

**Act of 5 January, 2011**

**Election Code**

**(Journal of Laws 31 January, 2011) (excerpts)**

(...)

**Chapter 11**  
**Election committees**

**Article 84**

§ 1 Election committees shall have the right to nominate candidates for election. Electoral committees also perform other election activities, in particular, based on the principle of exclusivity, conduct campaigns for candidates.

§ 2 In elections to the Sejm and the Senate and in the European Parliament, electoral committees may be created by political parties and coalitions of political parties and by voters.

§ 3 In the election of the President of the Republic electoral committees may be created only by the voters.

§ 4 In the elections to bodies representing local government and elections for mayor, election committees may be created by political parties and party coalitions of parties, associations and social organizations, hereinafter referred to as "organizations" and by the voters.

**Article 85**

§ 1 Activities specified in the Code, relating to the creation of the election committee may be executed from the moment of announcement of elections to the date of acceptance by a competent authority of the notice for the formation of the election committee.

§ 2 Actions taken before announcement of elections are invalid.

**Article 86**

§ 1 The function of an election committee of a political party is fulfilled by the body vested with the power to represent it externally.

§ 2 The body of the political party referred to in § 1 shall inform the competent electoral body of the creation of an independent committee and of the intention to nominate candidates and to appoint:

1) legal representative, subject to Art. 127, to act for and on behalf of the election committee;

2) financial representative referred to in art. 127

§ 3 The notice referred to in § 2, shall also provide:

- 1) the name of the election committee formed in accordance with the provisions of Article. 92 and art. 95 and address of the committee and the registration number under which the political party is registered in the register of political parties;
- 2) name (s), name, address and social security identification number (PESEL) of the representative referred to in § 2 point 1;
- 3) name (s), name, address and social security identification number of the financial agent referred to in § 2 paragraph 2

### **Article 87**

§ 1 Political parties may form electoral coalitions in order to jointly propose candidates. A political party can be a part of only one electoral coalition.

§ 2 Election activities on behalf of the electoral coalition are performed by an coalition committee formed by the bodies of the political parties authorized to represent the parties externally.

§ 3 The coalition committee shall include at least 10 persons designated by the political parties referred to in § 2

§ 4 The coalition election committee shall appoint:

- 1) legal representative, subject to Art. 127, to act for and on behalf of the election committee;
- 2) financial representative referred to in art. 127

§ 5 The representative referred to in § 4 point 1, informs the competent authority of the establishment of the coalition election committee and the appointment of representatives referred to in § 4

§ 6 The notice referred to in § 5, shall also provide:

- 1) the name of the election committee of a coalition formed in accordance with the provisions of Article. 92 and art. 95 and the address of the committee and the identification numbers under which political parties forming the coalition are entered into in the register of political parties;
- 2) name (s), name, address and social security identification number (PESEL) of the representative referred to in § 4 point 1;
- 3) name (s), name, address and social security identification number (PESEL) of the financial agent referred to in § 4 point 2

(...)

## **Chapter 3 Reporting of candidates for deputies**

### **Article 204**

§ 1 The right to nominate candidates for deputies shall be granted to:

- 1) the election committee of a political party;
- 2) coalition election committee;
- 3) voter election committee.

§ 2 The election committee of a political party is obliged to notify the National Election Commission about its establishment within the period commencing from the day of calling of the elections until 50 days before election day.

§ 3 The notification referred to in § 2, shall be accompanied by:

- 1) The statement of the legal representative and financial representative, accepting in full the power of attorney and in the case of the financial representative – a declaration on the meeting of all requirements referred to in art. 127 § 2 and 3;
- 2) a certified copy from the register of political parties;
- 3) extract from the Statutes of the political party indicating which authority is to represent it externally.

§ 4 A coalition election committee may be formed during the period commencing from the announcement of the order calling elections until 50 days before election day. The legal representative shall notify the National Electoral Commission if the establishment of an election commission up to and until 50 days before election day.

§ 5 The following should be attached to the notification referred to in § 4:

- 1) the agreement on the electoral coalition, with the following data: names, surname, home addresses and Social Security numbers (PESEL) of staff comprising the election committee;
- 2) The statement of the legal representative and financial representative, accepting in full the power of attorney and in the case of the financial representative – a declaration on the meeting of all requirements referred to in art. 127 § 2 and 3;
- 3) a certified copy from the register of political parties;
- 4) extract from the Statutes of the political party indicating which authority is to represent it externally

§ 6 After collecting at least 1,000 signatures of citizens having the right to elect candidates to the Sejm, supporting the creation of the electoral committee of voters, the legal representative shall notify the National Electoral Commission of the establishment of the committee. Notification can be made up to an until 50 days before election day.

§ 7 The following shall be attached to the notification referred to in § 6:

- 1) statement on the establishment of the election committee;
- 2) The statement of the legal representative and financial representative, accepting in full the power of attorney and in the case of the financial representative – a declaration on the meeting of all requirements referred to in art. 127 § 2 and 3;
- 3) a list of at least 1000 people referred to in § 6, containing their names, surnames, addresses and Social Security identification numbers (PESEL) and personally deposited signatures

(...)

## **Article 208**

§ 1 The Election Committee may put forward a list of candidates for the seat of an MP in each constituency.

§ 2 A person may stand for election in one constituency and only on one list of candidates.

§ 3 Political parties which are part of an electoral coalition may not submit lists of candidates themselves.

(...)

## **Article 212**

§ 1 Notification of the list of candidates should include surname, name (s), occupation and address of each candidate. The names of the candidates are placed on the list in the order as determined by the election committee.

§ 2 Each candidate is designated with the name or abbreviation of the political party of which he or she is a member (no more than 45 characters, including spaces).

§ 3 The person presenting the list may request the designation of a candidate who does not belong to any political party, with only one name or abbreviation of the party supporting the candidates; the provisions of § 2 shall apply accordingly. The fact of support of the candidate should be confirmed in writing by the competent statutory authority of the party. The application along with confirmation is submitted with the list.

§ 4 The persons submitting the list shall indicate the manner in which the list shall be demarcated on official announcements and the ballot paper. The sign can be the name or abbreviation of the election committee, referred to in art. 86 § 3 paragraph 1, Art. 87 § 6 paragraph 1 and art. 89 § 5 point 1 Designation may consist of no more than 45 characters, including spaces.

§ 5 The declaration of each list should include:

1) a statement of the number of signatures of voters supporting the list together with a list of signatures of voters supporting or certificates list the National Electoral Commission, wherein the provided for in Article. 210 § 3;

2) the written consent of the candidate to stand for elections on the given list of candidates. The written consent should include: name (s), surname, maiden name, parents' names, date and place of birth, address, nationality and social security identification number (PESEL) of the candidate, and an indication of his or her membership of a political party; and a the personal signature of the candidate and the date;

3) for each candidate born before 1 August 1972 a statement connection referred to in art. Paragraph 7. 1 of the Act of 18 October 2006 on revealing information on documents of state security bodies from the years 1944-1990 and the contents of these documents or information referred to in art. Paragraph 7. 3a of this Act;

4) a written statement about having the right to be elected.

§ 6 Following submission of the list of names of candidates supplementing or changing the names of the candidates, as well as changing the order of appearance on the list or the designated symbol referred to in § 3, are unacceptable.

(...)

## **Chapter 4**

### **Submitting of candidates for senators**

#### **Art 263**

§ 1 A political party that is part of the electoral coalition formed to jointly nominate candidates for deputies and senators or candidates only in order to jointly nominate candidates for senators, can not submit candidates to the Senate itself separately.

§ 2 The name and abbreviation of the voters of the election committee created only in order to nominate candidates for senators must be different from the names and abbreviations of the electoral committees set up to nominate candidates for deputies and senators.

#### **Article 264**

§ 1 The election committee may report to only one constituency candidate for Senator.

§ 2 A person may only stand in one constituency, for the post of a Senator

#### **Article 265**

§ 1 The submission for a candidate for senator should be supported by signatures of at least 2,000 voters.

§ 2 A voter may support more than one candidate for Senator.

§ 3 Voter support for the application of the candidate for Senator, shall be signed next to a legible inscription of name and the surname, address and social security identification number (PESEL).

§ 4 The list of signatures must include on each of its pages, the name of the election committee supporting the candidate, the number of constituency where the candidate's candidature is being submitted, and the words:

"I support the candidate for Senator ..... (Surname, first name - names) submitted by ..... (Name of the election committee) in the constituency ..... (Circuit number) in the elections to the Polish Senate ordered on ..... (Day, month, year).. "

§ 5 The declaration of support for a candidate for senator can only be provided by a voter with permanent domicile in the given constituency.

(...)