

REPUBLIC OF LITHUANIA
LAW
ON ELECTIONS TO MUNICIPAL COUNCILS

7 July 1994 No I-532

Vilnius

(As last amended on 20 October 2015 No XII-1976)

CHAPTER ONE
GENERAL PROVISIONS

Article 1. Fundamentals of Elections of Municipal Councillors of the Republic of Lithuania

1. Members of municipal councils of the Republic of Lithuania (hereinafter: 'municipal councillors', 'councillors') shall be elected for a four-year term by universal and equal suffrage, in a secret ballot at direct elections under the mixed electoral system.
2. A municipal council shall consist of municipal councillors. One of those municipal councillors shall be the mayor.
3. One municipality shall form one multi-member constituency. Under the proportional electoral system voters shall elect in a municipality (a multi-member constituency) councillors (except a municipal councillor and mayor) of that municipality.
4. Under the majority vote system a single-member constituency, composed of the whole municipality, shall elect a councillor of that municipality - the mayor.
5. This Law has been harmonised with the legal acts of the European Union referred to in the Annex to this Law.

Article 2. Universal Suffrage

1. The right to elect municipal councillors shall be enjoyed by permanent residents of the respective municipality, who are 18 years of age on polling day (hereinafter: 'voters'). Persons who have been recognised legally incapable by the court shall not participate in elections to municipal councils (hereinafter: 'elections').
2. Any permanent resident of a particular municipality, who is at least 20 years of age on polling day, may be elected as a member of the council of that municipality; a citizen of the Republic of Lithuania who may be elected as a member of the council of a municipality may be elected as the mayor of that municipality. Any person, who with not less than 90 days left before polling

day declared his place of within the territory of a particular municipality residence pursuant to legal acts of the Republic of Lithuania, may be elected as a member of the council of that municipality.

3. A permanent resident of a particular municipality shall be any citizen of the Republic of Lithuania who, with not less than 90 days before polling day, declared his place of residence (had declared but such declaration was revoked in accordance with Article 8(1) of the Law on Declaration of the Place of Residence) pursuant to legal acts of the Republic of Lithuania within the territory of that municipality or who, with not less than 90 days before polling day, was included in this municipality in the records of persons who do not have a place of residence, or a citizen of another member state of the European Union having the right to reside in the Republic of Lithuania who, with not less than 90 days before polling day, declared his place of residence (had declared but such declaration was revoked in accordance with Article 8(1) of the Law on Declaration of the Place of Residence) pursuant to legal acts of the Republic of Lithuania within the territory of that municipality or who, with not less than 90 days before polling day, was included in this municipality in the records of persons who do not have a place of residence, or any other person who has the right to permanently reside in the Republic of Lithuania and holds the document confirming this right and who, with not less than 90 days before polling day, declared his place of residence (had declared but such declaration was revoked in accordance with Article 8(1) of the Law on Declaration of the Place of Residence) pursuant to legal acts of the Republic of Lithuania within the territory of that municipality or who, with not less than 90 days before polling day, was included in this municipality in the records of persons who do not have a place of residence. If the person referred to in this paragraph has declared his place of residence within the territory of an appropriate municipality or declared it, but such declaration was revoked in accordance with Article 8(1) of the Law on Declaration of the Place of Residence, or was included in the records of persons who do not have a place of residence when less than 90 days are left before elections, he shall exercise his right to elect councillors in the municipality within the territory of which he declared his place of residence or was included in the records of persons who do not have a place of residence when less than 90 days are left before elections.

4. A person who has not completed a court-imposed sentence at least 65 days before elections, as well as a person who has been declared legally incapable by the court may not be elected as municipal councillor. A citizen of a foreign state whose passive voting right has been restricted by the court in the state of which he is a citizen may not be elected as municipal councillor.

5. A person who on polling day is in the active or alternative national defence service, as well as a serviceman of the professional military service or an officer of a statutory institution or

establishment, who has not been transferred to the reserve or has not retired at least 65 days before elections and whose participation in political activities is restricted under special laws or statutes, may not be elected as municipal councillor.

6. Other direct or indirect abridgements of suffrage on the grounds of their origin, political convictions, social or property status, nationality, sex, education, language, religion, or the type or character of their occupation shall be prohibited.

Article 3. Equal Suffrage

1. Each voter shall have one mandate vote to cast in a multi-member constituency for a list of candidates for municipal councillor (hereinafter: a 'list of candidates'). The sums of the mandate votes cast for each list of candidates shall determine the number of mandates of municipal councillor received or not received by a concrete list of candidates. A voter voting for a list of candidates may cast preference votes for the candidates of this list. A place of each candidate on the list of candidates after the election shall be determined by the sums of these votes cast for each candidate on the list.

2. Each voter shall have one mandate vote to cast in a single-member constituency for a municipal councillor and mayor.

3. All candidates for municipal councillor and all candidates for municipal councillor and mayor, whether nominated or self-nominated, shall be equal.

Article 4. Direct Elections

There shall be no voting by proxy when electing municipal councillors and a municipal councillor and mayor.

Article 5. Secret Ballot

1. Voters shall vote in person and by secret ballot. It shall be prohibited to vote for another person or to vote by proxy. A voter, who is unable to vote in person because of his physical handicap, may vote with the assistance of another person whom he trusts, as provided for in this Law.

2. It shall be prohibited to control the will of voters in elections. During the voting it shall be prohibited to influence the self-determination or will of a voter to vote or not to vote for a particular candidate or a list of candidates as well as to hasten a voter to vote. Necessary measures must be taken to enable a voter to mark a ballot paper in secret and without interference. It shall be prohibited to handle a ballot paper in such a way so as to reveal the secret of voting.

Article 6. Prohibition against Bribery of Voters or Persons Eligible to Vote

1. During the political campaign, i.e. from the announcement of an election date until the end of the period of election campaign as set out by this Law, also on polling day, it shall be prohibited to directly or indirectly buy votes, to induce by offering gifts, services or other rewards a voter or a person eligible to vote to attend or not to attend elections and/or to vote for or against one or another person to be nominated as or declared by himself a candidate for municipal councillor and mayor, a candidate or a list of candidates, as well as to promise to reward voters for voting after the elections with the purpose to affect the will of voters regarding particular political parties or candidates, or persons to be nominated as candidates and thus hinder citizens from implementing their right to vote.

2. Production or distribution free of charge of printed matter (an operational or election programme, biography, other information leaflets, calendars, postcards, stickers) as well as insignificant items (costing not more than LTL 5) which are marked with the symbols of a political party, public election committees (hereinafter: 'election committees'), a list of candidates, a candidate or a person to be nominated or self-nominated as a candidate for municipal councillor and mayor, and which are declared with the Central Electoral Commission of the Republic of Lithuania (hereinafter: 'the Central Electoral Commission') in accordance with the procedure laid down by it and intended for propagating a political party, election committee, a list of candidates or a person to be nominated or self-nominated as a candidate for municipal councillor and mayor shall not be considered as bribery of voters.

Version of paragraph 2 as of 1 January 2015:

2. Production or distribution free of charge of printed matter (an operational or election programme, biography, other information leaflets, calendars, postcards, stickers) as well as insignificant items (costing not more than EUR 1.45) which are marked with the symbols of a political party, public election committees (hereinafter: 'election committees'), a list of candidates, a candidate or a person to be nominated or self-nominated as a candidate for municipal councillor and mayor, and which are declared with the Central Electoral Commission of the Republic of Lithuania (hereinafter: 'the Central Electoral Commission') in accordance with the procedure laid down by it and intended for propagating a political party, election committee, a list of candidates or a person to be nominated as or declared by himself a candidate for municipal councillor and mayor shall not be considered as bribery of voters.

3. Municipal electoral committees shall, in accordance with the procedure laid down by the Central Electoral Commission, examine the facts of bribery of voters or persons eligible to vote and the Central Electoral Commission shall evaluate such facts. The Central Electoral

Commission shall publish information about the established facts of bribery of voters or persons eligible to vote on the website together with a pledge of the candidate who has violated this Article to comply with the prohibition against bribing voters and persons eligible to vote. The recognition of the facts of bribery of voters and persons eligible to vote as a gross violation of this Law shall lead to the consequences defined in this Law and other laws.

Article 7. Announcement of an Election Date

1. All municipal councillors shall be elected at the same time.
2. Elections to municipal councils shall be announced by the Seimas of the Republic of Lithuania (hereinafter: 'the Seimas') no later than five months prior to the expiration of the powers of the incumbent municipal councillors. If four months prior to the expiration of the powers of the incumbent municipal councillors the Seimas fails to announce an election date of municipal councils, elections to municipal councils shall be held on the last Sunday coming at least one month prior to the expiration of the powers of the incumbent municipal councillors. Elections to municipal councils shall be held no earlier than two months and no later than one month prior to the expiration of the powers of the incumbent municipal councillors.
3. The day when ballots are cast in polling stations of polling districts shall be considered to be polling day. Voting at places other than polling stations (by post or in other ways provided for in this Law) shall be carried out before polling day or finished on polling day as it is provided for in this Law. The term which is calculated from polling day and may be implemented only when election results are proclaimed shall commence on the day of proclamation of the election results.
4. The date of rerun election or by-election in a municipality shall be announced by the Central Electoral Commission in the cases provided for in this Law no later than within 15 days from the day when the grounds for holding such elections occur, unless otherwise provided for in this Law. It shall also announce an election date in the case specified in paragraph 2 of this Article.

8. Openness of Preparation and Holding of Elections

1. A public notice about a forthcoming meeting of an electoral committee shall be put on the notice board placed in the premises where the electoral committee has its office, and the members of this electoral committee shall be personally notified about the forthcoming meeting at least 24 hours before the start of the meeting.
2. Meetings and voting of electoral committees shall be open and may be observed by election representative of political parties (hereinafter: 'parties'), election committees, persons who have declared themselves to be a candidate for municipal councillor and mayor (hereinafter: 'election

representatives') and electoral observers upon presenting certificates in the set form or credentials validated by the parties, election committees which have authorised them, as well as representatives of the mass media upon presenting their professional cards or employment certificates. Every candidate shall have the right to participate in a meeting of an electoral committee if an issue pertaining to his personal activities or circumstances directly related to his person is being considered or if he has been invited to attend the meeting by the chairman of the electoral committee.

3. Persons present in the conference hall of the electoral committee may, from their seats, record, write down in shorthand or take down everything that is said at the meeting, photograph, film or make video recordings. Taking photographs or filming, video recording that requires walking around the premises or using special lighting equipment, as well as live radio or television broadcasting of meetings shall be subject to the permission of the chairman of the electoral committee.

4. Electoral committees may not hold closed meetings.

5. The Central Electoral Commission may prohibit anyone from entering the workroom of the service staff of electoral committees, document storing premises if it is necessary to guarantee undisturbed working conditions of the staff and to protect election documents.

6. If there is a reason to believe that during a meeting of the electoral committee a threat to the security of the meeting participants may arise, the chairman of the committee shall ask the police to check the documents and belongings of the persons entering the meeting hall or to carry out their personal search.

7. The electoral committee may remove from the meeting hall the persons who interfere with the work of the committee.

9. Expenditure Related to Preparation and Conduct of Elections

Expenses related to the preparation and execution of elections shall be covered by the State and local authorities. The expenditure of electoral committees related to the organisation and conduct of elections and the work of the members of electoral committees and the service staff shall be covered from the state budget. The maintenance of premises of polling stations and the office space of municipal electoral committees and polling district electoral committees, expenditure related to the purchase and maintenance of the polling stationery and equipment of polling stations shall be covered from municipal budgets. If the municipality fails to provide adequate premises or supplies for the offices of the municipal electoral committee and polling district electoral committees as well as polling stations, the Central Electoral Commission shall cover the expenditure related thereto with the funds of the state budget allocated to it. In this case, the

actual expenses on polling stations and the supplies shall be recovered without suit by the Central Electoral Commission from the municipality within two months after the elections. Expenses related to transportation of voters to polling districts to vote, where this is organised in accordance with the procedure laid down by the Central Electoral Commission shall be paid from the state and municipal budgets.

CHAPTER TWO

CONSTITUENCIES AND POLLING DISTRICTS

Article 10. General Number of Municipal Councillors to be Elected

1. The following number of municipal councillors shall be elected:

- 1) 51 municipal councillors – in municipalities with more than 500 000 inhabitants;
- 2) 41 municipal councillors – in municipalities with a population between 300 000 and 500 000 inhabitants;
- 3) 31 municipal councillors – in municipalities with a population between 100 000 and 300 000 inhabitants;
- 4) 27 municipal councillors – in municipalities with a population between 50 000 and 100 000 inhabitants;
- 5) 25 municipal councillors – in municipalities with a population between 20 000 and 50 000 inhabitants;
- 6) 21 municipal councillors – in municipalities with a population between 10 000 and 20 000 inhabitants;
- 7) 17 municipal councillors – in municipalities with a population between 5 000 and 10 000 inhabitants;
- 8) 15 municipal councillors – in municipalities with less than 5 000 inhabitants.

2. The Central Electoral Commission shall, at least 110 days before elections, announce the number of municipal councillors to be elected, taking into account the number of the residents in each municipality which is established according to the accountancy data on persons who have declared their place of residence and persons who do not have a place of residence where such data are for 1 January of the calendar year preceding the calendar year in which elections to municipal councils must be held and where such data are announced on the website of the administrator of the Register of Legal Entities of the Republic of Lithuania in accordance with the procedure and within the time limit laid down in the regulations of this administrator.

Article 11. Formation of Polling Districts

1. Seeking to ensure convenient access for voters to polling stations and depending on the number of voters, the territories of municipalities shall be divided into polling districts.
2. Division of the territory of a municipality, which is permanent when organising and conducting various elections and referenda, into polling districts shall, on the recommendation of the director of the municipal administration, be approved and changed, when necessary, by the Central Electoral Commission.
3. No more than 5 000 voters must reside within the territory of a polling district.
4. The boundaries of a polling district shall be adjusted and the address of a polling station shall be changed when necessary, but no later than 100 days before elections. In his recommendation to approve the division of the territory of a municipality into polling districts, the director of the municipal administration shall specify the proposed name of a polling district, the addresses comprising the polling district, the number of voters in the polling district which is being formed, the address and telephone number of a polling station. The recommendation on changes in the division of the territory of a municipality into polling districts shall specify the proposed changes. These changes must be submitted to the Central Electoral Commission at least 110 days before elections. Where it is impossible to conduct voting at the polling station designated earlier, the Central Electoral Commission may, on the recommendation of the municipal electoral committee, change the address of the polling station of the polling district electoral committee at a period shorter than the one specified in this Article.
5. A list of the approved polling districts and changes made therein shall be announced by the Central Electoral Commission at least 100 days before elections.

CHAPTER THREE

ORGANISATION OF ELECTIONS

Article 12. Electoral Committees

1. Elections to municipal councils shall be organised and conducted by:
 - 1) the Central Electoral Commission;
 - 2) municipal electoral committees; and
 - 3) polling district electoral committees.
2. A citizen of the Republic of Lithuania who is of good repute may be nominated to an electoral committee, provided that he is eligible to stand as a candidate in the election to the Seimas (without applying the age requirement set for a candidate to Seimas member, but not younger than 18 years of age on polling day) and was not removed from an electoral committee or a referendum committee during the last three elections to the Seimas, presidential elections,

elections to municipal councils, elections to the European Parliament or the referendum for violations of laws on elections or the Law of the Republic of Lithuania on the Referendum.

3. The same person may not concurrently be an electoral committee member and a candidate; a candidate and an election representative; an election representative and an electoral committee member; a candidate and an electoral observer; an electoral committee member and an electoral observer. An electoral committee member wishing to stand as a candidate – before giving a committee member's pledge, or a person wishing to stand as a candidate – before nominating himself as a candidate or giving his consent to stand as a candidate must respectively resign from the duties of the electoral committee member or withdraw his application documents at least ten days in advance. If an electoral committee member fails to do so, he shall be dismissed from the electoral committee for the violation of this Law and shall not be registered as a candidate or his name shall be struck off the list of candidates.

4. A person shall not be considered of good repute if:

- 1) he has been found guilty, by an effective judgement of conviction, of a criminal act and his prior conviction has not expired yet or has not been expunged;
- 2) he has been dismissed from the office, to which he was appointed or elected, because he broke the oath or promise, degraded the name of the officer and less than three years have elapsed from the date of the dismissal or entry into force of a decision to revoke the mandate;
- 3) he has been dismissed from work, from the office or has lost the right to engage in the relevant activity for non-compliance with the requirement of good repute set out in laws and for breach of ethics laid down in legal acts, and less than three years have elapsed since the dismissal from work, from the office or loss of the right to engage in the relevant activity;
- 4) he is a member of an organisation which is prohibited in accordance with the procedure laid down by laws.

Article 13. Formation of Municipal Electoral Committees

1. The Central Electoral Commission shall, for the period of elections, form municipal electoral committees no later than 74 days in advance of elections.

2. A municipal electoral committee shall be composed of:

- 1) a person nominated by the Minister of Justice of the Republic of Lithuania, having a university law degree, who resides or works in the territory of that municipality;
- 2) a person nominated by the Lithuanian Lawyers' Association, having a university law degree, who resides or works in the territory of that municipality;
- 3) a career civil servant employed in the administration of that municipality, nominated by the director of the administration of the that municipality;

4) persons nominated by the parties, coalitions of the parties which during the last election to the Seimas received the mandates of the Seimas members in the multi-member constituency and which nominated candidates in that municipality during the last of the elections to municipal councils.

5) persons nominated by the parties, coalitions of the parties which during the last election to the municipal council received at least three mandates of members of that municipal council.

3. The Minister of Justice, the Lithuanian Lawyers' Association and the director of the municipal administration may propose more than one person.

4. Every party, coalition of the parties which received mandates of Seimas member in the multi-member constituency and which nominated candidates in that municipality during the last elections to municipal councils shall each have the right to propose one representative (hereinafter: a 'nominee') to municipal electoral committees for one list (joint list) of candidates nominated in the multi-member constituency. Every party, coalition of the parties which, during the last elections to the municipal council, received mandates of members of that municipal council according to the list (joint list) of nominated candidates shall each have the right to propose one nominee to the respective municipal electoral committee for one list (joint list) of nominated candidates. If a party may nominate candidates on the basis of the results of both the elections to the Seimas and the municipal elections, it shall at choice nominate candidates on the basis of the results of only one of these elections. If one of the parties which participated in the coalition does not propose or refuses to propose nominees, or chooses to propose nominees on the basis of the results of the elections other than that for which the coalition was formed, the other parties which participated in this coalition shall have the right to propose nominees without its participation. Parties, coalitions of parties shall submit lists of nominees to the Central Electoral Commission at least 81 days before elections. If nominees meet the requirements of this Law, the Central Electoral Commission may not reject the said nominees. Where no nominees have been proposed, the Central Electoral Commission may additionally, instead of them, appoint as committee members the persons who are proposed by the Minister of Justice, the Lithuanian Lawyers' Association or the director of the municipal administration.

5. In all cases, not less than three members of a municipal electoral committee must be persons appointed to a municipal electoral committee from the candidates proposed by the Minister of Justice, the Lithuanian Lawyers' Association and the director of the municipal administration. If there are less than three persons, the committee shall be enlarged from the persons proposed by the Minister of Justice, the Lithuanian Lawyers' Association or the director of the municipal administration.

6. If elections to the European Parliament or to the Seimas, or to the office of President of the Republic, or to the municipal council, or a referendum are concurrently held on the same day, the same polling district electoral committees or referendum committees shall be formed. The Central Electoral Commission shall form a single – municipal electoral, constituency electoral or referendum – committee on a separate electoral or referendum territory and shall define its functions in organising and carrying out other elections or referendum.

7. The Central Electoral Commission shall appoint the chairman of a municipal electoral committee from the committee members. A person who has got experience of working as the chairman or member of the Central Electoral Commission, a municipal electoral, constituency electoral or referendum committee or experience of working as the chairman of a polling district electoral committee shall be appointed as the chairman of a municipal electoral committee. When appointing chairmen of municipal electoral committees, the Central Electoral Commission must see that the number of chairmen would be equally distributed between the parties entitled to delegate committee members.

8. During its first meeting the municipal electoral committee shall elect a deputy chairman and a secretary of the committee.

Article 14. Powers of a Municipal Electoral Committee

The municipal electoral committee shall:

- 1) in accordance with the procedure laid down by the Central Electoral Commission, inform voters who reside within the territory of the respective municipality about the boundaries of the polling districts, offices of polling district electoral committees, their working hours and polling stations;
- 2) supervise the implementation of this Law within the territory of the municipality;
- 3) form polling district electoral committees;
- 4) within the limits of the estimate of the municipal electoral committee approved by the Central Electoral Commission, approve estimates of expenses of polling district electoral committees and control the use of funds assigned in these estimates;
- 5) register electoral observers and issue certificates to them;
- 6) accept application documents, verify them, register lists of candidates and candidates nominated for municipal councillors and mayors, issue certificates to the registered candidates, register coalitions of the parties which are being formed or wound up, determine the numbering of joint lists of candidates;
- 7) inspect forms for the collection of voter signatures (or assign this task to polling district electoral committees) and determine whether or not the required number of signatures of voters

who supported the nomination of the list of candidates, nomination or self-nomination of a candidate for municipal councillor and mayor has been collected;

8) make up a list of health care (except out-patient), social care and guardianship institutions, military elements, arrest houses, remand prisons (detention facilities) and penitentiary institutions situated within the territory of the municipality, and, together with the head of the post office, take care of the organisation of voting by post in the said places, as well as organise early voting;

9) draw up a vote counting record of the constituencies, establish election results and forward them to the Central Electoral Commission for approval; following the decision of the Central Electoral Commission publish in the press the list of the elected municipal councillors and the municipal councillor who has been elected mayor by the voters;

10) consider complaints against decisions and actions of polling district electoral committees and take decisions; revoke decisions of polling district electoral committees which are not in compliance with the requirements of laws or other legal acts;

11) in accordance with the procedure laid down by the Central Electoral Commission, conduct monitoring of political advertising on the territory of a municipality during the election campaign and submit the monitoring data to the Central Electoral Commission;

12) exercise other powers provided for in this Law.

Article 15. Formation of Polling District Electoral Committees

1. At least 65 days before elections, the municipal electoral committee shall determine the number of members of each polling district electoral committee that must be a multiple of the number of the parties which have the right to propose nominees to polling district electoral committees. In the event of an insufficient number of proposed nominees or a vacancy in the polling district electoral committee, the director of the administration of the municipality in the territory of which the polling district is formed may propose the lacking nominees.

2. The following shall have the right to propose an equal number of candidates to a polling district electoral committee:

1) the party or the coalitions of the parties which during the last election to the Seimas received the mandates of Seimas member in the multi-member constituency and which nominated candidates in that municipality during the last elections to municipal councils. If a party received mandates of the Seimas members while in a coalition, it may nominate candidates together with the parties of the coalition;

2) the party or the coalition of the parties which during the last election to the municipal council received at least two mandates of members of that municipal council. If the party received

mandates of the municipal councillors while in the coalition, it may nominate candidates together with the parties of the coalition.

3. If a party may nominate candidates on the basis of the results of both the election to the Seimas and the municipal council, it shall at choice nominate candidates on the basis of the results of only one of these elections. If one of the parties which participated in the coalition of the parties does not propose or refuses to propose nominees, or chooses to propose nominees on the basis of the results of the elections other than those for which the coalition was formed, the other parties which participated in this coalition shall have the right to propose nominees without its participation.

4. Parties shall submit lists of nominees for members of polling district electoral committees to municipal electoral committees at least 48 days before elections.

5. Polling district electoral committees shall, for the period of elections, be formed by municipal electoral committees at least 45 days before elections. If a nominee proposed by the party to the polling district electoral committee meets the requirements of this Law, the municipal electoral committee may not reject him.

6. If no nominees have been proposed or the proposed nominees do not meet the requirements of this Law, or they have been proposed after the set time limit, a municipal electoral committee may decrease the earlier fixed number of members of the polling district electoral committee or address the director of the municipal administration so that the latter would propose the lacking number of nominees to the polling district electoral committee. Persons proposed by the director of the municipal administration may not be members of parties or become them prior to the expiration of the powers of the electoral committee member. If during a meeting of a municipal electoral committee which appoints a member of the polling district electoral committee nominated by the director of the municipal administration no less than three members of the municipal electoral committee object to the appointment of the candidate, this candidate may not be appointed a committee member.

7. The municipal electoral committee shall appoint the chairman of a polling district electoral committee from among its members. A person who has got the experience of working as the chairman or a member of an electoral committee or a person who has got the higher education shall be appointed as chairman of a polling district electoral committee. A municipal electoral committee must seek that the number of chairmen would be equally distributed between the parties entitled to delegate committee members.

8. During its first meeting a polling district electoral committee shall elect a deputy chairman and a secretary of the committee.

Article 16. Powers of a Polling District Electoral Committee

1. The polling district electoral committee shall:

- 1) receive electoral rolls of the polling district from the municipal electoral committee, provide voters, election representatives with an access to such rolls, hand in poll cards to voters or distribute them in some other manner, compile electoral rolls of voters who will vote at home, inform the municipal electoral committee about inaccuracies noticed in the electoral roll of the polling district, about the persons who have refused to declare, have not declared whether they meet the requirements of Article 2 of this Law, and transmit these data electronically in accordance with the procedure laid down by the Central Electoral Commission;
- 2) consider complaints concerning errors made in the electoral roll of the polling district;
- 3) in accordance with the procedure laid down by the Central Electoral Commission, supervise the course of voting by post in the territory of a polling district in order to enable voting by post in all health care (except out-patient), social care and guardianship institutions, military elements, arrest houses, remand prisons (detention facilities) and penitentiary institutions situated within the territory of a polling district, as well as organise voting at home;
- 4) together with a representative of the municipal administration, take care of the arrangement of polling stations, polling booths and ballot boxes in due time pursuant to the requirements laid down in this Law;
- 5) organise voting in the polling district on polling day;
- 6) count votes, draw up a vote counting record of the polling district and transmit the data of this record through means of electronic communication in accordance with the procedure laid down by the Central Electoral Commission;
- 7) consider complaints of the voters and electoral observers of its polling district on issues concerning the preparation of elections, organising of voting, vote counting, drawing-up of vote counting records and take decisions related thereto; and
- 8) exercise other powers provided for in this Law.

Article 17. Written Pledges of Electoral Committee Members

1. A member, chairman of an electoral committee shall start holding a position in the electoral committee only upon giving a written pledge. A person who gives a written pledge shall have the right to choose one of the texts of the written pledge set forth in paragraph 2 of this Article and to give a written pledge in compliance with it.
2. The Central Electoral Commission shall establish the procedure for giving a written pledge by members, chairmen of municipal electoral committees and polling district electoral committees.

The texts of the written pledge of the member, chairman of an electoral committee shall read as follows:

1) 'I, (name, surname), swear to be faithful to the Republic of Lithuania, observe its Constitution and laws, conscientiously and honestly perform my duties in the electoral committee and refrain from actions violating laws and human rights.

So help me God.';

2) 'I, (name, surname), swear to be faithful to the Republic of Lithuania, observe its Constitution and laws, conscientiously and honestly perform my duties in the electoral committee and refrain from actions violating laws and human rights.'

3. Upon giving the written pledge, a person shall sign at the foot of the pledge. The text of the written pledge may not be altered. The pledge shall be effective for the whole duration of the appointment to the electoral committee.

4. Written pledges of electoral committee members, chairmen shall be stored by the electoral committee which has appointed them.

5. The decision of the Central Electoral Commission or a municipal electoral committee on the appointment of an electoral committee member shall fix the time when the electoral committee member must give a written pledge. A person who has not given a written pledge within 15 days after his appointment as an electoral committee member shall be removed from his position in the electoral committee.

Article 18. Organisation of the Work of Electoral Committees

1. Meetings of electoral committees shall be valid if attended by at least three-fifths of the committee members. Decisions of the committees shall be adopted by open vote of the majority of the committee members present in the meeting. In the event of a tie, the committee chairman shall have a casting vote. Committee members who do not agree with the decision shall be entitled to express a dissenting opinion in writing. It shall be attached to the minutes and form an integral part of the minutes.

2. After the end of the elections, the powers of the chairmen and members of municipal electoral committees and polling district electoral committees shall be terminated. A decision to terminate the powers shall be adopted by the electoral committee which appointed the committee members, provided this committee and its chairman have fulfilled all the tasks assigned to them under this Law.

3. The chairman or member of an electoral committee who has given a written pledge shall be prohibited from any form of election campaigning or attempts to influence the will of voters in any other way. A person who has violated this requirement or a written pledge of the

commission member must be dismissed from the electoral committee and must be held liable under the law.

Article 19. Appeals against Decisions of Electoral Committees Adopted before the Close of Poll

1. A party, election committee which have nominated candidates, a candidate to municipal councillor and mayor, an election representative, an electoral observer shall have the right to appeal against any decision of the electoral committee adopted before the close of poll or against any other act of the committee:

- 1) that of the polling district electoral committee – to the municipal electoral committee;
- 2) that of the municipal electoral committee – to the Central Electoral Commission;
- 3) that of the Central Electoral Commission – to the Supreme Administrative Court of Lithuania.

2. A voter, an election representative who does not agree with the decision of the polling district electoral committee which has been adopted on his complaint concerning the errors made in the electoral roll which prevent the voter from implementing his right to vote (he has been incorrectly entered in or struck off the electoral roll as well as inaccurate data about the voter has been entered in the electoral roll) shall be entitled to appeal against such a decision of the polling district electoral committee to the appropriate administrative court.

3. An appeal filed with the regional administrative court must be investigated within 48 hours from the filing thereof. Non-working days shall also be included in this time limit. The decision of the court shall become effective after its pronouncement. Appeals which have been filed not in compliance with the procedure established in this Article shall not be considered and shall be referred to the electoral committee which must investigate them. A polling district electoral committee, a municipal electoral committee may not refer to the Central Electoral Commission for consideration the appeals which are within their own jurisdiction but have not been investigated by them.

Article 20. Support Provided to Electoral Committees and Allocation of State Budget Funds to Municipal Electoral Committees to Organise Elections

1. State and municipal institutions, enterprises, establishments and organisations, as well as their officers must assist electoral committees in exercising their powers and must furnish necessary information to them.

2. State and municipal institutions, enterprises, establishments and organizations as well as their officials must not later than within three days consider requests submitted by electoral committees and give justified replies to the electoral committees.

3. The chairman of a municipal electoral committee shall enjoy the right to conclude employment contracts with employees necessary to carry out ancillary works related to the organization of elections. These employment contracts shall be concluded by the chairman of the municipal electoral committee under the power of attorney on behalf of the Central Electoral Commission. The Government (hereinafter: 'the Government') shall, on the recommendation of the Central Electoral Commission, lay down the procedure for paying the employed staff for work and the amount of such payment.
4. At the request of the municipality, state agencies and other organizations must provide to electoral committees adequate premises for organisation and conduct of elections, equipment, computer hardware and the internet access. Polling stations provided for elections and access to them must be suitable for voters with movement disorders and vision impairment as well as for older voters.
5. The Central Electoral Commission shall transfer the state budget funds allocated to municipal electoral committees for organisation of elections to the bank account of the Central Electoral Commission opened for each electoral committee.
6. The Chairman of the Central Electoral Commission shall sign an agreement with the chairman of a municipal electoral committee on the use of state budget funds that specifies:
 - 1) the amount of state budget funds transferred to the municipal electoral committee and the programme of the Central Electoral Commission under which these funds are allocated;
 - 2) the targeted purpose of the use of state budget funds for the organisation of elections;
 - 3) planned detailed distribution of state budget funds according to the economic purpose of expenditure, and the calculation of remuneration costs (appended to the agreement);
 - 4) the procedure for accounting to the Central Electoral Commission for the organisation of elections;
 - 5) the procedure for accounting to the Central Electoral Commission for the use of state budget funds (indicating the economic purpose of expenditure) and submitting of accounting documents justifying the use of the funds;
 - 6) other provisions which help the Central Electoral Committee to ensure lawfulness, cost-effectiveness, efficiency and productiveness of the implementation of the programmes and the use of state budget funds for organisation of elections.
7. The Central Electoral Commission shall transfer the state budget funds for organisation of elections to the accounts indicated in paragraph 5 of this Article according to the estimates of municipal electoral committees approved by the Central Electoral Commission.

8. The chairman of a municipal electoral committee shall control how the state budget funds allocated to the municipal electoral committee for the organisation of elections are used and shall account to the Central Electoral Commission for the use thereof.
9. The Central Electoral Commission shall examine the report on the use of state budget funds for organisation of elections and the documents justifying the expenditure presented by the chairman of the municipal electoral committee. Having established violations of financing, use of funds or accounting the Central Electoral Commission shall initiate recovery of damages from the guilty persons.
10. The chairman of the municipal electoral committee shall be liable for the damages inflicted during the period of validity of the agreement on the use of state budget funds even after the expiration of such an agreement.

Article 21. Remuneration of Electoral Committee Members

1. For their work in electoral committees, the chairmen, deputy chairmen, secretaries and members of electoral committees shall be receive payment at the rates submitted by the Central Electoral Commission and approved by the Government.
2. Electoral committee chairmen, deputy chairmen, secretaries and members shall be paid for their work in electoral committees in accordance with the time sheets, without exceeding the appropriations allocated to an appropriate electoral committee for remuneration. The Central Electoral Commission shall establish the procedure for filling in time sheets in electoral committees. The chairman of an appropriate electoral committee shall be responsible for the accuracy of the time sheets. Limitation on the working time defined in the Labour Code of the Republic of Lithuania shall not be applied to work in electoral committees.
3. The procedure for imposing incentive measures to chairmen, deputy chairmen, secretaries and members of electoral committees shall be approved by the Government on the recommendation of the Central Electoral Commission.

Article 22. Changes in the Composition of an Electoral Committee

1. The chairman or a member of an electoral committee may be removed from his position in the committee by the electoral committee which approved the composition of the said committee, or by the Central Electoral Commission.
2. The electoral committee may consider only a reasoned proposal of a party (coalition of the parties) to recall a member of the electoral committee whom it has nominated.

3. When necessary, a new chairman or member of the electoral committee may be appointed in accordance with the procedure established by this Law even upon the expiration of the time limits set in Article 13(1) and Article 15(5) of this Law.

CHAPTER FOUR

ELECTORAL ROLLS AND POLL CARDS

Article 23. Electoral Rolls

1. In order to organise and hold elections the following electoral rolls shall be compiled:

- 1) the electoral roll of the Republic of Lithuania;
- 2) electoral rolls of municipalities; and
- 3) electoral rolls of polling districts.

2. Electoral rolls shall be drawn up twice – preliminary and final. These rolls may be used only for organisation and conduct of elections.

3. The procedure for drawing up electoral rolls must be such that every person who is eligible to vote is entered on electoral rolls. No one may be entered on an electoral roll more than once.

4. The electoral roll of the Republic of Lithuania and electoral rolls of municipalities shall be drawn up and kept by electronic means by the Central Electoral Commission in conjunction with the administrator of the Residents' Register of the Republic of Lithuania. Electoral rolls of polling districts shall be held in an electronic information medium and printed as a preliminary electoral roll of the polling district which is used for issuing poll cards and for voters to familiarise themselves with. The procedure, form, method of compiling electoral rolls and the procedure of their use shall be laid down by the Central Electoral Commission. The printed final electoral roll of a polling district shall be used for voting on polling day. The final electoral roll of a polling district shall be printed together with its annexes containing the changes made in the said electoral roll. When drawing up electoral rolls, the following personal data shall be used:

- 1) on the electoral roll of the Republic of Lithuania - the name, surname, personal number, date of birth, number of the document confirming citizenship, home address and grounds for entering the address in the Residents' Register of the Republic of Lithuania;
- 2) on the municipal electoral roll - the name, surname, personal number, date of birth, declared home address;
- 3) on the polling district electoral roll - the name, surname and home address. The home address of a voter who has expressed disagreement about his home address appearing in the polling district electoral roll shall be indicated only in the annex to the polling district electoral roll and in the poll card.

5. Every voter shall have the right to express disagreement about his home address appearing on the polling district electoral roll. The Central Electoral Commission shall, together with the administrator of the Residents' Register of the Republic of Lithuania, take the necessary measures to enable a voter to exercise his right to express disagreement about his home address appearing on the polling district electoral roll.

Article 24. General Procedure for Entering Voters on the Electoral Roll of the Republic of Lithuania

1. All persons eligible to vote shall be entered on the electoral roll of the Republic of Lithuania on the basis of the data of the issuance of the passport, identity card or permit for permanent residence in the Republic of Lithuania, as well as the data of the Residents' Register of the Republic of Lithuania. State and municipal institutions and agencies which issue documents confirming the identity of a person or the right to permanently reside in the Republic of Lithuania, manage the data concerning the declaration of persons' place of residence, record the fact of person's death and the cases of loss of citizenship, shall also be responsible for accurate and timely changes and updates of the data in the Residents' Register of the Republic of Lithuania. Electoral rolls compiled on the basis of the data of the Residents' Register of the Republic of Lithuania shall be provisional.

2. Compiling, updating and management of electoral rolls shall be organised by the Central Electoral Commission on the basis of the information furnished by state, municipal institutions and municipal electoral committees.

3. The following persons shall be struck off the electoral roll of the Republic of Lithuania:

- 1) a diseased voter;
- 2) a person who has lost the citizenship of the Republic of Lithuania and does not have a document confirming the right to permanently reside in the Republic of Lithuania;
- 3) a voter after a final judgement declaring him legally incapable;
- 4) a person whose document confirming the right to permanently reside in the Republic of Lithuania has been revoked in accordance with the procedure laid down by the law.

4. Provisional electoral rolls with changes done therein and acknowledged in accordance with the procedure established by the Central Electoral Commission shall be approved as final electoral rolls not more than seven days before elections. Changes in final electoral rolls may be done only with the consent of the Central Electoral Commission. After the elections the electronic electoral roll of the Republic of Lithuania shall be stored and used pursuant to the procedure laid down by the Central Electoral Commission.

Article 25. Electoral Rolls of Municipalities

The electoral roll of a municipality shall be drawn up in an electronic information medium by the Central Electoral Commission according to the electoral roll of the Republic of Lithuania and the voter's place of residence (the place of residence declared by the voter) indicated therein and shall be delivered to the municipal electoral committee at least 39 days before elections. Concurrently, rolls of voters with unknown home addresses shall be drawn up.

Article 26. Electoral Rolls of Polling Districts

The electoral roll of a polling district shall be drawn up by the municipal electoral committee according to the municipal electoral roll and the voter's place of residence indicated therein and shall be delivered to the polling district electoral committee at least 26 days before elections.

Article 27. Public Announcement of, and Access to, Electoral Rolls

1. A polling district electoral committee shall, at least 25 days before elections, take the necessary measures to enable voters to familiarise themselves with the polling district electoral roll. Voters shall only have access to their own data specified in an annex to the polling district electoral roll. It shall be prohibited to make copies of polling district electoral rolls or to duplicate or distribute such lists in any other manner. A notice must be posted at the entrance to the office of a polling district electoral committee indicating the duty hours of the committee members and telephone numbers by which voters may check whether they have been entered on the electoral roll. Upon the expiration of the time limit specified in this Law for issuing poll cards, notices indicating the duty hours of the polling district electoral committee, its contact telephone numbers and the polling district on the electoral roll of which the residents of a multi-apartment residential building have been entered must also be posted in the stairways of such buildings.

2. The electoral roll of the Republic of Lithuania and electoral rolls of municipalities shall not be made public, however, information about the entry of the voter's name on the electoral roll may be provided by telephone to the voter concerned.

Article 28. Poll Card

1. A poll card shall be a document giving information about elections to a voter, a nominal invitation to participate in elections. Poll cards together with other information about elections shall be delivered to voters or such delivery shall be organised by electoral committees. A voter himself, or at his request – any other person, may print or write out his poll card in accordance with the data of the electoral roll of the Republic of Lithuania received by electronic means (via

the internet or a mobile short text message) in accordance with the procedure laid down by the Central Electoral Commission. In this event, the voter himself shall sign his poll card, except for the cases when he cannot sign it himself because of his physical handicap and the poll card is signed by another person chosen by the voter, indicating his name, surname and personal number. Electoral committees shall distribute poll card forms which may be filled out by the voter himself. A poll card shall be mandatory only in the cases where a voter votes not on polling day at a place other than a polling district.

2. A poll card shall specify:

- 1) the voter's name and surname;
- 2) the voter's home address;
- 3) the name and number of a polling district on the electoral poll of which the voter has been entered, and the address of a polling station;
- 4) the successive number of the voter on the polling district electoral roll; and
- 5) election date, polling time at the polling station of the polling district; invitation to attend elections, other information relevant to the voter or the organisation of elections.

3. If a voter requests to issue him with a duplicate of the poll card in place of the poll card he has lost or has not received, a duplicate must be issued to the voter immediately as soon as his data to be entered on the card are established.

Article 29. Delivery of Poll Cards

1. The delivery of poll cards to voters shall be organised by a polling district electoral committee.
2. The procedure for delivering poll cards to voters who are in health care (except out-patient), social care and guardianship institutions, military elements, arrest houses, remand prisons (detention facilities) and penitentiary institutions shall be laid down in Articles 66, 67 and 68 of this Law.
3. The delivery of a poll card shall be mentioned in a provisional polling district electoral roll. A poll card shall be handed either personally to a voter who has the right to vote at home or to any other person residing with the voter. If a poll card cannot be delivered because the voter or the person residing with him is not at home, a general invitation to come to vote may be put into the mailbox or handed to the voter's neighbour who knows the voter and undertakes to give the poll card to the voter. The delivery of poll cards to voters must be finished at least eight days before elections.
4. The voter who has not received a poll card in due time or who has received a poll card with inaccuracies, must without delay inform thereof the polling district electoral committee on whose

service territory he resides and produce his passport or any other identification document. If the voter has been entered on the electoral roll of this polling district, the district electoral committee must write out a new poll card to the voter and issue it to him immediately. If the voter has not been entered on the electoral roll of this polling district, but the voter's home address according to the data of the Residents' Register of the Republic of Lithuania is allotted to this territory of the polling district (and he declared his place of residence at this address when not less than 90 days were left before polling day) or the voter, with not less than 90 days left before polling day, was included in the records of persons who do not have a place of residence in an appropriate municipality, the polling district electoral committee shall provide an application of the form prescribed by the Central Electoral Commission to be filled out by the voter in order to be entered on the electoral roll of this polling district (or a member of the district electoral committee shall himself fill out this application form; this application form may also be submitted by electronic means by the voter in accordance with the procedure laid down by the Central Electoral Commission) and shall immediately inform the municipal electoral committee about this, which must arrange, in compliance with the above-mentioned application, that the voter be entered on the electoral roll of this polling district. A poll card shall be written out and delivered to the voter as soon as electoral rolls are updated.

Article 30. Updating Electoral Rolls before Drawing up Final Electoral Rolls

1. Preliminary electoral rolls shall be updated when transferring a voter from one electoral roll of a municipality or a polling district onto another, when removing a voter from the electoral roll of the Republic of Lithuania or entering him on the electoral roll of the Republic of Lithuania.
2. The voter shall be transferred from one electoral roll onto another if it becomes clear that the voter's home address in the provisional electoral roll is incorrect.
3. Transferring of a voter from the electoral roll of one polling district onto another within the same municipality shall be carried out by the municipal electoral committee which shall notify the Central Electoral Commission about the changes made in the electoral rolls of the polling districts. Transferring of a voter from the electoral roll of one municipality onto the electoral roll of another municipality shall, on the recommendation of the municipal electoral committee, be executed by the Central Electoral Commission which shall notify the municipal electoral committees about the changes made. Only the Central Electoral Commission may enter a voter on the electoral roll of the Republic of Lithuania or strike him off the electoral roll of the Republic of Lithuania in the cases provided for in Article 24 of this Law.

Article 31. Entering on Electoral Rolls of Voters who are in Military Elements, Arrest Houses, Remand Prisons (Detention Facilities) and Penitentiary Institutions

1. Voters performing the mandatory military service shall be entered on the electoral roll of the polling district where they permanently resided before they were called up for the mandatory military service.
2. Voters performing the active military service, civil service or working under employment contracts in international military operations abroad shall be entered on the electoral rolls of the polling district where they declared the place of residence.
3. Voters who are in arrest houses, remand prisons (detention facilities) or penitentiary institutions shall be entered on the electoral rolls of the polling district where they declared the place of residence. If such a person has not declared the place of residence he, at his written request, shall be entered on the electoral roll of the polling district where the arrest house, remand prison (detention facilities) or respective penitentiary institution is situated. A person who declared the place of residence before he was placed in an arrest house, remand prison (detention facilities) or penitentiary institution may not be entered on the electoral roll of the polling district where the territory of which the arrest house, remand prison (detention facilities) or penitentiary institution is situated.

Article 32. Updating Electoral Rolls upon Drawing up Final Electoral Rolls and on Polling Day

1. If following the approval of the final electoral rolls, but no later than until 6pm on polling day, a polling district electoral committee is addressed by a voter who has not been entered on the electoral roll of that polling district and submits his passport, identity card or permit for permanent residence in the Republic of Lithuania and the document certifying the declared place of residence within that polling district, the polling district electoral committee shall enter the voter on the additional electoral roll of the polling district and allow him to vote according to the procedure established by the Central Electoral Commission, as well as immediately communicate the voter's name, surname, personal number, the number of his passport or any other identification document, and his address to the municipal electoral committee. The municipal electoral committee shall check whether the voter has been entered on the municipal electoral roll and take measures to ensure that the voter would not be able to vote twice or the ballot papers filled by him would be counted only once. If the voter has voted twice, only the vote which was put in the ballot box of the polling district shall be counted. The other vote of the voter, received by post or cast according to the additional electoral roll of the polling district shall not be counted.

2. On polling day a voter who has not voted yet may, in accordance with the procedure laid down by the Central Electoral Commission, vote in another polling district of his municipality, provided that all the polling districts of this municipality are connected through means of electronic communication to the electronic electoral roll and the polling district electoral committees can confirm that the voter has not voted in any of the polling districts, and the electoral committee of the polling district on whose electoral roll the said voter is entered confirms that an entry has been made in the electoral roll of this polling district on the arrival of the said voter to vote at another polling district and the voter's vote, if received by post, will not be counted.

Article 33. Complaints about Electoral Rolls

1. A voter or an election representative shall have the right to lodge complaints with the polling district electoral committee no later than seven days before elections about the errors made in the electoral rolls due to which the voter has not been entered on the electoral roll in accordance with the procedure laid down by this Law or has been entered on several electoral rolls. The polling district electoral committee must consider the complaint and take a decision thereon either immediately or within two days of the receipt thereof, if more than ten days are left until polling day.
2. A decision of the polling district electoral committee concerning the complaint referred to in paragraph 1 of this Article may within three days be appealed against to the respective regional administrative court. The court shall consider the complaint within two days. The decision of the court shall be final.
3. Complaints and comments shall not be considered after the expiration of the term set for lodging comments or complaints.
4. Polling district electoral committee shall report to the municipal electoral committee about the received complaints and the changes made in the electoral rolls as a result of the court's decision, and the municipal electoral committee shall report to the Central Electoral Commission as soon as possible but not later than within 12 hours.

CHAPTER FIVE NOMINATION OF CANDIDATES

Article 34. Nomination of Candidates for Municipal Councillor and Municipal Councillor and Mayor

1. Candidates for municipal councillor may be nominated by election committees as well as the parties registered in compliance with the Republic of Lithuania Law on Political Parties (hereinafter: 'the Law on Political Parties') at least 185 days before elections and meeting the requirements set by the Law on Political Parties regarding the number of party members.

Version as of 01 May 2015:

1. Candidates for municipal councillor may be nominated by election committees as well as the parties which are registered in compliance with the Republic of Lithuania Law on Political Parties (hereinafter: 'the Law on Political Parties') at least 185 days before elections, which meet the requirements set by the Law on Political Parties regarding the number of party members and which do not have the legal status of the party in respect of which liquidation has been initiated or the legal status of the party placed under liquidation.

2. A person may declare himself to be a candidate for municipal councillor and mayor or may be declared by a party or election committee to be a candidate for municipal councillor and mayor. The same requirements established in this Law shall apply to a person who declares himself to be a candidate for municipal councillor and mayor and a person who is declared by a party or election committee to be a candidate for municipal councillor and mayor.

3. A party, election committee may nominate candidates and a person may declare himself to be a candidate (for municipal councillor and mayor) after they are registered as participants of a political campaign in compliance with the Republic of Lithuania Law on Funding of, and Control Over Funding of, Political Campaigns (hereinafter: 'the Law on Funding of, and Control Over Funding of, Political Campaigns'), but not later than 65 days before elections.

4. A party, election committee shall nominate candidates by presenting a general list of candidates for municipal councillor in which the candidates are entered in the order established by the party. In total the candidates in the list of candidates submitted by the party may not make up less than a half and more than twice of councillors to be elected in that municipality.

5. A list of candidates for municipal councillor nominated by a party, election committee and a candidate for municipal councillor and mayor or, where only a list is nominated or only a candidate, a person who declares himself to be a candidate for municipal councillor and mayor must be supported in a relevant municipality by not less than 20 per cent of voters of that municipality counting for one mandate of a municipal councillor, but not less than 100 voters of that municipality. The number of signatures to be collected, which is fixed according to the results of the last elections and rounded to the first two significant digits, shall be announced by the Central Electoral Commission at least 110 days before elections.

Article 35. Election Committee

1. An election committee shall comprise voters of the municipality where the candidates are nominated. The number of voters must be at least twofold the number of councillors to be elected in the municipality. The same voter may be a member of one election committee only. The election committee shall be registered by the Central Electoral Commission. Receipt of documents for registration of an election committee shall start from the moment the date of elections to municipal councils is announced and end 85 days before elections.

2. An election committee shall be established with the aim of participating in a particular election to the council of this municipality and nominate a list of candidates and/or a candidate for councillor and mayor of this municipality by concluding the rules of procedure of the election committee, which are signed by all members of the election committee. Model rules of procedure shall be approved by the Central Electoral Commission. The rules of procedure of the election committee shall include:

- 1) members of the election committee (name, surname, personal number recorded on the Resident's Register of the Republic of Lithuania, declared place of residence recorded on the Resident's Register of the Republic of Lithuania until the set date, contact details: phone and fax numbers, e-mail address);
- 2) a representative (coordinator) of the election committee and his powers;
- 3) the place of residence and contact details of the representative (coordinator) of the election committee: phone and fax numbers, e-mail address;
- 4) decision-making procedure of the election committee;
- 5) property and non-pecuniary obligations of the election committee members with respect to their activities in the election committee, their fulfilment procedure and deadlines;
- 6) the name of the election committee.

3. At the meeting, the election committee shall:

- 1) adopt and amend the rules of procedure of the election committee, which itself or its amendments come into force after their registration with the Central Electoral Commission;
- 2) elect and change a representative (coordinator) of the election committee, lay down his areas of activity and powers;
- 3) take a decision on the nomination of a list of candidates and/or a candidate for municipal councillor and mayor; it may also take a decision on the election programme;
- 4) take a decision on the termination of the the election committee's activities, if the election committee's activities are terminated by the end of a political campaign; establish the procedure of convocation of a meeting of the election committee.

4. The meeting of the election committee shall be valid if more than two-thirds of the election committee members participate in it. Decisions of the election committee shall be taken by a majority vote of all of the election committee members.

5. The election committee shall have a representative (coordinator) of the election committee elected from the members of the election committee. He shall:

- 1) implement the decisions taken by the meeting of the election committee;
- 2) conclude agreements on behalf of the election committee, present reports to the general meeting of the election committee, represent the election committee in state and municipal institutions and agencies;
- 3) open a bank account to be used as a bank account of the political campaign and conclude a property trust agreement with the political campaign treasurer;
- 4) fulfil other instructions of the election committee, if they do not conflict with this Law and other laws.

6. The election committee may start its activities from the day of its registration with the Central Electoral Commission. The election committee, adhering to the constitutional imperative to respect and safeguard the constitutional order, public policy, public morality protection, without inciting national, racial, religious, or social hatred, violence and discrimination, shall have the right to choose the name of the election committee which does not mislead voters and adequately inform them about the election committee, and shall specify the name in the rules of procedure of the election committee. If the election committee does not choose the name or the chosen name does not satisfy the laid down requirements, the Central Electoral Commission shall, complying with the set procedure and observing the order of registration time of the election committees at the Central Electoral Commission, assign the election committees a letter/letters without a diacritical mark, which is/are different for each election committee. This letter/letters shall be considered to be the name of the specific election committee and shall be entered on the ballot paper. The decision on the registration of the election committee or the amendment of the rules of procedure of the election committee shall be adopted by the Chairman of the Central Electoral Commission or a member authorized by him not later than within three working days after the receipt of the request and the rules of procedure. If shortcomings of the documents are identified, the committee representative (coordinator) shall be offered to remove them within three days. Refusal to register the election committee or the amendment of its rules of procedure must be motivated. If the election committee does not agree with the adopted decision, the decision may be appealed against to the Central Electoral Commission within five working days from the date of its adoption. The Central Electoral Commission must examine the complaint within three working days. The decision of the Central Electoral Commission may be appealed

against to the Supreme Administrative Court of Lithuania not later than within five working days from its adoption. An appeal must be investigated not later than within 48 hours of receipt thereof. The decision of the Supreme Administrative Court of Lithuania shall become effective from its pronouncement.

7. Activities of the election committee shall end when:

- 1) at the meeting the election committee decides to terminate its activities;
- 2) in accordance with the procedure laid down in this Law, the Central Electoral Commission adopts a decision to revoke registration of the election committee if the committee members remain fewer than the minimum specified in paragraph 1 of this Article; the election committee fails to collect voters' signatures provided for in Article 34(5) of this Law; the interests of the election committee or its nominated candidate seriously violated this Law or the Law on Funding of, and Control Over Funding of, Political Parties and Political Campaigns; the registration of the election committee is refused or its registration as a participant of the political campaign is revoked;
- 3) the political campaign ends;
- 4) the election committee withdraws the application documents and/or there are no candidates nominated by this committee left.

Article 36. Application Documents of Candidates for Municipal Councillor

1. Submission of application documents of candidates shall commence 85 days before elections. The period shall end at 5:00 p.m. 45 days before elections. The application documents filed after the deadline for filing them may not be recognised as application documents.

2. Upon the commencement of submission of application papers but not later than 65 days before elections, a party must submit to the Central Electoral Commission the following application documents:

- 1) an application for the participation in the elections;
- 2) a copy of its registration document; it may also submit the party's programme;
- 3) a list of municipalities in elections of councillors of which the party intends to nominate candidates;
- 4) the power of attorney for a election representative to represent the party in the Central Electoral Commission, as well as the power of attorney for an election representative to represent the party and the candidates nominated by it in municipal electoral committees;
- 5) the document confirming the payment of the election deposit;

3. A party or election committee must file with the Central Electoral Commission the following application documents:

- 1) the list of candidates nominated for municipal councillor signed by the election representative of the party, the election committee, specify, if nominated, the nominated candidate for municipal councillor and mayor. The Central Electoral Commission shall define the form of such a list;
 - 2) the written consent of each nominated candidate to be nominated by this party, election committee in this constituency, a questionnaire for a candidate for municipal councillor filled in by the candidate himself, as well as the extracts containing the basic data from his personal income tax return and property declaration submitted to the State Tax Inspectorate, which are approved by the respective tax inspectorate, and his declaration of private interests and a pledge of the form established by the Central Electoral Commission to comply with the prohibition against bribing voters and persons eligible to vote;
 - 3) the certificate issued by the Central Electoral Commission concerning the registration for the participation in elections to the council of this municipality as well as the certificate concerning the registration as an independent or representative participant of political campaign;
 - 4) the document confirming the payment of the election deposit, or the notification of the Central Electoral Commission stating that the said deposit has been paid. The party, election committee may submit the election programme.
4. A person who declares himself to be a candidate for municipal councillor and mayor must submit to the municipal electoral committee the following application documents:
- 1) the application concerning the self-nomination as a candidate for municipal councillor and mayor in this municipality;
 - 2) the questionnaire for a candidate for municipal councillor filled in by the candidate himself, the extracts containing the basic data from his personal income tax return and property declaration submitted to the State Tax Inspectorate, which are approved by the respective tax inspectorate, as well as his declaration of private interests and the pledge of the form established by the Central Electoral Commission to comply with the prohibition against bribing voters and persons eligible to vote;
 - 3) the certificate issued by the Central Electoral Commission concerning the registration as an independent participant of political campaign;
 - 4) the document confirming the payment of the election deposit; he may also submit the election programme.
5. The municipal electoral committee shall, within three days from the receipt of the documents specified in this Article, shall hand out forms for the collection of voter signatures to a party, election committee, a person who declares himself to be a candidate for municipal councillor and

mayor. Forms for the collection of voter signatures must contain the following text and a table for voter's particulars:

'I, the voter of (municipality's name) municipality, confirm my support for the list of candidates (name, surname) nominated by the party, election committee (name of the party or the election committee), the nominated (self-nominated) candidate for municipal councillor and mayor (name, surname) in elections of (election date) to the municipal council of (municipality's name) (the appropriate data must be specified in the text):

o	urname, he	r of voter's identity card, or document confirming the permanent residence in the epublic of Lithuania	date of h	home ess	gnature	, date
---	---------------	---	--------------	-------------	---------	--------

6. Separate forms for the collection of voter signatures shall not be handed in to a candidate for municipal councillor and mayor nominated by the party, the election committee; the nominated candidate, if nominated, shall be indicated in the same form for the collection of voter signatures as the list of candidates. If the list of candidates is not nominated, it shall not be indicated in the form for the collection of voter signatures. The number of voters supporting the nomination, if the list of candidates or the candidate for municipal councillor and mayor is not nominated, shall be the same as in the case where the list of candidates and the candidate for municipal councillor and mayor is nominated.

7. The name and surname of a person who has collected signatures of voters, the number of his passport or identity card or document confirming the right of permanent residence in the Republic of Lithuania, home address, signature and the date of signing must be indicated at the bottom of the voter signature collection form.

8. Having received forms for the collection of voter signatures, the party, election committee, candidate who self-nominated himself for municipal councillor and mayor shall have the right to make relevant announcements through the mass media and to organise collection of voters' signatures. A voter himself shall enter all his particulars and the date of signing and then sign the form for the collection of voter signatures. If a voter himself cannot enter his particulars and sign the form because of his physical handicap, another voter (except for the person collecting signatures) shall carry out these actions at his request. This fact must be indicated by an appropriate inscription on the form for collection of voter signatures and attested by the signature of the person who collected voters' signatures. When collecting signatures of voters, it shall be prohibited to bribe voters, to reward or to promise any reward for signing, to use psychological

or any other violence or otherwise induce any voter to sign or refrain from signing in the form for collection of voter signatures. If not more than 41 days before elections the number of voters' signatures set by this Law has not been collected, the collection of signatures shall be terminated and the party, election committee, self-nominated candidate for municipal councillor and mayor must, at least 40 days before elections, return the forms for collection of voter signatures (including the unused forms) to the municipal electoral committee. The municipal electoral committee shall sign an act of return of the forms for collection of voter signatures.

9. Having received the forms for the collection of voter signatures, the municipal electoral committee shall, not later than within six days, check them and count the number of signatures of the voters of this municipality, which meet the requirements of this Law. The signatures of persons who are not eligible to vote, voters who are not entered on the electoral roll of that municipality, voters who have not written down all the particulars established by this Law or who have written down inaccurate particulars, as well as all the signatures of voters who have signed more than once in support of the same candidate shall not be counted.

10. If the forms for the collection of voter signatures contain the number of signatures of the voters of this municipality as set by this Law, the municipal electoral committee shall recommend the Central Electoral Commission to register the candidates for municipal councillor. If it is established that the voters' signatures have been forged or that the voter's will has been influenced or the procedure for collecting signatures has been violated otherwise during signature collection, the municipal electoral committee shall recommend the Central Electoral Commission not to register the candidates.

11. In the questionnaire for a candidate for municipal councillor, a candidate for municipal councillor and mayor a person who is nominated as a candidate for municipal councillor or is nominated or nominated himself as a candidate for municipal councillor and mayor must himself fill in the following data: name, surname, number of the passport or any other identification document or the document confirming the right of permanent residence in the Republic of Lithuania, personal number, date of birth, home address, whether or not he has a court-imposed conviction which has not expired, whether or not he is a person who is in the active service or alternative national defence service, whether or not he is a serviceman of the professional military service who has been transferred to the reserve or has retired from the service, whether or not he is an officer of a statutory institution or establishment whose right of participation in political activities is restricted under special laws or statutes, whether or not he holds office incompatible with the office of municipal councillor, and whether or not he is a member of the elective administration body of another state, and sign the questionnaire. If a candidate for municipal councillor, a candidate for municipal councillor and mayor is a citizen of another

state, he must also indicate whether his passive voting right has not been restricted in the state of which he is a citizen. The questionnaire for a candidate for municipal councillor, a candidate for municipal councillor and mayor may also include other additional questions established by the Central Electoral Commission, which may be left unanswered.

12. In the questionnaire for a candidate for municipal councillor, a candidate for municipal councillor and mayor a person who is nominated as a candidate for municipal councillor or a person who is nominated or who has nominated himself as a candidate for municipal councillor and mayor must, besides the information set in paragraph 11 of this Article, indicate if he, under the conviction (decision) of the court of the Republic of Lithuania or a foreign state which became effective after 11 March 1990, was found guilty for committing a criminal act or, under the effective decision of the court of the Republic of Lithuania or a foreign state, was ever found guilty of committing a serious or grave crime, regardless of the fact whether the conviction has expired or has been expunged. When furnishing the above mentioned information in the questionnaire for a candidate for municipal councillor, a candidate for municipal councillor and mayor, the person must indicate the state (place) of adoption of the conviction (decision), the name of the institution which adopted the said conviction (decision), the date of the adoption of the conviction (decision) as well as the criminal act for the committing of which the person was sentenced. It shall not be necessary to specify the information referred to in this paragraph, if the person was found guilty by the occupation regime's court of a crime against the state. When providing the information referred to in this paragraph, the questionnaire of a candidate for municipal councillor, a candidate for municipal councillor and mayor shall also specify that the person was found guilty by the decision of the court of the criminal act which has been later decriminalized or that the person was found guilty by a foreign state's court of the act which is not considered to be a crime under the law of the Republic of Lithuania or the prosecution for which is considered to be political persecution.

13. Application documents may be filed by electronic means. Voters may also, with their signatures electronically and in accordance with the procedure laid down by the Central Electoral Commission, support the nomination of a list of candidates or the nomination or self-nomination of a person as a candidate for municipal councillor and mayor.

Article 37. Registration of Candidates

1. Upon the commencement of filing of application documents to the Central Electoral Commission, the Ministry of Justice of the Republic of Lithuania (hereinafter: 'the Ministry of Justice') shall, at the request of the Central Electoral Commission, inform in writing within one

day which parties have been registered, the number of which parties meets the requirements of the Law on Political Parties, the activities of which parties have been suspended or terminated.

Version as of 01 May 2015:

1. Upon the commencement of filing of application documents to the Central Electoral Commission, the Ministry of Justice of the Republic of Lithuania (hereinafter: 'the Ministry of Justice') shall, at the request of the Central Electoral Commission, inform in writing within one day which parties have been registered, the number of which parties meets the requirements of the Law on Political Parties and which of them have the legal status of the party in respect of which liquidation has been initiated or the legal status of the party placed under liquidation, the activities of which parties have been suspended or terminated.
2. Having received the application documents of a party, the Central Electoral Commission must not later than the next working day apply to the Ministry of Justice regarding confirmation of the fact of the registration of the party. The Ministry of Justice must within two days reply in writing to the Central Electoral Commission. Having inspected the application documents and determined their compliance with the requirements of this Law, the Central Electoral Commission shall, within seven days following the receipt of the application documents, issue to the election representative of the party nominating lists of candidates a certificate concerning the registration of the party nominating lists of candidates to participate in the elections.
3. While inspecting the application documents filled in by a candidate, the municipal electoral committee shall determine whether or not the candidate meets the requirements of Article 2 of this Law. When necessary, the Central Electoral Commission may, on its own initiative or at the request of the municipal electoral committee, appeal to the Ministries of Foreign Affairs of the Republic of Lithuania, the Ministry of the Interior of the Republic of Lithuania (hereinafter: 'the Ministry of the Interior'), Ministry of Justice, the Register of Legal Entities or other state institutions to furnish the data relevant for registering the candidate. Such request of the Central Electoral Commission must be considered as a matter of extreme urgency and a written reply must be given within seven days, but not later than 32 days before elections.
4. Having inspected the application documents and forms for the collection of voter signatures and having established that they meet the requirements of this Law and that the list of candidates and/or the candidate has the support of voters the number of which corresponds to the number set in Article 34(5) of this Law, the municipal electoral committee must take a decision to register the candidate within 10 days of the submission of the said documents, but not later than with 31 days remaining before elections.
5. If the application documents have deficiencies, the electoral committee must immediately inform the appropriate election representative about this.

6. If following the registration of a candidate the Central Electoral Commission establishes that the candidate concerned does not meet the requirements laid down in Article 2 of this Law, or if the candidate refuses to submit the documents or the pledge to comply with the prohibition against bribing voters and persons eligible to vote referred to in Article (3)(2) or (4)(2) of this Law, or he submits inaccurate documents or fails to submit them within the time limit set by the Central Electoral Commission, or if a party, election committee, a candidate has grossly violated the provisions of Article 6(1) of this Law, the Central Electoral Commission shall respectively cancel the registration of that candidate or revoke the announcement of that list (joint list) of candidates.

7. If a nominated or self-nominated person fails to meet the requirements laid down in Article 36(12) of this Law (does not provide the information specified in this Law or provides the incorrect data), the Central Electoral Commission shall not register him as a candidate, and if it has already registered him, it shall immediately revoke the registration of this person as a candidate.

8. If a candidate has justly specified in the questionnaire the information set out in Article 36(12) of this Law, a poster of the candidate or a poster with the list of candidates issued by the electoral committee must contain the following note next to the surname of the candidate concerned: 'Candidate found guilty of the criminal act by the court's conviction'; such a note shall not be obligatory if the candidate has provided in the questionnaire the information that he was found guilty by the occupation regime's court of the crime against the state or he has justly indicated that he was found guilty by the decision of the court of the criminal act which was later decriminalized or when the person was found guilty by a foreign state's court of the act which is not considered to be a crime under the law of the Republic of Lithuania, or the prosecution for which is considered to be political persecution.

9. If a political party or election committee or a candidate has grossly violated the provisions of Article 6(1) of this Law and such violation has been established not later than 15 days before polling day, the Central Electoral Commission shall revoke the announcement of the joint list of respective election committee, political party or parties' coalition, shall not register the person as a candidate or shall repeal such registration. The Central Electoral Commission may adopt a decision not later than 12 days left before polling day.

Article 38. Election Representatives

1. Upon announcing an election date, the Central Electoral Commission may start accepting powers of attorney of the parties, election committees, persons who have declared themselves to be a candidate to represent them in electoral committees on the next day following the formation

of an appropriate electoral committee. The Central Electoral Commission shall not later than within three days register the power of attorney of an election representative and shall issue a certificate of the election representative to him. The validity of the power of attorney for the election representative and the certificate of the election representative shall expire after the lapse of 20 days following the proclamation of the final results of the elections.

2. The election representative shall represent the party, election committee or self-nominated candidate on all issues in the Central Electoral Commission or the municipal electoral committee. The election representative shall attend meetings of electoral committees in an advisory capacity and with the right to express a separate opinion on all issues under consideration. The election representative shall have all the rights of the electoral observer within the territory of the municipality in the electoral committee whereof he is authorised to represent.

3. If a party, a self-nominated candidate revokes the power of attorney for his election representative before polling day, the Central Electoral Commission must be immediately notified thereof. The latter shall immediately cancel the registration of the power of attorney for the election representative and revoke the validity of the certificate of the election representative. The provisions of this Law shall apply to the assignment of another election representative, the registration of the power of attorney for this representative and the issuing of a certificate of the election representative to him.

Article 39. Election Deposit

1. The election deposit for registration of one list of candidates along with one candidate for municipal councillor and mayor nominated in the same municipality, only for a nominated list of candidates or only for a person who is nominated or who declares himself to be a candidate for municipal councillor and mayor in a single municipality shall be equal to the amount of the most recently announced average monthly earnings of employees of the whole economy (hereinafter referred to as 'AMEs').

2. The election deposit for changing the place of one candidate on the list of candidates, entering a new candidate on the list of candidates shall be in the amount of 0.5 AMEs; the election deposit for joining lists of candidates nominated by the party shall be in the amount of 0.3 AMEs for each list which is being joined.

3. If the list of candidates nominated by a party or election committee includes the candidates performing duties incompatible with the office of municipal councillor, the election deposit for each such candidate shall amount to two AMEs. The said deposit (setting it for each candidate individually) shall be refunded to the party, election committee or candidate who paid it,

provided that the election deposit is subject to refunding pursuant to the requirements laid down in paragraph 5 of this Article, but the candidate has not been elected, also where the candidate has been elected or has been recognized as elected and relinquished the duties incompatible with the office of municipal councillor in accordance with the procedure laid down by Article 91(2) of this Law.

4. Election deposits for registration of a list of candidates shall be doubled for that party which at the last election to the Seimas or municipal councils or the last election to the European Parliament nominated candidates or the list (lists) of candidates and did not submit a report on the sources and the use of funds for election campaigning to be published in the press according to the procedure laid down by the law.

5. Upon the expiration of the period of political campaign, the Central Electoral Commission shall refund the electoral deposit to the parties, election committees or persons who were declared by themselves to be candidates for municipal councillor and mayor, provided that:

1) a participant of a political campaign in accordance with the terms provided for in the Law on Funding of, and Control Over Funding of, Political Campaigns together with a political campaign funding statement, submits its annexes and the documents substantiating political campaign proceeds and expenditure;

2) candidates did not violate Article 6 of this Law, or did not grossly violate the Law on Funding of, and Control Over Funding of, Political Campaigns;

3) at the elections to municipal councils the candidate for municipal councillor and mayor or the list of candidates got not less than three per cent of the votes cast by the voters who participated in the elections;

4) repealed on 4 December 2014.

6. Where the registration of a candidate is cancelled or the announcement of the party's, election committee's list (joint list) of candidates is revoked on the grounds referred to in Article 37(6) of this Law or where the candidate for municipal councillor and mayor or the list (joint list) of candidates is not registered because of the belatedly submitted application documents, the election deposit shall not be returned.

7. The Central Electoral Commission shall transfer to the state budget the unrequitable election deposits.

Article 40. Prohibition for One Person to Stand as a Candidate in Several Lists of Candidates

1. A candidate for municipal councillor and mayor, a candidate nominated as a municipal councillor by the party, the election committee may be entered on only one list of candidates.

2. A candidate who is entered on more than one list of candidates must choose the list of candidates with which he will participate in elections; he must inform the Central Electoral Commission about this not later than within three days. The Central Electoral Commission shall, within five days but not later than 35 days before elections, update lists of candidates according to the notifications submitted in accordance with the procedure laid down by this paragraph. If a candidate fails to fulfil the obligation set in this paragraph, the Central Electoral Commission shall exclude him from candidates of the multi-candidate constituency.

Article 41. Joint Lists of Candidates

1. At least 35 days before elections, the parties may form coalitions and join the lists of nominated candidates to make a joint list of candidates in which the candidates are enlisted in accordance with a newly established succession. Candidates on the joint list of candidates of the parties may not make up less than a half and more than twice of municipal councillors to be elected. The name of a coalition of parties must include the word “coalition” and it may not contain any references to the names of the parties which do not join this coalition or the names of nominated candidates or candidates who declare themselves to be candidates. A joint list of candidates of the parties shall be considered to be a single list. In one municipality the same party may not participate in more than one coalition.

2. In order to establish a joint list of candidates of the parties, the appropriate election representatives must file an application to the municipal electoral committee concerning the joining of the lists of candidates nominated by the parties. The application of the parties’ election representatives concerning the joining of the lists of candidates nominated by the parties shall specify the name of the coalition of the parties, and the election number of which participant in the coalition is chosen to be the election number of the coalition. The application concerning the joining of the lists of candidates nominated by the parties shall be accompanied by a joint list of candidates of the parties and the document confirming the payment of an adequate election deposit as fixed in Article 39 of this Law.

3. The list of party candidates shall be considered to be a joint list if it contains two or more candidates belonging to another party or to other parties.

Article 42. Withdrawing and Supplementing Application Documents

1. A party, a coalition of the parties, election committee, a candidate shall have the right to withdraw all its (his) application documents or a part thereof not later than 25 days before elections. The party, the coalition of the parties, the election committee must notify the Central Electoral Commission thereof by a statement, while the candidate must notify the Central

Electoral Commission thereof by a notarised statement; the relevant election representatives in the Central Electoral Commission shall be also informed thereof. When changing the order of candidates on the list of candidates, new application documents may be submitted by the end of the time limit set by this Law for the submission of application documents.

2. Parties, election committees shall be allowed to additionally submit, before the deadline for the filing of application documents set in Article 36(1) of this Law, new application documents and supplement the list of candidates with no more than two candidates, altering the sequence of candidates on a list of candidates respectively. In such case the forms for the collection of signatures shall not be changed. If the application documents are withdrawn by the party - participant in the coalition and the candidates of the party - participant in the coalition are struck off the parties' joint list of candidates, the name of the coalition shall be changed, if the name of the coalition contained the name of that party. The party – participant in the coalition must notify in writing the relevant election representatives in the Central Electoral Commission about the withdrawal of their application documents. If, upon the withdrawal of the application documents, the candidates of only one party remain on the parties' joint list of candidates, they shall participate in elections only as the nominees of that party.

3. If upon the withdrawal of the application documents, the remaining number of candidates on the list is less than a half of municipal councillors to be elected in that municipality, the registration of all the candidates on this list shall be cancelled.

Article 43. Announcement of Candidates and Lists of Candidates. Beginning of Election Campaigning. Election Numbers

1. With not less than 30 days remaining before elections, the Central Electoral Commission shall announce in the Register of Legal Acts the election numbers, assigned by drawing lots, of the parties, coalitions, election committees participating in elections in each municipality, as well as the lists of candidates, candidates entered on the lists of candidates and candidates for municipal councillor and mayor.

2. Election numbers of parties shall be the same in all the municipalities. Municipal electoral committees shall, in accordance with the procedure laid down by the Central Electoral Commission, determine by drawing lot the concrete election numbers of election committees from the election numbers reserved for election committees. The number of a joint list of candidates of parties shall be chosen by the parties participating in the coalition by mutual agreement from the election numbers determined for them. If the parties - participants in the coalition do not choose elections number, the Central Electoral Commission shall assign to the

parties' joint list of candidates the smallest number from the numbers established for the parties - participants in the coalition.

3. At the time set in paragraph 1 of this Article, a municipal electoral committee shall give to an appropriate election representative the certificates of candidates for municipal councillor with the election numbers of candidates written down in them. At the moment of its assignment the election number of a candidate who is on the list of candidates shall coincide with the candidate's number on the list (joint list) of nominated candidates. The candidate's election number shall not be changed until the proclamation of the final election result.

4. With not less than 18 days remaining before elections, the municipal electoral committee shall announce the (join) lists of candidates participating in elections, the numbers of the candidates and candidates for municipal councillor and mayor.

CHAPTER SIX

GUARANTEES OF CANDIDATES FOR MUNICIPAL COUNCILLOR

Article 44. Right of Candidates to Speak at Meetings, to Use the Mass Media

1. After the announcement by the Central Electoral Commission of lists of candidates, candidates and candidates for municipal councillor and mayor, the candidates in constituencies shall enjoy the equal right to speak at voters' meetings or any other meetings, gatherings, conferences as well as through the mass media, and to announce their election programme or the election programme of the party or the election committee which has nominated them.

2. Heads of state, municipal institutions and agencies must help candidates to organise meetings with voters and to receive necessary information, except for information the disclosure of which is restricted under laws and other legal acts.

Article 45. Liability for Violation of this Law

Persons who, by force, threat, deception, bribery or otherwise, hinder voters from implementing the right to vote, organising and carrying out election campaigning or who have violated the election campaigning procedure, announced or otherwise disseminated false data about a candidate or prevented a candidate from meeting with voters, or who have otherwise violated this Law, as well as members of electoral committees or other officials who have falsified, damaged, destroyed, stolen or hidden election documents, made incorrect vote counts, violated the secrecy of voting or otherwise violated this Law, shall be held liable under laws of the Republic of Lithuania.

Article 46. Leave of Candidates and their Inviolability

1. After the announcement by the Central Electoral Commission of the lists of candidates as well as the candidates, a candidate shall, at his written request, be released from work or official duties for a period not exceeding 30 days. A request to be released from work or official duties shall be submitted to the person who has the right to grant leave.
2. The provisions of paragraph 1 of this Article shall not apply to a candidate who is the President of the Republic or a Seimas member. The procedure for releasing a candidate who is a member of the Government from official duties shall be laid down in the Law of the Republic of Lithuania on the Government.
3. After the announcement by the Central Electoral Commission of the lists of candidates as well as the candidates and until the final election results become effective, a candidate may not be prosecuted, arrested, his freedom may not be restricted in any other way without the consent of the Central Electoral Commission.

CHAPTER SEVEN

ELECTION CAMPAIGNING

Article 47. Basic Principles of Election Campaigning

1. The provisions of this Law which regulate election campaigning shall apply after the announcement of an election date. Election campaign expenses and political advertising expenses must be declared in accordance with the procedure laid down by the law and must not exceed the maximum permissible amount of political campaign expenses fixed by the law.
2. Election campaigns may be carried out in any form and manner as long as they do not violate the Constitution (hereinafter: 'the Constitution') and laws of the Republic of Lithuania, conflict with the morals, justice or society's cohesiveness, contravene fair and respectable elections.
3. Requirements for marking of political advertising shall be laid down by the law. The Central Electoral Commission shall establish the procedure for marking political advertising.
4. Outdoor political advertising shall be communicated in compliance with the rules of communication of outdoor political advertising approved by the Central Electoral Commission.

Article 48. Conditions and Procedure for Using the Mass Media

1. After the Central Electoral Commission announces the lists of candidates and candidates, the candidates shall be granted the right to use the mass media.

2. The rules for preparing programs intended for election campaigning shall be approved and the actual duration and time of the Lithuanian National Radio and Television programs shall be set by the Central Electoral Commission after consultation with the head of the Lithuanian National Radio and Television. The Central Electoral Commission shall distribute the time of programmes in such a manner that the principles of equality of candidates and lists of candidates are preserved.

3. Debates of candidates over the Lithuanian national radio and television shall be financed with state budget funds from the appropriations allocated for the Central Electoral Commission.

4. The Central Electoral Commission shall:

1) in accordance with the procedure laid down by the law, choose producers and broadcasters of debate programmes;

2) approve the Rules on Producing Debates.

5. Groups of independent participants of political campaign taking part in discussions (consisting of two and more persons) shall be set up by mutual agreement and in the event of failure to reach mutual agreement - by drawing lots.

6. All broadcasters shall have the right to produce, on their own initiative, debate programmes in compliance with the provisions of the Law on Funding of, and Control Over Funding of, Political Campaigns. Other terms and conditions provided for in this Article shall not apply to the said broadcasters.

7. The election programme of a candidate for municipal councillor and mayor, of a list of candidates shall, within 20 days after its submission, be published by the municipal electoral committee in accordance with the procedure laid down by the Central Electoral Commission. It shall not be allowed to publish during the period of prohibition of election campaigning as well as after the elections an election programme which was submitted to the municipal electoral committee belatedly and, therefore, was not published.

8. The procedure for printing election programmes shall be established by the Central Electoral Commission. The election programmes of the candidates for municipal councillor and mayor, of the list of candidates shall not be announced during the period of prohibition of election campaigning and after the polling day.

9. For the purpose of this Law, outdoor political advertising shall mean political advertising communicated to the public through audio or visual media. Political advertising announced in public areas, buildings, vehicles shall also be regarded as outdoor political advertising.

10. It shall be prohibited to display and disseminate outdoor political advertising:

1) on buildings occupied by state administration, law-enforcement and other state and municipal institutions and agencies;

- 2) inside or outside the public transport vehicles used by the enterprises controlled by the state or municipalities, with the exception of cases where advertising areas or video broadcast equipment belong or are transferred for use to third persons who may not be directly or indirectly influenced by the state or municipal enterprises;
- 3) on motorways and in their sanitary protection areas, as well as in and alongside streets if it might obstruct technical traffic regulation means and road signs, reduce visibility, blind traffic participants, distract their attention, thereby posing danger to traffic participants; it is also prohibited to use advertising that imitates road signs;
- 4) on sculptures and monuments;
- 5) within 50 metres around the building which houses a polling station;
- 6) without permission of the owner of the land, construction works or other structures on or in which it is displayed;
- 7) in places other than those provided for in accordance with the procedure laid down in paragraph 11 of this Article.

11. Outdoor political advertising in protected areas and immovable cultural properties, as well as in their territories shall be permitted only upon agreement with a state agency responsible for the protection of cultural properties and an agency authorised by the founder of the protected area.

12. A person who displayed outdoor political advertising shall have an obligation to remove outdoor political advertising before the beginning of the period established by the law when election campaigning is prohibited.

13. Persons who have violated the requirements for displaying outdoor political advertising as well as the requirements of the election campaigning procedure shall be held liable in accordance with the procedure laid down by laws of the Republic of Lithuania.

14. All disputes concerning election campaigning and communication of political advertising shall be settled by the Central Electoral Commission in compliance with this Law.

Article 49. Release of Material Compromising a Candidate; Candidate's Countering Opinion

1. If, after the Central Electoral Commission announces the lists of candidates and the candidates, the mass media publicise any material compromising a candidate (at the latest, such data may be publicised five days before the elections in a means of the mass media which is issued more than three times a week, or 10 days before the elections in other means of the mass media, but in all cases any material compromising a candidate may be publicised not later than in the next-to-last issue of a means of the mass media before the elections), it must provide the candidate with a possibility of expressing a countering opinion. The countering opinion of the

candidate shall consist of a brief exposition of the released compromising material and the candidate's response. In general, the extent of the candidate's countering opinion may not exceed the volume of the compromising material more than three times. The means of the mass media must publicise the candidate's countering opinion within seven days after it was expressed, but not later than two days before the beginning of election campaigning prohibition. If the means of the mass media cannot itself announce the countering opinion during the time limit set by this Law, it must make arrangements to publicise the candidate's countering opinion at its own expense in another means of the mass media.

2. Any material which is intended to induce voters not to vote for a particular candidate and which communicates negative news about that candidate shall be considered as material compromising the candidate. An opinion about a candidate announced in the mass media (unlike hard news, an opinion shall not be subject to the criteria of truth), including a negative opinion, shall not be considered as compromising material and shall not entitle the candidate to demand announcing a countering opinion. The request of the candidate to publish his countering opinion may also be refused in cases where: the released material does not concern the candidate personally; the released material about the candidate is not compromising; the compromising material about the candidate is released by the candidate himself or by another candidate for municipal councillor and mayor who is nominated on the same list of candidates or by the same party, or by a self-nominated candidate for municipal councillor and mayor; the released material contains no information describing the candidate; the candidate has already exercised the right to a countering opinion.

3. If the candidate submitted the countering opinion to the means of the mass media in due time, but it has not been announced, the candidate's countering opinion shall, by the decision of the Central Electoral Commission, be broadcast on the Lithuanian national radio or television and shall be paid for at the rates of advertising fees. In this event, the means of the mass media must pay the Central Electoral Commission two times the amount of the broadcast costs of the countering opinion.

4. If the compromising material about the candidate was released during the period of prohibition as set out under this Law, the candidate's countering opinion shall, by the decision of the Central Electoral Commission, be broadcast on the Lithuanian national radio or television and shall be paid for at the rates of advertising fees. In this event, the means of the mass media must pay the Central Electoral Commission three times the amount of the broadcast costs of the countering opinion.

5. In any case a countering opinion shall not be announced during the period when election campaigning is prohibited. Announcement of a countering opinion shall not exempt the means of the mass media from liability under the law.

6. When the candidate's countering opinion is broadcast by the decision of the Central Electoral Commission, the broadcast costs of the countering opinion set by this Law shall be recovered without litigation from that means of the mass media which has released the material compromising the candidate during the period of prohibition as set out under this Law or which has failed to announce the candidate's countering opinion in due time.

Article 50. Releasing the Material Compromising a Party or an Election Committee which Has Nominated a List of Candidates or a Candidate for Municipal Councillor and Mayor, and the Countering Opinion

1. If, after the announcement by the Central Electoral Commission of the lists of candidates and the candidates, the mass media release the material compromising a party, an electoral committee which has nominated the list of candidates or the candidate for municipal councillor and mayor (such data may be released not later than: in a means of the mass media which is issued more frequently than three times a week - five days before the elections, in other means of the mass media - 10 days before the elections, but in any case the material compromising the party which has nominated the list of candidates may be released not later than in the last but one issue of the means of the mass media before the elections), it must provide the party (one of the branches of the party), the election committee with a possibility to express a countering opinion. The countering opinion shall consist of a brief exposition of the released compromising material and the response. In general, the extent of the countering opinion may not exceed the volume of the compromising material more than three times. The means of the mass media must publish the countering opinion within seven days after it was expressed, but not later than two days before the beginning of the election campaigning prohibition. If the means of the mass media cannot itself announce the countering opinion during the time limit set by this Law, it must make arrangements to publicise the countering opinion at its own expense in another means of the mass media.

2. The material shall be considered as compromising the party or the election committee nominating the candidate for municipal councillor and mayor, the list of candidates, if it is intended to induce voters not to vote for the candidates nominated by a particular party and if it communicates negative news about that party (its branch) or election committee. An opinion about the party (its branch) or the election committee announced in the mass media (unlike hard news, criteria of truth shall not apply to an opinion), including a negative opinion, shall not be

considered as compromising material and shall not entitle the party or the election committee to demand announcing a countering opinion. The request to announce a countering opinion may also be refused in cases where: the released material does not concern the party (its branch), election committee; the released material is not compromising; the compromising material about the party (its branch), election committee is released by a candidate nominated by that party, election committee; the material contains no information describing the party (its branch), election committee; the party (its branch), election committee has already exercised the right to a countering opinion.

3. A party, election committee shall furnish the countering opinion to the means of the mass media through its (his) election representative in the Central Electoral Commission or through its (his) election representative in a municipal electoral committee. If the election representative submitted the countering opinion to the means of the mass media in due time, but it has not been publicised, the countering opinion shall, by the decision of the Central Electoral Commission, be broadcast on the Lithuanian national radio or television and shall be paid for at the rates of advertising fees. In this event, the means of the mass media must pay the Central Electoral Commission two times the amount of the broadcast costs of the countering opinion.

4. If the material compromising the party, election committee nominating the candidate for municipal councillor and mayor, the list of candidates was released during the period of prohibition as set out under this Law, the countering opinion shall, by the decision of the Central Electoral Commission, be broadcast on the Lithuanian national radio or television and shall be paid for at the rates of advertising fees. In this event, the means of the mass media must pay the Central Electoral Commission three times the amount of the broadcast costs of the countering opinion.

5. In any case a countering opinion shall not be announced during the period when election campaigning is prohibited. Announcement of a countering opinion shall not exempt the means of the mass media from liability under the law.

6. When the countering opinion is broadcast by the decision of the Central Electoral Commission, the broadcast costs set by this Law shall be recovered without litigation from that means of the mass media which has released, during the period of prohibition as set out under this Law, the material compromising the party, election committee nominating the candidate for municipal councillor and mayor, the list of candidates or which has failed to announce the countering opinion in due time.

Article 51. Prohibition to Take Advantage of one's Official Position for Election Campaigning

1. Anyone shall be prohibited from taking advantage of his official position in state or municipal institutions, agencies or organisations, as well as in the Lithuanian national radio and television, regional broadcasters or municipal mass media for carrying out election campaigning or from instructing other persons to do so, or from trying to influence the will of voters in any other manner by taking advantage of his official position. State or municipal officials, civil servants shall be prohibited from taking advantage of their official position in order to provide exclusive conditions for campaigning for themselves, the party, the election committee, or the candidate which was nominated or has nominated himself for municipal councillor and mayor. Persons who have violated this Article shall be held liable in accordance with the procedure laid down by the law.

2. A person who holds office in state, municipal institutions or agencies and simultaneously is a candidate may speak on the Lithuanian national radio and television, the regional broadcaster or the municipal mass media in the course of election campaigning only in accordance with the procedure laid down in Article 48 of this Law. If the official duties of a candidate require him announcing important news through the mass media, he may do so only at a press conference. The Lithuanian national radio and television, regional broadcasters or municipal mass media may publicise only the record of this conference, provided it does not contain election campaigning elements.

Article 52. Funding of Political Campaigning of Elections to Municipal Councils

Funding of political campaigning of elections to municipal councils shall be regulated by the Law on Funding of, and Control over Funding of, Political Campaigns.

Article 53. Prohibition of Election Campaigning on Polling Day

1. Campaigning, regardless of its methods, forms and measures, shall be prohibited for the last 30 hours before the opening of poll and on polling day until the close of poll, with the exception of the permanent visual campaigning material in the designated places, provided that it was displayed at least 48 hours before the opening of poll. During the period of prohibition of election campaigning no visual campaigning material (with the exception of those produced by the Central Electoral Commission) may be displayed in a polling station or within 50 meters of the building which houses a polling station.

2. Information about the course of elections, its importance for the life of the country, the number of voters who have come to vote, the documents necessary for voting purposes, invitation to come to vote or any other information which does not instigate non-participation in

the elections, vote for or against a candidate or a list of candidates, shall not be regarded as election campaigning.

3. Persons who violate the provisions of paragraph 1 of this Article shall be held liable in accordance with the procedure laid down by laws of the Republic of Lithuania.

CHAPTER EIGHT

PREPARATORY ACTIVITIES RELATED TO ORGANISATION OF ELECTIONS

Article 54. Establishment of Sample Election Documents

The Central Electoral Commission shall establish the samples and forms of poll cards, a questionnaire of a candidate for municipal councillor, certificates of an election representative and an electoral observer, lists of candidates, posters with particulars of a candidate (candidates), ballot papers (as well as ballot papers for early voting), ballot paper envelopes and covering envelopes, blanks, other documents and seals used in elections, as well as the samples for filling them out.

Article 55. Ballot Papers

1. Each voter shall be presented with two ballot papers: one for voting in a single-member constituency, and the other for voting in the multi-member constituency.
2. Each ballot paper of a single-member constituency shall have:
 - 1) printed instructions for the voter how to fill in a ballot paper, and special spaces in the ballot paper for expressing the voter's will;
 - 2) by allotting an equal space for each candidate for municipal councillor and mayor, the name and surname of candidates, which are printed using the uniform-type font and arranged according to the alphabet, with the name of the party or election committee that nominated the candidate or the words 'Self-nominated candidate' written down next to them.
3. Each ballot paper of a multi-member constituency shall have:
 - 1) printed instructions for the voter how to fill in a ballot paper, and special spaces in the ballot paper for expressing the voter's will;
 - 2) by allotting an equal space for each list of candidates in one part of the ballot paper, the election numbers of lists of candidates, names of parties or coalitions of parties, names of election committees, which are printed using the uniform-type font and arranged according to the assigned numbers in an increasing order. The name and surname of the first candidate entered on the list shall be written down next to the name of the party, coalition of parties, and election

committee. The font size of entries shall be selected so as to be best fitted for filling the space for entries;

3) five special boxes in the other part of the ballot paper intended for a voter, who votes for the particular list of candidates, to put down the election numbers of the chosen candidates.

Article 56. Delivery of Ballot Papers and Covering Envelopes

1. Municipal electoral committees shall deliver ballot papers and covering envelopes to central post offices at least two days prior to the beginning of voting by post, ballot papers to polling district electoral committees - 12 hours preceding the beginning of voting or the beginning of voting at home.

2. The Central Electoral Commission shall ensure the publishing of ballot papers and covering envelopes and be responsible for keeping records and delivery thereof within the time limit fixed in this Article.

Article 57. Preparation of Polling Stations

1. A polling station of a polling district must be prepared for the elections not later than 12 hours before the opening of the poll. By the prescribed time the district electoral committee should have all the ballot papers, received from the municipal electoral committee, counted and their acceptance act drawn up. In the polling station of a polling district there must be a ballot box, a secret voting booth (booths) arranged according to the requirements established by the Central Electoral Commission, in which a voter could fill out ballot papers in private and at the same time the possibility to monitor that a voter does not perform unlawful actions in a booth would be ensured. A secret voting booth must contain the information for voters, issued by the Central Electoral Commission, concerning the completion of ballot papers as well as the lists of candidates with candidates' election numbers specified. The lists displayed in the polling booth must also be posted in the polling station; the election campaigning or voter information material issued by the Central Electoral Commission may be displayed in the polling station as well. Working places for electoral committee members and places for electoral observers must be arranged in each polling district; the text of this Law must also be available in each polling district. Any election campaigning material or any other voter information material other than the material issued by the Central Electoral Commission must be removed from the polling station, passageways leading to or out of it (corridors) and within 50 metres of the building which houses the polling station. Upon the arrangement of the polling station, it shall be closed, sealed, left under the police protection and the chairman of the polling district electoral committee shall inform the municipal electoral committee thereof.

2. The chairman of the polling district electoral committee shall be responsible for arranging the polling station of the polling district. If the municipality does not allot suitable premises for establishing a polling station or fails to supply polling stationary and equipment, the chairman of the polling district electoral committee must immediately inform the municipal electoral committee thereof and take measures to choose a suitable polling station and to acquire appropriate polling stationary and equipment pursuant to Article 9 of this Law.
3. Other requirements for the arrangement of polling stations shall be established by the Central Electoral Commission.

Article 58. Electoral Observers

1. Parties, election committees, nominated or self-nominated candidates for municipal councillor or mayor, and election representatives shall each enjoy the right to appoint not more than two electoral observers in every polling district. It shall be prohibited to appoint wardens and deputy wardens to be electoral observers. A certificate of the form set by the Central Electoral Commission shall confirm the status of electoral observer. The electoral observer's certificate shall be issued by:

- 1) the Central Electoral Commission – to observe elections within the entire territory of the Republic of Lithuania or only in particular municipalities, polling districts on the recommendation of the Minister of Foreign Affairs, the President of the Republic, at the request of individuals representing foreign states or international institutions, as well as at its own discretion;

- 2) a municipal electoral committee – to observe elections within the entire territory of the respective municipality, in one or several polling districts to persons (voters of this or another municipality) at the request of a party (its branch), an election committee, a candidate for municipal councillor and mayor or an election representative; the said request must indicate the person's name, surname, personal number, the name of the polling district.

2. Electoral observer's certificates shall be issued by the chairman of the electoral committee or, on his instruction, any other member of the electoral committee. It shall be prohibited to refuse to issue an electoral observer's certificate or to delay the issuance thereof. Refusal to issue an electoral observer's certificate must be reported at the next electoral committee's meeting and communicated to the appropriate election respective.

3. The Central Electoral Commission shall register international electoral observers and issue certificates to them. The Central Electoral Commission shall have the right to refuse registering of international electoral observers and issuing the certificates to them in case the activities of such international observes do not comply with the requirements of laws and the Constitution of

the Republic of Lithuania. If the international electoral observers violate laws or the Constitution of the Republic of Lithuania, their registration may be revoked and the electoral observer's certificate may be declared invalid. International electoral observers shall have all the rights provided for to the electoral observers in this Law.

4. An electoral observer shall have the right to observe elections conducted within the territory of that municipality or polling district which is indicated in his certificate. An electoral observer shall be entitled to demand that the chairman and members of the electoral committee, as well as persons present in the polling station adhere to this Law and other laws of the Republic of Lithuania. If an electoral observer violates this Law or other laws, his electoral observer's certificate may be declared invalid by the decision of the chairman of the municipal electoral committee. The members of the electoral committee, the Central Electoral Commission, the specific party, the election committee, the nominated or self-nominated candidate for municipal councillor and mayor and the specific election representative shall be immediately notified of the said decision.

CHAPTER NINE

VOTING

Article 59. Time and Place of Voting

Voting shall take place on polling day from 7.00am to 8.00pm in the polling station designated by the polling district electoral committee. The voter shall vote in the polling district on whose electoral roll his name has been entered, unless this Law provides otherwise.

Article 60. Prohibition to Hold other Events in the Polling Station

No other events except organised voting can either be held in the polling station, passageways (corridors) and at the entrance to the building which houses the polling station.

Article 61. Opening of poll

On polling day, the polling station shall be opened only when at least 3/5 of the members of the polling district electoral committee have gathered. Until the polling station is opened for voters, only the electoral committee members, electoral observers and the police officer on duty shall be allowed to be inside the polling station. On polling day, before the opening of poll, the chairman of the polling district electoral committee shall, together with the members of the electoral committee, make sure that a ballot box is empty and seal it up. After the polling district electoral committee establishes that the polling station is arranged according to the set requirements, the

chairman of the polling district electoral committee shall register the total amount of ballot papers received by this polling district electoral committee from the municipal electoral committee into the vote counting record, stamp ballot papers, distribute the electoral roll, hand ballot papers to the members of the electoral committee, write down the number of ballot papers issued to each member of the electoral committee in the vote counting record of the polling district, and open the polling station for voters. The opening of the polling station shall be considered the opening of poll.

Article 62. Voter Identification

1. After the opening of poll, at the entrance to the polling station, a voter shall produce to a member of the polling district electoral committee his passport or any other identification document; he may also produce the poll card. In the polling districts which are connected through means of electronic communication to the electronic electoral roll, the voter's arrival to vote shall be marked in the electronic electoral roll. Having established that the voter has arrived at the polling district on the electoral roll of which he is entered, a committee member shall hand the voter an arrival card stamped with the seal of the polling district, indicating the numerical order of the voter's arrival at the polling station to vote, and shall show the committee member to be approached for a ballot. It shall be prohibited to hand several arrival cards to one voter or to hand another voter's arrival card to him. If a person arrives at the polling station without the required documents or it is not clear whether he has been entered on the electoral roll of this polling district, the committee member shall not hand him the arrival card, but shall give him a guest's card and refer him to the committee chairman or deputy chairman to clarify the issue of voting.

2. Having established on the basis of the produced documents that the person who has arrived to vote is indeed the person whose name is entered on the electoral roll of this polling district or where two persons entered on the electoral roll of that polling district witness to this fact in writing to the chairman of the electoral committee, the committee member who is instructed to hand out the ballot papers shall find the surname of the voter on the electoral roll and collect the arrival card from that person. After the voter and the committee member who hands ballot papers sign in the electoral roll of the polling district, the voter shall be handed ballot papers. The arrival card shall not be returned to the voter. When voting by post, in advance or at home, an entry shall be made on the poll card concerning the issue of a ballot papers, and the poll card shall be returned to the voter.

3. It shall be prohibited to hand the voter the ballot papers intended for another voter, with the exception of the case specified in Article 63(4) of this Law. The member of the electoral

committee who violates this requirement shall be held liable in accordance with the procedure laid down by the law.

Article 63. Voting Procedure

1. Having been handed ballot papers, a voter shall go into the polling booth and mark the ballot papers. It shall be prohibited to take photos of the marked ballot papers in the polling booth. It shall be prohibited to mark ballot papers outside the polling booth. If a voter spoils the ballot paper and requests a new one, the member of the electoral committee shall cross the voter's spoilt ballot paper through, sign it and hand a new ballot paper to the voter.
2. On a ballot paper of the multi-member constituency the voter shall mark the list of candidates whom he is voting for and, in the boxes of the ballot paper specially designated to indicate preference votes, he shall enter the election numbers of the chosen candidates. If the election number of the same candidate is put down two or more times on the ballot paper, only one vote shall be counted for this candidate according to this ballot paper. On a ballot paper of a single-member constituency, the voter shall mark the name of the candidate for municipal councillor and mayor whom he is voting for.
3. The voter shall personally cast his marked ballot papers into the ballot box.
4. If a voter cannot carry out the actions specified in this Article himself because of his physical handicap, at his request, ballot papers shall be completed by a person chosen by him. This person must complete the ballot paper in the voter's presence under his instructions, preserve the secrecy of voting and put the ballot papers into the ballot box in the voter's presence. The committee members, electoral observers and election representatives shall be prohibited from carrying out any actions for a voter with the physical handicap.
5. Spoilt ballot papers shall be recorded and kept separately.

Article 64. Voting by Post

1. Voting by post shall be provided for voters who due to their status of health or age are in health care (except out-patient), social care or guardianship institutions or are performing the mandatory military service and therefore are unable to arrive at a polling district to vote, or are performing the active military service, civil service or working under employment contracts in international military operations abroad, or are serving a sentence of arrest or imprisonment or are in arrest houses, remand prisons (detention facilities). Postal voting shall be possible at post offices set specially for postal voting (hereinafter: 'special post offices') during their business hours on a last Wednesday, Thursday or Friday before polling day. In military units deployed abroad, postal voting shall be conducted in accordance with the procedure laid down by the

Central Electoral Commission, on the recommendation of the Minister of National Defence. Expenses related to voting by post shall be covered from the state budget.

2. The head of an appropriate post office shall be responsible for organising postal voting. The chairman of the polling district electoral committee on the territory whereof a post office is situated shall be responsible for organising the supervision over the post office work related to voting by post. He shall, together with the chairmen of other polling district electoral committees who have been given such assignment by the municipal electoral committee, organise the participation of members of the electoral committees during voting in special post offices. Commanders of military units deployed abroad shall be responsible for organising postal voting in those military units.

3. The head of the post office shall, with the consent of the municipal electoral committee, appoint postal workers who are entrusted with the work with election documents for the issue and collection of ballot papers and covering envelopes during voting by post. If the municipal electoral committee requests so, the head of the post office must remove a postal worker from the work with election documents. Postal workers who are authorised to issue and accept election documents shall be issued by the municipal electoral committee the certificates of the established form. A postal worker who does not hold such a certificate shall not have the right to issue and accept election documents. An electoral committee member or electoral observer who has produced his certificate to the postal worker, a voter who has produced the poll card and his identification document shall have the right to write down their remarks in the postal worker's certificate. The head of the post office shall immediately notify the municipal electoral committee thereof.

4. The places referred to in Articles 66, 67 and 68 of this Law must have some premises (place) where voter can, without interference and in secrecy, mark the ballot papers and place them into a ballot paper envelope. In these cases the voting procedure may be observed by electoral observers who have electoral observer's certificates permitting them to observe elections in any polling district.

5. The postal worker shall issue election documents to a voter in accordance with the procedure established by the Central Electoral Commission. Together with ballot papers, voters shall be given covering envelopes. A covering envelope shall be addressed by the postal worker to the polling district electoral committee which is indicated in the person's poll card. When voting by post, in advance or at home, an entry shall be made on the poll card concerning the issue of ballot papers, and the poll card shall be returned to the voter.

6. The voter shall vote in person and in secrecy:

1) mark the ballot papers;

- 2) put the marked ballot papers into the ballot paper envelope;
 - 3) seal the ballot paper envelope;
 - 4) place the ballot paper envelope together with the poll card into the covering envelope;
 - 5) seal the covering envelope.
7. The voter shall hand the sealed covering envelope (which contains the poll card, the ballot paper envelope with the ballot papers therein) to the postal worker (person who issued election documents). Having received the envelope handed by the voter, he shall seal the envelope with a special label in the presence of the voter and give the voter a receipt confirming the acceptance of this envelope.
8. The actions referred to in paragraphs 6 and 7 of this Article shall be carried out by a voter himself. If a voter is unable to carry out the said actions himself because of his physical handicap, such actions shall, at his request, be carried out by a person of his choice. This person must mark the ballot papers in the voter's presence in compliance with his instructions and preserve the secrecy of voting.
9. Members of electoral committee, electoral observers and postal workers shall be prohibited from carrying out the actions referred to in paragraphs 6 and 7 of this Article on behalf of voters, as well as from accepting unsealed covering envelopes from voters, or from issuing voters with election documents in places and to persons other than those provided for in Articles 66, 67 and 68 of this Law.
10. Voters shall be prohibited from taking ballot papers, postal voting envelopes out of special post offices or giving them to other persons.

Article 65. Voting at Home and Early Voting

1. Only the following persons may vote at home: voters with disabilities, voters with temporary working incapacity due to illness, voters aged 70 and over if they are unable because of their status of health to come to a polling district on polling day and if they have submitted a voter's request, the form of which is set by the Central Electoral Commission, for voting at home and if they have been entered on the roll of voters voting at home. Electoral committees which make up and verify such lists shall be entitled to receive information about persons with disabilities from the State Social Insurance Fund Board at the Ministry of Social Security and Labour or its territorial offices, and information about persons with temporary working incapacity – from health care establishments. Electoral committees must not disseminate this information and shall use it only for making up and verifying lists of voters voting at home.
2. Only those voters shall be entitled to early voting who are unable to arrive at a polling district to vote on polling day. A municipal electoral committee shall organise early voting. Early voting

must be conducted from 8 am to 8 pm on the last Wednesday and Thursday before polling day, in the premises arranged beforehand and fitted for voting, which are located in the building where the workplace of the municipal mayor (director of the administration) is located. The chairman of a municipal electoral committee shall appoint at least two members of the municipal electoral committee or polling district electoral committees, who may not be proposed by the same political party, to issue and collect ballot papers and covering envelopes during early voting. Early voting shall be supervised by the chairman of the municipal electoral committee or, on his instruction, a member of the municipal electoral committee. The chairman of the Central Electoral Commission, a member of this Commission authorised by him or the chairman of the municipal electoral committee who has established, in accordance with the procedure laid down by the Central Electoral Commission, the cases of bribery of voters or other cases grossly violating the voter's rights, must suspend early voting until the violations will be removed and it will be possible to conduct elections freely and democratically in accordance with the requirements of this Law.

3. Requests of voters for voting at home shall be submitted to polling district electoral committees. The acceptance of requests for voting at home from voters who reside within the territory of the particular polling district shall start with the issue of poll cards to such voters and end on the last Wednesday before polling day. The acceptance of requests for voting at home from voters who temporarily stay within the territory of the particular polling district and have not been entered on the electoral roll of this polling district shall end on the last Tuesday before polling day. A voter who is unable to fill in a request for voting at home because of his physical handicap or to hand it to a polling district electoral committee, may authorise his family member, neighbour or a person who takes care of him or a committee member to carry out the said actions on his behalf. These persons shall sign the voter's request and indicate their name, surname and personal number.

4. On the last Thursday before polling day, a polling district electoral committee shall draw up and approve a roll of voters voting at home, who are entered on the electoral roll of that polling district. On the last Wednesday before polling day, a municipal electoral committee shall draw up and approve a roll of voters who reside or temporarily stay within the territory of a particular polling district, but were entered on the electoral roll of another polling district but were not been entered on the electoral roll of this polling district in the course of its revision.

5. On the last Friday or Saturday before polling day, from 8 am to 8 pm, at least two members of a polling district electoral committee shall deliver covering envelopes and ballot papers to the homes of voters who are entered on the roll of polling district voters voting at home and who are voters of this polling district. On the last Thursday before polling day, at least two members of a

municipal electoral committee or, on the instruction of its chairman, at least two members of a polling district electoral committee shall deliver covering envelopes and ballot papers to the homes of voters who were entered on the electoral roll of municipal voters voting at home, but who are not entered on the electoral roll of the polling district within the territory of which they temporarily stay. Voting at home and early voting may be observed by electoral observers who have a certificate permitting to observe elections in any polling district of this municipality. After the completion of voting, the sealed covering envelopes shall be delivered to the municipal electoral committee which shall transfer them to polling district electoral committees together with election documents of voters who voted by post. Lists of voters who voted at home and in advance, unused ballot papers shall be recorded and securely stored by the electoral committees which organised the voting, and after the elections the said documents together with other elections documents shall be transferred to the particular municipal electoral committee or the Central Electoral Commission.

6. A concrete schedule of arrivals of electoral committee members at the homes of voters shall be approved by the chairman of a polling district or municipal electoral committee not later than on the last Thursday or Wednesday, respectively, before 12 noon of polling day. This schedule shall be made available to the public; its copy shall be posted on the notice board of the polling district (municipal) electoral committee on the day of the approval of the schedule. Only electoral committee members and electoral observers proposed by different parties may come together to the homes of voters.

7. The provisions of Article 64(4), (5), (6), (8), (9) and (10) of this Law shall apply to voting at home and early voting.

8. The voter shall hand the sealed covering envelope (which contains the poll card, the ballot paper envelope with the ballot papers therein) to a member of the polling district (municipal) electoral committee. Having received the envelope handed by the voter, he shall seal the envelope with a special label in the presence of the voter and give the voter a receipt confirming the acceptance of this envelope.

9. Committee members and electoral observers shall be prohibited from carrying out the actions referred to in paragraphs 6 and 7 of Article 64 of this Law on behalf of the voter, as well as from accepting an unsealed covering envelope from the voter. Voters shall be prohibited from taking out ballot papers or giving them to other persons.

Article 66. Voting in Healthcare (Except Out-patient), Social Care and Guardianship Institutions

1. Voters who because of their health condition or age are in healthcare (except out-patient) facilities, social care and guardianship institutions shall be entitled to vote in such institutions.
2. A municipal electoral committee shall, not later than 15 days before polling day and on the recommendation of the heads of the institutions referred to in paragraph 1 of this Article, draw up a list of special post offices and, on the recommendation of the head of the post office, set such working hours of the post offices so as to make sure that polling days therein are in compliance with Article 64(1) of this Law.
3. The heads of the institutions referred to in paragraph 1 of this Article shall draw up rolls of voters voting in special post offices. The following must be indicated in the roll of voters voting in a special post office: the voter's name and surname, personal number, whether or not the voter has a poll card. The head of an institution shall transfer the roll of voters voting in a special post office to a municipal electoral committee, receive poll cards from it or print them on the basis of the data received electronically and ensure the delivery of poll cards to voters, providing premises suitable for voting, and be responsible for voters being notified about the working place and time of the special post office as well as facilitating the access of voters to the special post office.
4. Voters without motor disorders shall vote in accordance with the procedure laid down in Article 64(6) and (8) of this Law. Voters with motor disorders shall be visited by at least two polling district electoral committee members, electoral observers (if they wish so) and employees of the special post office.
5. If because of the physical handicaps voters are unable to vote themselves, they may entrust other persons to vote for them. These persons must mark the ballot papers in the voter's presence under his instructions and preserve the secrecy of voting.
6. Electoral committee members, employees of a special post office and electoral observers shall be prohibited from carrying out actions related to voting on behalf of a voter, as well as from accepting an unsealed covering envelope from the voter.

Article 67. Voting in Military Units

1. Voters performing the mandatory military service shall be entitled to vote in the military units where they serve. Voters performing the active military service, civil service or working under employment contracts in international military operations abroad shall be entitled to vote in the military units deployed abroad and involved in those international military operations. The procedure for and the time of voting in military units deployed abroad shall be laid down by the Central Electoral Commission on the recommendation of the Minister of National Defence.

2. A municipal electoral committee shall, not later than 15 days prior to polling day and on the recommendation of the commanders of military units deployed on the territory of the Republic of Lithuania, draw up a list of special post offices and, on the recommendation of the head of the post office, set such working hours of the post offices that the days of voting in them would be in compliance with Article 64(1) of this Law.
3. The commanders of military elements shall draw up lists of voters voting in special post offices. The list of voters voting in a special post office shall indicate the following: voter's name and surname, personal number, municipality on the electoral roll of which the voter has been entered, whether or not the voter has a poll card. The commander of a military unit shall transfer the list of voters voting in a special post office to a municipal electoral committee, receive poll cards from it or print them on the basis of the data received electronically and ensure the delivery of poll cards to voters, provide premises suitable for voting, and be responsible for voters being notified about the working place and time of the special post office as well as facilitating the access of voters to the special post office. Where it is impossible to set a special post office or to ensure that voters will be able to properly carry out actions related to voting, the commanders of military elements (except for the commanders of military elements deployed abroad) shall enable voters to go to another special post office for voting or on polling day to get to the polling district on the electoral roll of which they have been entered.
4. The provisions of Article 64(6), (7), (8) and (10) of this Law shall apply to voting in military elements.

Article 68. Voting in Penitentiary Institutions

1. Voters who are serving a sentence of arrest or imprisonment or are in arrest houses, remand prisons (detention facilities) shall be entitled to vote in the respective penitentiary institution. The provisions of Article 64 of this Law shall apply to voting in penitentiary institutions.
2. A municipal electoral committee shall, not later than 15 days before polling day and on the recommendation of the heads of penitentiary institutions, draw up a list of special post offices and, on the recommendation of the head of the post office, set such working hours of the post offices so as to make sure that voting days in them are in compliance with Article 64(1) of this Law.
3. The heads of penitentiary institutions shall draw up rolls of voters voting in special post offices. The roll of voters voting in a special post office shall indicate the following: voter's name and surname, personal number, municipality on the electoral roll of which the voter has been entered, whether or not the voter has a poll card. The head of a penitentiary institution shall transfer the roll of voters voting in the special post office to a municipal electoral committee,

receive poll cards from it or print them on the basis of the data received electronically and ensure the delivery of poll cards to voters before the voting, provide premises suitable for voting, and be responsible for voters being notified about the working place and time of the special post office as well as facilitating the access of voters to the special post office.

4. The provisions of this Article and Article 64 of this Law shall apply to voting in arrest houses, remand prisons (detention facilities).

CHAPTER TEN

COUNTING OF VOTES

Article 69. Accounting for Covering Envelopes and Ballot Papers

1. The procedure for accounting for covering envelopes and ballot papers in the Republic of Lithuania shall be laid down and such accounting shall be managed by the Central Electoral Commission.

2. The accounting for, issue and acceptance of covering envelopes and ballot papers when voting by post shall be managed by the heads of the respective post offices. The head of the post office shall enter the accounting data in the register specially designated for this purpose.

3. The accounting for, issue and acceptance of covering envelopes and ballot papers used when voting in military elements deployed abroad shall be managed by the commanders of those military elements. The commanders of the military elements shall transfer to the Central Electoral Commission the accounting data on election documents, as well as unused covering envelopes, ballot papers and covering envelopes with ballot papers completed by voters. The Central Electoral Commission shall, not later than before polling day, forward the received covering envelopes with ballot papers completed by voters to the polling district electoral committee on the electoral roll of which the voter concerned has been entered.

4. The head of the post office or a person authorised by him shall, one day before polling day, deliver unused covering envelopes, receipts confirming the acceptance of envelopes, special labels and ballot papers to the particular municipal electoral committee.

5. The heads of the post offices or persons authorised by them shall deliver postal vote covering envelopes containing ballot papers completed by voters to municipal electoral committees on polling day, but not later than by 11 am, and the municipal electoral committees shall forward them to the respective polling district electoral committees by the close of poll.

6. Covering envelopes, unused and spoilt ballot papers of voters who voted on the Thursday preceding polling day, receipts confirming the acceptance of the envelopes, and special marks shall be transferred to a municipal electoral committee by the members of the electoral

committees who went to the homes of the voters pursuant to the provisions of Article 65 of this Law. The municipal electoral committee shall, not later than on the last Friday before polling day, deliver covering envelopes to the post office.

7. Covering envelopes of voters who voted at home on the last Friday or Saturday preceding polling day, as well as unused and spoilt ballot papers, receipts confirming the acceptance of envelopes, special labels shall be transferred to the chairman of the particular polling district electoral committee not later than by 9 pm of the same day. Having checked the received election documents, the polling district electoral committee shall decide whether or not voting at home has met the requirements of this Law.

8. Covering envelopes shall be kept together with ballot papers.

9. Before starting to count votes, covering envelopes of postal voting shall be placed together with the covering envelopes of voters who voted at home, mixed and counted together pursuant to Article 73 of this Law and in the same manner as the votes received by post.

Article 70. Organisation of Work of a Polling District Electoral Committee in the Vote Counting

1. The chairman of a polling electoral committee shall organise and direct the vote counting in this electoral committee. His instructions for the vote counting shall be compulsory and must be adhered to by all persons present in the polling station. The chairman of the polling district electoral committee must ensure that votes are counted in accordance with the established procedure and shall have the right to warn any person present in the polling station if he disrupts the work of the committee or fails to perform his duties properly. The committee chairman shall communicate his decision to the public. The decision shall be entered in the vote counting record. The decision must be enforced immediately and, where necessary, the polling district electoral committee may consider it only after the vote counting record has been signed.

2. The data which are entered in the vote counting record must be communicated to the public in such a manner that all the persons participating in the vote counting would hear them. If there are any doubts about the validity of a ballot paper or the meaning of the marks, the committee chairman shall present the ballot paper to the committee members and shall announce voting concerning its evaluation (if there are several such ballot papers, he shall present them one by one). The results of this voting shall be entered on the empty side of the ballot paper.

Article 71. Accounting for Ballot Papers in Polling Districts

1. Upon the closing of a polling station, the chairman of the polling district electoral committee shall, in the presence of at least $\frac{3}{5}$ of the committee members, seal and stamp the ballot box slot.
2. Unused ballot papers shall be individually collected from each member of the polling district electoral committee and counted publicly, and the number thereof shall be entered in the vote counting record. On the basis of signatures in the electoral roll, arrival cards, ballot papers which have been spoilt by voters and returned for replacement with new ballot papers it shall be verified whether a committee member has handed all the ballot papers legitimately.
3. The electoral committee shall count unused and spoilt ballot papers publicly; annul them by cutting off the upper right corner; place them into envelopes specially designated for this purpose and stamp these envelopes. The number of unused or spoilt ballot papers shall be entered in the vote counting record.

Article 72. Counting of Votes of Voters who Voted in the Polling Station of the Polling District

1. The polling district electoral committee shall, in the presence of at least $\frac{3}{5}$ of its members, inspect the ballot box of the polling district to ascertain whether the seals have not been broken and whether there are no other signs indicating that it could have been opened or that ballot papers could have been removed in any other way. If not less than $\frac{3}{5}$ of the electoral committee members decide that the ballot box was tampered with, an act shall be drawn up about this, the ballot box shall be packed up, the packet shall be sealed and votes shall not be counted. The ballot box shall be delivered to the municipal electoral committee so that the latter would take a decision on the counting of the votes contained in this ballot box.
2. Having ascertained that the ballot box has not been tampered with, it shall be opened in the presence of at least $\frac{3}{5}$ of the polling district electoral committee members and electoral observers, all ballot papers shall be put on tables without any documents and writing-materials on them (except black lead pencils), and the polling district electoral committee shall count all the ballot papers from the ballot box. When counting ballot papers, the committee may divide them into groups according to votes cast by voters for lists of candidates, candidates for municipal councillor and mayor, and it may also single out a group of invalid ballot papers. Having counted the ballot papers within each group, the number of votes cast by voters for lists of candidates and candidates for municipal councillor and mayor, as well as the number of invalid ballot papers shall be determined. Ballot papers which do not possess the required attributes (ballot papers of irregular form, not stamped or stamped with the seal of a different electoral committee, etc.) must, if found, be separated from the rest of the ballot papers. The

municipal electoral committee shall be immediately informed about such ballot papers and this fact must be entered in the vote counting record of the polling district. All ballot papers must be recounted two times. For the second time, different committee members must check whether ballot papers are grouped according to the marks made by voters, as well as recount the ballot papers. Counting results must be proclaimed and entered in the vote counting record of the polling district, counted ballot papers must be put into a special envelope (envelopes) which is (are) sealed and stored securely. After the polling district electoral committee establishes how many votes have been cast for lists of candidates, candidates for municipal councillor and mayor by voters who voted in the polling station of the polling district, the counting of postal votes shall commence.

3. Ballot papers from the marking whereof it is possible to establish which list of candidates or candidate for municipal councillor and mayor a voter has voted for, but it is impossible to establish for whom the voter has cast a preference vote or votes, may not be declared invalid solely because of this reason. If a voter has not indicated the election number of a candidate in the ballot paper, indicated a non-existing election number of a candidate or when it is impossible to define a voter's will from the inscription or inscriptions regarding the preference votes, a preference vote or votes in the special box (boxes) of the second part of this ballot paper shall not be counted. If the election number of the same candidate is put down more than once on the ballot paper, only one vote shall be counted for this candidate according to this ballot paper.

4. A decision regarding the declaration of a ballot paper invalid or in the event of a dispute between the committee members concerning the assessment of the marks in the ballot paper shall be adopted by the electoral committee by voting. The results of such voting shall be indicated on the other side of the ballot paper.

5. Votes shall be counted in such a way that this procedure, marks of voters in ballot papers may be observed by all the electoral observers (observer), representatives of the mass media present during the counting of votes, and they would be satisfied that votes are counted fairly and justly. The electoral committee must re-count the votes if at least one committee member or electoral observer requests so before the signing of the vote counting record.

6. A specific procedure for counting ballot papers and votes shall be established by the Central Electoral Commission not later than 14 days before elections.

Article 73. Keeping Records of Voters who Voted by Postal Vote Envelopes, Counting of Their Votes and Preference Votes for Candidates

1. Having counted the ballot papers found in the ballot box, the ballot papers received from voters who voted not in the polling station of the polling district shall be counted in the following manner:

1) the chairman of the polling district electoral committee shall present unopened all covering envelopes of voting by post and at homes. Their number shall be announced and entered in the vote counting record;

2) covering envelopes are opened one at a time;

3) a voter card shall be taken out of the covering envelope, the voter's surname shall be read aloud, it shall be checked against the electoral roll of the polling district, and the ballot paper envelope shall be stamped with the seal of the polling district. If the person on the voter card is not on the electoral roll, or the voter signed the electoral roll indicating that he voted in the polling district, or there is an inscription indicating that the voter voted in another polling district, or another postal vote envelope has been received from the same voter, or there is no voter card in the covering envelope, or there is more than one ballot paper envelope in the covering envelope, the seal shall not be stamped and the ballot paper in the envelope shall be considered invalid and the envelope shall not be opened. The ballot paper must be noted as invalid on the ballot paper envelope (envelopes). The content of such envelopes shall not be reckoned in the vote counting record of the polling district;

4) in the electoral roll of the polling district, the words "voted by post" or "VBP" shall be written next to the surname of the voter whose vote has been received by post or at home;

5) the stamped ballot paper envelope is cast into the ballot box prepared and sealed according to the established requirements;

6) when all envelopes received by post have been inspected, the ballot box shall be opened and the stamped ballot paper envelopes shall be opened. If there is more than one ballot paper of the single-member and multi-member constituency in the ballot paper envelope, all ballot papers in the envelope shall be considered invalid. The votes received by post shall be further counted according to the requirements established in Article 71 of this Law.

2. If only one sealed ballot paper envelope for voting by post or at home is in the polling district (committee), in order to protect the secrecy of voting, it shall not be opened and shall be handed over to the municipal electoral committee which set up this committee; the said municipal electoral committee shall enter the voting results in its vote counting record.

3. After votes cast in the polling station, by post and at home for lists of candidates and candidates for municipal councillor and mayor have been counted, and all the data have been entered in the first part of the vote counting record, and this part of the record has been signed by the committee members, chairman and electoral observers, and the polling district electoral

committee has reported to the municipal electoral committee that the mandate votes have been counted, the polling district electoral committee may commence counting the votes cast for candidates (preference votes). The polling district electoral committee may decide to count preference votes straight away or, with the consent of the chairman of the municipal electoral committee, at another time, but not later than after 24 hours. If it is decided to count preference votes at another time, the ballot papers to be counted shall, in accordance with the procedure laid down by the Central Electoral Commission, be transferred to the municipal electoral committee in a special envelope to be stored securely. In this case, the municipal electoral committee must, after having accepted the election documents from the polling district electoral committee, adopt one of the following decisions on the counting of preference votes in the ballot papers transferred to it:

- 1) to return the ballot papers to the particular polling district electoral committee and to instruct it to count preference votes;
- 2) to change the decision of the polling district electoral committee, from which the election documents have been received, regarding the counting of preference votes and to instruct the electoral committee of another polling district to count preference votes, or to count preference votes itself. In this case, the municipal electoral committee must set the place and time of the counting of preference votes.

4. If the electoral committee counts preference votes at another time or recounts ballot papers, it shall, in the presence of at least 3/5 of the committee members, check whether the special envelope (envelopes) has not been tampered with. If the polling district electoral committee decides that the special envelope has been tampered with or its contents have been changed, an act shall be drawn up about this, the envelope shall be packed, the packet shall be sealed and the votes shall not be counted. The packet shall be delivered to the municipal electoral committee. The Central Electoral Commission shall be immediately notified thereof. The municipal electoral committee shall adopt a decision concerning the counting of the votes which are in this packet. Having ascertained that the special envelope has not been tampered with, the counting of preference votes shall commence. Information on the time and place of the counting of preference votes, also in the case when the municipal electoral committee decides to recount ballot papers, must, not later than one hour before the commencement of the counting, be announced on two notice boards: the one installed in the building housing the headquarters of the municipal electoral committee, and the other in the premises where preference votes will be counted. When counting preference votes, electoral observers may be present and a police officer must be on duty. All ballot papers shall be put on tables without any documents and writing-materials on them (except black lead pencils), and the committee shall check if there are all the

ballot papers from which preference votes must be counted. A specific procedure for counting preference votes shall be established by the Central Electoral Commission not later than seven days before elections. Preference votes must be counted in such a way that this procedure may be observed by all the persons present during the counting of votes and they would be satisfied that votes are counted fairly and justly. Counted preference votes shall be recorded in the second part of the vote counting record, the ballot papers shall be packed, the packet shall be sealed and transferred to the municipal electoral committee.

Article 74. Vote Counting Records of the Polling District

1. A vote counting record of the multi-member constituency consisting of two parts shall be drawn up in every polling district. The first part of the multi-member constituency vote counting record of the polling district shall comprise the following:

- 1) the number of voters in the polling district;
- 2) the number of ballot papers received from the municipal electoral committee;
- 3) the number of ballot papers handed to each member of the committee, the number of ballot papers handed to voters, the number of signatures of voters, the number of arrival cards, and the number of unused and spoilt ballot papers;
- 4) the number of annulled ballot papers;
- 5) the number of voters who have voted in the polling station of the polling district;
- 6) the time of the opening of the ballot box;
- 7) the number of ballot papers found in the ballot box by which voters did not vote for any list of candidates or voted for several lists of candidates;
- 8) the number of ballot papers found in the ballot box by which voters have voted for one list of candidates;
- 9) the number of votes found in the ballot box cast for each list of candidates;
- 10) the number of covering envelopes of voters who have voted at home, the number of covering envelopes of voting by post, the total number of covering envelopes received from voting by post and at home, and the number of stamped ballot paper envelopes;
- 11) the number of ballot papers received by post, by which voters did not vote for any list of candidates or voted for several lists;
- 12) the number of ballot papers received by post by which voters have voted for one list of candidates;
- 13) the number of votes received by post cast for each list of candidates;
- 14) the total number of voters who participated in the elections in the polling district;

15) the total number of ballot papers by which voters did not vote for any list of candidates or voted for several lists; and

16) the total number of the votes cast for each list of candidates.

2. A vote counting record consisting of the single-member constituency shall be drawn up in every polling district. This vote counting record shall include the following:

- 1) the number of voters in the polling district;
- 2) the number of ballot papers of the single-member constituency received from the municipal electoral committee;
- 3) the number of ballot papers handed to each member of the committee, the number of ballot papers handed to voters, the number of signatures of voters, the number of arrival cards, and the number of unused and spoilt ballot papers;
- 4) the number of annulled ballot papers;
- 5) the number of voters who have voted in the polling station of the polling district;
- 6) the time of the opening of the ballot box;
- 7) the number of ballot papers found in the ballot box by which voters did not vote for any candidates for municipal councillor and mayor or voted for several candidates for municipal councillor and mayor;
- 8) the number of ballot papers found in the ballot box by which voters voted for one candidate for municipal councillor and mayor ;
- 9) the number of votes found in the ballot box which have been cast for each candidate for municipal councillor and mayor;
- 10) the number of covering envelopes of voters who have voted at home, the number of covering envelopes of voting by post, the total number of covering envelopes received from voting by post and at home, and the number of stamped ballot paper envelopes;
- 11) the number of ballot papers received by post, by which voters did not vote for any candidate for municipal councillor and mayor or voted for several candidates for municipal councillor and mayor;
- 12) the number of ballot papers received by post by which voters voted for one candidate for municipal councillor and mayor;
- 13) the number of votes received by post, cast for each candidate for municipal councillor and mayor;
- 14) the total number of voters who participated in the elections in the polling district;
- 15) the total number of ballot papers received, by which voters did not vote for any candidate for municipal councillor and mayor or voted for several candidates for municipal councillor and mayor;

16) the total number of votes cast for each candidate for municipal councillor and mayor.

3. The number of the voters of the polling district shall be established on the basis of the electoral rolls of the polling district. The number of the voters who have been issued ballot papers shall be established according to their signatures proving that the ballot papers have been received. The number of the voters who have voted in the polling station of the polling district shall be established according to the number of the ballot papers found in the ballot box of the polling district. The total number of the voters who have participated in the elections in the polling district shall be established according to the number of the ballot papers found in the ballot box of the polling district and the number of the ballot papers received by post.

4. If more ballot papers are found in the ballot box than it has been delivered to voters, the polling district electoral committee shall take measures to ascertain the reasons. This fact shall be entered in the vote counting record indicating the number of extra ballot papers.

5. After all the data have been entered in the vote counting record of the polling district of the single-member constituency and all the ballot papers have been put into the sealed packets and the special envelope (envelopes), this vote counting record of the polling district shall be signed by the chairman and members of the polling district electoral committee, followed by the signatures of the electoral observers. Remarks of the electoral observers, separate opinions of the committee members shall be appended to the vote counting record and shall be an inseparable part thereof. An extract or a copy of the record shall be presented to the electoral observers and the electoral committee members at their request.

6. After all the data have been entered in the first part of the vote counting record of the multi-member constituency of the polling district and all the ballot papers have been put into the sealed packets and the special envelope (envelopes), this part of the vote counting record of the polling district shall be signed by the chairman and members of the polling district electoral committee, followed by the signatures of the electoral observers. Remarks of the electoral observers, separate opinions of the committee members shall be appended to the first part of the vote counting record and shall be an inseparable part thereof. An extract or a copy of the first part of the record shall be presented to the electoral observers and the electoral committee members at their request.

7. The second part of the vote counting record of the multi-member constituency of the polling district shall contain the following information:

- 1) the number of ballot papers which are being counted;
- 2) the number of preference votes cast for each candidate;
- 3) the sum total of preference votes received by all candidates;
- 4) the number of invalid ballot papers;

5) other vote counting data established by the Central Electoral Commission which are necessary to verify whether the votes cast by voters have been counted accurately.

8. After all the data have been entered in the second part of the vote counting record of the multi-member constituency of the polling district and all the counted ballot papers have been put into the sealed packets, this part of the vote counting record of the polling district shall be signed by the chairman and members of the polling district electoral committee, followed by the signatures of the electoral observers. Remarks of the electoral observers, separate opinions of the committee members shall be appended to the second part of the vote counting record and shall be an inseparable part thereof. An extract or a copy of the second part of the record shall be presented to the electoral observers and the electoral committee members at their request.

9. If the polling district or municipal electoral committee establishes that a mistake has been made in the data recorded in the first part of the vote counting record of the multi-member constituency of the polling district, a record shall be drawn up to correct the mistake. The second part of the record and the ballot papers shall be returned to the municipal electoral committee. The municipal electoral committee shall take a decision concerning the corrections.

Article 75. Invalid Ballot Papers

Invalid ballot papers shall be:

- 1) ballot papers of a non-established sample;
- 2) ballot papers stamped with the seal of the electoral committee of another polling district (ballot papers received by post – not stamped with the seal of the municipal electoral committee);
- 3) ballot papers in which none of the lists of candidates or none of candidates for the municipal councillor and mayor is marked;
- 4) ballot papers in which more than one list of candidates or more than one candidate for the municipal councillor and mayor are marked;
- 5) ballot papers from the marks made wherein it is impossible to determine the voter's will, with the exception of the cases specified in paragraph 3 of Article 72 of this Law regarding preference votes.

Article 76. Submission of Documents of the Polling District to the Municipal Electoral Committee

1. The polling district electoral committee shall, in accordance with the procedure laid down by the Central Electoral Commission, put all ballot papers, including invalid and unused ballot papers, other election documents into packets, inventory and seal them, then pack the packets

(hereinafter: 'package'), inventory and seal them. These packages together with the vote counting record of the polling district and its annexes, electoral rolls, minutes of meetings of the polling district electoral committee shall be delivered to the municipal electoral committee not later than within 12 hours after the close of poll, unless the Central Electoral Commission provides otherwise. Financial documents for the period of the work of the polling district electoral committee shall be delivered to the municipal electoral committee within two days after the close of poll.

2. The Central Electoral Commission and an institution authorised by the Ministry of the Interior must ensure the security of the transportation of election documents and the persons transporting them.

Article 77. Counting of Votes in the Municipal Electoral Committee

1. The municipal electoral committee shall accept the documents submitted by the polling district electoral committee and shall check:

- 1) whether all the required documents (packages and special envelopes with ballot papers referred to in Article 76(1) of this Law) have been submitted;
- 2) sealing and descriptions of the packages and envelopes (whether the description is full and correct);
- 3) whether all the data have been entered in the first and second parts (part) of the vote counting record of the multi-member constituency of the polling district; whether they do not contradict one another; whether they correspond to the data available to the municipal electoral committee, i.e. the number of the issued ballot papers, the number of the voters, the number of the covering envelopes received by post, the total number of the ballot papers according to the first and second parts of the record, the voting record of the single-member constituency of the polling district; whether all of the necessary signatures have been put; whether all separate opinions of the committee members, remarks of electoral observers are appended to the records in which they are specified;
- 4) whether all remarks and complaints of voters have been considered in the polling district electoral committee.

2. The municipal electoral committee shall, in accordance with the procedure laid down by the Central Electoral Commission, immediately report to the Central Electoral Commission the data of the parts of the vote counting record, its comments concerning the documents submitted by the polling district electoral committee, and shall ensure the secure storage of the submitted documents.

3. The packages sealed by the polling district electoral committee, which contain ballot papers or other election documents, may be opened in the municipal electoral committee only by the decision of the municipal electoral committee. The special envelope with ballot papers for completing the counting of the votes in the municipal electoral committee may be submitted only to the chairman of the polling district electoral committee or to a committee member authorised by him in writing. The Central Electoral Commission and an institution authorised by the Ministry of the Interior must ensure the security of the transportation of special envelopes with ballot papers and the persons transporting them.
4. Having established the lack of the documents submitted by the polling district electoral committee, the municipal electoral committee shall take appropriate measures and request the chairman of the polling district electoral committee to supply the missing documents.
5. The municipal electoral committee shall count the votes in the following manner: sum up the data submitted by the polling district electoral committees and add to them the votes cast by post and at home, which have been counted in the municipal electoral committee.
6. A municipal electoral committee shall, in accordance with the procedure laid down by the Central Electoral Commission, select by drawing lots the polling district or districts and the list or lists of candidates thereof for which the votes have been cast and the preference votes for the candidates of which must be recounted, and organize the vote recounting. After the votes have been recounted, the votes counting record of the polling district shall be drawn up. If after the vote recounting, the different vote counting results are found than those of the polling district electoral committee, all votes cast in that polling district shall be recounted.

Article 78. Submission of Documents by Municipal Electoral Committees to the Central Electoral Commission

All the documents (except financial documentation) received from polling districts, electoral rolls, the vote counting record of the constituencies, the records of the municipal electoral committee for the whole period of its work and other election documents shall be put by the municipal electoral committee into special packets and sealed. The said packets shall be delivered to the Central Electoral Commission within the time limit set by the Central Electoral Commission.

Article 79. Participation of Electoral observers in the Counting of Votes and Establishment of Election Results

1. Electoral observers and representatives of the mass media may participate in the counting of votes in the polling district electoral committees and the municipal electoral committees as well as in the establishment of election results.
2. Electoral observers shall be entitled to make remarks and claims to the electoral committees concerning violations of this and other laws of the Republic of Lithuania, but they must not disrupt the work of the electoral committees. Electoral observers shall have the right to make a written protest to the polling district electoral committee or the municipal electoral committee. Protests of electoral observers made to the polling district electoral committee shall be appended to the vote counting records of the polling district and delivered to the municipal electoral committee together with other election documents of the polling district. Protests of electoral observers made to the municipal electoral committee shall be appended to the vote counting records. Protests of voters shall be considered by that electoral committee to which they have been filed.

Article 80. Proclamation of Preliminary Election Results

1. Preliminary election results may be proclaimed only by the Central Electoral Commission. If the municipal electoral committee delivers the preliminary data of the election results in all polling districts, the Central Electoral Commission must immediately prepare a release to the mass media. This release shall be immediately placed on the website of the Central Electoral Commission.
2. Until the release of the Central Electoral Commission specified in paragraph 1 of this Article, representatives of the mass media shall be prohibited from disseminating, through video or sound recording equipment, orally, in writing or otherwise, any information about the vote counting or election results.

Article 81. Appeals against Decisions of Electoral Committees Taken after the End of Voting

1. Parties, election committees which have nominated lists of candidates, candidates, election representatives, electoral observers may appeal against decisions of polling district electoral committees concerning the drawing-up of vote counting records to the municipal electoral committee not later than within 24 hours after they were drawn up. These complaints must be considered not later than within 24 hours.
2. Decisions of the municipal electoral committee concerning the drawing-up of vote counting records may be appealed against to the Central Electoral Commission not later than within 72

hours after they were drawn up, and must be considered before the official proclamation of the final election results.

3. When considering complaints against decisions of a polling district electoral committee concerning the drawing-up of vote counting records, the municipal electoral committee may, in the presence of at least 3/5 of the committee members, recount the ballot papers delivered by the polling district electoral committee, and, in the event of a mathematical error in the record, incorrectly counted valid or invalid ballot papers, shall draw up an additional vote counting record of the polling district and append it to the vote counting record of the polling district. The municipal electoral committee shall have no right to nullify the vote counting record of the polling district electoral committee.

4. When considering complaints against the decision of a municipal electoral committee concerning the drawing-up of the vote counting record of the constituency, the Central Electoral Commission may recount ballot papers delivered by the municipal electoral committee, and, in the event of a mathematical error in the record, incorrectly counted valid or invalid ballot papers, shall draw up an additional vote counting record of the constituency, the polling district and append it to the vote counting record of the constituency.

5. After the official proclamation of the final election results until the first sitting of a newly elected municipal council any decisions of the Central Electoral Commission or its any other acts may be appealed against by the parties, election committees which nominated lists of candidates, candidates, elected municipal councillors to the Supreme Administrative Court of Lithuania within five days after the decision of the Central Electoral Commission becomes effective or after the disputable act becomes known. The Supreme Administrative Court of Lithuania shall hear such complaints within five days.

6. After the first sitting of a newly elected municipal council, the parties, election committees, which nominated lists of candidates, candidates, persons entered on the lists of candidates who received mandates, municipal councillors may appeal against decisions of the Central Electoral Commission taken on the termination of the powers of a municipal councillor or the recognition of the powers for new municipal councillors, or refusals to take such decisions to the Supreme Administrative Court of Lithuania within 15 days after the decision becomes effective. The Supreme Administrative Court of Lithuania shall hear such complaints within 15 days.

Article 82. Vote Counting Records of Constituencies

1. Based on the vote counting records and, where necessary, ballot papers and other election documents of polling districts, the municipal electoral committee shall establish and enter in the vote counting records of the constituencies the following:

- 1) the number of the voters in the constituency;
 - 2) the number of the voters who have participated in the elections in the constituency;
 - 3) the number of the invalid ballot papers in the constituency as well as the vote counting data established by the Central Electoral Commission which are necessary to verify whether the votes cast by voters have been counted accurately;
 - 4) the number of the votes cast by the voters for the lists of candidates and candidates for municipal councillor and mayor, as well as the number of the votes cast for all the lists of candidates and candidates for municipal councillor and mayor.
2. A post-electoral order of precedence of the list of candidates shall be separately drawn up for each list of candidates according to preference votes cast for each candidate. The candidate who received more preference votes shall be entered higher in the post-electoral order of precedence of the list of candidates. If the number of preference votes received by candidates is equal or smaller than the number of municipal councillors to be elected, a candidate who has been entered higher on the succession of application documents shall be entered higher on the said post-electoral order of precedence.
3. The chairman and members of the municipal electoral committee shall sign the vote counting record of the constituency only after considering separate opinions of the members of the polling district electoral committees, remarks of the electoral observers and complaints of the voters. An extract or a copy of the vote counting record of the constituency shall be presented to the electoral observers and the electoral committee members at their request. The municipal electoral committee may recommend the Central Electoral Commission to declare the election in the municipality invalid.

CHAPTER ELEVEN

ESTABLISHMENT AND PROCLAMATION OF ELECTION RESULTS

Article 83. Establishment of Election Results in the Multi-Member Constituency

1. The preliminary election results shall be established by the municipal electoral committee after the vote counting record of the constituency has been signed.
2. Mandates for lists of candidates shall be distributed according to the number of mandate votes cast by the voters, which have been received by each list, applying the method of largest remainder. A list of candidates may get mandates of municipal councillor (participate in the distribution of mandates) only if not less than four per cent of the voters who participated in the elections voted in favour of it, and the joint list of candidates of the parties or the equivalent list of candidates, as laid down in Article 41(3) of this Law, may get mandates of municipal

councillor (participate in the distribution of mandates) if not less than six per cent of the voters who participated in the elections voted in favour of them. If less than 60 per cent of the votes were cast for the lists of candidates participating in the distribution of mandates, the right to participate in the distribution of mandates shall be acquired by that list of candidates (or the lists if an equal number of the votes were cast in favour of them) which so far has not participated in the distribution of mandates and in favour of which the highest number of votes was cast. In the same fashion, the number of the lists of candidates, who hold the right to participate in mandate distribution, shall be increased to reach such a number that not less than 60 percent of votes would be cast for the lists of candidates participating in the mandate distribution.

3. The quota of the distribution of mandates shall be calculated. It shall be equal to the sum of mandate votes cast by voters, which have been received by the lists participating in the vote distribution divided by the number of mandates in the multi-member constituency. If a remainder is received when dividing, one shall be added to the quotient.

4. The number of the votes cast for each list of candidates participating in the distribution of mandates shall be divided by the quota of the distribution of mandates. The received integer quotient shall be the number of mandates for each list according to the quota of the mandate distribution, and the remainders of this division shall be used to distribute the remaining mandates according to the remainders. Therefore, the names of all lists of candidates shall be written down in succession in which the last is followed by the first according to the remainders of the division received by lists, beginning with the largest. If two lists of candidates have an equal number of remainders, the first written down shall be the list which possesses a smaller election number. The mandates, left undistributed during the distribution by the method of quotas, shall be distributed by one to the lists of candidates according to the succession, beginning with the list of candidates which was written down first.

5. If one of the lists of candidates receives more mandates than there are candidates on the list, these mandates shall be distributed to other lists by further applying the method of remainders to the distribution of mandates.

6. Candidates for municipal councillor of the same list shall receive mandates in accordance with the post-electoral order of precedence of the lists of candidates. The candidate which received mandate in a single-member constituency shall be passed over in the order of succession of the list of candidates of the multi-member constituency.

Article 84. Establishment of Election Results in a Single-Member Constituency

1. The preliminary election results shall be established by the municipal electoral committee after the vote counting record of a single-member constituency has been signed.

2. A candidate shall be considered elected for municipal councillor and mayor in a single-member constituency, if during the first voting in which he has received more than half of the votes of all the voters participating in the elections not less than 40 percent of the voters from the electoral roll of that constituency have participated in the elections. If less than 40 percent of the voters from the electoral roll of that constituency have participated in the elections, the candidate who has received the majority, but not less than one-fifth of the votes of all the voters from the electoral roll of that constituency, shall be considered to have been elected. If during the first voting round none of the candidates for mayor gets the required majority vote, not later than after two weeks from the polling day a runoff voting shall be conducted according to the procedure established by this Law between the two candidates for mayor who have received the most votes in the first voting round. A date of runoff voting shall be announced by the Central Electoral Commission together with the final results of the first poll. The candidate to the office of mayor who gets more votes during the runoff voting shall be considered elected.

Article 85. Establishment and Proclamation of Final Election Results

1. Upon the examination of all complaints and the establishment of all election results in a particular constituency, the Central Electoral Commission shall approve the final election results not later than within seven days after the elections and shall proclaim the final election results on its website. The Central Electoral Commission shall, without deliberation, approve decisions of those municipal electoral committees with regard to which no complaints about the violation of this Law that had an essential effect on the election results have been received from the election representatives within three days after the elections. Following the approval by the Central Electoral Commission of the municipal electoral committee's decision on the approval of the final election results, the municipal electoral committee concerned shall proclaim the results of the municipal council elections no later than within two days after the approval of the decision.

2. If the Central Electoral Commission modifies the decision of the municipal electoral committee or takes a decision regarding the seat of a bygone municipal councillor, the election results shall be proclaimed by the Central Electoral Commission. The Central Electoral Commission shall start issuing municipal councillor certificates not earlier than seven days and finish issuing them not later than ten days after the proclamation of the election results or a relevant decision.

3. The Central Electoral Commission shall, not later than within three months from the proclamation of the final election results, publish a book about the election results and, within four months, transfer for unlimited preservation the vote counting records of the polling districts and the constituencies, the application documents, the minutes of the meetings and the decisions

of the Central Electoral Commission as well as a set of samples of the election documents to the Office of the Chief Archivist of Lithuania. After that the Central Electoral Commission may take a decision to destroy any election documents that are not subject to preservation.

Article 86. Declaration of the Election Invalid

1. If a party or an election committee or a candidate grossly violated Article 6(1) of this Law and such a violation was established or committed later than provided for in Article 37(9), the Central Electoral Commission shall adopt a decision regarding the revocation of the announcement of the list of candidates or repeal the candidate registration after the polling day. After the revocation of the announcement of the list of candidates, the votes cast for the list of candidates, and, after the repeal of the candidate registration, the preference votes cast for the candidate or votes cast for the candidate for municipal councillor and mayor shall be deemed invalid. After the votes are deemed invalid, it may be decided to declare the election invalid in accordance with the procedure provided for in this Article.

2. The Central Electoral Commission may declare the election results in a constituency invalid if it establishes that the violations of the provisions of Article 6(1) of this Law or other gross violations of this Law committed in the polling district or the constituency, or the falsification of the documents or the loss thereof have had an essential effect on the election results, or that the following essential results cannot be determined from the vote counting records or other election documents:

- 1) in a single-member constituency - the candidate who gets a mandate;
 - 2) in the multi-member constituency - the list of candidates which take part in the distribution of mandates, or the number of mandates due to the list of candidates can be determined at the exactness of only more than one mandate.
3. The elections may not be declared invalid if the indisputably determined election results allow determining the essential election results.

Article 87. Rerun Elections to the Municipal Council

1. Rerun elections shall be held in a constituency in which the elections to the municipal council have been declared invalid in accordance with the procedure established by this Law.

2. Rerun elections shall be held no later than within three months after the recognition of the elections invalid. The Central Electoral Commission shall also take a decision concerning the extension of the powers of a municipal electoral committee to hold rerun elections, the change of the composition of this committee or the setting-up of a new committee. Further on, rerun elections shall be held in accordance with the procedure established by this Law. Election

deposits for the lists of candidates, the candidates nominated for municipal councillor and mayor, who registered to participate in the last elections in this municipality, shall be counted.

3. After the Central Electoral Commission declares the results of the rerun elections to the municipal council invalid, the Seimas shall consider a motion made by the Committee on State Administration and Local Authorities of the Seimas regarding the introduction of direct rule into the municipality and set the date of new elections to the municipal council.

Article 88. Discontinuation of the Powers of a Municipal Councillor Prior to the Expiration of His Term of Office

1. The powers of a municipal councillor prior to the expiration of his term of office shall be discontinued:

- 1) upon his resignation – according to a resignation statement of the municipal councillor. This resignation statement must be notarised or signed by the mayor of the municipality, and if the municipal councillor has been nominated by the party – the resignation statement must also be signed by the head of the party (its branch), or the municipal councillor must personally submit it to the Central Electoral Commission;
- 2) when he resigns in compliance with Article 91 of this Law before taking up the office incompatible with the office of municipal councillor;
- 3) if he has failed to attend three consecutive municipal council meetings without a reasonable excuse – according to the recommendation of the Commission of Ethics of the municipal council and the decision of the Central Electoral Commission;
- 4) if the court declares him legally incapable – according to an effective decision of the court;
- 5) if a court judgment of conviction becomes effective – according to an effective judgment of the court;
- 6) if he leaves for permanent residence outside the territory of the municipality the municipal councillor of which he has been elected – according to the data of the Residents' Register of the Republic of Lithuania;
- 7) the Central Electoral Commission shall adopt a decision in compliance with Article 90 of this Law;
- 8) if he dies – pursuant to the data of the Residents' Register of the Republic of Lithuania;
- 9) if the court takes a decision on the deportation of the municipal councillor who is not a citizen of the Republic of Lithuania from the Republic of Lithuania – according to an effective decision of the court;
- 10) if he takes up the office incompatible with the office of municipal councillor and does not resign from such office;

11) direct rule is temporarily introduced within the territory of a municipality in accordance with the procedure laid down by the law by the decision of the Seimas, with the exception of the cases where the temporary introduction of direct rule relates to the introduction of state of emergency within the territory of a municipality;

12) by the decision of the municipal council in accordance with the procedure set by the Law of the Republic of Lithuania on Local Self-Government (hereinafter: 'the Law on Local Self-Government').

2. A municipal councillor, before taking up the office which is incompatible with the office of municipal councillor under the Constitution, this Law and other laws, shall, at least ten days in advance, personally submit to the municipal mayor and the Central Electoral Commission a written statement (statements) concerning the renouncement of the mandate of a municipal councillor or mail such statement, upon having it notarised. A person who loses the mandate of a municipal councillor on the grounds specified in Points 1, 3, 4, 5, 7, 8, 9 and 10 and Article 25¹ of the Law on Local Self-Government shall lose the right to fill the vacant seat of municipal councillor in accordance with the procedure laid down by Article 89 of this Law.

3. The Central Electoral Commission shall, within 15 days from the occurrence of the grounds referred to in paragraph 1 of this Article, recognise the powers of a municipal councillor as discontinued before the expiration of his term of office.

Article 89. Filling a Vacant Seat of Municipal Councillor

1. If the powers of a municipal councillor discontinue before the expiration of his term of office on the grounds specified in Article 88(1) of this Law or a municipal councillor loses his mandate, a vacancy occurs in the council for the position of municipal councillor. A vacant seat of the municipal councillor in the multi-member constituency shall be filled according to the following order: the top candidate, who did not receive the mandate of a municipal councillor, on the post-electoral list of candidates according to which the former municipal councillor had been elected, shall become a municipal councillor. If on this list of candidates there are no candidates who could take a vacant seat of municipal councillor, councillor's mandate shall be transferred to another list according to the order of succession of the lists of candidates made after the elections for the distribution of mandates by the method of remainders, i.e., that list which comes first following the list which was the last to receive its mandate according to this order of succession, and the first candidate, not having received his mandate who appears on the list with the newly-received mandate shall become a municipal councillor.

2. By-elections shall be held for a vacant seat of municipal councillor in a single-member constituency. By-elections must be held not later than within six months. By-elections shall not

be held if the election date planned to be announced falls within the period when less than a year remains before the date of the next elections to municipal councils, as counted in compliance with the Constitution. The Central Electoral Commission shall establish the concrete procedure for holding by-elections according to the requirements and terms established by this Law, taking into consideration the fact that by-elections are held in one of the single-member constituencies.

3. When the circumstances which constituted the grounds for recognising the powers of a municipal councillor as discontinued before the expiration of his term of office under Points 2 and 6 of Article 88(1) of this Law cease to exist, or when the circumstances due to which the elected municipal councillor has lost the mandate of a municipal councillor under Article 91 of this Law cease to exist, for the time period between elections the said person shall enjoy the right of precedence to fill an occurring vacant seat of municipal councillor on the post-electoral list of candidates. In this case, the person must within 15 days submit to the Central Electoral Commission a notarised request to recognise the position on the post-electoral list of candidates who have not received the mandate of a municipal councillor. It shall be permitted to recognise only once a position of such a person on the post-electoral list of candidates who have not received the mandate of a municipal councillor. The Central Electoral Commission must take a decision concerning the recognition of the mandate of a municipal councillor for a new municipal councillor not later than within seven days after the occurrence of a vacant seat of municipal councillor.

4. If a person who should receive the mandate of a municipal councillor in accordance with paragraph 1 of this Article fails to meet the requirements laid down in Article 2 of this Law or would fail to meet the said requirements upon his becoming a municipal councillor, the Central Electoral Commission shall immediately take a decision pursuant to Article 88 of this Law, and this person shall be struck off the order of precedence in the list of candidates.

Article 90. Loss of the Mandate of a Municipal Councillor because of Failure to Disclose to Voters the Previous Conviction Imposed by the Court Judgment (Decision)

If a person who is nominated as a candidate or who declares himself a candidate fails to meet the requirements laid down in Article 36(12) of this Law (does not provide in the questionnaire of the candidate the information specified in Article 36(12) of this Law or provides the incorrect data), and this becomes clear after the elections during which this person was elected a municipal councillor or municipal councillor and mayor:

1) the person who has not taken the oath of municipal councillor loses the mandate of a municipal councillor;

2) the person who has taken the oath of municipal councillor loses the powers of a municipal councillor.

Article 91. Office Incompatible with the Office of Municipal Councillor, and the Loss of the Mandate of a Municipal Councillor

1. The office of municipal councillor shall be incompatible with the office of President of the Republic, Seimas member, European Parliament member, Government member, head of a government agency or an agency under a ministry, whose work is related to the supervision and control of activities of municipalities, Government representative in the county, Auditor General and his deputies. Moreover, the office of councillor of a municipality shall be incompatible with the post of a civil servant of political (personal) confidence of the mayor of that municipality of a particular term of office, the office of controller of that municipality or the post of a civil servant of the controller's service of that municipality, the office of director of the administration of that municipality of a particular term of office and his deputy or the post of a civil servant or an employee working under the employment contract in the administration of that municipality, the office of head of the secretariat of the council or the post of a civil servant or an employee working under the employment contract of that municipality, the office of head of a budgetary institution the owner or one of the owners is that municipality, the office of single-person head and member of the collegial management body of a public establishment the owner or stakeholder of which is that municipality, an undertaking of that municipality, the office of member of the collegial management body (board) of a company controlled by that municipality or the office of head of a company controlled by that municipality.

2. If a person holding the office incompatible with the office of municipal councillor under the Constitution, this Law or other laws is elected as a municipal councillor, he must decide and relinquish the above mentioned duties or renounce the mandate of an elected municipal councillor. An elected municipal councillor who decides to renounce the mandate of a municipal councillor shall, no later than 10 days before the first meeting of a municipal council, submit to the Central Electoral Commission personally or by mail a notarised statement concerning the renouncement of the mandate of an elected municipal councillor. Upon the receipt of this statement, the Central Electoral Commission, in the capacity of the mandates commission, shall, no later than seven days before the first meeting of a municipal council, take a decision regarding the loss of the mandate of an elected municipal councillor and the recognition of the mandate for a new municipal councillor. Candidates of the post-electoral list of candidates for a vacant seat of municipal councillor, who decide to renounce the mandate of an elected municipal councillor, must also submit to the Central Electoral Commission the statements concerning the

renouncement of the mandate of a municipal councillor no later than seven days before the first meeting of a municipal council. If an elected municipal councillor fails to notify the Central Electoral Commission no later than 10 days before the first meeting of a municipal council that he relinquishes the duties incompatible with the office of municipal councillor, the Central Electoral Commission, in the capacity of the mandates commission, shall, no later than seven days before the first meeting of a municipal council, take a decision on the loss of the mandate of this municipal councillor.

3. The provision of paragraph 2 of this Article regarding the obligation of elected municipal councillor to decide and relinquish either the duties incompatible with the mandate of a municipal councillor or the mandate of an elected municipal councillor no later than 10 days before the first meeting of a municipal council shall not apply to persons whose powers shall terminate upon termination of the powers of a municipal councillor and mayor: director of the administration of that municipality, deputy director of the administration of that municipality, civil servants of political (personal) confidence of the mayor and the secretary of the council of that municipality.

I promulgate this Law passed by the Seimas of the Republic of Lithuania.

RESPUBLIKOS PREZIDENTAS

ALGIRDAS BRAZAUSKAS

Annex to the Republic of Lithuania

Law on Elections to Municipal Councils

LEGAL ACT OF THE EUROPEAN UNION IMPLEMENTED BY THIS LAW

1. Council Directive 94/80/EC of 19 December 1994 laying down detailed arrangements for the exercise of the right to vote and to stand as a candidate in municipal elections by citizens of the Union residing in a Member State of which they are not nationals (OJ 2004 special edition, Chapter 20, Volume 1, p. 12), as last amended by Council Directive 2006/106/EC of 20 November 2006 (OJ 2006 L 363, p. 409) and Council Directive 2013/19/EC of 13 May 2013 (OJ 2013 L 158, p. 231) .

