entail refusal by the relevant electoral body to register the lists of candidates or persons on the list.

Article 112. Registration of electoral competitors for parliamentary elections

(1) In order to be registered, political parties, electoral blocks and independent candidates shall submit to the Central Electoral Commission the documents in accordance with Article 68, which shall apply accordingly.

(2) The same person may be included in only one list of candidates from a political party, electoral bloc or stand as an independent candidate.

Article 113. Special conditions for subscription lists

(1) To be registered by the Central Electoral Commission, the independent candidate shall submit subscription lists containing the signatures of minimum 2000 and maximum 2500 supporters with voting right. By way of derogation from this provision, a female candidate shall present the signatures of minimum 1000 and maximum 2500 supporters with voting right.

(2) The collection of signatures to support the independent candidate for the office of Member of Parliament, the submission and verification of subscription lists shall be carried out in accordance with Articles 65, 66 and 67 and the Commission rules, which shall apply accordingly.

(3) Where, the verification finds that the required number of signatures has not been submitted or, that after invalidation of subscription lists and/or signatures thereof, their number is lower than the minimum ceiling laid down in paragraph (1), the independent candidate shall not be registered and shall be notified of that decision within 24 hours of its adoption.

(4) An independent candidate shall not submit additional subscription lists after the Central Electoral Commission has received and registered the set of documents referred to in Article 68.

Article 114. Initiative groups to support the independent candidate for the office of Member of Parliament

(1) For the collection of signatures in the subscription lists in accordance with Article 113, the independent candidate may form an initiative group.

(2) The initiative group shall be set up following a citizens' assembly with the right to vote supporting the independent candidate for the office of Member of Parliament, choosing the leader of the group and approving the list of members of the initiative group, indicating their identity. The independent candidate must be a member of the assembly setting up the initiative group and may be elected the leader of the group. The group leader shall coordinate the collection of signatures of the candidate's supporters, verify the authenticity of the signatures, establish and systematise the subscription lists, as required.

(3) Before the assembly, the participants shall be registered and a list shall be drawn up showing their names, surnames, year of birth, domicile and their signatures.

(4) The independent candidate shall submit the list of members of the initiative group, indicating also the leader of that group, to the Central Electoral Commission.

(5) The Central Electoral Commission shall, no later than 3 days after the date of submission of the list of members, adopt a decision on the registration of the initiative group and issue the badges to the members of the registered initiative group.

(6) The detailed procedure for setting up and registering the initiative group shall be laid down in the rules of the Central Electoral Commission.

Article 115. Alteration of the list of candidates

(1) Electoral competitors shall be entitled to request, but no later than 10 days before the election day, the following changes to the list of candidates to be operated:

a) change of the serial number or exclusion of the candidate from the registered list;

b) withdrawal of the entire list of candidates;

c) before the start of the election campaign, the replacement of a candidate from the registered list by his/her withdrawal and the appointment of another candidate, the completion of the list of candidates within the limit laid down in Article 111 (2).

(2) In accordance with paragraph (1), the political party or electoral block submitting the list of candidates shall adopt the decision on withdrawal or alteration of the list of candidates, in compliance with Article 7 (2) (b) of Law No 5/2006 on ensuring equal

opportunities between women and men and Article 68 (3), with the submission of the list to the Commission.

(3) The lists of candidates shall be amended, no later than 3 days, by decision of the Central Electoral Commission.

(4) The Central Electoral Commission shall refuse to operate amendments that do not meet the requirements laid down in paragraphs (1) and (2), issuing a decision to that effect.

Article 116. Withdrawal of the independent candidate

(1) The independent candidate shall have the right to withdraw his/her candidacy, but no later than 10 days before the election day. In that case, the request for withdrawal of the independent candidate shall be submitted personally to the Central Electoral Commission.

(2) The decision on the withdrawal of the independent candidate from the electoral race shall be adopted by the Central Electoral Commission no later than 3 calendar days of submission of the application in accordance with paragraph (1).

Article 117. Electoral roll

Electoral rolls for parliamentary elections shall be drawn up in accordance with the provisions of Chapter VI, which shall apply accordingly.

Article 118. Election campaign

The election campaign for parliamentary elections shall be conducted in accordance with the provisions of Chapter VIII, which shall apply accordingly.

Article 119. Ballot papers

Ballot papers shall be drawn up in accordance with the provisions of Chapter IX, which shall apply accordingly.

Article 120. Voting time

Voting in parliamentary elections shall be conducted in accordance with the provisions of Chapter X, which shall apply accordingly.

Article 121. Counting of votes and totalisation of election results

The counting of votes and the totalisation of the results of parliamentary elections shall be carried out in accordance with the provisions of Chapter XI, which shall apply accordingly.

Article 122. Setting out of the representation ceiling

(1) After receiving the minutes of the electoral constituency councils showing the results of the counting of votes in all constituencies, the Central Electoral Commission shall totalise the number of votes validly cast, obtained by each electoral competitor, in order to determine whether they have reached the minimum ceiling for representation.

(2) The minimum ceiling for representation shall be the following percentages of the votes validly cast as a whole per country:

- a) for an electoral block — 7 per cent;
- b) for a political party — 5 per cent;
- c) for an independent candidate — 2 per cent.

(3) Electoral competitors who have received fewer votes than those specified in paragraph (2) shall be excluded from the process of awarding mandates by a decision of the Central Electoral Commission.

Article 123. Counting of Member of Parliament mandates obtained by the electoral competitor

(1) The number of Member of Parliament mandates obtained by electoral competitors shall be calculated by the Central Electoral Commission by dividing successively the number of valid votes cast for each electoral competitor, with the exception of independent candidates, by 1, 2, 3, 4, etc. up to the figure corresponding to the number of mandates set for Parliament.

(2) From the results of all the divisions and from the number of valid votes cast for the independent candidates, as many numbers as mandates as a Member that are to be distributed shall be taken, in descending order. The number in this descending string belonging to the political party or electoral block shall correspond to the number of mandates assigned to it.

(3) The independent candidate shall be deemed elected if the number of valid votes cast obtained by him or her constitutes at least one per cent of the valid votes cast as a whole per country.

Article 124. Allocation of mandates as a Member of Parliament

(1) Mandates as a Member of Parliament shall be assigned by the Central Electoral Commission to their electoral competitors in the order in which they are included in the lists.

(2) Candidates included in the lists of electoral competitors who have passed the representation ceiling laid down in Article 122 but have not been elected shall be declared alternates. The alternate candidate shall be declared elected by the Constitutional Court upon referral to the Central Electoral Commission if, for certain reasons, a mandate as a Member of Parliament pertaining to the political party or electoral block he/she represents becomes vacant. The alternate candidate may refuse the mandate of a Member by submitting a written statement to the Central Electoral Commission.

(3) If a political party or electoral bloc obtains a number of mandates as a Member higher than the number of candidates included in the list, that political party or electoral block shall be distributed a number of mandates equal to the number of candidates on the list.

(4) The remaining mandates of Member shall be redistributed to the other political parties or electoral blocks as laid down in Article 123 (1). The same shall apply for the subsequent vacancy for the mandate of Member, if the electoral competitor has no alternate candidates or if the mandate as a Member obtained by an independent candidate becomes vacant.

Article 125. Confirmation of election results and validation of mandates of Member of Parliament by the Constitutional Court

(1) The Central Electoral Commission, within 24 hours of the totalisation of election results, shall submit to the Constitutional Court the acts referred to in Article 85, as well as the lists of elected Members and alternate candidates.

(2) Within 10 days of receipt of the said acts from the Central Electoral Commission, but no earlier than the final settlement by electoral bodies and courts of appeals lodged in accordance with established procedures, the Constitutional Court shall confirm or invalidate the legality of the elections. In addition, the Constitutional Court shall validate, by means of a judgment, the mandates of elected Members and confirm the lists of alternate candidates.

Article 126. Certification of the results of the elections by the Central Electoral Commission

(1) The minutes of the election results, accompanied by the decision of the Constitutional Court confirming the legality of the elections and the validation of at least 2/3 of

the number of mandates as Member, shall be forwarded to Parliament within 2 days. A copy of the decision and confirmed lists of alternate candidates shall be forwarded to the Central Electoral Commission and to the President of the Republic of Moldova. The ruling of the Constitutional Court shall be published in the Official Gazette of the Republic of Moldova.

(2) The Central Electoral Commission shall order the publication of the final election results within 24 hours of receipt of the acts of the Constitutional Court.

Article 127. Invalid elections

The Central Electoral Commission shall consider the elections invalid if less than 1/3 of the number of persons on the electoral roll participated in them.

Article 128. Null and void elections

If the Constitutional Court establishes that violations of this Code have been committed in the election process and/or vote count, which have influenced the voting results and the assignment of seats, the elections shall be declared null and void.

Article 129. Repeated voting

(1) If the elections have been declared invalid or null and void, the Central Electoral Commission shall, within 2 weeks, hold repeated voting based on the same electoral roll data, for the same candidacies and with the same electoral councils and bureaux.

(2) Electoral competitors who have committed infringements of the provisions of this Code shall be penalised or excluded from the electoral race based on a final decision, and electoral officials of electoral councils and bureaux who have committed such infringements shall be replaced.

(3) Repeated voting shall be considered valid irrespective of the number of voters taking part in the vote.

Article 130. New elections

(1) Where elections are declared null and void even after repeated voting, the Central Electoral Commission shall set the date for the new elections, which shall take place in minimum 60 days and maximum 3 months from the date on which the elections were declared invalid.

(2) In the case of early elections, if elections are declared null and void even after repeated voting, the President of the Republic of Moldova shall set by decree the date for the new elections, taking into account the deadline referred to in Article 110 (3).

(3) New elections shall be conducted under the terms of this Code.

**TITLE IV
ELECTIONS FOR THE POSITION OF
PRESIDENT OF THE REPUBLIC OF MOLDOVA**

Article 131. Application of this Title

The provisions of this Title shall apply only to elections for the office of President of the Republic of Moldova.

Article 132. Election of the President of the Republic of Moldova

(1) The President of the Republic of Moldova shall be elected by universal, equal, direct, secret and freely expressed suffrage, for a term of 4 years.

(2) Elections for the office of President of the Republic of Moldova shall be held in a single national electoral constituency.

Article 133. Electoral constituencies and electoral constituency councils

For the purposes of organising and conducting parliamentary elections, the Central Electoral Commission shall set up electoral constituencies and electoral constituency councils, in accordance with Articles 34 and 35, which shall apply accordingly.

Article 134. Polling stations and electoral bureaux of polling stations

Polling stations and electoral bureaux of polling stations shall be set up in accordance with Articles 38 to 40, which shall apply accordingly.

Article 135. Setting out of the date of elections

(1) Elections for the office of President of the Republic of Moldova shall be held within 2 months of the date on which the vacancy for the office of President of the Republic of Moldova took place, in accordance with Article 90 of the Constitution of the Republic of Moldova.

(2) Parliament shall set the date for the election of President of the Republic of Moldova at least 60 days before the election day.

Article 136. Special conditions for candidates for President of the Republic of Moldova

(1) President of the Republic of Moldova may be a citizen of the Republic of Moldova who is entitled to vote and who is aged 40 on the day of the election, has resided or lives permanently in the Republic of Moldova for minimum 10 years, has knowledge of the Romanian language, has graduated from higher education attested by a bachelor's degree or equivalent, and meets the conditions laid down in this Code.

(2) The Central Electoral Commission shall check the documents submitted and establish whether the special conditions for candidates for the office of President of the Republic of Moldova are met. Knowledge of the Romanian language shall be verified by the Central Electoral Commission, in accordance with Article 18 (1) of Law No 1024/2000 on citizenship of the Republic of Moldova.

Article 137. Nomination of candidates for President of the Republic of Moldova

Candidates for the office of President of the Republic of Moldova shall be nominated from 60 days before the date of election for the office of President of the Republic of Moldova to 30 days before the election day, in accordance with Article 63, which shall apply accordingly.

Article 138. Registration of candidates

(1) For the registration of candidates for the office of President of the Republic of Moldova, the documents indicated in Article 68 shall be submitted to the Central Electoral Commission.

(2) The Central Electoral Commission shall issue registered candidates with a prescribed model card.

Article 139. Special conditions for subscription lists

(1) To be registered by the Central Electoral Commission, all candidates for the office of President of the Republic of Moldova shall submit subscription lists containing the signatures of minimum 15000 and maximum 25000 voters of at least half of the second-level

administrative territorial units of the Republic of Moldova and meet other provisions of this Code.

(2) The second-level administrative units of the Republic of Moldova in which no less than 600 signatures have been collected shall be deemed to comply with paragraph (1).

(3) The collection of signatures to support the candidate for President of the Republic of Moldova, the submission and verification of subscription lists shall be carried out in accordance with Articles 65, 66 and 67 and the rules of the Commission, which shall apply accordingly.

(4) If verification reveals that the required number of signatures is not submitted or that after the invalidation of the subscription lists and/or their signatures, their number is lower than the minimum ceiling laid down in paragraphs (1) and (2), the candidate shall not be registered and shall be informed of the relevant decision within 24 hours of its adoption.

(5) The submission of additional subscription lists shall not be permitted after the Central Electoral Commission has received and registered the set of documents referred to in Article 68.

Article 140. Initiative groups to support candidates for President of the Republic of Moldova

(1) Where the initiative to support candidates for the office of President of the Republic of Moldova comes from citizens, an initiative group shall be set up to support the candidate from minimum 25 and maximum 100 persons with the right to vote. The initiative group shall be set up following an assembly, supporting the candidate for President of the Republic of Moldova, choosing the leader of the group and approving the list of members of the initiative group, indicating their identity. The initiative group can only support one candidate for President of the Republic of Moldova. Members of an initiative group may not also be members of another initiative group.

(2) Before the assembly, the participants shall be registered and a list shall be drawn up showing their names, surnames, year of birth, domicile and their signatures.

(3) The list of members of the initiative group, indicating the leader of this group, shall be submitted to the Central Electoral Commission, no later than 50 days before the election day, by the candidate for President of the Republic of Moldova.

(4) If these conditions are met, the Central Electoral Commission shall register the initiative group and issue badges to the members of this group within 3 days of the date of submission of the list of members.

(5) In the case of political parties and electoral blocks, the initiative group shall be set up under the same conditions.

(6) The detailed procedure for setting up and registering the initiative group shall be laid down in the rules approved by the Central Electoral Commission.

Article 141. Electoral roll

Electoral rolls for the election of the President of the Republic of Moldova shall be drawn up in accordance with the provisions of Chapter VI, which shall apply accordingly.

Article 142. Election campaign

(1) The election campaign for the election of the President of the Republic of Moldova shall be conducted in accordance with the provisions of Chapter VIII, which shall apply accordingly.

(2) In the case of the second ballot, the election campaign shall start on the date set by the Central Electoral Commission, but no later than 10 days by the date fixed for the holding of that ballot.

Article 143. Ballot papers

Ballot papers shall be drawn up in accordance with the provisions of Chapter IX, which shall apply accordingly.

Article 144. Voting time

Voting in the elections for President of the Republic of Moldova shall be carried out in accordance with the provisions of Chapter X, which shall apply accordingly.

Article 145. Counting of votes and totalisation of election results

The counting of votes and the totalisation of the results of the election of President of the Republic of Moldova shall be carried out in accordance with the provisions of Chapter XI, which shall apply accordingly.

Article 146. Second ballot. Special provisions

(1) If none of the candidates for President of the Republic of Moldova has received at least half of the votes of voters who took part in the elections, the second ballot shall be held for the first two candidates established in decreasing order of the number of votes obtained in the first ballot.

(2) If more than one candidates have accumulated an equal number of votes to participate in the second ballot, the Central Electoral Commission shall draw lots by recording that fact in minutes. Candidates shall be given the opportunity to decide by mutual agreement which of them will candidate in the second ballot or to participate in the lot.

(3) If the two candidates taking part in the second ballot have received the same number of votes in the first ballot, the order of inclusion of their names in the ballot papers shall be determined by lot.

(4) The second ballot shall take place 2 weeks from the date of the first ballot under the terms of this Code. The date of the second ballot shall be fixed by decision of the Central Electoral Commission as soon as the results of the vote in the first ballot have been processed. The Central Electoral Commission shall make information on the conduct of the second ballot public within 24 hours of the date on which it was established.

(5) The candidate who obtained the highest number of votes in the second ballot shall be declared elected.

(6) If both candidates have obtained the same number of votes, the candidate with the most votes in the first ballot shall be deemed elected. If both candidates have accumulated the same number of votes in the first ballot, the Central Electoral Commission shall draw lots by recording that fact in minutes.

(7) If one of the candidates withdraws, the remaining candidate shall be deemed elected if he or she has received at least half of the votes of the voters who participated in the elections.

Article 147. Totalisation of election results

(1) If, following the totalisation of election results, a candidate was found to be received at least half of the votes of the voters who participated in the elections, the Central Electoral Commission shall declare the elections to be valid and the candidate elected.

(2) The Central Electoral Commission, within 24 hours of the totalisation of the election results, shall submit the acts referred to in Article 85 to the Constitutional Court.

Article 148. Confirmation of the legality of the elections

Within 10 days of receipt of the documents from the Central Electoral Commission, but no earlier than the final settlement by electoral bodies and courts of appeals lodged in accordance with established procedures, the Constitutional Court shall confirm or invalidate, by means of an opinion, the legality of the elections.

Article 149. Validation of the term of office of President of the Republic of Moldova

(1) The Constitutional Court shall confirm the results of the elections and validate the election of a candidate by adopting a decision, which shall be published straight away.

(2) Until the mandate is validated, the elected candidate for President of the Republic of Moldova shall submit to the Constitutional Court confirmation that he is not a member of any party.

Article 150. Taking the oath

(1) The candidate whose election has been validated by the Constitutional Court shall submit to Parliament and the Constitutional Court, within the time limit laid down in Article 79 (2) of the Constitution, the following oath:

'I swear to devote all my power and skill to ensure prosperity of Moldova, to respect the Constitution and the laws of the country and to defend democracy, human rights and fundamental freedoms, sovereignty, independence, unity and territorial integrity of Moldova'.

(2) On the day on which the oath is taken, the term of office of President of the Republic of Moldova shall begin.

Article 151. Invalid elections

(1) Elections shall be deemed invalid if less than 1/3 of the voters included in the electoral roll have participated in the first ballot.

(2) The decision on declaring elections invalid shall be taken by the Central Electoral Commission based on the acts submitted by the electoral constituency councils.

Article 152. Null and void elections

If the Constitutional Court establishes that violations of this Code have been committed in the election process and/or in the count of the votes and influenced the election results, the elections shall be declared null and void.

Article 153. Repeated voting

(1) If the elections are declared invalid or null and void, repeated voting shall take place.

(2) The Central Electoral Commission, within 2 weeks of declaring the elections invalid or null and void, shall order repeated voting based on the same electoral roll data for the same candidates and with the same electoral councils and bureaux.

(3) In the event of repeated voting after the second ballot, the provisions of Article 146 shall apply.

(4) Electoral competitors who have committed infringements of the provisions of this Code shall be penalised or excluded from the electoral race under a final decision, and electoral officials of electoral councils and bureaux who have committed such infringements shall be replaced.

Article 154. New elections

(1) New elections shall take place:

a) if, after repeated voting, the elections were declared invalid or null and void;

b) if one or two candidates took part in the elections and none of them has accumulated at least 1/2 of the votes of the voters who took part in the elections.

(2) The date of new elections shall be set by Parliament no later than 30 days after the date of the previous ordinary elections or repeated voting within which the President of the Republic of Moldova has not been elected, at least 60 days before the day of the election, in accordance with this Code.

TITLE V LOCAL ELECTIONS

Article 155. Application of this Title

The provisions of this Title shall apply only to elections of mayors and local councillors.

Article 156. Local elections

(1) The mayors of towns (municipalities), villages (communes) and councillors in district, town (municipal) and village (communal) councils shall be elected by universal, equal, direct, secret and freely expressed suffrage, for a term of 4 years.

(2) The number of councillors shall be determined by decision of the Central Electoral Commission in accordance with this Code and Law No 436/2006 on local public administration.

(3) In administrative territorial units with special status, local elections shall be conducted in accordance with the provisions of this Code and the acts adopted by the representative authorities of the administrative territorial units concerned.

Article 157. Electoral constituencies and polling stations. Electoral constituency councils and electoral bureaux of polling stations

(1) For the elections of local councils and mayors, each district, administrative and territorial unit with special status, town (municipality), village (commune) shall constitute a single electoral constituency. First-level electoral constituencies, which usually correspond to the boundaries of the first-level administrative-territorial units of the Republic of Moldova, shall be constituted by the second-level electoral councils of the Republic of Moldova at least 45 days before the election day.

(2) Town (municipal) district electoral councils, (communal) village councils, called first-level electoral constituency councils, shall be set up by the second-level electoral constituency councils of the Republic of Moldova at least 40 days before the election day. The manner in which they are set up and their functions shall be laid down in Articles 34 and 37, which shall apply accordingly. In the event of new or partial elections, and in circumstances where second-level electoral councils are not formed, the Central Electoral Commission shall constitute first-level constituencies and electoral constituency councils.

(3) First-level electoral constituencies for the election of local councils and mayors shall be divided into polling stations, for which electoral bureaux are set up. Electoral bureaux of polling stations shall be set up and carry out their duties in accordance with Articles 38 and 41, which shall apply accordingly.

Article 158. Special tasks of the electoral council

In localities where only one polling station is set up for the holding of local elections, the electoral constituency council shall also carry out the tasks of the electoral bureau of the polling station. The members of the electoral council concerned shall be entitled to an increase of 5 per cent of the allowance laid down in accordance with Article 45.

Article 159. Setting out the date of elections

(1) The date of general or early local elections shall be set by decision of Parliament at least 70 days before the elections.

(2) The date of repeated, new and partial voting shall be set by the Central Electoral Commission under the terms of this Code.

Article 160. Special restrictions on voting rights

Voters who do not have a registered domicile or temporary residence in the relevant administrative-territorial unit and if the deadline for such registration is less than 3 months until the date of the first ballot shall not participate in the election of the local council and mayor.

Article 161. Special conditions for being elected

(1) Citizens of the Republic of Moldova who have the right to vote and who have reached the age of 18, including on the election day, shall have the right to be elected to local councils.

(2) Citizens of the Republic of Moldova with the right to vote who have reached the age of 23, including on the election day and have general secondary education, specialized secondary education or higher education attested by a bachelor's degree or equivalent shall have the right to be elected as mayors.

Article 162. Nomination, submission of applications and registration of candidates

The nomination, submission of applications and registration of candidates shall be carried out in accordance with Chapter VII, which shall apply accordingly.

Article 163. Special conditions for submission of applications by political parties and electoral blocs

(1) The number of candidates on the lists must contain at least 1/2 of the number of mandates foreseen for the constituency concerned and a maximum of seven alternate candidates.

(2) The lists of candidates shall be drawn up and/or amended in accordance with Article 68 (3).

(3) Failure to comply with the conditions laid down in paragraphs (1) to (2) shall entail refusal by the electoral body concerned to register the lists of candidates.

(4) Political parties and electoral blocks may propose only one candidate for the office of mayor in each electoral constituency. A person may not stand as a candidate in more than one constituency of the same level.

(5) A person may apply for the position of councillor both to the council of the first-level administrative-territorial unit of the Republic of Moldova and to the council of the second-level administrative-territorial unit. A person may also stand as mayor and local councillor, but may not stand for these positions in more than one electoral constituency of the same level.

Article 164. Special conditions for the submission of applications by independent candidates

(1) The citizen of the Republic of Moldova may stand as independent candidate to be elected to the local council if he/she is supported by 2 per cent of the number of voters in that constituency divided by the number of mandates for that council, but not less than 50 persons, and to be elected mayor - if supported by 1 per cent of the number of voters in the constituency, but not less than 100 persons.

(2) The collection of signatures to support the independent candidate, the submission and verification of subscription lists shall be carried out in accordance with Articles 65, 66 and 67 and with the rules approved by the Central Electoral Commission, which shall apply accordingly.

(3) If the verification reveals that the required number of signatures is not submitted or that after the invalidation of the subscription lists and/or their signatures, their number is lower than the minimum ceiling laid down in paragraph (1), the independent candidate shall not be registered. The reasoned decision on the refusal to register the independent candidate shall be communicated to him or her within 24 hours of its adoption.

(4) The submission of additional subscription lists shall not be permitted after the electoral constituency council has received and registered the set of documents referred to in Article 68.

Article 165. Alteration of the list of candidates

(1) Electoral competitors shall be entitled to request, but no later than 10 days before the election day, the following changes to the list of candidates to be operated:

a) change of the serial number or exclusion of the candidate from the registered list;

b) withdrawal of the entire list of candidates;

c) before the start of the election campaign, the replacement of a candidate from the registered list by his/her withdrawal and the appointment of another candidate, the completion of the list of candidates within the limit laid down in Article 163 (1).

(2) In accordance with paragraph (1), the decision on the withdrawal or alteration of the list of candidates shall be taken by the political party or electoral block submitting the list of candidates, in compliance with Article 7 (2) (b) of Law No 5/2006 on ensuring equal opportunities for women and men and Article 68 (3), with the submission to the electoral council registering the list.

(3) The list of candidates shall be altered, no later than 3 days, by decision of the electoral council concerned.

(4) The electoral council registering the list of candidates shall refuse to operate alterations, which do not meet the requirements laid down in paragraphs (1) and (2), adopting a decision to that effect.

Article 166. Withdrawal of the independent candidate

(1) The independent candidate shall have the right to withdraw his/her candidacy, but no later than 10 days before the election day. In that case, the request for withdrawal of the independent candidate shall be submitted personally to the electoral council concerned.

(2) The decision on the withdrawal of the independent candidate from the electoral race shall be adopted by the electoral council concerned no later than 3 calendar days after the date of submission of the application in accordance with paragraph (1).

Article 167. Electoral roll

Electoral rolls for local elections shall be drawn up in accordance with Chapter VI, which shall apply accordingly.

Article 168. Election campaign

(1) The election campaign for local elections shall be conducted in accordance with Chapter VIII, which shall apply accordingly.

(2) In the case of the second ballot, the election campaign shall start on the date set by the Central Electoral Commission, but no later than 10 days by the date set for the holding of that election.

Article 169. Ballot papers

Separate ballot papers shall be drawn up for the elections of district, town (municipal) and village (communal) council under Chapter IX, which shall apply accordingly.

Article 170. Voting time

Voting in local elections shall be carried out in accordance with Chapter X, which shall apply accordingly.

Article 171. Counting of votes and totalisation of election results

(1) The counting of votes and the totalisation of the results of local elections shall take place in accordance with Chapter XI, which shall apply accordingly, with separate minutes being drawn up for the election of the mayor and the election of the councils.

(2) In the minutes of electoral councils and bureaux, the number of votes obtained by each candidate for the office of mayor or councillor, the name and surname of the mayor and elected counsellors and the name of the political party, electoral block that nominated them or is marked 'Independent Candidate' shall be indicated.

Article 172. Allocation of mandates of councillor

(1) The mandates of councillor to district, town (municipal) and village (communal) councils shall be allocated by the electoral constituency councils concerned.

(2) The allocation of mandates of councillor to political parties, electoral blocks shall be carried out by dividing successively the number of valid votes cast for each political party, each electoral bloc by 1, 2, 3, 4... etc., up to the figure corresponding to the number of mandates established for the respective constituency.

(3) From the results of all the divisions and from the number of valid votes cast for the independent candidates, as many numbers as mandates that are to be distributed shall be taken, in descending order. The number in this descending string belonging to the political party or electoral block shall correspond to the number of mandates assigned to it.

(4) The independent candidate shall be declared elected if the number of valid votes cast for him/her falls within the descending string.

(5) Candidates for the position of councillor shall be allocated mandates in the order in which they are placed on the lists, starting with the list for which the most votes have been cast.

(6) If the last non-allocated mandate has several candidates with the same number of votes, the electoral constituency council shall allocate it by lot and shall record it in the minutes.

(7) If a political party or electoral bloc obtains a number of mandates higher than that of candidates included in the list, the surplus numbers in the descending string of that formation shall be eliminated, replacing it by the decreasing numbers of the other electoral competitors.

(8) If only independent candidates have been included in the ballot paper for the election of the councils, the electoral constituency council shall draw up a list of candidates

with the decreasing number of votes obtained by them, allocating one mandate to each candidate in the list until the number of mandates is exhausted.

(9) Candidates who have been included in the list but have not been elected shall be declared as alternate candidates. If the mandate of councillor belonging to a political party or electoral block becomes vacant before the deadline, that mandate shall be allocated to one of the alternate candidates of that formation in the order of their inclusion in the list. If the list of alternate candidates for a political party or electoral block has been exhausted, the vacancy for the mandate shall be completed by restoring the descending string, excluding that electoral competitor and including the decreasing number of another electoral competitor in the string.

(10) If the mandate of an independent candidate as councillor becomes vacant, the vacancy shall be completed by restoring the descending line, excluding the number of that candidate and including the next number in the string.

(11) If only independent candidates have been included in the ballot paper, in the event of a vacancy, the alternate candidate shall receive the mandate of councillor in accordance with paragraph (10).

(12) Mandates shall be allocated to alternate candidates by the Central Electoral Commission under the terms of this Article and the Rules, approved by decision, of the Central Electoral Commission and based on the electoral documents held by it.

Article 173. Election of mayor

(1) The candidate for the office of mayor shall be deemed elected if he or she has received more than half of the valid votes cast by the voters who took part in the vote.

(2) If no candidate receives more than half of the valid votes cast, the second ballot shall be held within 2 weeks with 2 candidates having received the most votes in the first ballot. The two candidates shall be included in the ballot papers in descending order of the accumulated number of votes in the first ballot. If more than one candidate has accumulated an equal number of votes, the electoral constituency council shall draw lots and record that fact in minutes.

(3) The date of the second ballot shall be established by the Central Electoral Commission as soon as the results of the vote in the first ballot have been processed, but no later than 10 days by the date set for holding the vote in question. The Central Electoral Commission shall make information on the conduct of the second ballot public within 24 hours of the date on which it was established.

(4) In the second ballot, the candidate who has obtained most votes shall be deemed elected. In the event of parity of votes, the candidate who obtained the highest number of votes in the first ballot shall be deemed elected. If both candidates have accumulated the same number of votes in the first round as well, the electoral constituency council shall draw lots and record that fact in minutes.

(5) If one of the candidates withdraws, the remaining candidate shall be deemed elected if he or she has received at least half of the votes of the voters who took part in the elections.

Article 174. Confirmation of the legality of elections and validation of mandates

(1) The electoral constituency councils of the first-level administrative-territorial units shall submit minutes on the totalisation of the election results in the electoral constituency councils of the second-level administrative-territorial units, as appropriate, to the Central Electoral Commission.

(2) Electoral constituency councils, no later than 10 days after the date of receipt of the reports, minutes and other electoral documents from the electoral bureaux, as appropriate,

from the first-level electoral constituency councils, but no earlier than the final settlement by the electoral bodies and courts of appeals lodged in accordance with established procedures, shall validate or invalidate by means of a decision the legality of the elections in that electoral constituency and transmit it, within 24 hours after adoption, to the Central Electoral Commission and the second-level electoral constituency councils concerned, which shall publish the final results.

(3) Simultaneously with the confirmation of the legality of the elections, the respective electoral constituency councils shall declare the candidates elected, award and validate the mandates of the councillors and elected mayors, confirm the list of alternate candidates, with the adoption of the relevant decisions. The person elected both as mayor and local councillor shall give his or her consent to be validated in one of those positions to the electoral constituency council.

(4) The local council shall be deemed legally constituted after the validation of the mandates of at least 2/3 of the total number of councillors.

(5) The badge of locally elected official shall be executed and issued in accordance with the procedure laid down by Law No 256/2004 approving the Regulation of the card of the locally elected official and the Regulation of the card of the locally elected official.

Article 175. Invalid elections

(1) Elections shall be considered invalid in certain constituencies if less than 1/4 of the number of persons on the electoral roll participated in them.

(2) The decision on declaring elections invalid shall be taken by the Central Electoral Commission based on the acts submitted by the electoral constituency councils.

Article 176. Null and void elections

Elections shall be declared null and void if violations of this Code have been committed in electoral operations and have influenced the results of voting and the allocation of mandates. The Central Electoral Commission based on the decisions of the electoral constituency councils concerned shall take the decision on the declaration of nullity.

Article 177. Repeated voting

(1) If elections are declared invalid or null and void in certain constituencies or polling stations, the Central Electoral Commission shall, within 2 weeks, order repeated voting based on the same electoral roll data, with the same candidates and with the participation of the same electoral councils and bureaux.

(2) Electoral competitors who have committed infringements of the provisions of this Code shall be penalised or excluded from the electoral race under a final decision, and electoral officials of electoral councils and bureaux who have committed such infringements shall be replaced.

(3) Repeated voting shall be carried out strictly in accordance with the provisions of Chapters X and XI and shall be considered valid irrespective of the number of voters who took part in the vote.

Article 178. New elections

(1) New elections shall take place:

a) if the council has been dissolved or its composition has been reduced by more than 1/3 of the number set by the Central Electoral Commission in accordance with this Code and Law No 436/2006 on local public administration;

b) if the mayor's term of office has been terminated earlier in accordance with Law No 768/2000 on the status of the local authority;

c) if after the repeated vote the council and/or mayor was not elected;

d) if the administrative-territorial reorganisation has been carried out and the newly formed administrative-territorial units need to choose the local public administration authorities (councils, mayors).

(2) If the vacancy for mayor's office in the locality occurred in the last year before the end of the mandate, new mayoral elections shall not be held. New elections to the local council shall not be held in the last half year before the end of the term of office.

(3) In the event of occurrence of one of the circumstances referred to in paragraph (1), the local public administration authority shall be obliged to communicate this fact in writing to the Central Electoral Commission no later than 15 days after the occurrence of that circumstance.

(4) The date of new elections shall be set by the Central Electoral Commission no later than 30 days after the date on which the circumstances referred to in paragraph (1) are established, at least 60 days before the election day, provided that the new elections will take place simultaneously, maximum twice a year, in the spring and autumn.

(5) New elections shall be held under the terms of this Code.

Article 179. Partial elections

(1) If, following elections, the councillors has not been elected in the set number, the Central Electoral Commission shall, within 2 weeks, set by-elections in one or more constituencies.

(2) To fill the vacant mandates, the by-elections shall be held under Titles I, II and V.

(3) The date of the by-election shall be fixed by decision of the Central Electoral Commission no later than 60 days before the election day.

TITLE VI

REFERENDUM

Article 180. Application of this Title

The provisions of this Title shall apply only to the organisation and conduct of republican and local referendums.

Chapter XIV

REPUBLICAN REFERENDUM

Article 181. The Republican referendum

(1) The Republican referendum shall be conducted to exercise the power of the people and to participate directly in the leadership and administration of state affairs.

(2) The Republican referendum shall be conducted by universal, equal, direct, secret and freely expressed suffrage, in accordance with the Constitution and the provisions of this Code.

(3) Acts adopted by republican referendum shall have legal power after confirmation of the results of the referendum by the Constitutional Court and shall be enforceable throughout the territory of the Republic of Moldova.

Article 182. Types of the republican referendum

(1) Depending on the legal nature of the issues subject to the referendum, the republican referendums may be constitutional, legislative, on dismissal of the President of the Republic of Moldova and consultative.

(2) The constitutional referendum shall address proposals for the adoption or revision of the Constitution.

(3) The legislative referendum shall address draft laws or some of their provisions of particular importance for society and the state.

(4) The consultative referendum shall address issues of national concern in order to consult the opinion of the people on such matters.

(5) The text of the question submitted to the Republican referendum shall be drafted in a neutral manner, without ambiguity, without misleading or suggesting the answer.

Article 183. Launching the republican referendum

(1) The republican referendum may be initiated by:

a) at least 100000 citizens of the Republic of Moldova with the right to vote. In the case of a constitutional referendum, the provisions of Article 141 (1) (a) of the Constitution shall apply;

b) at least one third of the Members of Parliament;

c) the President of the Republic of Moldova;

d) the Government.

(2) The subjects referred to in paragraph (1) point a) may initiate constitutional, legislative and consultative referendums. The subjects referred to in paragraph (1) point b) may initiate any kind of referendum referred to in Article 182. The subjects referred to in paragraph (1) point c) may only initiate consultative referendums and those referred to in paragraph (1) point d) may initiate constitutional and consultative referendums.

(3) If the referendum is initiated by the subjects referred to in paragraph (1) point a), the subscription lists shall also be attached to the proposal for the referendum.

(4) The proposal on the conduct of the referendum must include the issues subject to the referendum, clearly set out, excluding their ambiguous interpretation, the purpose of the referendum, as well as the expected date of the referendum. Questions of a different nature and mutually exclusive issues shall not be submitted to the referendum.

Article 184. Restrictions on the conduct of the republican referendum

(1) The republican referendum shall not take place in the event of a decree of the state of emergency, siege or war, nor within 120 days of the lifting of these states. If the date of the republican referendum has been fixed for the day on which the state of emergency, siege or war is subsequently decreed or established, it shall be automatically cancelled or postponed to another day, in compliance with the time limits laid down in this Code. The body issuing the act declaring the referendum shall take the decision on the postponement of the republican referendum.

(2) The republican referendum shall not take place on the day of the general parliamentary, presidential and local elections, also 60 days in advance and 60 days after the day of the elections. Two republican referendums may not take place on the same day.

Article 185. Problems subject to the republican referendum

(1) The republican referendum may address problems relating to:

a) adoption or revision of the Constitution of the Republic of Moldova;

b) approval of the constitutional laws adopted by Parliament for the revision of the provisions on sovereign, independent and unitary character of the State, as well as those on permanent neutrality of the State;

c) dismissal of the President of the Republic of Moldova;

d) approval of laws of particular importance for society and the state;

e) other important societal and state issues.

(2) The organisation and conduct of the referendum on the matters referred to in paragraph (1) points b) and c) shall be mandatory.

Article 186. Problems that shall not be subject to the republican referendum

The republican referendum shall not address problems:

a) on tax and budget;

b) on amnesty and pardon;

c) on extraordinary or emergency measures to ensure public order, health and safety of the population;

d) on the election, appointment, dismissal of persons from certain offices falling within the competence of the Parliament, the President of the Republic of Moldova and the Government;

e) which fall within the jurisdiction of the courts and the public prosecutor's office.

Article 187. Initiation of the referendum on the revision of the Constitution

(1) The referendum on the revision of the Constitution shall be initiated in accordance with Article 141 of the Constitution.

(2) The proposal for the referendum on the revision of the Constitution shall be submitted to the Constitutional Court, which shall be required to carry out, within 10 days, the constitutional review of the issue/draft law to be subject to the referendum and to submit an opinion.

(3) After the Constitutional Court has carried out a constitutional review of the issue/draft law to be submitted to the referendum, the proposal for the referendum, to which the opinion of the Constitutional Court is attached, shall be submitted to Parliament for consideration.

(4) The revision of the Constitution shall not be subject to a referendum if it results in the suppression of citizens' fundamental rights and freedoms or their guarantees.

(5) If the revision of the same provisions of the Constitution is initiated simultaneously by Parliament and the citizens, the parliamentary review of proposals for revision shall cease.

Article 188. Initiation of the referendum on the dismissal of the President of the Republic of Moldova

(1) The referendum on the dismissal of the President of the Republic of Moldova may be initiated exclusively by Parliament.

(2) Following the decision to suspend the President of the Republic of Moldova from office under Article 89 (1) and (2) of the Constitution, Parliament shall, within 5 days, take a decision on conducting the referendum on the matter in question. The referendum shall be held within the time limit laid down in Article 89 (3) of the Constitution.

(3) The referendum shall take place at least 60 days after the decision to suspend the President of the Republic of Moldova from office is taken.

Article 189. Decision on conducting the republican referendum

(1) Within 6 months of receipt of proposals to launch the referendum, Parliament shall take one of the following decisions:

- a) on the declaration of the referendum, which will take place at least 60 days after the adoption of the decision;
- b) to reject the proposal for a referendum if it is formulated by Members;
- c) on the resolution of the problems, which are expected to be subject to the referendum, without conducting it, except in the case referred to in Article 187 (5).

(2) The decision on the conduct of the republican referendum shall state the date on which it takes place, the name of the draft law envisaged to be adopted, setting out the text thereof and/or the content of the questions subject to the referendum.

Article 190. Setting the date of the republican referendum

The date of the republican referendum shall be fixed by decision of Parliament, at least 60 days before the day on which it is held, on a proposal from the subject with the right to initiate the referendum.

Article 191. Initiation of the republican referendum by citizens

(1) For the initiation of the republican referendum by citizens, an initiative group shall be set up at their assembly, in which minimum 300 persons with voting rights shall participate. At least 10 days before the meeting, the initiators shall be obliged to communicate in writing to the Central Electoral Commission and to the local public administration authority in whose territory the assembly is to be held, its place and purpose.

(2) Before the meeting, the participants shall be registered and a list containing their name, surname, domicile and signatures shall be drawn up.

(3) At the meeting, a president and a secretary shall be elected. The agenda of the meeting should include discussing the appropriateness of conducting the republican referendum and formulating the questions expected to be addressed by it.

(4) If the proposal to hold the republican referendum is adopted by a majority of the votes of the participants in the meeting, the initiative group shall be chosen, which will collect the signatures of the supporters of the referendum. The initiative group must include at least 100 persons with voting rights. The members of the initiative group shall elect from among themselves an executive bureau, composed of a president, a vice-president and a secretary, who will represent the group and organise its work.

(5) Minutes shall be drawn up at the meeting, indicating the results of the votes on the issues included in the agenda. The president and the secretary of the meeting shall sign the acts of the meeting: the list of participants, the minutes, the precise and correct formulation of the questions expected to be subject to the republican referendum or, where appropriate, the draft law and the list of members of the initiative group, indicating their identity.

Article 192. Registration of the initiative group

(1) The initiative group for conducting the republican referendum shall be registered by the Central Electoral Commission. The following shall be submitted to the Commission for registration:

- a) the acts of the citizens' meeting in which the initiative group was elected;
- b) the declaration by the members of the initiative group on their consent to participate in the collection of signatures of supporters of the referendum;
- c) the application for registration of the initiative group.

(2) Within 15 days of the submission of the documents referred to in paragraph (1) or of receipt of the opinion under Article 193 (3) and (5), the Central Electoral Commission shall take a decision on the registration of the initiative group or on the refusal to register it. The decision on the registration of the initiative group shall indicate the deadline for collecting signatures of supporters of the republican referendum, which may not be less than 2 months and more than 3 months.

(3) Once the initiative group has been registered, its members shall be issued with passes and subscription lists in accordance with the templates established by the Central Electoral Commission.

(4) Information on the registration of the initiative group and the problems expected to be subject to the republican referendum shall be made public via the media.

Article 193. Special conditions for citizens to start the legislative referendum

(1) The initiative group for the legislative referendum shall submit to the Central Election Commission the text of the draft law in Romanian, which meets the requirements of the legislative technique laid down in Law No 100/2017 on legislative acts, including the information note.

(2) Once the acts of the initiative group for the legislative referendum have been received, the Central Electoral Commission shall, within a period of up to 3 days, forward the draft law and the information note to the Ministry of Justice to carry out the procedure for the approval and expert assessment of the draft.

(3) The Ministry of Justice shall, within 30 days, carry out the procedure for the approval and expert assessment of the draft law, in accordance with the legal provisions relating to the preparation of a draft legislative act.

(4) The initiative group for the legislative referendum may adjust the draft law to the requirements put forward in the opinion of the Ministry of Justice, provided they do not fundamentally change the approved concept to the citizens' meeting.

(5) In the event of a favourable opinion from the Ministry of Justice, the Central Electoral Commission shall adopt, in accordance with Article 192 (2), the decision on the registration of the initiative group and, in the event of a negative opinion, the decision on the refusal to register it.

Article 194. Collection of signatures

(1) From the date of registration of the initiative group, but no earlier than the date of issue of the subscription lists, its members shall be entitled to collect the signatures of supporters of the republican referendum in subscription lists.

(2) Signatures shall be collected in accordance with the conditions laid down in this Chapter, in the rules approved by the Central Electoral Commission for this purpose. Article 65 shall also apply accordingly, as far as they do not conflict with the special conditions governing the collection of signatures by supporters of the republican referendum.

Article 195. Special conditions for subscription lists

(1) On each sheet of the subscription lists, the question expected to be subject to the republican referendum shall be printed. Collecting signatures on lists that do not contain the text of the questions shall be prohibited.

(2) In the case of a constitutional or legislative referendum, the draft law shall be printed on each subscription list. If it is voluminous, the draft law shall be printed separately and shall be attached to the subscription list, which shall include the name of the draft and the information note or summary thereof.

(3) In the case of a constitutional referendum, the subscription list shall contain only signatures of supporters residing in the same second-level administrative-territorial unit.

(4) The supporter of the republican referendum must be the person who, at the time of signing the subscription list, has the right to elect.

(5) In the subscription list, the supporter of the republican referendum shall personally complete the personal data and apply his/her signature. If the supporter of the republican referendum cannot, for objective reasons, complete the requested data personally, it shall be completed by the collector, the signature in the subscription list being affixed directly by the supporter and, in the event of impossibility, by a representative of the latter.

Article 196. Responsibility for correct preparation of subscription lists

(1) The collector shall be responsible for ensuring the authenticity of the data contained therein, for which he/she shall sign each subscription list drawn up. At the end of each sheet of the subscription lists, the collector shall make a reference certifying that the signatures have been collected personally and that he/she confirms the authenticity of the signatures and then shall sign.

(2) The collector shall be required to prevent every citizen from signing only in one subscription list.

(3) For infringements of the provisions laying down the procedure for collecting signatures, as well as of the provisions on the protection of personal data, the collector shall be liable under the law.

Article 197. Presentation and verification of subscription lists

(1) No later than the last day of the deadline for collecting signatures, the initiative group shall draw up minutes indicating the date of registration of the initiative group, the number of signatures collected, the end date of the collection of signatures. The minutes, signed by the members of the initiative group, and the subscription lists shall be submitted to the Central Electoral Commission. The submission of additional subscription lists shall not be allowed after the Commission has received and registered the subscription lists.

(2) Within 30 days of the submission of the subscription lists, the Central Electoral Commission shall verify the authenticity of the signatures on the lists submitted, according to the number laid down in Article 183. In order to verify the subscription lists, the electoral body shall use the electronic application. The President of the Central Electoral Commission shall approve the Guide on the operation of the application.

(3) The verification of the subscription lists may be assisted by the members of the executive bureau of the initiative group as well as accredited observers upon request to the Commission. The members of the executive bureau of the initiative group shall have the right to be present only in the verification process of the subscription lists they have submitted. The conditions for assisting in the process of verifying the subscription lists shall be laid down in the guide referred to in paragraph (2).

(4) After verifying the subscription lists, the Central Electoral Commission shall take a decision on the initiation of the republican referendum. The minutes on the verification of subscription lists and the decision of the Central Electoral Commission to initiate the referendum shall be sent within 3 days to Parliament's Permanent Bureau.

(5) If the required number of signatures has not been submitted, the Central Electoral Commission shall take a decision rejecting the proposal to conduct the republican referendum and cancelling the registration of the initiative group.

(6) The subscription lists shall be invalidated if:

a) they are of a model or series (number) other than those issued by the Commission to the collector;

b) they are not signed by the collector;

c) they do not contain the text of the question.

(7) The signature in the subscription list shall be invalidated if the supporter:

a) entered the personal data but did not sign it;

b) has no right to vote on the date of signing the subscription list;

c) entered his/her expired identity document;

d) is assigned to a second-level electoral constituency other than that in which the signatures were collected;

e) entered incorrect identity data in the subscription list, preventing him/her from being identified.

(8) The method of drawing up subscription lists, the procedure for collecting signatures and the deadline for their submission and verification, as well as the responsibilities of the persons collecting the signatures of supporters, shall be laid down in a regulation approved by the Central Electoral Commission.

Article 198. Constituencies, polling stations, electoral councils and bureaux

(1) For the purposes of organising and conducting the republican referendum, the Central Electoral Commission shall establish administrative electoral constituencies, corresponding to the second-level administrative-territorial units of the Republic of Moldova and electoral constituency councils under the conditions of Article 34, which shall be applied accordingly.

(2) The duties of the electoral constituency councils shall be those laid down in Article 37, which shall apply accordingly.

(3) Constituencies shall be divided into polling stations in accordance with Articles 38-40, which shall apply accordingly. Each polling station shall have electoral bureaux of the polling station established, which shall be set up and carry out its duties in accordance with Articles 38 to 41, which shall apply accordingly.

Article 199. Providing support to the electoral councils and bureaux in the republican referendum, organising the work, amending their composition and dissolving them

Providing support, organising the work, amending the composition and dissolving the councils and bureaux for the conduct of the referendum shall be carried out in accordance with Articles 44 to 46, which shall apply accordingly.

Article 200. Registration of participants in the republican referendum

(1) After the Central Electoral Commission published, in accordance with Article 27 point g), the list of political parties entitled to participate in the republican referendum, but no earlier than 60 days and no later than 30 days before the date of the republican referendum, they may submit to the Central Electoral Commission an application for registration as a referendum participant, signed by the authorised person in accordance with the statutory rules.

(2) The application shall be accompanied, where appropriate, by the following documents:

a) minutes of the meeting of the body authorised under the statutory rules on participation in the republican referendum;

b) declaration on the option chosen in the republican referendum: 'Yes' or 'NO';

c) copy of the statute of the political party, as amended and supplemented, registered with the Ministry of Justice;

d) request for confirmation of the representative with a consultative vote and/or the person in charge of finance (Treasurer), as applicable.

(3) The registration of electoral blocks shall be carried out in accordance with Article 64.

(4) The specific features of the registration of referendum participants shall be approved by a decision of the Central Electoral Commission.

(5) The Central Electoral Commission, within 3 days, shall examine the application and the attached documents, and then adopt a decision on the registration of the political party as a participant in the republican referendum or on the reasoned refusal to register it.

Article 201. Electoral roll

Electoral rolls shall be drawn up in accordance with Chapter VI, which shall apply accordingly.

Article 202. Election campaign

The election campaign for the republican referendum shall begin no earlier than 30 days before the election day and shall be conducted in accordance with the provisions of Chapter VIII, which shall apply accordingly.

Article 203. Ballot paper

(1) Ballot papers shall be drawn up in accordance with the provisions of Chapter IX, which shall apply accordingly.

(2) The text of the problem/question or draft law subject to the republican referendum shall be printed in the ballot paper. On the right of the text of the problem/question or draft law, two rectangles shall be placed horizontally with the words 'YES' and 'NO' and below them - two circles.

(3) If several problems are subject to the referendum, a ballot paper shall be drawn up for each of them, which must be distinguished by colour.

(4) Ballot papers shall be printed in a number equal to the number of persons on the electoral roll.

(5) Ballot papers containing the same question must be in the same format, printed in the same characters, on paper of the same colour and density.

(6) The Central Electoral Commission shall approve the template and text of the ballot papers and the template of the minutes of the electoral councils and bureaux for conducting the republican referendum.

(7) Ballot papers shall be distributed to electoral constituency councils 3 days and the electoral bureaux of polling stations one (1) the day before the day of the republican referendum.

Article 204. Voting

(1) Voting in the Republican referendum shall be carried out under the conditions of Chapter X, which shall apply accordingly.

(2) The voter shall complete the ballot paper by affixing the stamp 'voted' inside a single circle that is under the rectangle where the word 'YES' or 'NO' is written, thus expressing his/her choice.

Article 205. Monitoring the republican referendum and coverage it in media

The monitoring of the republican referendum and covering its organisation and conduct in the media shall be subject to Chapter XII, which shall apply accordingly.

Article 206. Counting of votes and totalising the results of the republican referendum

(1) The counting of votes and the totalisation of the results of the Republican referendum shall be carried out in accordance with Chapter XI, which shall apply accordingly.

(2) The minutes on the totalisation of the results of the republican referendum shall indicate separately the number of 'YES' votes and the number of 'NO' votes.

(3) The results of the republican referendum shall be examined by the Central Electoral Commission, which shall take a decision on it.

Article 207. Confirmation of the results of the republican referendum

(1) The Central Electoral Commission, within 3 days of the totalisation of the results of the republican referendum, shall submit to the Constitutional Court a report on the results of the referendum and the acts referred to in Article 85.

(2) Within 10 days, the Constitutional Court shall review the acts delivered by the Central Electoral Commission and confirm or invalidate, by means of a decision, the results of the republican referendum.

Article 208. Adoption, publication and entry into force of the decision subject to the republican referendum

(1) The decision shall be deemed adopted by a republican referendum if voted by a majority of the citizens participating in the referendum. If a constitutional law providing for the amendment of the provisions on the sovereign, independent and unitary character of the State and of the provisions relating to permanent neutrality of the State is subject to the referendum, it shall be deemed to have been approved if voted by at least half of the total number of persons on the electoral roll. The decision on the dismissal of the President of the Republic of Moldova shall be deemed adopted by a republican referendum if voted by a number of voters equal to or greater than in the case of the election of the President of the Republic of Moldova, but by no less than half of the voters participating in the referendum.

(2) The decision adopted by referendum of the Republic of Moldova shall be published in a special edition of the Official Gazette of the Republic of Moldova. The date of adoption of the decision shall be deemed the day of the republican referendum. The decision shall take effect on the day of its publication in the Official Gazette or on the date indicated therein.

Article 209. Annulment or amendment of the decision adopted by republican referendum

The annulment or amendment of the decision adopted by republican referendum shall also be made by means of a republican referendum or using the procedures laid down for the revision of the Constitution. Those provisions shall not affect the decision on dismissal of the President of the Republic of Moldova.

Article 210. Documents of the republican referendum

The documents of the republican referendum shall be kept under the conditions of Article 87, which shall apply accordingly.

Article 211. Invalid republican referendum

The Central Electoral Commission shall declare the constitutional, legislative and republican referendum invalid if less than 1/3 of the persons on the electoral roll participated in it.

Article 212. Null and void republican referendum

The Constitutional Court shall declare the republican referendum null and void if serious violations of the provisions of this Code have been committed during the voting or counting of votes, which have influenced the results of the referendum in its entirety.

Article 213. Repeated voting

(1) If the republican referendum has been declared null and void, the Central Electoral Commission, within 2 weeks, shall organise repeated voting based on the same electoral roll data and with the same electoral councils and bureaux.

(2) Participants in the referendum who have committed infringements of the provisions of this Code shall be penalised and members of electoral councils and bureaux who have committed infringements of this Code shall be replaced.

Article 214. New republican referendum

A new republican referendum on the same issue may be initiated after at least 2 years from the date of the previous republican referendum.

Chapter XV
LOCAL REFERENDUM

Article 215. Local referendum

The local referendum is the consultation of citizens on issues of particular interest to the village (commune), town (municipality), district and administrative-territorial unit with special status. The removal of the mayor of the village (commune), town (municipality) shall be also carried out by means of a local referendum.

Article 216. Restrictions on conducting the local referendum

(1) The local referendum shall not take place in case a state of emergency, siege or war is declared or established. If the date of the local referendum has been fixed for the day on which, subsequently, the state of emergency, siege or war is declared or established, it shall be automatically cancelled or postponed for another day, in compliance with the deadline laid down in this Code.

(2) The local referendum cannot take place on the day of the general parliamentary, presidential and local elections, also 60 days before and 60 days after the day of the elections. Two local referendums cannot take place on the same day and in the same locality.

(3) The decision to postpone the local referendum shall be adopted by the Central Electoral Commission on a proposal from the local council or the representative authority of the administrative-territorial unit with special status, which issued the act of conducting the referendum.

(4) The local referendum for the dismissal of the mayor can be initiated one year after the mayor took office or from the date of the previous local referendum for the dismissal of the same mayor. The dismissal of the mayor may not take place during the last year before the expiry of the term of office.

Article 217. Problems subject to the local referendum

(1) The local referendum may address problems of particular importance to the locality concerned and which fall solely within the legal powers of local public administration authorities.

(2) The text of the problem subject to the local referendum shall be drafted in a neutral manner, without ambiguity or without suggesting the answer. The formulation of mutually exclusive problems shall be prohibited.

(3) The dismissal of the mayor by referendum may be initiated in case he or she fails to respect the interests of the local community, to exercise properly the powers of locally elected official provided for by law, violates moral and ethical rules, facts confirmed in the prescribed manner.

Article 218. Problems that may not be subject to the local referendum

(1) The local referendum may not address the following problems:

a) of national interest, falling within the competence of the Parliament, the Government or other central public authorities, in accordance with the powers laid down by the Constitution and by legislation;

b) related to the internal and external policy of the State;

c) which conflict with the provisions of the Constitution and of the legislation of the Republic of Moldova;

d) related to taxes and budget;

e) related to extraordinary or emergency measures to ensure public order, health and safety of the population;

d) related to the election, appointment, dismissal and removal from office of persons falling within the competence of Parliament, the President of the Republic of Moldova and the Government;

g) related to the removal from office of the mayor, dismissed based on the final dismissal decision of the court;

h) which fall within the jurisdiction of the courts or the prosecutor's office;

(2) By way of derogation from paragraph (1), the merger of several localities of the same level may be subject to the local consultative referendum.

Article 219. Setting the date of the local referendum

The Central Electoral Commission shall set the date of the local referendum within 30 days of the date of the decision on holding the referendum, at least 60 days before the day of the referendum, provided it will take place simultaneously, no more than 2 times a year, in spring and autumn.

Article 220. Initiation of the local referendum

The local referendum may be initiated:

a) by 1/2 of the number of elected councillors and, if the mayor is dismissed by secret ballot – by 2/3 of the number of elected councillors;

b) by the mayor of the village (commune), town (municipality), unless a referendum is initiated to dismiss the mayor;

c) by the representative authority of the administrative-territorial unit with special status;

d) by 10 per cent of the number of citizens entitled to vote residing in the territory of that administrative-territorial unit.

Article 221. Registration of the initiative group

(1) Where the initiative for a local referendum comes from citizens, an initiative group shall be set up, consisting of at least 20 citizens with the right to vote residing in the territory of the administrative-territorial unit concerned. At least 30 persons must participate in the

assembly setting up the initiative group. At least 3 days before the assembly, the initiators shall be obliged to inform the mayor in writing of the time, place and purpose of the assembly.

(2) If the local referendum is initiated in accordance with Article 220 (d), the Central Electoral Commission shall register the initiative group within 7 days of the submission of the application for registration, the minutes on the setting up and the questions raised.

(3) The registration decision shall indicate the time limit for collecting signatures, which may not be less than 30 days or more than 60 calendar days, and the questions expected to be subject to the local referendum.

(4) When the initiative group is registered, its members shall be issued with subscription lists and badges, the template of which shall be established by the Central Electoral Commission.

(5) Information on the registration of the initiative group shall be made public.

Article 222. Collection of signatures

(1) From the date of registration of the initiative group, but no earlier than the date of issue of the subscription lists, its members shall be entitled to collect the signatures of the supporters of the local referendum in subscription lists.

(2) Signatures shall be collected in accordance with the conditions laid down in this Chapter, the rules approved by the Central Electoral Commission for this purpose, the provisions of Article 65 being applicable accordingly, provided they do not conflict with the special conditions governing the collection of signatures by supporters of the local referendum.

(3) The local referendum requires the collection of signatures of at least 10 per cent of the number of citizens entitled to vote residing in the respective administrative-territorial unit.

Article 223. Special conditions for subscription lists

(1) On each sheet of the subscription lists, the question(s) expected to be subject to the referendum shall be printed. Collecting signatures on lists that do not contain the text of the questions shall be prohibited.

(2) The subscription list shall only contain signatures of supporters residing in a single electoral constituency where the local referendum is to be held.

(3) The supporter of the local referendum must be the person who, at the time of signing the subscription list, has the right to vote.

(4) In the subscription list, the local referendum supporter shall complete the personal data personally and apply his/her signature. If the supporter of the local referendum cannot, for objective reasons, complete the requested data personally, it shall be completed by the collector, the signature in the subscription list being applied directly by the supporter and, in the event of impossibility, by a representative of the latter.

Article 224. Responsibility for the correct drawing up of subscription lists

(1) The collector shall be responsible for ensuring the authenticity of the data contained therein, for which he/she shall sign each subscription list drawn up. At the bottom of each sheet of the subscription lists, the collector shall make a reference certifying that the signatures have been collected personally and that he/she confirms the authenticity of the signatures and then shall sign.

(2) The collector shall be required to inform the supporter that he/she can sign for each of the questions only once.

(3) For infringements of the provisions laying down the procedure for collecting signatures, as well as of the provisions on the protection of personal data, the collector shall be liable under the law.

Article 225. Presentation and verification of subscription lists

(1) No later than the last day of the deadline for collecting signatures, the initiative group shall draw up minutes indicating the date of registration of the initiative group, the number of signatures collected, the end date of the collection of signatures. The minutes, signed by the members of the initiative group, and the subscription lists shall be submitted to the authority registering the initiative group. The submission of additional subscription lists shall not be permitted after the authority has received and registered the subscription lists.

(2) Within 15 days of submission of the subscription lists, the authority registering the initiative group shall verify the authenticity of the signatures on the lists that have been submitted, according to the number set out in Article 222 (3). In order to verify the subscription lists, the authority shall use the electronic application. The President of the Central Electoral Commission shall approve the Guide on the operation of the application.

(3) The verification of the subscription lists may be assisted by nominated members of the initiative group and accredited observers upon request to the authority registering that group. The nominated members of the initiative group shall only be entitled to attend the verification process of the subscription lists they have submitted. The conditions for assisting the process of verifying the subscription lists shall be laid down in the guide referred to in paragraph (2).

(4) The subscription lists shall be invalidated if:

a) are of a model or series (number) other than those issued to the collector by the electoral body;

b) are not signed by the collector;

c) do not contain the text of the question(s).

(5) The signature in the subscription list shall be invalidated if the supporter:

a) entered the personal data but failed to sign it;

b) has no right to vote on the date of signature in the subscription list;

c) entered his/her expired identity document;

d) is assigned to a constituency other than that in which the signatures were collected;

e) entered incorrect identity data in the subscription list, which prevents him/her from being identified.

(6) After verifying the subscription lists, the Central Electoral Commission shall draw up an information note on the result of the verification of the subscription lists and decide on:

a) conducting the local referendum, if the required number of signatures laid down in Article 222 (3) is met.

b) rejecting the initiative to conduct the local referendum and cancelling the registration of the initiative group, if the required number of signatures has not been submitted.

(7) The method of drawing up subscription lists, the procedure for collecting signatures and the deadline for their submission and verification, as well as the responsibilities of the persons collecting the signatures of supporters, shall be laid down in a regulation approved by the Central Electoral Commission.

Article 226. Adoption and publication of the decision on conducting the local referendum

(1) After the expiry of 15 days from the adoption of the decision on the initiation of the local referendum under Article 220 points a) and b), the local council concerned or the representative authority of the administrative-territorial unit with special status shall adopt the decision on conducting the local referendum or refusing it.

(2) The decision on conducting the local referendum shall include:

a) the issues to be subject to the referendum;

b) the reasons for the removal of the mayor, in the case of the referendum for his/her dismissal.

(3) The decision conducting the local referendum shall be sent to the Central Electoral Commission in order to set the date.

(4) An appeal against the decision of the local council shall be lodged within 3 days of notification and shall be examined in accordance with the procedures laid down for electoral disputes.

(5) The decision on conducting the local referendum shall be made public within 3 days of its adoption.

Article 227. Electoral constituencies and polling stations

(1) For the purposes of the local referendum, village (communal), town (municipal), district, of the administrative-territorial unit with special status constituencies shall be set up, as the case may be, and polling stations in accordance with Articles 34 and 38, which shall be applied accordingly.

(2) The Central Electoral Commission shall set up constituencies at least 45 days before the date of the local referendum on a proposal from the local public administration authorities.

(3) Polling stations shall be set up at least 35 days before the local referendum day by the electoral constituency councils concerned, based on proposals from the town hall.

(4) In localities where only one polling station is set up for conducting the local referendum, the electoral constituency council shall also perform the responsibilities of the electoral bureau of the polling station.

Article 228. Setting up electoral councils and bureaux for conducting the local referendum

(1) Electoral constituency councils for the conduct of the local referendum shall be set up by the Central Electoral Commission, on a proposal from the local councils or the representative authorities of the administrative-territorial units with special status, of the political parties represented in Parliament, composed of 5 to 11 members, at least 40 days before the day of the local referendum. The manner in which they are set up and their duties shall be laid down in Articles 34 and 37.

(2) The electoral bureaux of the polling stations for the conduct of the local referendum shall be set up by the electoral constituency councils for conducting the referendum, on the proposal of the local public administration authorities, of the political parties represented in Parliament, composed of 5 to 11 members, at least 25 days before the day of the local referendum. The manner in which they are set up and their duties shall be laid down in Articles 38 and 41.

(3) Local councillors and members of the initiative group may not be included in the composition of electoral councils and bureaux for the conduct of the local referendum.

(4) At the first meeting, each electoral constituency council and electoral bureau of the polling station shall elect, by a majority of its members, a chairperson and a secretary.

(5) Within 2 days of the date of the setting up, electoral councils and bureaux shall make public their composition and headquarters, and contact details.

Article 229. Merge of responsibilities by electoral councils and bureaux

If the local referendum takes place simultaneously with the elections (local, parliamentary, presidential) or with the republican referendum, the electoral councils and bureaux organising the elections, set up under Chapter III, shall also perform the duties of electoral councils and bureaux for the conduct of the referendum.

Article 230. Providing support to electoral councils and bureaux for conducting the local referendum, organising the work, amending their composition and dissolving them

Providing support, organising the work, amending the composition and dissolving electoral councils and bureaux for the conduct of the local referendum shall be carried out in accordance with Articles 44 to 46, which shall apply accordingly.

Article 231. Registration of participants in the local referendum

(1) After the Central Electoral Commission publishes, in accordance with Article 27 point g), the list of political parties entitled to participate in the local referendum, but no earlier than 40 days and no later than 30 days before the date of the local referendum, they may submit to the Electoral Council an application for registration as a referendum participant, signed by the authorised person in accordance with the statutory rules.

(2) The application shall be accompanied, where appropriate, by the following documents:

a) minutes of the meeting of the body authorised under the statutory rules on participation in the local referendum;

b) declaration on the option chosen in the local referendum: 'Yes' or 'NO';

c) copy of the statute of the political party with all amendments and additions registered in accordance with the law;

d) request for confirmation of the representative of the referendum participant and/or the Treasurer, as the case may be.

(3) The Central Electoral Commission shall approve the template of the application and the attached documents.

(4) The electoral council, within 3 days, shall examine the application and the attached documents, after which shall decide on the registration of the political party or electoral block as a participant in the local referendum or on the refusal to register the political party or electoral block as a participant in the local referendum. The reasoned decision on the refusal to register the referendum participant shall be communicated to him or her within 24 hours of its adoption.

Article 232. Electoral roll

Electoral rolls for the local referendum shall be drawn up in accordance with the provisions of Chapter VI, which shall apply accordingly.

Article 233. Election campaign

The election campaign for the local referendum shall begin no earlier than 30 days before the day of the local referendum and shall be conducted in accordance with the provisions of Chapter VIII, which shall apply accordingly.

Article 234. Ballot papers

(1) Ballot papers shall be drawn up in accordance with the provisions of Chapter IX, which shall apply accordingly.

(2) The text of the problem subject to the local referendum shall be printed in the ballot paper. To the right of the text, two rectangles shall be placed horizontally with the words 'YES' and 'NO' and below them - two circles.

(3) If several problems are subject to the referendum, a ballot paper shall be drawn up for each of them, which must be distinguished by colour.

Article 235. Voting

(1) Voting in the local referendum shall be carried out under the conditions of Chapter X, which shall apply accordingly.

(2) The voter shall fill in the ballot paper by affixing the stamp 'voted' inside a single circle that is below the rectangle where the word 'YES' or 'NO' is written, thus expressing his/her choice.

Article 236. Monitoring the local referendum and covering it in media

Monitoring the local referendum and covering its organisation and conduct in the media shall be carried out under the conditions of Chapter XII, which shall apply accordingly.

Article 237. Counting of votes and totalisation of the results of the local referendum

(1) The counting of votes and the totalisation of the results of the local referendum shall be carried out in accordance with Chapter X, which shall apply accordingly.

(2) The minutes on the totalisation of the results of the local referendum shall indicate separately the number of 'YES' votes and the number of 'NO' votes.

(3) The results of the local referendum shall be examined by the electoral constituency council, which shall decide on it.

Article 238. Confirmation of the results of the local referendum

(1) Within 2 days of the totalisation of the results of the local referendum, the electoral constituency council shall deliver to the Central Electoral Commission the report on the conduct of the referendum, to which the minutes of the electoral constituency council and of the electoral bureaux of the polling stations, as well as all objections, together with notes on how to resolve them shall be attached.

(2) Within 10 days of receipt of the documents referred to in paragraph (1), the Central Electoral Commission shall confirm or invalidate the legality of the local referendum and its results.

(3) Within 24 hours of adoption, the Central Electoral Commission shall publish the final results of the local referendum.

Article 239. Adoption of the decision by local referendum, its annulment or amendment

(1) The decision shall be deemed adopted by a local referendum if voted by a majority of the citizens participating in the referendum. The decision on the dismissal of the mayor shall be deemed taken by local referendum if voted by a number of voters equal or greater than in the case of the mayor's election, but no less than half of the voters who took part in the referendum. The date of adoption of the decision shall be considered the day of the local referendum.

(2) If the mayor is dismissed by referendum, the Central Electoral Commission shall fix the date of the new elections in accordance with the provisions of Title V, which shall apply accordingly.

(3) The decision adopted by local referendum shall also be annulled or amended by a local referendum or by decision of the local council concerned, adopted with the vote of 2/3 of the members, in accordance with the Law on local public administration.

Article 240. Invalid local referendum

The local referendum shall be considered invalid if less than 1/3 of the number of citizens entered on the electoral roll participated in it. The decision on declaring the local referendum invalid shall be taken by the Central Electoral Commission based on the acts submitted by the electoral constituency councils.

Article 241. Null and void local referendum

The Central Electoral Commission shall declare it null and void in the entire constituency or in certain polling stations if serious violations of this Code have been committed during voting or counting, which influenced the results of the referendum.

Article 242. Repeated local referendum

If the local referendum is declared null and void, the authorities adopting the decision to hold the referendum shall, within 2 weeks, hold a repeated referendum under the terms of this Title and this Code. Electoral councils and bureaux for the conduct of the referendum violating the provisions of the Electoral Code shall be replaced.

Article 243. New local referendum

A new local referendum on the same problem can be organised at least one year after the previous referendum.

TITLE VII FINAL AND TRANSITIONAL PROVISIONS

Article 244. Entry into force

This Code shall enter into force on 21 November 2022.

Article 245. Final provisions

On the date of entry into force of this Code, Electoral Code No 1381/1997 (Official Gazette of the Republic of Moldova, 2017, No 451-463, Article 892), as amended, shall be repealed.

Article 246. Transitional provisions

After the entry into force of this Code:

(1) the Government:

a) within 3 months:

- shall come up with proposals to Parliament to bring legislation in line with this Code;
- shall provide the Central Electoral Commission with the necessary financial and technical and material resources;

b) shall provide in the draft State Budget Acts for the expenditure necessary for the work of the Central Electoral Commission and for the organisation and conduct of elections.

(2) the Central Electoral Commission:

a) within 6 months, shall approve its rules of activity and other legislative acts necessary for the organisation and conduct of elections;

b) shall submit to the Government the draft expenditure estimate for its work and elections;

c) once established, shall commence the execution of the duties referred to in Articles 25 to 28

(3) The formation and operation of electoral bodies not provided for in this Code shall not be permitted.

INFORMATION NOTE
to the draft law adopting the Electoral Code

1. Name of the author and, where applicable, of the participants in the preparation of the draft
<p>The draft law was prepared by the Central Electoral Commission with the aim of fine-tuning the electoral and related legislative framework. Thus, in order to achieve that aim, the Working Group on the Revision of the Electoral Code and related legislation was set up within the Central Electoral Commission by Order No 51 of the President of the CEC of 8 October 2021.</p> <p>The working group comprised members of the Central Electoral Commission and officials of its apparatus. Civil society professionals and experts have also been trained in the preparation of draft laws (the Public Association 'Promo-LEX', the Electronic Press Association, UN Women Moldova, etc.).</p>
2. The conditions governing the preparation of the draft legislative act and the objectives pursued
<p>The draft law was drawn up under Article 22 (1) points a) and b) of the Electoral Code, according to which, as a specialised electoral body, the Central Electoral Commission studies the way in which elections are organised and conducted in order to improve electoral legislation and procedures, and submits proposals to the Government and Parliament as to whether amendments to the electoral legislation should be made.</p> <p>Since the adoption of the Electoral Code by Law nr.1381/1997, reforms in the electoral sphere have been continuously pursued in the Republic of Moldova, the main objective of which is to ensure a free and democratic electoral process. On the one hand, amendments, made by means of 70 laws over time, have led to contradictory discussions, criticism and disapproval, and some provisions have been declared unconstitutional. On the other hand, rules were included that ensured wider access for people to vote, balanced the representation of both sexes on lists of candidates, strengthened women's participation in politics and the electoral process, increased the transparency of electoral procedures.</p> <p>Today's improvements to the electoral legal framework are imperative both for subjects urged to apply the legal rules and for final beneficiaries — voters, who will therefore gain more confidence in electoral processes and be more motivated to participate in elections.</p> <p>The aim of the draft law is to improve electoral procedures, including by addressing legislative shortcomings indicated by the Constitutional Court in its letters (e.g. letter CC No PCC-01/139e-34/1 of 13 December 2016), issued with the validation of election results, the removal of ambiguities and contradictions between the Electoral Code and other laws, as mentioned in the opinions of the Venice Commission, but also the implementation of the recommendations made in the reports of national and international election observation missions. The amendments will also contribute to mainstreaming electoral procedures, in the spirit of good electoral practice and in line with proposals made by specialised electoral organisations (P.A. Promo-LEX, ADEPT, APEL, Coalition for Free and Fair Elections, etc.).</p> <p>In addition, given the increasing scope of information technologies in the process of organising and conducting elections, it is necessary to strengthen the digitalisation of electoral procedures. Respectively, the draft law proposes regulations on the applicability of ISS electronic systems 'Financial Control', SIA 'Observers', SIA 'Verification of subscription lists'.</p> <p>With reference to the type of intervention needed to implement the recommendations made by international missions or international development partners, out of the more than 170 recommendations in their summary for the years 2014-2021, a considerable part (around 95 recommendations) should be dealt with at the legal (laws) and sub-legal (legislative acts subordinated to the laws) levels, the others being related to practices. Note that out of the recommendations assessed by the OSCE/ODIHR on the level of implementation, most are partially implemented, the number of non-implemented recommendations being also crucial: 27 (of those assessed), i.e. at the legal level.</p>

The draft law is a product of the Central Electoral Commission's efforts to improve electoral law as well as the entire electoral process in the Republic of Moldova in line with OSCE commitments, but also other international obligations and standards for the conduct of democratic elections.

All proposals aim at ensuring that any candidate or competitor will certainly have the same rights and obligations, the same opportunities to apply and to be on a level playing field. They rely on the idea that any citizen of the Republic of Moldova, wherever they are, with a reasonable effort, can exercise their constitutional right to choose the candidate or competitor they like. Finally, through transparent, fair and democratic elections, the citizens of the Republic of Moldova will be able to actively engage and participate in the decision-making process in their country.

The need to promote and adopt these proposed amendments specifically at this stage also lies in the commitment to implement good practices, electoral principles, according to which any reform of the electoral system would be good to take place well in advance of the election. Achieving this is necessary to ensure timely adjustment of the related regulatory framework, preparation of the necessary facilities, training of electoral officials and other stakeholders, and informing potential competitors, as well as voters, of any changes made.

3. Main provisions of the draft and highlighting new elements

The structure of the new Electoral Code comprises 7 titles and 15 chapters.

Among the main provisions proposed by the draft law adopting the Electoral Code and the amendment of the related legislation are the following.

1. In Chapter I. General provisions:

a) Amending and supplementing Article 1 on the concepts, terms and descriptions used, taking into account all the changes made to both the general and the special parts of the Electoral Code is proposed. Thus, the proposed amendments aimed at introducing new electoral procedures and developing existing ones, being thus necessary the revision of the notions that defined the electoral processes concisely. In this respect, the concepts of electoral agitation, types of elections, electoral period, election campaign, nomination of candidates, electoral blocks, electoral officials, types of information systems used, electoral rolls, etc. have been adjusted and uniformed. The proposed amendments justified the need to introduce new notions, such as the subjects of electoral processes (SIAS operator 'Elections', collector, nominee, electoral competitors, referendum participants, objectors, treasurer, etc.), clarify the mechanism of relief extra-electoral agitation, types of reports submitted, etc. (Article 1 of the Electoral Code).

b) Conducting elections in some constituencies or polling stations, by way of derogation from the general rule for objective reasons (pandemic, establishment of the state of emergency in countries where polling stations of the Republic of Moldova are opened, organisation of smooth access for voters to polling stations outside the country), in two days (Saturday and Sunday), to be determined by decision of the Central Electoral Commission at least 25 days before the election day. Enshrining the principle of stability of electoral relations, so that the electoral system and the way in which the constituencies are established are amended only at least one year before the national elections.

c) Enshrining the principle of stability of electoral relations, so that the electoral system and the way in which the constituencies are established are amended only at least one year before the national elections.

d) For the purpose of uniform application of the provisions on the calculation of time limits in electoral law, introducing rules for the calculation of time limits for electoral procedures is proposed.

2. In Chapter II. The right to vote and to stand as a candidate. Restrictions. Adding subjects who will be required to suspend their work once the election campaign begins (the heads and deputies of the heads of the central public authorities and of the organisational structures within their area of competence, the officials/employees obliged to suspend their service/employment relationships, according to the special legal rules governing their work) is proposed.

3. In Chapter III. Electoral bodies:

a) Reducing the number of members of the Central Electoral Commission to 7 persons and ensuring the permanent activity of all CEC members during their term of office is proposed. In addition, the mechanism for nominating members of the Commission was revised, thus ensuring the intervention of the three state powers and the President of the Republic of Moldova. The term of office of CEC members is not linked to the mandate of the institution, being extended to 7 years with the possibility to exercise up to two terms of office. The personal and professional qualities for appointment as CEC member were indicated clearly and explicitly, and cases of early termination of the CEC membership were also indicated expressly. These proposals are to reduce suspicions of political affiliation of CEC members towards a given political force, ensure continuity of the work of the Commission and preserve institutional memory.

b) Making the work of the second-level (usually district) lower electoral bodies permanent through the chairperson of the electoral council, who will be appointed by CEC, subject to the regulations of Law No 158/2008 on the civil service and the status of civil servants. The number of members of the electoral council will only be completed during the electoral period. Making the work of second-level electoral bodies more permanent will make it possible to improve the quality of electoral rolls, ensure a more active involvement of CEC in the exercise of supervision and control over the financing of political parties.

(c) Ensuring professionalism of electoral officials, by accepting as electoral official only persons who have completed refresher training at the Centre for Continuous Electoral Training and hold appropriate qualification certificates valid at the time of confirmation in office.

d) Establishing polling stations abroad by the Central Electoral Commission, with the prior opinion of the Ministry of Foreign Affairs and European Integration, which will relate only to the fulfilment of the condition aimed at obtaining the consent of the competent authorities of that country, as well as the possibility of ensuring the voting process from a technical and logistical point of view.

e) Reviewing the grounds for setting up polling stations abroad based on the main criterion of the dynamics of voter participation in polling stations abroad in the last 3 ballots. Only complementarily, pre-registration data and information submitted by the Ministry of Foreign Affairs and European Integration on the number and location of Moldovan citizens abroad (collected based on consular records or other relevant data) would be taken into account. This, but also the increase in the number of members of the electoral bureaux, will ensure a fairer geographical distribution and greater accessibility to the electoral process for Moldovan citizens abroad. Similar conditions for the setting up of polling stations have been provided for voters in the Transnistrian region of the Republic of Moldova.

4) In Chapter IV. Provision of material support for the conduct of the elections. Responsibilities for the management of the financial means allocated for elections or referenda and financial reporting:

a) Specifying responsibilities for the management of financial means allocated for elections and referenda, so that all electoral bodies, regardless of their level, bear responsibility for the efficient use of financial means in accordance with the intended purpose and within the approved budgetary limits.

b) Ensuring that expenditure relating to the conduct of elections and referenda is reported both to the lower hierarchical electoral bodies to the Central Electoral Commission and by the Commission to Parliament by reporting on the management of the financial means allocated for the elections.

5) In Chapter V. Financing of the activity of initiative groups and financing of election campaigns:

a) Establishing clear principles regarding the financing of the work of initiative groups and the financing of election campaigns. Similarly, the establishment of uniform criteria for granting State support to electoral competitors. However, this support has to be provided by laying down clear rules for the reimbursement or compensation for state expenditure for candidates who did not accumulate minimal support from voters or, on the contrary, obtained the mandate, but soon left the mandate unmotivated, triggering early and new state expenditure.

b) Identifying a uniform, clear and predictable formula related to state budget revenues and the number of voters ensuring the establishment of a rational ceiling on expenditure that may be incurred in collecting signatures or financing election campaigns.

c) Ensuring financially transparent election campaigns by facilitating the free opening of accounts marked 'Electoral Fund' for all competitors without discrimination. These facilities come together with a higher responsibility for competitors, who are to report electronically, on a weekly basis, all financial transactions carried out in support of their campaign, but also to attach confirmation documents relating to these transactions electronically. Electoral competitors will have the possibility to collect financial resources until the end of the election campaign, also to incur expenses and submit financial reports after election day, being ensured the inclusion of expenditure actually incurred, but hidden previously, for representatives of competitors involved in the activity in election day.

d) Ensuring responsibility for the management of financial resources by electoral competitors by clarifying the supervisory and control tasks of the Central Electoral Commission. In addition, the exact circle of electoral competitors has been established and their responsibilities clarified in case of deviation from electoral law.

e) Addressing previous uncertain and interpretable situations in the part related to the transfer of own financial means or from the state budget subsidy in support of political party campaigns. Thus, own financial means transferred by the political parties in support of their designated competitors are capped at the sum of the financial resources available on the account at the start of the electoral period, being also required to submit a report.

f) Limiting the possibility of making donations on behalf of third parties, by capping donations to the amount of the donor's annual income recorded for the previous calendar year, transferring to the State budget the amounts received in excess of the ceilings permitted by law and imposing an administrative penalty on donors who commit such irregularities.

g) Removing the ceiling of three average monthly salaries for donors with foreign earnings. This will ensure equal access for natural persons who are citizens of the Republic of Moldova to private financing of election campaigns.

h) Clarifying information constituting personal data from the perspective of financial transparency. Thus, only information about IDNP, domicile or residence in the case of natural persons will not be made public.

6. In Chapter VI. Electoral roll:

1) The proposals aim to strengthen the rules governing the State Registry of Voters and to define clearly this concept (which includes information about voters, including with certain specific references). This will allow for the delimitation/explanation of the information contained in the registry and the electoral roll, in particular it will solve a practical problem that arises in the elections on the part of the actual number of voters in the registry and the number of voters included in the electoral roll.

2) Performing exhaustive enumeration of components contained in the State Registry of Voters, including the history of voters, will enable the electoral body to obtain the necessary information about voters' assignment, inclusion or exclusion from the electoral roll.

3) To facilitate voters' access to the voting process, clear rules are proposed in relation to the declaration of residence (valid for a single ballot), which will allow the voter to vote at the polling station located in his/her place of residence.

4) Taking into account the practice of previous elections, as well as the recommendations of electoral officials, it is proposed to prepare electoral rolls for elections in two stages — 22 days before election day the lists are sent to the local authorities, in one copy, to the electoral bureau for verification, including by voters, electoral competitors/referendum participants and observers, if necessary to make the necessary changes. Thereafter, at least 7 days before election day, the lists, with all modifications made, shall be printed repeatedly and sent to the electoral bureaux at the latest simultaneously with the ballot papers in 2 official copies. The proposal to print electoral rolls in two rounds will address those practical shortcomings linked to changes in the lists, as well as broaden the possibility for voters and other authorised subjects to access the information in the lists.

7. In Chapter VII. Nomination and registration of candidates. Confirmation of representatives of electoral competitors:

1) Setting out clear deadlines and principles for the registration of electoral blocks. Currently, the Electoral Code does not provide for any legal procedure for the registration of an electoral block, which has been developed in the Central Electoral Commission regulations. The proposed rule aims to clarify precisely the legal deadlines for the setting up and registration of electoral blocks, as well as the exclusive duty of the Central Electoral Commission to register blocs for all types of elections.

2) Improving the procedures for collecting signatures to support a candidate for President of the Republic of Moldova or an independent candidate. In the context, providing for the possibility for a citizen with the right to vote to sign up to several candidates, as recommended by observation missions is proposed. Furthermore, it is proposed that the subscription list contain signatures of supporters who are listed in a single constituency in which elections are to be held, and in the case of presidential elections of the Republic of Moldova, the subscription list should only contain signatures of supporters in the same second-level administrative-territorial unit. The proposed amendment will simplify the collection process and reduce the number of invalidated signatures based on 'incorrect residence' criterion.

3) Ensuring exhaustive regulation of the grounds for invalidation of subscription lists (in full) and signatures in the lists is proposed. The current provisions in this regard have created several difficulties in their practical implementation, also mentioned by the courts in the context of the examination of cases where a candidate was refused registration on the grounds of failure to submit a sufficient number of signatures. Thus, it was noted that these conditions needed to be expressly stipulated in the Electoral Code, not in a regulation approved by the Commission (as is currently the case).

8. In Chapter VIII. Election campaign. Rights and obligations of electoral competitors :

1) With reference to the institution of the election campaign, it is proposed in particular to exclude the prohibition for an electoral competitor/referendum participant to use images representing state institutions or public authorities in the country, national symbols of the Republic of Moldova or historical personalities in his electoral agitation materials and actions and electoral programmes. The proposed amendment seeks to refine the legal framework in line with the recommendations of the OSCE/ODIHR International Observation Missions, which in its reports stated inter alia that the 'ban on the use of state symbols' must be reviewed as it is not proportionate to the restriction of freedom of expression²². Thus, the ban will only concern foreign official persons, state institutions or public authorities abroad or international organisations, except in respect of commitments undertaken by the Republic of Moldova under international agreements with the European Union. In addition, foreign persons who are not citizens of the Republic of Moldova were excluded as grounds for cancelling the registration of the electoral competitor, as the application of the most serious electoral sanction is not proportionate to such actions.

2) Modifying the duration of the election campaign is proposed so that to ensure that this duration is equal for all, i.e. 'it will start not earlier than 30 days before the day of the vote and end on the day of the cancellation of the registration of the electoral competitor or on Friday before the day of the vote'.

9. In Chapter IX. Ballot papers:

In order to standardise the electoral procedure for establishing the template for the ballot paper, it is proposed that, regardless of the type of election, the template of the ballot paper is established by decision of the Central Electoral Commission. In addition, only with regard to the text of the ballot paper, the competence of the Commission for national ballots should be delimited, and for local ones - by the constituency councils. It is also proposed that ballot papers are only printed in Romanian.

10. In Chapter X. Voting:

1) To facilitate voter access and ensure the exercise of the right to vote, allowing the voter to vote, regardless of the type of vote, with one of following identity documents: the identity card of the citizen of the Republic of Moldova, the provisional identity card confirming the

citizenship of the Republic of Moldova and the passport of the citizen of the Republic of Moldova, is proposed.

2) In the context of the objective of digitising the electoral processes, renouncing to the accompanying identity sheet in the voting process, including the control stamp, is proposed.

11. In Chapter XI. Counting of votes and totalisation of election results:

1) In accordance with Article 61 (2) (in the current version), unused ballot papers shall be counted and cancelled by affixing the stamp 'Cancelled'. Thus, in order to facilitate the work of electoral officials in the vote count process, amending the rule by excluding the obligation to affix this stamp is proposed, and the procedure for doing so will be described in a regulation, approved by CEC.

2) In the light of the practice of previous elections, as well as some technical and material problems faced by the courts (lack of accessible spaces in the context of a large volume of archived files), it is proposed that ballot papers with valid votes, invalid ballot papers and cancelled ballot papers, electoral rolls as well as voting certificates are delivered to the local police inspectorates and, after the expiry of the 3-month period from the confirmation of the election results, these electoral documents are duly destroyed.

12. In Chapter XII. Monitoring the election and covering it in the media:

In the part relating to the coverage of elections, the draft Electoral Code sets out the general principles for media coverage of elections and brings clarity on the specificities of the media coverage of elections. Thus, media outlets will be required to respect the principles of fairness, balance and impartiality in covering elections and will not adopt privileged treatment towards initiative groups, electoral competitors and referendum participants by virtue of their social status and/or the functions held by their candidates. Otherwise, media outlets risk being punished by the Audiovisual Council with the following graduated sanctions: the withdrawal of the right to broadcast or publish information about elections for a period of up to 3 days; fine of up to RON 100000; withdrawal of the right to broadcast or publish commercial or electoral advertising against payment for a period of up to 7 days; withdrawal of the right to reflect events during the electoral period or campaign to the media service provider evading enforcement of the penultimate penalty.

13. In Chapter XIII. Judicial proceedings:

1) Reviewing the chapter in relation to the clarification and detailing of procedures for the examination and settlement of appeals. In this respect, the adjustments primarily aimed at aligning the provisions of the Administrative Code with those of the Electoral Code in order to address the existing shortcomings and conflicts of competence.

2) Extending the circle of subjects of an appeal. Thus, in addition to voters and electoral competitors, nominees, initiative groups and referendum participants, called objectors, who claim infringement of his/her legitimate rights under the Electoral Code and other legislative electoral acts, were also included as subjects of appeal. The possibility of appeals by political parties entitled to participate in elections under the conditions set out in the Electoral Code has also been extended.

In addition, the circle of subjects, whose actions/inactions can be challenged, i.e. subjects registered, accredited or confirmed or to be registered, accredited or confirmed by electoral bodies, generally referred to as electoral subjects, has been widened.

3) More detailed regulation on the subject matter of an appeal (lodged after election day and between ballots), including criteria relating to the form and content of the appeal.

4) Uniformity of deadlines — both for lodging (appeal and recourse from 1 day to 3 days) and for examination (from 5 to 3 days in the case of decisions of the Central Electoral Commission/Audiovisual Council, as well as in the case of actions/inactions by electoral subjects);

5) Determining, including through extension, the powers to examine appeals by electoral bodies. Electoral bureaux have been excluded from the link of the electoral authorities responsible for examining appeals, which is delegated to electoral constituency councils, as on election day the electoral bureau has difficulties in meeting its members, which must ensure continuous work with voters and the security of electoral processes.

In addition, the competence of the electoral constituency councils will cover challenges concerning the actions/inactions of electoral subjects registered by these councils, requests for

cancellation of registration, confirmation of the legality of local elections and validation of the mandates of locally elected officials.

Consistently, , requests for cancellation of the registration of electoral subjects, appeals against the reflection or dissemination of false information by electoral subjects in the printed media or online space*, as well as requests for recounting of votes, have been assigned to the Central Electoral Commission. With reference to the latter prerogative, the criteria based on which those requests will be granted have also been clarified.

Another normative elucidation concerns the determination of admissibility criteria, in connection to which the electoral bodies will decide. Under these circumstances, a more transparent process on the electoral bodies' solutions to appeals will be ensured, including issues highlighted by election observation missions.

Amendments to the same chapter have been proposed to clarify the issues of resolving potential conflicts of competence between the authorities responsible for examining electoral disputes. This will increase the speed of the examination process by reducing the steps and deadlines for determining the competence of the responsible authority in the event of simultaneous referrals to more than one entity.

The proposed rules also clarify how to deal with appeals, such as any decisions that may be taken by the electoral bodies following the examination of appeals. In the same context, the final and enforceable nature of the decisions of the electoral bodies and of the judicial acts (from the time of delivery, except in cases of suspension of their execution) has been clarified.

In the context of the proposed legislative interventions, the rules on legal liability applicable to the subjects responsible for committing infringements in the electoral field have also been revised. To this end, the types of sanctions have been revised and their gradualness has been established according to the legal effects entailing them. Moreover, it is proposed that the rules on the competence to impose penalties for cancelling the registration of electoral competitors be revised, the competence of the electoral bodies being established in this regard, and decisions taken in this regard will be subject to judicial review in the context of the administrative proceedings. In addition, proposals on the list of subjects liable for legal liability have been made, identifying in this respect electoral officials and observers.

14. In Title III. Parliamentary elections

a) Extending the maximum number of persons to be included in the list of candidates of a political party or electoral bloc up to 111. However, this extension is offset by the fact that, after the start of the election campaign, the modification of the list of candidates can only be made up to the limit of the 111 persons initially registered. This will ensure the impossibility of including at the last minute of the campaign people who have not previously been registered and presented to the public as candidates.

b) Offering a single and uniform opportunity for all competitors to modify the list of candidates or abandon the campaign no later than 10 days by election day. After that date, it will no longer be possible to modify the list of candidates and the ballot paper.

15. In Title IV. Elections for the office of President of the Republic of Moldova:

1) In order to harmonise procedures, separate rules are proposed governing the setting up of constituencies and electoral constituency councils, as well as electoral bureaux/polling stations in the case of presidential elections, as currently this issue is regulated in a single rule (Article 108 of the Electoral Code).

2) It is proposed to complete the condition for the office of President of the country — having the necessary education (higher education, bachelor's degree or equivalent). It is also proposed to establish a mechanism for checking knowledge of the Romanian language, one of the conditions laid down in Article 48 (2) of the Constitution.

16. In Title V. Local elections:

The proposed adjustments relate to bringing the provisions of this title into line with the amendments made to the chapters on special electoral procedures, in particular the way in which electoral bodies are set up, the conditions for the appointment of candidates, the collection of signatures on subscription lists, the registration of electoral competitors, the implementation of changes to the lists of candidates, the conduct of the election campaign, etc.

In addition, it is proposed to change the competence to confirm the legality of local elections and to validate the mandates of locally elected officials by delegating these tasks from

the courts to the electoral constituency councils. This reallocation of duties is justified by the need to align the provisions of the Electoral Code with those of the Administrative Code. At that stage, the administrative procedure does not define the mechanism for the public authority to bring an administrative action to confirm the legality of its own administrative acts or actions taken. In those circumstances, both the courts and the electoral bodies encounter difficulties in cataloguing applications for confirmation of the legality of elections in the light of the forms of administrative action. Moreover, in the composition of the electoral constituency councils, the members of the courts remain to be appointed, thus ensuring the element of professional competence in the examination of the legality of administrative procedures carried out and the examination of any electoral disputes.

Thus, if the task of confirming the legality of the elections and validating the mandates of locally elected officials pertains to the electoral councils, their decisions will be subject to appeal under the conditions described in the Administrative Code and the Electoral Code. Therefore, individuals who consider themselves harmed by the adoption of the abovementioned decisions will be able to challenge their legality, including before the court. In addition, we would point out that this mechanism will facilitate subsequent requests for correction of clerical errors (e.g. names, surnames of candidates on the list), which will be dealt with at the level of the Central Electoral Commission. They now go to the court, but the procedure in this case is complex and the issuing of additional court decisions on these cases takes place within extended time limits, which affects the work of the local councils (convening and establishing the quorum required for the conduct of the hearings).

Another innovative element concerns the revision of special conditions for candidates for the office of mayor, namely the revision of the age required to apply, from 25 to 23. It is also proposed to complete the conditions for having the necessary education (general secondary education, specialized secondary education or higher education attested by a bachelor's degree or equivalent) in order to take up a position of public dignity.

In view of the recommendations on good practice in electoral matters, proposals have been made to revise the number of signatures required to support independent candidates to reduce them — from 5% to 1% of the number of voters in the constituency, but not less than 100, instead of 150, excluding the maximum limit of 10000 persons as supporters of the candidates for the office of mayor.

In the same train of thoughts, the requirements (restrictions) for citizens with the right to vote in local elections have been adjusted based on recommendations on good practice in electoral matters. Thus, the rule restricting the participation of military personnel, that is to say, persons performing military service in good time, was excluded. At the same time, the requirement for voters to have the domicile (temporary residence) registered in the constituency in which the elections take place has been established, so that the deadline for such registration is no less than 3 months until the date of the first ballot.

In the same chapter, it is proposed to revise and standardise the procedures for holding the second ballot for the election of mayors, with a minimum participation rate of 1/5 of the number of persons on the electoral roll. These clarifications will ensure better representativeness if only one candidate remains in the race.

At the same time, the proposed draft law adjusts the provisions on the circumstances in which new local elections are established and organised, and duly linked to the regulations of Law No 768/2000 on the statute of local workers and Law No 436/2006 on local public administration.

Finally, note that clarifying the competence of the Central Electoral Commission to determine the number of councillors' mandates is proposed, not according to statistical data, but according to data from the State Register of Population.

17. Title VI. Referendum

1) The novation of the proposals consists in reducing the number of citizens necessary to initiate the republican, legislative or consultative referenda. Thus, instead of the current 200 thousand, at least 100 thousand citizens of the Republic of Moldova from any administrative-territorial unit will be able to launch legislative or consultative referendums.

2) Establishing clear principles for the verification of subscription lists submitted by the initiative group, as well as comprehensive conditions for invalidating subscription lists and signatures from these lists is proposed.

3) In view of the practice of other states, amending the reply text to be chosen by the referendum voters, namely the words 'In favour', 'Against' in the ballot paper is proposed to be replaced by 'YES', 'NO'.

4. Public opinion and consultation of the draft

Following the work carried out by the working group set up by President's Order No 51 of 8 October 2021, and under Article 9 (1) of Law No 239/2008 on transparency in the decision-making process, the Central Electoral Commission announced that the draft decision entitled 'Submission of proposals for amendments to the Electoral Code' should be drawn up with effect from 3 February 2022¹. In addition, a public event, organised in partnership with Promo-LEX Association, presented the 'Concept for amending electoral and related legislation'²³. The main issues for amending the Electoral Code were presented, in particular addressing the areas related to the setting up and work of electoral bodies, clarification of the mandate and composition of CEC members, election day and organisation of polling stations, making the financing campaign more transparent and strengthening the Commission's control over the political financing segment, the continued digitalisation of the electoral process and the clarification of electoral dispute settlement mechanisms, as well as sanctions for violations of electoral law.

In addition, the Central Electoral Commission launched, as of 9 February 2022, a public consultation of the draft decision 'On the submission of proposals for amendments to the Electoral Code and related legislation'.

Subsequently, from 18 March to 7 April 2022, in partnership with Promo-LEX Association, seven online workshops were held on proposals to amend and improve electoral and related legislation. These included electoral subjects interested in the need to revise and improve the Electoral Code and related legislation, such as political parties, central and local public administration authorities, civil society, development partners. The topics under discussion concerned the status of electoral bodies, the organisation of polling stations abroad and for voters in the left of Nistru⁴, the nomination and registration of candidates and the election campaign,⁵ the financing of political parties and election campaigns, judicial procedures in the organisation and conduct of elections⁶, electoral procedures, but also the initiation and conduct of referenda.⁷ 440 people participated in the workshop discussions.

Information in this regard, as well as an exhaustive summary of the more than 400 proposals submitted by stakeholders, can be found in heading 'Regulatory framework', 'Transparency in decision-making', subheading 'Decision making process', heading¹¹ No 1 (year 2022).

¹ [Central Electoral Commission initiates public consultations on the submission of proposals to amend the Electoral Code and related legislation.](#)

² https://a.cec.md/ro/comisia-electoral-centrala-a-prezentat-viziunea-conceptuala-de-modificare-2781_101143.html

³ <https://www.privesc.eu/arhiva/98048/Evenimentul--Conceptia-de-modificare-a-legislatiei-electorale-si-conexe--organizat-de-catre-Comisia-Electoral-Centrala-in-parteneriat-cu-Asociatia-Pr>

⁴ [The Central Electoral Commission has launched workshops on the amendment of electoral and related legislation \(cec.md\)](#)

⁵ [Other topics were raised in a new workshop on the modification of electoral and related legislation \(cec.md\)](#)

⁶ [Political funding and judicial proceedings in the elections were the topics of a new workshop on the modification of electoral and related legislation \(cec.md\)](#)

⁷ [Topics on electoral procedures and the organisation of referenda concluded the workshops on the amendment of electoral and related legislation \(cec.md\)](#)

On 25 May 2022, at a public event, the Central Electoral Commission presented the proposals made by the Working Group for a new edition of the Electoral Code.^{8 9} The event brought together around 100 participants, representatives of the central public administration, Members of the Moldovan Parliament, magistrates, electoral experts from the country and abroad, representatives of political parties and diaspora, development partners, civil society organisations and the media.

The public consultation process included working sessions, discussions with representatives of state institutions (Audiovisual Council^{10 11}), courts, foreign electoral authorities (Permanent Electoral Authority of Romania¹², Supreme Electoral Council of the Republic of Turkey,¹³ National Electoral Committee of Estonia¹⁴, and Central Electoral Commission of the Republic of Latvia¹⁵), participation in events organised by civil society^{16 17}. CEC development partners, the Council of Europe¹⁸ and the OSCE/ODIHR¹⁹, welcomed the electoral reform initiative and reconfirmed their support for and promotion of participatory democracy in our country.

On 9 June 2022, the Commission published the draft version of the proposals for a new Electoral Code^{20 21}.

5. How to incorporate the act into the regulatory framework in force

Following the adoption of the draft Electoral Code, appropriate interventions are to be made in the related legislative framework (the same draft law has been submitted to Parliament for examination), namely:

- Law No 768/2000 on the status of the locally elected official;
- Law No 797/1996 for the adoption of Parliament's Rules of Procedure;
- Criminal Code;
- Labour Code;
- Administrative code;
- Audiovisual Media Services Code;
- Law No 212/2004 on the regime of the state of emergency, siege and war;
- Law No 436/2006 on local public administration;
- Law 294/2007 on political parties;
- Law No 158/2008 on the civil service and the status of civil servants;
- Law No 199/2010 on the status of persons with public dignity;
- Law No 155/2011 approving the Single Classification of Public Functions;
- Law No 133/2016 on the declaration of assets and personal interests;
- Law No 100/2017 on legislative acts;
- Law No 270/2018 on the uniform system of remuneration in the budgetary sector.

⁸ https://a.cec.md/ro/comisia-electoral-centrala-a-prezentat-propunerile-la-codul-electoral-2781_101926.html

⁹ <https://www.privesc.eu/arihva/99372/Evenimentul-de-prezentare-a-proiectului-Codului-Electoral>

¹⁰ https://a.cec.md/ro/reprezentantii-comisiei-electorale-centrale-cec-au-avut-o-prima-intrevedere-cu-n-2781_101162.html

¹¹ [Consultations continue on proposals to amend the Electoral Code and related legislation. — \(cec.md\)](https://a.cec.md/ro/o-delegatie-a-comisiei-electorale-centrale-a-republicii-moldova-2781_100947.html)

¹² https://a.cec.md/ro/o-delegatie-a-comisiei-electorale-centrale-a-republicii-moldova-2781_100947.html

¹³ https://a.cec.md/ro/cec-a-semnat-un-memorandum-de-intelegere-cu-consiliul-2781_100998.html

¹⁴ https://a.cec.md/ro/o-delegatie-a-comisiei-electorale-centrale-se-afla-intr-2781_100957.html

¹⁵ https://a.cec.md/ro/autoritatile-electorale-din-republica-moldova-si-republica-letona-au-2781_101164.html

¹⁶ <https://ipre.md/2021/12/20/eudebatescafe-reforma-codului-electoral-prioritati-si-arii-de-interventie/?fbclid=IwAR0x6GdCpQgl5fcB3VbtJiRZI-SMnSjDZvXtGprSGfwjiV7adnSO1hTYnk>

¹⁷ https://www.facebook.com/watch/live/?ref=watch_permalink&v=321427209650015

¹⁸ [The CEC leadership met with the Head of the Council of Europe Office in Chisinau, William Massolin.](https://www.facebook.com/watch/live/?ref=watch_permalink&v=321427209650015)

¹⁹ [Electoral reform was the subject of discussions by the Director of the OSCE/ODIHR Office, Matteo Mecacci and the leadership of the CEC;](https://www.facebook.com/watch/live/?ref=watch_permalink&v=321427209650015)

²⁰ [The Central Electoral Commission has published the edited version of the proposals for a new Electoral Code \(cec.md\)](https://www.facebook.com/watch/live/?ref=watch_permalink&v=321427209650015)

²¹ [Electoral code \(1\).pdf \(cec.md\)](https://www.facebook.com/watch/live/?ref=watch_permalink&v=321427209650015)

²² https://a.cec.md/storage/ckfinder/files/Analiza_CoE_Recomandari%20MIOA_ro_final_reformatat.pdf

6. Economic and financial rationale

The adoption of the draft Electoral Code will require additional financial means from the state budget, but they cannot be assessed at the stage of public consultations, only after approval by the Parliament. This is to be examined as a matter of priority in the preparation and approval of the medium-term budgetary framework for the years 2023-2025, which will enable the necessary financial means to be secured.

Therefore, given that this draft law provides for budgetary expenditure and its implementation requires the allocation of additional financial resources from the state budget, the draft is to be approved by the Government of the Republic of Moldova in order to comply with Article 131 (4) of the Constitution.

7. Findings of anti-corruption expertise

The draft will be subject to the anti-corruption expertise in accordance with Article 35 of Law No 100/2017, the anti-corruption expertise being requested by the National Anticorruption Centre. Information on the results of the anti-corruption expertise will be included after receipt of the anti-corruption expert report in the summary of objections and proposals/recommendations to the draft law.

8. Findings of legal expertise

The draft law is to be subject to legal expertise in the endorsement process in line with Article 37 of Law No 100/2017 on legislative acts.

9. Description of the degree of compatibility for draft aimed at aligning national legislation with European Union law

The draft does not contain rules for the alignment of national legislation with European Union law. However, the draft took into account and considered the recommendations contained in the documents of the Venice Commission.