

REPUBLIC OF LITHUANIA

LAW ON ELECTIONS TO THE SEIMAS

1. GENERAL PROVISIONS

Article 1. The Principles of Elections of Seimas Members

Members of the Seimas of the Republic of Lithuania (hereafter referred to as "the Seimas") shall be elected for a four-year term in one-candidate or multi-candidate electoral districts by secret ballot and on the basis of universal and equal suffrage in direct mixed system elections. (Amended 16 March 1993)

Article 2. Universal Suffrage

Citizens of the Republic of Lithuania who, on the day of the election, are 18 years of age shall have the right to vote. Citizens who have been declared incapable by court shall not participate in elections.

Any citizen of the Republic of Lithuania who is not connected with a foreign state by oath or pledge, who permanently resides in Lithuania, and who, on the day of elections, is at least 25 years of age, shall be eligible to be elected to a member of the Seimas.

Persons who have not completed a court-imposed sentence or who have been declared incapable by the court shall not be eligible to be elected to members of the Seimas.

Persons who are in the national defence service or the alternative service, as well as officers, non-commissioned officers and re-enlistees of the national defence system, the police force, and the internal affairs service who have not retired from service, and officers of other militarized and security services who are on the payroll shall not be eligible to be elected to members of the Seimas.

Other direct or indirect abridgments of the right to vote of citizens of the Republic of Lithuania on the grounds of their descent, political convictions, social or property status, nationality, sex, education, language, religion, or the type or character of their occupation shall be prohibited. (Amended 16 March 1993)

Article 3. Equal Suffrage

Every citizen of the Republic of Lithuania who has the right to vote shall have one vote in a one-candidate or multi-candidate electoral district; the vote of every citizen who has the right to vote shall be of equal weight.

All citizens shall be represented in the Seimas on an equal basis according to the representation quota which shall be established before every election.

Article 4. Direct Elections

There shall be no voting by proxy in elections of Seimas

deputies.

Article 5. Secret Ballot

Voters shall vote in person and by secret ballot. Controlling the will of the voters in elections shall be prohibited.

Article 6. Making the Preparation and Execution of Elections Public

State institutions and electoral committees shall prepare and conduct elections publicly. Public notice must be given of all events (meetings, sessions) related to the organization of elections at least two days prior to the opening of the event.

The electoral committees shall inform the citizens about their work, the formation of electoral areas (apygarda) and electoral districts (apylinke), the membership of the electoral committees, the location of their offices and their working hours, the lists of voters, the results of the registration of candidates to the members of the Seimas, and the voting and election results.

The mass media shall report on the preparation and execution of Seimas elections. Representatives of the mass media shall have the right to participate without restrictions in all events organized by the electoral committees, as well as to obtain information about the preparation and execution of elections.

Article 7. Expenses Related to the Preparation and Execution of Elections

The State shall reimburse expenses related to the preparation and execution of elections.

2. Electoral Areas and Electoral Districts

Article 8. Formation of Electoral Areas

For the organization and execution of elections, the territory of the Republic of Lithuania shall be divided into 71 one-candidate electoral areas, taking into consideration the number of inhabitants and the administrative-territorial division. The number of inhabitants in the electoral areas must not differ by more than 25 percent. The Central Electoral Committee shall establish the size of electoral areas and their boundaries and centers, and shall make the information public no later than 75 days prior to the election day. (Amended 4 August 1992)

One multi-candidate electoral area shall also be formed where all citizens of the Republic of Lithuania having the right to vote shall cast their votes. 70 deputies of the Seimas shall be elected in the said electoral area according to the proportional system of elections.

Article 9. Formation of Electoral Districts

Electoral areas shall be divided into electoral districts.

The electoral committee of the electoral area shall establish, at least 45 days prior to the election day, the division of every electoral area into electoral districts, and the number and size of electoral districts.

No more than 5,000 voters may reside in the territory of an electoral district. (Amended 16 March 1993)

The electoral committee of an electoral area must, within 7 days of the approval of the list of electoral districts, inform the voters of the boundaries of every electoral district, as well as its quarters and place of polling.

3. Organization of Elections

Article 10. Electoral Committees

Elections to the Seimas shall be organized and conducted by:

- 1) the Central Electoral Committee;
- 2) the electoral committees of electoral areas; and
- 3) the electoral committees of electoral districts.

Members of the electoral committees may not be candidates to the Seimas. (Amended 16 March 1993)

Article 11. Formation of the Central Electoral Committee

The Central Electoral Committee shall be the supreme institution for the organization of elections.

The Seimas shall form the Central Electoral Committee no later than 90 days before the day of the general elections to the Seimas.

The Central Electoral Committee shall be formed for a four-year period and shall be composed of:

a Committee Chairperson;

three persons having higher legal education and who are chosen by lot from the six candidates proposed by the Minister of Justice; and

three persons having higher legal education and who are chosen by lot from the six candidates proposed by the Lithuanian Lawyers' Society.

The Minister of Justice and the Lithuanian Lawyers' Society may propose more candidates to the Central Electoral Committee.

The drawing of lots during a Seimas sitting shall be organized by the Chairperson or deputy chairperson of the Seimas.

Political parties and political organizations which have received mandates of Seimas members in multi-candidate electoral areas shall each have the right to propose one representative to the Central Electoral Committee from the one list of candidates

(joint list) presented in the multi-candidate electoral area prior to the formation of the Committee.

The Seimas may not reject proposed candidates.

In all cases, persons appointed to the Central Electoral Committee from the candidates proposed by the Minister of Justice and the Lithuanian Lawyers' Society must make up more than 1/2 of the Committee members. If these persons make up less than 1/2 of the members, the Committee shall be enlarged according to the procedure established in this Article by drawing lots equally from the candidates proposed by the Minister of Justice and the Lithuanian Lawyers' Society, whose number must be twice as much as is necessary for the additional appointment of members to the Central Electoral Committee.

The Seimas shall appoint the Chairperson of the Central Electoral Committee. The Chairperson of the Central Electoral Committee as well as the members of the Committee who were appointed to the Committee by lot must suspend their membership in any political parties and political organizations which they are members of, and may not take part in the activities or carry out the instructions of said parties or organizations while working in the Committee.

The Central Electoral Committee shall elect the deputy chairperson and secretary of the Committee during its sitting. The deputy chairperson shall be elected from among the members who do not represent political parties or political organizations. (Amended 16 March 1993)

Article 12. The Powers of the Central Electoral Committee

The Central Electoral Committee shall:

1) divide the territory of Lithuania into one-candidate electoral areas and establish their borders;

2) establish electoral committees of electoral areas;

3) accept application documents concerning the nomination of candidates to the Seimas, examine them, register the candidates, and announce the lists of nominated candidates of the political parties, political organizations and coalitions which participate in the elections and the numbers provided for them as well as the candidates nominated in one-candidate electoral areas;

4) establish the samples and forms of ballot-papers and other documents used during the elections, as well as packages, stamps, and samples for their completion, and the procedure for sealing ballot-papers;

5) manage funds allocated by the State for elections;

6) supervise the implementation of this Law;

7) consider complaints and adopt resolutions concerning decisions of electoral committees of electoral areas and electoral committees of electoral districts;

8) exercise the functions of electoral committees of multi-candidate electoral areas;

9) establish and publicize the final results of the elections;

10) issue certificates of members of the Seimas of the Republic of Lithuania to the elected candidates;

11) hand over voter lists, vote calculation and other records of electoral committees to the State Archives; and

12) execute other powers provided for in this Law.

The Central Electoral Committee may not interpret the provisions of this Law. If it is necessary to do so, the Central Electoral Committee shall appeal to the Seimas for the amendment of this Law. The Seimas shall consider questions submitted by the

Central Electoral Committee according to the procedure of special urgency. (Amended 16 March 1993)

Article 13. Formation of Electoral Committees of Electoral Areas

The Central Electoral Committee shall form electoral committees of electoral areas within 20 days of the formation of the Committee.

If elections are held in one or several electoral areas, electoral committees of those electoral areas shall be formed within 20 days of the day of the adoption of the resolution on the announcement of the elections.

Electoral committees of electoral areas shall be composed of:

two persons who reside or work in that town or region, who have higher legal education, and who are nominated by the Minister of Justice;

two persons who reside or work in that town or region, who have higher legal education, and who are nominated by the Lithuanian Lawyers' Society.

The Minister of Justice and the Lithuanian Lawyers' Society may also propose more candidates.

Political parties and political organizations which have received the mandates of members of the Seimas in the multi-candidate electoral area pursuant to the list of candidates (joint list) nominated in this electoral area shall each have the right to propose two representatives from this single list of candidates (joint list) nominated in the electoral area to electoral committees of electoral areas. The Central Electoral Committee may not reject said candidates. In the event that candidates have not been proposed, the Central Electoral Committee may in their place additionally appoint as members of the Committee candidates who have been proposed by the Minister of Justice and the Lithuanian Lawyers' Society.

In all cases, persons who have been appointed to electoral committees of electoral areas from the candidates proposed by the Minister of Justice and the Lithuanian Lawyers' Society must make up at least 1/3 of all the Committee members. If these people make up less than 1/3 of the Committee, the Committee shall be enlarged equally from the candidates proposed by the Minister of Justice and the Lithuanian Lawyers' Society.

The Central Electoral Committee shall appoint the chairpersons of the electoral committees of electoral areas.

During its first sitting, the electoral committee of an electoral area shall elect a deputy chairperson and a secretary of the committee. (Amended 16 March 1993)

Article 13. The Powers of Electoral Committees of Electoral Areas

The electoral committee of an electoral area shall:

1) divide the territory of the electoral area into electoral districts, and establish their boundaries as well as the numeration of the electoral districts;

2) inform the voters who reside in the electoral area about the boundaries of the electoral districts, their quarters, working hours and the polling place;

3) supervise the implementation of this Law in the electoral area;

4) draw up the vote calculation records of the electoral area;

5) consider complaints against decisions and actions of the electoral committees of electoral districts and adopt decisions concerning them; and

6) exercise other powers provided for in this Law. (Amended 16 March 1993)

Article 14. Formation of Electoral Committees of Electoral Districts

Electoral committees of electoral districts shall be formed by electoral committees of electoral areas within 15 days of the formation of the electoral committees of electoral areas.

Electoral committees of electoral districts shall be formed from the candidates who are proposed by political parties and political organizations which have received the mandates of members of the Seimas in multi-candidate electoral areas from the list of nominated candidates (joint list). These political parties and political organizations shall have the right to propose up to three of their representatives to the electoral committee of the electoral district. If candidates are not proposed, electoral committees of electoral areas may proportionally enlarge the norm of representation of the indicated political powers.

Electoral committees of electoral areas may not reject candidates who have been indicated in this Article and who have been proposed to the electoral committee of electoral district.

Electoral committee of electoral areas shall appoint the chairpersons of electoral committees of electoral districts.

During its first sitting the electoral committee of an electoral district shall elect a deputy chairperson and a secretary of the committee. (Amended 16 March 1993)

Article 14. The Powers of the Electoral Committee of Electoral District

The electoral committee of electoral district shall:

1) receive voter lists from the administrative bodies of local governments, and correct and approve them;

2) consider complaints concerning errors made in voter lists;

3) submit the voter list of the electoral district to the electoral committee of the electoral area at least 25 days prior to the elections;

4) hand voter's certificates to voters or distribute them in some other way;

5) guarantee the furnishing of voting premises and ballot-boxes in accordance with the requirements of this Law;

6) organize voting in the electoral district on the day of elections;

7) calculate votes and draw up the vote calculation records of the electoral district;

8) consider the complaints of the voters and observers of that electoral district on issues concerning the preparation of the elections, the organization of voting, vote calculation, and the preparation of vote calculation records, and adopt decisions related to them;

9) exercise other powers provided for in this Law. (Amended 16 March 1993)

Article 15. Organization of the Work of Electoral Committees

Sittings of electoral committees shall be valid provided that at least three-fifths of the members of the committee are in attendance. Decisions made by the committees shall be adopted by open, majority vote. In the event of a tie vote, the committee chairperson's vote shall have power of decision. Committee members who do not agree with a decision shall have the right to state a different opinion in writing, which shall then be appended to the minutes of the sitting.

Upon the completion of voting, the electoral committees of

electoral districts as well as the electoral committees of electoral areas may only adopt decisions related to the drawing up of records of vote calculation records.

All sittings of all electoral committees shall be public. The right to participate therein shall be granted to observers of political parties and political organizations as well as to the candidates to the members of the Seimas and representatives of all mass media.

No individual shall have the right to organize non-public sittings of electoral committees.

From the day of formation of electoral committees, their chairpersons and members shall be prohibited from any form of election campaigning or attempts to influence the voters' will in any other way. Individuals who have violated this requirement may be dismissed from the committee. (Amended 16 March 1993)

Article 16. Appeals Concerning Decisions of Electoral Committees which are Adopted prior to the Completion of Voting

Political parties and political organizations which have nominated candidates to members of the Seimas, candidates to members of the Seimas and their authorized agents, as well as observers may appeal against the decisions of electoral committees which have been adopted prior to the completion of voting according to the following procedure:

- 1) for decisions of electoral committees of electoral districts - to the electoral committee of the electoral area;
- 2) decisions of electoral committees of electoral areas - to the Central Electoral Committee; and
- 3) decisions of the Central Electoral Committee - to the Supreme Court.

Appeals must be considered within 48 hours of when the appeal is submitted. Non-working days shall be included in this period. The decision of the Supreme Court shall be final. (Amended 16 March 1993)

Article 17. Assistance for Electoral Committees

State institutions, firms, offices, and organisations, as well as their officials, must assist electoral committees in exercising their powers, and must furnish them with necessary information.

State institutions, firms, offices, and institutions, as well as their officials, must consider requests submitted by electoral committees and give the electoral committee a justified response within 3 days.

Electoral committees may employ the required number of personnel for assistance work.

Local governments and State institutions and organisations must provide electoral committees with premises and equipment for

the preparation and execution of elections.

Article 18. Remuneration of Electoral Committee Members

For their work in electoral committees, the chairpersons and members of electoral committees shall be paid wages at the rates submitted by the Central Electoral Committee and approved by the Government. The State shall pay sums in the amount of their average workpay to the chairpersons and members of electoral committees who are employed in firms, offices, and organisations, and who are not receiving wages due to their involvement in electoral committee activities.

Article 19. Changing the Members of Electoral Committees

Chairpersons and members of electoral committees may be dismissed from their posts in the committee by the institution which approved the composition of the committee.

As necessary, new chairpersons and members of the electoral committee shall be appointed according to the procedure established by this Law.

4. Voter Lists

Article 20. Compiling Voter Lists

For the execution of elections, voter lists of every electoral district shall be compiled. Said lists shall be drawn up by the appropriate institutions of management of local governments, signed by their chief officers, and delivered to the electoral committees of electoral district no later than 30 days prior to the election day.

The electoral committees shall review and approve the lists. Approved voter lists shall be signed by the chairmen and secretaries of the electoral committees of electoral districts.

Article 21. General Procedure for Registering Citizens in Voter Lists

Citizens of the Republic of Lithuania who have the right to vote and who, at the moment of compiling the voter list, are permanently residing on the territory of that particular electoral district shall be included in the district's voter list.

In the event that a voter changes his permanent place of residence after the beginning of the compilation of lists, he may be registered in the voter list of his new place of residence, provided that he submits an application to the electoral committee of the district concerning his registration in the voter list at least 35 days prior to the election. The electoral committee of the electoral district must see to it that his name is struck from the voter list of the electoral district of his former permanent place of residence.

Article 22. Registration of Citizens of the Republic of Lithuania Residing Abroad in Voter Lists

In the event that citizens of the Republic of Lithuania residing abroad are not included in a voter list according to the general procedure, they may, at their own choice, be included in the voter list of the electoral district on whose territory they permanently resided before leaving the Republic of Lithuania.

Citizens of the Republic of Lithuania residing abroad shall submit applications concerning their registration in a voter list to the diplomatic mission of the Republic of Lithuania at least 50 days prior to the election day, unless the Central Electoral Committee establishes a shorter period.

Article 23. Registration of National Defence Servicemen in Voter Lists

Persons performing military or alternative service shall be included in the voter lists of the electoral districts on whose territories they permanently resided before conscription.

Officers of the national defence system and internal service, non-commissioned officers, and re-enlistees shall be included in the voter lists of the electoral district on whose territory they permanently reside.

Article 24. Registration of Voters in Only One List

Each voter may only be registered in one voter list. Compliance with this requirement shall be checked by the Central Electoral Committee. Upon establishing that a voter's name is registered in the voter lists of several electoral districts, the Committee shall address the voter within 20 days of the election day, requesting that he announce, within 10 days, which electoral district's voter list he wishes to be registered in. If the voter fails to make this choice within the established period, the Central Electoral Committee shall include the voter's name in the voter list of the electoral district where, in their opinion, it would be more convenient for the voter to vote, and shall inform the voter thereof within 3 days. Such decisions of the Central Electoral Committee may not be appealed.

Article 25. Public Announcement of Voter Lists

The electoral committees of electoral districts shall, at least 20 days prior to the election, announce publicly the compilation of the voter lists and shall provide conditions for the voters to get acquainted with the lists, indicating the time and place for the voters to implement this right.

Article 26. Reviewing Voter Lists

Any voter, or the authorized representative of a candidate to the members of the Seimas, political party, or political organization may submit to the electoral committee of the electoral district remarks concerning inaccuracies in a voter list no later than 7 days prior to the election. The electoral committee of the electoral district must consider the remarks and adopt a decision thereon within 2 days of the receipt thereof. The decision of the electoral committee of the electoral district may be appealed against to the electoral committee of the electoral area within 2 days; the electoral committees of the electoral areas must adopt relevant decisions within 2 days of

the receipt of the complaint. The decision of the electoral committee of the electoral area shall be final.

Article 27. Appeals Concerning Restoration of the Right to Vote

Within 7 days prior to the election, the voter, or the authorized representative of a political party or political organization shall submit to the electoral committee of the electoral district complaints concerning errors in the voter list which hinder the voter from implementing his right to vote. The electoral committee of the electoral district must consider the complaint and adopt a decision thereon either immediately or within 2 days of the receipt thereof if more than 10 days are left until the day of election.

The decision of the electoral committee of the electoral district may be appealed against within 3 days to the district (area) court, which shall consider the complaint within 2 days and adopt the final decision thereon.

Complaints and comments shall not be considered after the expiration of the term established for filing suggestions or complaints.

District electoral committees shall report to the Central Electoral Committee and the electoral committees of electoral areas about the received complaints and changes made in the lists of voters as soon as possible but not later than within 24 hours.

Article 28. Lists of Voters of Electoral Areas

Lists of voters of electoral areas shall be made by the electoral area committees according to the lists of voters of electoral districts submitted by the electoral district committees.

Article 29. List of Voters of the Republic of Lithuania

The list of voters of the Republic of Lithuania shall be made by the Central Electoral Committee according to the lists of voters of electoral areas submitted by the electoral area committees not later than 20 days prior to the day of the election.

CHAPTER 5

NOMINATION OF CANDIDATES TO THE MEMBERS OF THE SEIMAS

Article 30. Nomination of Candidates to the Members of the Seimas in One-candidate and Multi-candidate Electoral Areas

Political parties which have been registered for the election according to the Law on Political Parties no later than 35 days prior to the election, as well as political organizations whose effective statutes providing reference to their political character and the amendments thereto have been registered with the Ministry of Justice no later than 2 months prior to the election, shall have the right to nominate candidates to the members of the Seimas in one-candidate and multi-candidate

electoral areas, provided their participation in the election is supported by no less than 1000 voters' signatures.

Individual persons may nominate themselves for the members of the Seimas in one-candidate electoral areas, provided their candidature is supported in writing by no less than 1000 voters of that electoral area.

Political parties and political organizations or their coalitions shall nominate their candidates in multi-candidate electoral areas by presenting lists of candidates. The list must not include less than 20 candidates.

Article 31. Application Documents for the Nomination of Candidates

For the nomination of candidates political parties and political organizations must file with the Central Electoral Committee the following application documents:

1) statutes and the amendments thereto, registration papers and voters' signatures according to the requirements provided for in part 1 of Article 33 of this law;

2) application for the participation in the election, stating the electoral areas wherein political parties or political organizations intend to nominate their candidates;

3) the list of candidates nominated in the multi-candidate electoral area, in which candidates are registered in a numerical order. If the statutes of a political organization do not provide otherwise, the list of candidates must be approved at the convention or conference of said organization;

4) extract from the decisions concerning the nomination of candidates in the concrete one-candidate electoral areas;

5) written consent of candidates for being nominated in the concrete electoral areas. The consent of a candidate, provided he is elected, must include his obligation to terminate his employment or any other activities inconsistent with the status of a member of the Seimas;

6) documents certifying that the election wager of the candidates' list equal to one average monthly wage multiplied by the number of the candidates included in the list, has been paid; and

7) documents certifying that the election wagers of candidates nominated by an organization in one-candidate electoral area, equal to one average monthly wage for each candidate, have been paid.

Individual persons who have nominated themselves for the candidates to the members of the Seimas, must submit to the electoral area committee the following documents:

1) application concerning his nominating himself for the candidate to the members of the Seimas in a certain electoral

area. The application, provided he is elected, must include his obligation to terminate his employment or any other activities inconsistent with the status of a member of the Seimas;

2) no less than 1000 signatures of voters of that electoral area supporting his nomination; and

3) a document certifying that election wager equal to one average monthly wage, has been paid.

His application must also state his name, surname, date of birth, permanent place of residence. He must also submit the document certifying that he is a citizen of the Republic of Lithuania. Candidates who have taken an oath of a citizen of other states must repudiate it in writing.

The wager shall be paid back to the candidate who wins the election or to political organisations the lists of candidates of which become eligible for the participation in the distribution of mandates. Other wagers shall be transferred to the State budget.

The filing of application documents shall commence 65 days before and shall end 35 days before the day of the election.

Upon receiving application documents of a political organization, the Central Electoral Committee must within 2 days apply to the Ministry of Justice for the confirmation of the fact of the registration of said organization. The Ministry of Justice must give a written reply within two days. Upon receiving a notice about improper registration, the Central Electoral Committee must notify a person authorized by said organization.

Article 32. A Person Authorized for the Election

The application documents of a political party, political organization or of an individual candidate must state the names and addresses of persons authorized for the election.

Article 33. Nomination of Candidates to the Members of the Seimas and Entry in Register

In the multi-candidate electoral area each candidate to the members of the Seimas may be entered only in the list of candidates of one political party or political organization. A person registered in such list at the same time shall have the right to be nominated for the candidate to the members of the Seimas in one one-candidate electoral area.

If a person is on the list of candidates nominated by more than one political organization in the multicandidate electoral area, or if he is nominated in more than one one-candidate electoral area, the Central Electoral Committee shall request him to choose the organization in whose list of candidates, or the one-candidate electoral area in which he would like to stand for election. If the candidate does not notify about his choice within 35 days prior to the election, he shall be struck off all lists of candidates in all multi-candidate electoral areas or in all one-candidate electoral areas. (Amended 4 August 1992)

Article 34. Joining of the Lists of Candidates

When less than 35 days remain until the election, several political parties or political organizations may join the lists of candidates nominated by them. One political party or political organization may not participate in more than one joint list of candidates.

Article 35. The Right to Withdraw Application Documents

A political party or political organization as well as a person who has been nominated in one-candidate electoral area or is registered in the list of candidates of a political organization, may at any time, but no later than 15 days before the election, withdraw his application documents.

In such case he must apply to the Central Electoral Committee and notify a relevant political organization.

If the application documents are being withdrawn by a political organization that has formed a coalition, the candidates shall be struck off the joint list of candidates and the name of the coalition may be changed. In such case it is necessary to notify in writing other members of the coalition.

If the application documents are withdrawn only by a part of the coalition, and the candidates of only one political party or political organization remain on the joint list of candidates, they will participate in the election only as the nominees of that political party or political organization.

Article 36. Publication of the Names and Lists of Candidates

Upon the expiration of the term for the filing of the lists of candidates, the Ministry of Justice, on the request of the Central Electoral Committee, shall within one day officially confirm which political parties and political organizations are registered, and the activities of which parties or organizations are suspended or terminated. The next day after the Central Electoral Committee receives the official approval by the Ministry of Justice, it shall organise, in the presence of persons authorized by political parties, the arrangement of political parties, political organizations and coalitions participating in the election under separate lists, in numerical order by drawing lots.

Less than 30 days before the election, the Central Electoral Committee shall make available to the public the lists of candidates nominated by political parties, political organizations and coalitions participating in the election, their numerical order, as well as the names of candidates nominated in one-candidate electoral areas.

The election campaign shall commence from the day of such publication.

CHAPTER 6

GUARANTIES OF THE ACTIVITIES OF THE CANDIDATES TO THE MEMBERS OF THE SEIMAS

Article 37. The Right of a Candidate to the Members of the

Seimas to Speak at Meetings or through the Mass Media

After the publication of the lists of candidates in electoral areas, candidates to the members of the Seimas shall have equal right to speak at voters' meetings or any other meetings, gatherings, conferences as well as through the mass media, and to acquaint voters with their respective election programs.

Heads of state power and government institutions must help candidates to the members of the Seimas to organise meetings with voters, and provide them with the necessary information, with the exception of confidential information.

Article 38. Liability for the Violation of the Law on the Elections to the Seimas

Persons who by force, threat, fraud or otherwise hinder the implementation of the right to vote or to be elected to the Seimas or to organise campaigning, as well as members of the electoral committees, or other officers who falsify election documents, calculate fraudulently the votes, violate the secrecy of the voting or otherwise violate this Law, shall be liable according to the laws of the Republic of Lithuania. Legal action shall also be instituted against persons who publicize or otherwise disseminate false statements about a candidate to the members of the Seimas or prevent a candidate from meeting with voters.

Article 39. The Right of a Candidate to the Members of the Seimas to be Relieved from Work or his Service Duties During the Period of Election Campaign

Upon his request, a candidate who is on the list of candidates may be relieved from work or other service duties for the period of organizing and holding the election to the Seimas, but no longer than for 1 month.

Article 40. The Immunity of a Candidate to the Members of the Seimas

Without the consent of the Central Electoral Committee, during the election campaign as well as after the election, a candidate may not be found criminally responsible or arrested, neither may administrative penalties be imposed on him for the actions done during the election campaign.

Article 41. Election Observers

An election observer of a political party, political organization or of any individual candidate shall be a person bearing the certificate in the form established by the Central Electoral Committee.

Election observers shall have the right to demand that the chairperson of an electoral committee and its members, as well as persons who are in the place of voting should adhere to this and other laws of the Republic of Lithuania.

CAMPAIGNING

Article 42. The Basic Principles of Campaigning

Political parties, political organizations and individual candidates may start campaigning from the day the election campaign starts.

Campaigning may be conducted in any form or manner, provided it does not contradict the Constitution and the laws of the Republic of Lithuania.

Article 43. Conditions and Procedure for the Use of the Means of Mass Media

Political parties and political organizations that have nominated candidates for the members of the Seimas, as well as individual candidates shall be granted the right to use the means of state mass media free of charge. The actual duration and time of radio and TV programs for the purpose of campaigning shall be established by the Central Electoral Committee upon coordination with the heads of radio and TV and shall be distributed among the political parties and political organizations participating in the election and among the individual nominees according to the principle of equality. Each political party or political organization shall be provided with no less than 1.5 hour of the state TV time, and individual nominees, 5 minutes each.

Candidates who have nominated themselves shall have the right to publish the text with their election program not longer than 1 printed page in state newspapers and in local government papers of those electoral areas in which they have been nominated. Campaigning by means of commercial mass media shall be restricted only by the size of election accounts.

All disputes concerning the election campaign shall be settled by the Central Electoral Committee, which shall base itself on the principle of equality of political parties and political organizations as well as individual candidates.

If the material discrediting candidates to the members of the Seimas is publicized in the mass media, they must be provided with the possibility to express publicly their opinion within five days before the election.

Article 44. Prohibition for the Officers of State Institutions to Exert Influence upon the Will of the Voters

During election campaign officers of state institutions as well as employees of the mass media shall be prohibited to use their official duties for campaigning or to otherwise exert influence upon the will of voters.

If such persons are candidates to the members of the Seimas, they can use the means of mass media according to the procedure set forth in Article 45 of this Law. If the fulfillment of their duties requires to announce to the mass media important news, they can do it only at a press conference.

Article 45. Provision of Finances for Campaigning

Campaigning shall be financed from the resources of the state as well as from the resources raised by political parties, political organizations and candidates, which are being accumulated in special election accounts. The maximum amount of money permitted for campaigning shall be in the amount of 20 average monthly wages for an individual candidate and 200 average monthly wages for a political organization. If the amount of money transferred to the election account exceeds the established sum, the surplus shall be transferred by the bank to the State budget.

Candidates shall be paid from state resources for the time on state radio and TV allotted to them under this Law, for the printing of campaign poster of a candidate in one-candidate electoral area, as well as for publishing election programs in state and local government newspapers, and for publishing the lists of candidates.

The utilization of money allocated for campaigning shall be controlled by financial institutions and the Central Electoral Committee. Political parties and political organizations must publish in the press reports concerning the sources of finances and their utilization for campaigning not later than within 15 days after the election.

Article 46. Prohibition of Campaigning on the Day of Election

Campaigning shall be prohibited 24 hours before the beginning of elections and on the election day, with the exception of permanent campaign posters in the places established for this purpose, provided that they were posted at least 48 hours prior to the election. No campaign posters may be put up in or within a 50 meter radius of the voting place.

CHAPTER 8

PREPARATORY ACTIVITIES OF THE ORGANIZATION OF ELECTIONS

Article 47. Establishment of Election Document Samples

The Central Electoral Committee shall establish the samples and forms of voter certificates, ballot-papers, voucher envelopes and outer envelopes for voting by mail, other official envelopes used during election, packages, documents and seals, as well as the samples for filling them out.

Article 48. Ballot-papers

During the election to the Seimas, each voter shall be presented with two ballot-papers: one for voting for a candidate in a certain one-candidate electoral area, and the other for voting for lists of candidates from a political party or political organization (coalition) in a multi-candidate area.

The names of candidates on the ballot-paper of one-candidate electoral area shall be placed in alphabetic order. Such ballot-papers shall indicate the name and surname of each of the

candidates, as well as the name of the political organization which has nominated him.

A ballot-paper of a multi-candidate electoral area shall contain the names of political parties which have nominated their candidates, and shall be arranged according to the provided serial numbers in an increasing order.

Article 49. Delivery of Ballot-papers

Ballot-papers and envelopes shall be delivered to electoral districts and post offices at least 7 days prior to the election.

At the diplomatic missions of the Republic of Lithuania and on ships which are sailing under the national flag of the Republic of Lithuania, voters must be provided with free access to ballot-papers and envelopes for voting by mail at least 10 days before the day of election.

The Central Electoral Committee shall be responsible for the publishing of ballot-papers and envelopes for voting by mail, as well as for their delivery without violating the fixed dates.

Article 50. Voter Certificates

Electoral committees of electoral districts shall issue numbered voter certificates.

A voter's certificate shall contain:

- 1) the name and surname of the voter;
- 2) the birth date of the voter;
- 3) the address of the voter;
- 4) the electoral area in which the voter shall vote; and
- 5) the address of the electoral district in whose list of voters the name of the voter has been included.

Article 51. Delivery of Voter Certificates to Voters

Voter certificates shall be delivered to voters at least 10 days prior to the day of election. If a voter's certificate is not delivered through the fault of the electoral committee, it must be issued immediately upon the request of the voter.

In the event that a voter is presented with an inaccurate voter's certificate, or, due to an error in the list of voters, a voter's certificate is not issued at all, a correct voter's certificate shall be issued immediately after the rectification of the mistake.

Article 52. Duplicates of Voter Certificates

Upon written application, a voter may be issued a duplicate voter's certificate.

VOTING

Article 53. Time and Place of Voting

Voting shall take place on the day of election from 7 a.m. until 9 p.m. in the polling place designated by the electoral committee of the electoral district. Voters shall vote in the electoral district in whose list of voters their names have been included, unless this Law provides otherwise. (Amended 16 March 1993)

Article 54. Preparation of Polling Places

The requirements for the preparation of polling places shall be established by the Government of the Republic of Lithuania.

Voting booths must be set up in such a way that nobody is able to see the voter who is inside.

The text of this Law must be accessible in all electoral districts. Lists of candidates eligible in the electoral area must be posted in the polling place.

No other events may be held in the polling place with the exception of the organization of the election and voting. (Amended 16 March 1993)

Article 55. Commencement of Voting

On the day of election, the polling place shall be opened only when at least 3/5 of the members of the electoral committee of the electoral district are present. Then the chairperson of the electoral committee, together with other members of the electoral committee, shall make sure that the ballot-box is empty and shall seal it up. Having checked that the polling place has been furnished without violation of the established requirements, the chairperson of the electoral committee of the electoral district shall register the total number of the received ballot-papers of the electoral district into the vote calculation record, distribute ballot-papers and voter lists among the members of the electoral committee, register the number of ballot-papers distributed among each member of the electoral committee into the vote calculation record of the electoral district, and open the voting place, thereby proclaiming the commencement of the elections. (Amended 16 March 1993)

Article 56. Voter Identification

Upon arrival at the polling place, voters shall present their voter certificates as well as their passports or other proof of identity and citizenship to an electoral committee member of the electoral district, and shall sign in on the list of voters. Voter certificates shall not be returned to the voters. Each voter shall be given a ballot-paper only after signing in. In voting by mail, an entry shall be made on the voter certificate concerning the issue of a ballot-paper, and the voter certificate shall be returned to the voter.

It shall be prohibited to issue a voter another voter's ballot-paper. Members of electoral committees who violate this

provision shall be liable by law. (Amended 16 March 1993)

Article 57. Voting Procedure

Having been handed ballot-papers, the voter shall go into the voting booth and mark the ballot.

On a ballot-paper at a one-candidate electoral area, the voters shall mark the surname of the candidate whom they are voting for, whereas in a multi-candidate electoral area, the voters shall mark the name of the political party or political organization (coalition) for whose candidates they are voting for.

Voters shall personally cast their marked ballot-papers into the ballot-box.

Upon the request of the voter, faulty ballot-papers shall be exchanged for new ones. After a faulty ballot-paper is crossed out and signed by a member of the electoral committee, it shall be kept separately.

Voters who are physically unable to mark their ballot-papers themselves may designate another person (with the exception of the chairperson of the electoral committee) to carry out these actions in their place.

Article 58. Voting by Mail

Voting by mail shall be possible at post offices during business hours beginning 7 days before the elections; the period shall end 1 day before the elections if the voter is put on the voter list of that town or region, and two days before the elections if the voter is not put on the voter list of that town or region. Expenses related to voting by mail shall be covered by the State.

The head of the post office shall be responsible for the organization of voting by mail, as well as for the issue and collection of ballotpapers and voucher envelopes during voting by mail.

A responsible officer (officers) shall be appointed for the issue and collection of ballotpapers and voucher envelopes during voting by mail.

Post offices must provide a place where voters can, without interference, mark their ballotpapers and put them into voucher envelopes.

Voting by mail shall be conducted in accordance with the procedure set forth in Articles 56 and 57 of this Law, with the exception of casting ballot-papers into the ballot-box. Together with ballot-papers, voters shall be given envelopes for voting by mail.

Voters shall put marked ballot-papers into the voucher envelope, seal the voucher envelope, put the envelope into the outer envelope, and seal the outer envelope. The outer envelope shall be stamped with the post office seal.

Envelopes for voting by mail shall be addressed to the electoral committee of the electoral area in the voter list of the electoral district whereof the voter is registered.

The outer envelopes, voucher envelopes, and ballot-papers shall be delivered at least 2 days prior to the elections by a postman to the homes of voters who are not able to move. The list of voters who are unable to move shall be compiled at least 7 days before the elections by the electoral committee of electoral district in accordance with documents submitted in writing by town or regional social care and welfare institutions. Post officials, members of electoral committees or other persons may not bring outer envelopes, voucher envelopes and ballot-papers to the homes of voters who are not registered on the list of immobile voters.

The voter may:

1) hand the sealed outer envelope (with the voter's certificate, voucher envelope and ballot-papers in it) to a post office official;

2) hand the sealed outer envelope (with the voter's certificate and ballot-papers in it) to the postal worker who has delivered the election documents to him or her; or

3) put the sealed outer envelope (with the voter's certificate, voucher envelope and ballot-papers in it) into a post-box. (Amended 16 March 1993)

Article 59. Voting in Diplomatic Missions

Voting in diplomatic missions (consulates) of the Republic of Lithuania may take place during business hours but for at least 4 hours a day. Voting days (no less than 5) for each diplomatic mission (consulate) shall be established by the Central Electoral Committee on coordination with the Ministry of Foreign Affairs. The list of diplomatic missions (consulates) in which voting shall take place shall be compiled by the Central Electoral Committee on coordination with the Ministry of Foreign Affairs. The head of the diplomatic mission (consulate) shall be responsible for the organization of voting.

Article 60. Voting on Ships which are Sailing Under the National Flag of the Republic of Lithuania

Voting shall take place on board a ship if the ship leaves a port of the Republic of Lithuania within 6 days prior to an election and does not enter a port of the Republic of Lithuania on the day of the election, or if there are other circumstances which do not allow a crew member or board passenger to vote in his electoral district or by mail.

The list of ships on which voting shall take place shall be compiled by the Central Electoral Committee, on coordination with competent services and the Ministry of Foreign Affairs, in such a manner that each voter on board a ship is given the opportunity to vote. The captain or assistant captain of the ship, who are citizens of the Republic of Lithuania, shall be responsible for the organization of voting on board. (Amended 16 March 1993)

Article 61. The Procedure for Voting in Diplomatic Missions
of the Republic of Lithuania and on Ships Sailing
Under the National Flag of the Republic of
Lithuania

The procedure for voting in diplomatic missions of the Republic of Lithuania and on ships sailing under the national flag of the Republic of Lithuania shall be established by the Central Electoral Committee.

Article 62. Voting in Medical Facilities and Institutions of
Social Care and Welfare

Special post offices designated for voting shall be established in medical facilities and institutions of social care and welfare.

Patients of such facilities and institutions who are able to move shall vote themselves in accordance with the procedure set forth in Article 60 of this Law.

Inmates of health facilities and institutions of social care who are unable to move shall be visited by officials of special post offices who are approved by electoral committees of electoral areas. The voting person must, in conditions of privacy, personally mark the ballot-paper and put it into the voucher envelope. If necessary, he may be assisted by an individual whom he trusts.

According to the instruction of the head of an institution of health care or welfare, it may be prohibited to disturb a person who is in bad condition for the purpose of voting. Such instructions shall be obligatory to all post officials.

It shall also be prohibited to disturb individuals for the purpose of voting whom a commission of doctors have concluded pursuant to the established procedure of the Ministry of Health Care to be incapable of controlling and understanding the essence of their actions at the time of voting due to chronic mental disease, feeble-mindedness, or temporary mental disorder.

Article 63. Voting in Military Units

Special post offices designated for voting shall be established in military units of the national defense system and internal service.

If possible, chief officers of military units shall provide conditions for servicemen to vote in the electoral districts according to their permanent place of residence.

Article 64. Voting in Places of Imprisonment

Special post offices designated for voting shall be established in places of imprisonment.

In accordance with the procedure set forth in the laws of the Republic of Lithuania, heads of places of imprisonment may allow sentenced persons to vote in the electoral areas of their permanent place of residence.

CHAPTER 10

CALCULATION OF VOTES AND ESTABLISHMENT OF VOTING RESULTS

Article 65. Calculation of Voucher Envelopes and Ballot-papers in Post Offices

Post office heads shall deliver unused envelopes and ballot-papers to the electoral committee of their electoral area one day prior to elections.

In accordance with the procedure established by the Central Electoral Committee, the calculation of voucher envelopes and ballot-papers shall be conducted by the head of the post office in a journal specially designated for this purpose.

The post office shall deliver envelopes containing ballot-papers marked by voters to electoral committees of electoral districts on the day of the elections, but not later than 2 hours before the closing of the elections.

The Central Electoral Committee shall conduct the registration of voucher envelopes and ballot-papers in the Republic of Lithuania. (Amended 16 March 1993)

Article 66. Calculation of Ballot-papers in Electoral Districts

Upon the closing of a polling place, the chairperson of the electoral committee of the electoral district, in the presence of at least 3/5 of the members of the electoral committee, shall close and seal the ballot-box slot, individually collect unused ballot-papers from each member of the electoral committee, count them publicly, record the number of them in the vote calculation record and check, according to signatures in the voter list and voter's certificates, that no ballot-papers have been handed in unlawfully that no ballot-papers have been handed in unlawfully.

Unused and faulty ballot-papers shall be counted publicly by the electoral committee, annulled by cutting off the upper right corner, and put into envelopes specially designated for this purpose which shall thereafter be sealed. The number of unused or

faulty ballot-papers shall be entered in the vote calculation record. (Amended 16 March 1993)

Article 67. Registration of Voters Who Have Voted and Calculation of Votes in the Electoral District

The electoral committee of the electoral district, in the presence of at least 3/5 of its members, shall inspect the ballot-box of the electoral district to: ensure that the seals have not been broken and that there is no other evidence which indicates that it could have been opened or that ballot-papers could have been removed in any other way. The electoral committee, in the presence of at least 3/5 of its members, shall decide if the ballot-box has been tampered with. If the committee decides that the ballot-box was tampered with, an act shall be drawn up about this and votes shall not be calculated.

Having ascertained that the ballot box has not been tampered with and in the presence of at least 3/5 of the members of the committee as well as observers, it shall be opened, all ballot-papers shall be placed on tables on which there are no other documents and writing-materials, and the votes shall be calculated.

Votes shall be calculated in such a way that this procedure and ballot-papers marked by voters may be observed by all persons present during the calculation of votes. The Central Electoral Committee shall establish the concrete procedure for the calculation of votes.

The number of the voters of the electoral district shall be established according to the voter list of the electoral district. The number of voters who have been handed ballot-papers shall be established according to the voters' signatures testifying the receipt of ballot-papers. The number of voters who have voted in the electoral district shall be established according to the number of ballot-papers found in the ballot-box of the electoral district. The number of voters who have participated in the elections shall be established according to the number of ballot-papers found in ballot-boxes of the electoral districts and the number of ballot-papers received by mail.

Upon finding more ballot-papers in the ballot-box than were handed to the voters, the committee shall take measures to clarify the reason.

The results of the vote calculation shall be entered in the vote calculation records. (Amended 16 March 1993)

Article 67. Registration of Voters who Have Voted by Mail and the Calculation of their Votes

After the calculation of ballot-papers found in the ballot box, ballot-papers received by mail shall be calculated in the following procedure:

- 1) the chairperson of the electoral committee of the electoral district shall present, unopened, all outer envelopes received by mail. Their number shall be entered in the vote calculation record;

- 2) outer envelopes shall be opened one at a time;

- 3) voter certificates shall be taken out of the outer envelopes and checked against the voter list of the electoral district, and the voucher envelopes shall be stamped with the seal of the electoral district. If the person on the voter certificate is not on the voter list, if the voter has already signed the voter list indicating that he or she has already voted in the electoral district, if another envelope for voting by mail has been received from the same voter, if there is no voter certificate in the outer envelope, or if there is more than one voucher envelope in the outer envelope, the seal shall not be affixed and the ballot-paper in the envelope shall be considered invalid. This fact must be noted on the voucher envelope;

- 4) in the voter list of the electoral district, a special

record saying "has voted by mail" shall be made by the surname of the voter whose vote has been received by mail;

5) the sealed voucher envelope shall be cast into the ballot box prepared according to the established requirements; and

6) when all envelopes received by mail have been gone over in this way, the ballot-box shall be opened and upon opening the sealed voucher envelopes, the votes received by mail shall be calculated according to the requirements of Article 67. If there is more than one ballot-paper of the one-candidate and multi-candidate electoral area in the voucher envelope, all ballot-papers in the envelope shall be considered invalid.

If only one sealed voucher envelope is in the electoral district (committee), it, in order to protect the privacy of voting, shall not be opened, but shall be handed over to the senior electoral committee, which shall enter the results of the voting in its vote calculation record. (Amended 16 March 1993)

Article 68. Vote Calculation Records in the Electoral District

Two vote calculation records shall be drawn up in every electoral district - one of the one-candidate electoral area and one of the multi-candidate electoral area.

The vote calculation record of the one-candidate electoral area shall include the following:

- 1) the number of voters in the electoral district;
- 2) the number of ballot-papers received from the electoral committee of the electoral area;
- 3) the number of ballot-papers delivered to each member of the committee, the number of ballot-papers delivered to voters, the number of voters' signatures, the number of voter certificates, and the number of unused and faulty ballot-papers;
- 4) the number of annulled ballot-papers;
- 5) the number of voters who have voted in the polling place of the electoral district;
- 6) the time that the ballot box is opened;
- 7) the number of invalid ballot-papers found in the ballot box;
- 8) the number of valid ballot-papers found in the ballot box;
- 9) the number of votes found in the ballot box which have been separately cast for each candidate to the members of the Seimas;
- 10) the number of envelopes received by mail and the number of sealed voucher envelopes;

- 11) the number of invalid ballot-papers received by mail;
- 12) the number of valid ballot-papers received by mail;
- 13) the number of votes received by mail for each candidate to the members of the Seimas;
- 14) the total number of voters who participated in the elections in the electoral district;
- 15) the total number of invalid ballot-papers in the electoral district; and
- 16) the total number of votes cast for each candidate to the members of the Seimas.

The vote calculation record of the multi-candidate electoral area shall include the following:

- 1) the number of voters in the electoral area;
- 2) the number of ballot-papers received from the electoral committee of the electoral area;
- 3) the number of ballot-papers delivered to each member of the committee, the number of ballot-papers delivered to voters, the number of voters' signatures, the number of voter certificates, the number of unused and faulty ballot-papers;
- 4) the number of annuled ballot-papers;
- 5) the number of voters who have voted in the polling place of the electoral district;
- 6) the time of the opening of the ballot-box;
- 7) the number of invalid ballot-papers found in the ballot-box;
- 8) the number of valid ballot-papers found in the ballot-box;
- 9) the number of votes found in the ballot-box which have been separately cast for the list of candidates nominated by each political party or political organization (their coalition);
- 10) the number of envelopes received by mail, the number of sealed voucher envelopes;
- 11) the number of invalid ballot-papers received by mail;
- 12) the number of valid ballot-papers received by mail;
- 13) the number of votes received by mail which have been separately cast for the list of candidates nominated by each political party or political organization (their coalition);
- 14) the total number of voters who have participated in the elections in the electoral district;
- 15) the total number of invalid ballot-papers in the electoral district; and

16) the total number of votes cast for the list of candidates nominated by each political party or political organization (their coalition).

If more ballot-papers are found in the ballot box than it has been delivered to voters, this shall be entered in the vote calculation records, indicating the number of extra ballot-papers which were found.

The vote calculation records of the electoral district shall be signed by the chairperson and members of the electoral committee of the electoral district. After that the observers shall sign the records. Their marks and the opinions of the members of the committee shall be attached to the record and shall be an inseparable part thereof. (Amended 16 March 1993)

Article 69. Invalid Ballot-papers

Invalid ballot-papers shall be:

- 1) ballot-papers of an unestablished sample;
- 2) ballot-papers sealed with the seal of the wrong electoral district;
- 3) ballot-papers of the wrong electoral area; and
- 4) ballot-papers on which more than one candidate to the members of the Seimas or the list of candidates nominated by the political party, political organization (their coalition) are marked by the voter who have voted for them or ballot-papers on which no one candidate or the list of candidates are marked.

The decision to declare a ballot invalid shall be made by the electoral committee of the electoral district.

Article 70. The Presentation of Vote Calculation Documents of the Electoral District to the Electoral Committee of the Electoral Area

All ballot-papers, including invalid and unused ballot-papers, vote calculation records, voter lists and other election documents shall be put into a package and sealed by the electoral committee of the electoral district in the procedure established by the Central Electoral Committee. The package shall be delivered to the electoral committee of the electoral area within 12 hours of the closing of voting, unless the Central Electoral Committee provides otherwise.

The Central Electoral Committee and the Ministry of Internal Affairs must ensure the safety of the election documents and the persons transporting them.

Article 71. The Calculation of Votes in the Electoral Committee of the Electoral Area

The electoral committee of the electoral area shall begin tallying votes when it receives all vote calculation documents from electoral districts.

Articles 72 and 73 shall be deemed invalid. (Amended 16 March 1993)

Article 74. Vote Calculation Records of the Electoral
Committee of the Electoral Area

In accordance with vote calculation records, ballot-papers and other documents of electoral districts, the electoral committee of the electoral area shall establish:

1) the number of voters who have participated in the elections of the electoral area, which shall equal the number of voters who have voted in the electoral districts of the electoral area;

2) the number of invalid ballot-papers in the electoral area which shall equal the number of invalid ballot-papers in the electoral districts of the electoral area;

3) the number of ballot-papers valid in the electoral area, which shall equal the number of ballot-papers valid in the electoral districts of the electoral area;

4) the number of votes cast for each candidate to the members of the Seimas, which shall equal the sum of votes received in the electoral districts separately for each candidate to the member of the Seimas; and

5) the number of votes cast for the list of candidates nominated by the political party or political organization (their coalition), which shall equal the number of votes separately received for the list of candidates nominated by each political party or political organization (their coalition). (Amended 16 March 1993)

Article 75. The Establishment of Election Results in One-
Candidate Electoral Areas

Elections shall be considered to have been held in one-candidate electoral areas if more than 40 percent of the voters registered in the voter list of that electoral area participate in the elections. A candidate shall be considered elected when more than half of the voters participating in the elections vote for him or her in the elections.

If more than two candidates were standing for election in the electoral area and none of them are elected to the member of the Seimas, the Central Electoral Committee, adhering to the requirements of this Law, shall, within two weeks of the publication of election results, hold a repeat vote between the two candidates who received the most votes in the first voting. After the repeat voting, the candidate for whom more voters cast votes shall be considered elected. If an equal number of votes is cast for both candidates, a repeat election shall be held. (Amended 16 March 1993)

If, in the electoral area, no more than two candidates were standing for election and neither of them was elected, the repeat elections shall be held.

Article 76. The Establishment of the Election Results in a

Multi-candidate Electoral Area

The elections shall be considered to have been held in a multi-candidate electoral area if more than one fourth of all voters participate in them.

Political parties or political organizations (coalitions) may receive mandates of the members of the Seimas only if at least 4 percent of the voters participating in the elections voted for the list of candidates that they presented. Public political organisations of ethnic minorities may receive mandates of the members of the Seimas if the number of voters who voted for their proposed list of candidates is not less than is needed to establish at least one quota.

Mandates for political parties and political organizations (coalitions) shall be distributed proportionally according to the number of votes received by each political organization applying the method of quotas and remainders.

At first, the quota shall be counted, that is, how many votes are needed to receive one mandate. It shall be equal to the number of votes, divided by 70, cast in a multi-candidate electoral area for the lists participating in the distribution of mandates. If when dividing, the quotient is with a remainder, the remainder shall be deducted and 1 shall be added to the quotient.

The number of votes cast for each list shall then be divided by the quota. The received integer quotient shall be the number of mandates for each list and remainders of this division shall be used to distribute the rest of the mandates. Therefore, all political organisations (coalitions) shall be written down in succession - according to the size of the remainders received by organisations by the dividing, beginning with the largest. If the remainders of two organisations are equal, the first written down shall be the organization which receives more votes of voters and if these numbers are also equal, the first written down shall be the organization which has received more mandates in all electoral areas. The rest of the mandates shall be distributed by one to the lists according to the succession established in this way.

If one of the political parties (coalitions) received the larger number of mandates than was on its list, the number of mandates left would be distributed to other lists in the same way.

Candidates of the same list shall receive mandates in the numerical order which is provided in the application documents of the political organization (coalition). Those candidates who are elected in one-candidate electoral areas shall be omitted from the list. The issuance of the certificate of the member of the Seimas to the elected candidate from the list of the political organization for whom a repeat voting must be still held in a one-candidate electoral area, shall be postponed until the establishment of the results of the repeat voting.

Article 77. The Presentation of Vote Calculation Documents
of the Electoral Area to the Central Electoral
Committee

All documents received from electoral districts, ballot-papers received by mail, vote calculation records of the electoral area, the record of the establishment of election results of the electoral area, and other election documents shall be put into a package and sealed by the electoral committee of the electoral area. Packages shall be delivered to the Central Electoral Committee within the time period established by the Central Electoral Committee.

The Central Electoral Committee shall keep in custody election documents during the whole period of the powers of the Seimas.

Article 78. The Participation of Observers in the Calculation of Votes and Establishment of Election Results

The observers of political parties, political organizations and candidates to the members of the Seimas, and also representatives of the mass media may participate in the calculation of votes in electoral districts and areas, and also in the establishment of election results in electoral areas.

The observers shall have the right to make remarks and claims to the appropriate electoral committees concerning the violations of this and other laws of the Republic of Lithuania but they must not hinder the work of electoral committees. The observers shall have the right to make a written protest which is delivered to the electoral committee of the electoral area together with other election documents of the electoral district.

The representatives of the mass media shall be prohibited from disseminating the information about the vote calculation and election results by video and sound recording equipments, orally, in writing, or otherwise, until the report of the Central Electoral Committee.

Article 78. Complaints against the Decisions of Electoral Committees which Have Been Adopted after the Closing of Voting

Political parties and political organizations which have nominated a candidate to member of the Seimas, candidates to members of the Seimas, their authorized agents, and observers may appeal against the decisions of electoral committees of electoral districts concerning the drawing up of vote calculation records to the electoral committee of the electoral area only within 24 hours of their adoption. These complaints must be considered within 24 hours.

While considering complaints against the decisions of electoral committees of electoral districts concerning the drawing up of vote calculation records, electoral committees of electoral areas, in the presence of at least 3/5 of the committee members, may recount ballot-papers which are presented by the electoral committee of the electoral district, and, in the event of an arithmetical error in the records or incorrectly calculated valid and invalid ballot-papers, the committees shall draw up an additional vote calculation record of the electoral district and attach it to the vote calculation record of the electoral district. Electoral committees of electoral areas shall not have

the right to nullify the vote calculation records of electoral districts.

While considering complaints against the decisions of electoral committees of electoral areas concerning the drawing up of vote calculation records in the electoral area, the Central Electoral Committee may recount ballot-papers which are presented by the electoral committee of the electoral area, and, in the event of an arithmetical error in the records or incorrectly calculated valid or invalid ballot-papers, the Committee shall draw up an additional vote calculation record of the electoral area or electoral district and attach it to the vote calculation record of the electoral area. The Central Electoral Committee shall have no right to nullify vote calculation records of electoral areas and districts.

Political parties and political organizations which have nominated candidates to members of the Seimas, as well as candidates to members of the Seimas, may appeal against the decisions of the Central Electoral Committee or against the refusal of the Committee to consider complaints concerning the violations of the Law on Elections to the Seimas only within 24 hours of the official publication of the election results, to the Seimas or the President of the Republic. In such cases, the Seimas or President of the Republic shall, within 48 hours, appeal to the Constitutional Court with the interpellation concerning the violation of the Law in Elections to the Seimas. (Amended 16 March 1993)

Article 78. Interpellation Concerning the Violation of the
Law on Elections to the Seimas of the Republic of
Lithuania

Within 3 days of the official publication of the election results, the Seimas of the Republic of Lithuania as well as the President of the Republic may appeal to the Constitutional Court with the interpellation whether the Law on Elections to the Seimas of the Republic of Lithuania has been violated.

The Constitutional Court shall investigate and evaluate the decision of the Central Electoral Committee or its refusal to consider complaints concerning the violations of the Law on Elections to the Seimas of the Republic of Lithuania in those cases when decisions have been adopted or another duty of the Committee has been performed after the closing of voting.

This interpellation shall be investigated by the Constitutional Court within 72 hours of its submission to the Constitutional Court. Non-working days shall be included in this period.

Basing itself on the findings of the Constitutional Court, the Seimas of the Republic of Lithuania shall make the final ruling concerning the violation of the Law on Elections to the Seimas of the Republic of Lithuania.

If the Constitutional Court makes a finding that the Law on Elections to the Seimas of the Republic of Lithuania has been severely violated or election documents have been falsified and this has had an essential influence on the election results, the Seimas of the Republic of Lithuania may pass one of the following

resolutions:

1) to declare the elections in the one-candidate or multi-candidate electoral area invalid - when, according to vote calculation records, it is impossible to establish real election results; or

2) to establish real final election results according to vote calculation records submitted by electoral committees.

The Seimas shall also pass a resolution on legally and illegally elected members of the Seimas. (Amended 16 March 1993)

Article 79. The Publication of Election Results

The final election results shall be publicized by the Central Electoral Committee within 7 days of the elections.

Article 80. The Certificate of the Member of the Seimas

After the publication of election results the Central Electoral Committee shall issue certificates of the members of the Seimas to the elected members of the Seimas within 3 days, with the exception of cases provided in Article 76. All disputes concerning the non-issuance of the certificate of the member of the Seimas within 3 days shall be settled by the Supreme Court of the Republic of Lithuania whose decision is final.

Article 81. The Replacement of the Member of the Seimas

Upon the death of a member of the Seimas, or if he is unable to fulfill the powers of the member of the Seimas, or his powers as the member of the Seimas are terminated before the expiration of his term of office as the member of the Seimas:

1) new elections shall be held in a one-candidate electoral area where he has been elected; and

2) the first non-elected candidate of the political party, political organization or joint list according to which the former member of the Seimas has been elected, shall become a member of the Seimas in a multi-candidate electoral area.

Article 82. Repeat Elections

Repeat elections shall be held:

1) in electoral areas where the voting has not been held or declared invalid; and

2) in cases provided in Article 75 of this Law.

Repeat elections shall be held within half a year. The Central Electoral Committee shall establish the actual day of repeat elections and their procedure.

Article 83. The Declaration of Elections as Invalid

The Central Electoral Committee may declare election results in electoral areas invalid if it establishes that severe

violations of this Law were committed during voting or that the falsification of documents had an essential influence on the election results. (Amended 16 March 1993)

Article 84. The Loss of the Mandate of a Member of the
Seimas

In the event that a candidate to the post of a member of the Seimas consciously cooperated with the special services of foreign states and was not thereby carrying out the assignments of the Republic of Lithuania, he must make a public announcement thereof as well as indicate the fact in his election posters and in the posters of the political organization bearing the list of candidates.

If the candidate fails to act in the prescribed manner, and if after the elections his cooperation with the KGB or other foreign special services which was not related to carrying out the assignments of the Republic of Lithuania is proved, his powers as the member of the Seimas shall be terminated from that day forward.

Article 85. The Entry into Force of the Law

This Law shall enter into force on the day of the adoption of the Resolution of the Supreme Council of the Republic of Lithuania "On the Election to the Seimas of the Republic of Lithuania on 25 October 1992."

Vytautas Landsbergis
President
Supreme Council
Republic of Lithuania
Vilnius
9 July 1992
No.I-2721