

REPUBLIC OF LITHUANIA
LAW ON PRESIDENTIAL ELECTIONS

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CHAPTER ONE
GENERAL PROVISIONS

Article 1. The Basis for Elections of the President of the Republic

The citizens of the Republic of Lithuania shall elect the President of the Republic for a five-year term on the basis of universal, equal and direct suffrage and by secret ballot.

Article 2. The Right to Candidacy for the Office of President of the Republic

1. Any person who is a citizen of the Republic of Lithuania by birth, who has lived in Lithuania for at least the past three years, provided he has reached the age of 40 prior to the election day, and provided he is eligible for election to Seimas member may be elected President of the Republic.

2. A person who has grossly violated the Constitution or broken the oath and who has been removed from office or his mandate of Seimas member has been revoked by the Seimas in accordance with impeachment proceedings, may not be elected President of the Republic.

3. The same individual may be eligible to the office of the President of the Republic for not more than two terms.

Article 3. Information about Relations with Foreign Special Services (Structures)

1. After the Central Electoral Commission has adopted a decision to issue an individual who nominates himself or is nominated as a candidate for President of the Republic with forms for the collection of voter signatures, he must, before he is registered as a candidate for President of the Republic, furnish the Central Electoral Commission with information about his work with the NKVD, NKGB, MGB, KGB of the USSR or other Soviet republics as well as with other corresponding services (structures) of other foreign states, studying at schools of said services (structures) or about collaboration with said services (structures). An individual who nominates himself or is nominated as a candidate for President of the Republic shall enter this information into a questionnaire. It must specify the name and subordination of the service

(structure), individual's office, title, class, rank and functions, time and place of work or studies, awards. The Central Electoral Commission shall determine the form of a questionnaire. Data contained in the questionnaire shall be accessible to the public. If an individual who nominates himself or is nominated as a candidate for President of the Republic indicates the information specified in this paragraph of the Article in a questionnaire, the Central Electoral Commission must publicise such questionnaire within 24 hours following submitting thereof.

2. If an individual who nominates himself or is nominated as a candidate for President of the Republic has not submitted to the Central Electoral Commission a filled-in questionnaire prior to registration as a candidate for President of the Republic, the Committee shall make this fact public not later than within 24 hours after the individual has been registered as a candidate for President of the Republic.

3. A candidate for President of the Republic must announce about his work, studying or collaboration with the services (structures) specified in paragraph 1 of this Article, in his every video or audio election campaign material.

4. If the Central Electoral Commission receives information in writing that the data provided in a questionnaire are wrongful, concealed or that a filled-in questionnaire has not been submitted, as well as that an individual who nominates himself or is nominated as a candidate for President of the Republic or a candidate for President of the Republic worked, studied in the services (structures) specified in paragraph 1 of this Article, or collaborated with them, and establishes that the data related to this fact are not included in a questionnaire, it must within 48 hours notify an individual who nominates himself or is nominated as a candidate for President of the Republic or a candidate for President of the Republic about the received information and offer him to provide explanations.

5. If an individual who nominates himself or is nominated as a candidate for President of the Republic or a candidate for President of the Republic agrees to the information received by the Central Electoral Commission, he shall without delay write down additionally this information in his questionnaire, and in the event a questionnaire has not been filled in, must fill it in - write down the indicated information. The Central Electoral Commission must not later than within 24 hours publicly announce this information.

6. If an individual who nominates himself or is nominated as a candidate for President of the Republic or a candidate for President of the Republic does not agree to the information received by the Central Electoral Commission, does not arrive at the Central Electoral Commission when invited or refuses to provide explanations regarding the received information, the Central Electoral Commission may, if necessary, approach the persons who

provided said information, as well as other institutions or organisations, requesting to provide additional data or documents.

7. Upon having considered the received information, the Central Electoral Commission must adopt one of the following decisions:

1) to declare the received information groundless;

2) to appeal to the Supreme Administrative Court of Lithuania with an application to establish a fact that an individual who nominates himself or is nominated as a candidate for President of the Republic or a candidate for President of the Republic has included in a questionnaire the wrongful data about his work, studying in the services (structures) specified in paragraph 1 of this Article or collaboration with them, or has concealed these data.

8. In all cases the Central Electoral Commission must, not later than within 5 working days after the receipt of information, adopt a decision and to publicise it within 24 hours following its adoption.

9. The Supreme Administrative Court of Lithuania shall consider the application of the Central Electoral Commission within 72 hours and take a decision. This decision shall become effective from the moment of its pronouncement.

10. The Central Electoral Commission shall within 24 hours announce publicly the effective decision of the Supreme Administrative Court of Lithuania.

11. If the Central Electoral Commission receives the information specified in paragraph 1 of this Article later than 12 days left before the election, a candidate for President of the Republic is not notified about this information, and the Central Electoral Commission shall not consider it.

12. The Central Electoral Commission may publicly announce the fact established by the court not later than 72 hours left before the beginning of voting.

Article 4. Universal Suffrage

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

2. Any direct or indirect abridgement of the right of citizens of the Republic of Lithuania to vote on the grounds of their sex race nationality language descent, social status, religion, convictions, or views shall be prohibited.

Article 5. Equal Suffrage

Every citizen of the Republic of Lithuania who has the right to vote for the President of the Republic shall have one vote in the election.

Article 6. Direct Election of the President of the Republic

Voters shall elect the President of the Republic without mediators.

Article 7. Secret Ballot

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

Article 8. Prohibition to Bribe Voters and Persons Eligible to Vote

1. During the political campaign of presidential election, i.e. from announcement of the date of presidential election until the end of the period of election campaign as set out by this Law, as well as on the election day it shall be prohibited to directly or indirectly buy votes, to induce by offering gifts or other rewards a voter or a person eligible to vote to attend or not to attend presidential election and (or) to vote for or against one or another person to be nominated, a candidate for President of the Republic, as well as to promise to reward the voters for voting after the election, by having a purpose to affect the will of the citizens regarding particular candidates for President of the Republic, and thus hinder citizens from implementing their right to elect President of the Republic.

2. Production or distribution free of charge of printed matter (a programme, biography of a person to be nominated as a candidate for President of the Republic, a candidate for President of the Republic, or other leaflets, calendars, postcards, stickers of information character) and pins intended for propagating a person to be nominated as a candidate for President of the Republic, a political party (hereinafter referred to as “a party”) who has nominated a candidate for President of the Republic or a candidate for President of the Republic shall not be considered as bribery of voters.

3. The Central Electoral Commission shall, in the manner prescribed by it, examine and evaluate the facts of bribery of voters or persons eligible to vote. The Central Electoral Commission shall announce the established facts of bribery in the Internet together with a pledge of the candidate for President of the Republic who has violated this Article to adhere to the prohibition to bribe voters and persons eligible to vote. After the recognition of the facts of bribery as a grave violation of this Law, the consequences defined in this Law and other laws shall arise.

Article 9. Openness of Preparation and Holding of Elections

1. State institutions and electoral committees shall prepare and conduct the elections of the President of the Republic publicly. Public notice must be given of all events (meetings, sessions) related to the organisation of elections at least 12 hours prior to the commencement of the event.

2. The electoral committees shall inform the citizens about their work; the formation of polling districts; the composition of electoral committees, their location and business hours; the electoral rolls; the results of candidate registration to the post of the President of the Republic; and the voting and election results.

3. The mass media shall inform the public about organisation and course of presidential election.

4. Representatives of all mass media shall have the right to unrestricted participation in all events organised by the electoral committees, attendance of all electoral committee sittings, as well as the acquisition of information from the electoral committees concerning organisation and course of presidential election.

Article 10. Expenditure Related to the Preparation and Conduct of Elections

The expenses related to the preparation and execution of elections of the President of the Republic shall be covered by the State and local authorities. The expenditure of electoral committees related to the organisation and conduct of elections shall be covered and the work of the members of electoral committees and the service staff shall be paid from the state budget. Maintenance of premises of the offices of electoral committees of municipalities and polling districts, expenditures related to acquisition and keeping of the equipment of polling stations shall be paid with local authority funds. If the municipality fails to provide adequate premises and supplies for the office of the polling district and the polling station, by the decision of the Central Electoral Commission, state funds shall be used for this purpose. In this event the actual expenses relating to polling stations and equipment shall, within 2 months after the election, be exacted by the Central Electoral Commission from the local authority without suit.

CHAPTER TWO

Organisation of Elections

Article 11. Formation of Polling Districts

1. With a view of making it more convenient for voters to reach a polling station and with account of the number of voters, the territories of municipalities shall be divided into polling districts.

2. The division of the territory of a municipality into polling districts shall be approved and changed by the Central Electoral Commission on the recommendation of the municipal administration director. The Central Electoral Commission shall publish a list of approved polling districts, and changes made therein in the *Valstybės žinios (The Official Gazette)*.

3. No more than 5 000 voters must reside within the territory of a polling district.

4. The boundaries of a polling district and the address of a polling station shall be changed, where necessary, but no later than 100 days prior to elections. In his recommendation to approve the division of the territory of a municipality into polling districts, the municipal administration director shall specify a proposed name of a polling district, the addresses which are within the polling district, the number of voters in the polling district which is being formed, the address and telephone number of a polling station. The recommendation on changes in the division of the municipality into polling districts shall specify the changes it is proposing. No later than 100 prior to the election the municipal administration director shall also inform the Central Electoral Commission about new addresses, changed addresses or addresses which are no longer existent, as well as approve the addresses and telephone numbers of polling stations.

5. When an early election of the President of the Republic according to Article 87 of the Constitution or an election of the President of the Republic according to paragraph 1 of Article 89 of the Constitution is held within two months from the announcement thereof, the Central Electoral Commission may change the boundaries of polling districts and the addresses of polling stations not later than 50 days before the election. If the said election is held earlier than within two months from the announcement thereof, the boundaries of polling districts shall not be changed.

Article 12. Electoral Committees

1. The elections of the President of the Republic shall be organised and conducted by:

- 1) the Central Electoral Commission;
- 2) municipal electoral committees; and
- 3) the electoral committees of polling districts.

2. Members of electoral committees may not be candidates to the office of President of the Republic or agents of such candidates.

3. A citizen of the Republic of Lithuania may be proposed to the electoral committee who has the right to be elected as Seimas member (without taking into consideration the minimum age limit set for a candidate for Seimas member, but who is not younger than 18 years of age on the election day) and has not been previously removed from an electoral committee due to the violations of laws on elections or referendum.

Article 13. Formation of Municipal Electoral Committees

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

2. Municipal electoral committees shall be composed of:

1) a person nominated by the Minister of Justice, having a university law degree, who resides or works in the territory of that municipality;

2) persons nominated by the Lithuanian Lawyers' Association, having a university law degree, who reside or work in the territory of that municipality;

3) one career civil servant who works in the administration of that municipality and who is nominated by the director of the administration of that municipality;

4) persons nominated by parties which have received the mandates of the Seimas members in the multi-member constituency.

3. The Minister of Justice, the Lithuanian Lawyers' Association and the directors of the municipal administrations may propose more candidates.

4. Parties which have received the mandates of the Seimas members in the multi-member constituency according to the list (joint list) of candidates shall each have the right to nominate two representatives to municipal electoral committees from one list of candidates nominated in this constituency. If the representatives meet the requirements of this Law, the Central Electoral Commission may not reject said candidates. In the event that candidates for membership have not been proposed, the Central Electoral Commission may additionally appoint as members of the committee the candidates are proposed by the Minister of Justice, the Lithuanian Lawyers' Association or the director of municipal administration.

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

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

7. The Central Electoral Commission shall appoint the chairman of the municipal electoral committee.

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

9. When an early election of the President of the Republic according to Article 87 of the Constitution or an election of the President of the Republic according to paragraph 1 of Article 89 of the Constitution is held within two months from the announcement thereof, the Central Electoral Commission shall, not later than 50 days before the election, set up municipal electoral committees. If the said election is held earlier than within two months from the announcement thereof, such 50-day time limit shall be reduced by the number of days lacking to constitute a two-month time limit.

Article 14. Powers of Municipal Electoral Committees

The municipal electoral committee shall:

- 1) in the manner prescribed by the Central Electoral Commission, inform the voters who reside within the municipality about the boundaries of polling districts, offices of electoral committees, working hours and polling stations;
- 2) supervise the implementation of this Law in the municipality;
- 3) form electoral committees of polling districts;
- 4) distribute the funds allocated for elections among the electoral committees of the polling districts, control the use of these funds and report to the Central Electoral Commission about the funds used for elections;
- 5) register election observers and issue certificates to them;
- 6) make up a list of health care (except out-patient), social care and guardianship institutions, military units, arrest houses, remand prisons (detention facilities) and penal institutions situated in the territory of a municipality, and together with the head of the post office have care of the organisation of voting by post in those places, as well as organise voting in advance;

7) draw up a vote counting record of voters, establish voting results and transfer them for approval to the Central Electoral Commission;

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

9) in the manner prescribed by the Central Electoral Commission, during the period of election campaign collect, delineate and store the data about political advertising disseminated publicly within the municipal territory, and furnish these data to the Central Electoral Commission;

10) shall exercise other powers provided for in this Law.

Article 15. Formation of the Committees of Polling Districts

1. No later than 65 days prior to the elections, the municipal electoral committee shall determine the number of the members of each electoral committee of the polling district that must be a multiple of the number of the parties which have the right to nominate candidates to electoral committees. If the number of proposed candidatures is insufficient or there is a vacancy in the committee, the director of the administration of the municipality in the territory of which the polling district is formed may propose the lacking candidatures.

2. The following shall be entitled to propose the same number of candidates for an electoral committee of a polling district:

1) each party or coalition of the parties which received the mandates of Seimas member in a multi-member constituency during the last elections to the Seimas. If the party received mandates of Seimas member while being in the coalition, it may propose candidates together with the parties which participated in the coalition;

2) the party or coalition of the parties which received the mandates of councillor from the list of nominated candidates (joint list) in the elections to a municipal council. If the party received mandates of municipal councillor while being in the coalition, it may propose candidates together with the parties which participated in the collation.

3. If the party may propose candidates according to the results of the elections to the Seimas and to a municipal council as well, then it shall propose candidates according to the results of only one of these elections for choice. If one of the parties which took part in an election coalition fails to nominate candidates or refuses to nominate them, or if it chooses to nominate candidates according to the results of the elections other than those when the coalition was formed, the other parties in this coalition have the right to nominate candidates without the participation of said party.

4. Parties shall submit their lists of candidates to the municipal electoral committee no later than 48 days prior to the elections.

5. Electoral committees of the polling districts for the period of the elections shall be formed by municipal electoral committees no later than 45 days before the elections. If a candidate nominated by the party meets the requirements of this Law the municipal electoral committee may not turn him down.

6. If no candidates have been proposed or the proposed candidates do not meet the requirements of this Law, or they have been proposed after the set period of time, a municipal electoral committee may decrease the earlier fixed number of the members of the polling district electoral committee or address the municipal administration director to propose the lacking number of candidates for a polling district electoral committee. The candidates nominated by the director of the municipal administration may not be party members or become party members until the expiration of the term of office of an electoral committee member. If during a meeting of a municipal electoral committee which appoints a member of the electoral committee of a polling district nominated by the director of the municipal administration no less than three members of the municipal electoral committee object to the appointment of the candidate, this candidate may not be appointed a member of the committee.

7. Municipal electoral committees shall appoint chairmen of the electoral committees of the polling districts.

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

9. When an early election of the President of the Republic according to Article 87 of the Constitution or an election of the President of the Republic according to paragraph 1 of Article 89 of the Constitution is held within two months from the announcement thereof, municipal electoral committees shall, not later than 45 days before elections, establish a number of members of each polling district electoral committee. Parties shall submit lists of candidates for the members of electoral committees of polling districts to the municipal electoral committees no later than 42 days prior to elections. Polling district electoral committees shall be set up not later than 40 days left to the election. An electoral committee member who does not give a written pledge longer than 7 days after the appointment or who gives a written pledge with the reservation, shall lose his powers in the electoral committee. If an early election of the President of the Republic according to Article 87 of the Constitution or an election of the President of the Republic according to paragraph 1 of Article 89 of the Constitution is held earlier than within two months from the announcement thereof, the time

limits of 40, 42 and 45 days specified in this paragraph shall be reduced by the number of days lacking to constitute a two-month time limit.

Article 16. Powers of the Electoral Committee of the Polling District

The electoral committee of the polling district:

1) receive electoral rolls from the municipal electoral committee, provide conditions for voters, representatives for the elections to familiarise themselves with said lists, hand voter certificates to voters or distribute them in some other manner, inform the municipal electoral committee about inaccuracies noticed in the electoral roll of the polling district;

2) shall investigate complaints concerning the errors made in polling district electoral rolls;

3) in the manner prescribed by the Central Electoral Commission, supervise the course of voting by post on the territory of a polling district, and monitor the provision of opportunities for voting by post in all health care (except out-patient), social care and guardianship institutions, military units, arrest houses, remand prisons (detention facilities) and penal institutions situated in the territory of a polling district, as well as organise voting at home;

4) together with a representative of the municipal administration, have care of preparing polling stations, voting booths and ballot boxes in due time pursuant to the requirements provided in this Law;

5) shall organise voting in the polling district on the polling-day;

6) shall calculate votes and draw up the vote calculation records of the polling district;

7) shall consider the complaints of the voters and observers of that polling district on issues concerning the preparation of the elections, the organisation of voting, vote calculation, the drawing up of vote calculation records, and adopt decisions related to them; and

8) shall exercise other powers provided for in this Law.

Article 17. Written Pledge of Members of Electoral Committees and Organisation of Electoral Committee Work

1. A member, chairman of an electoral committee shall start holding the position in the electoral committee upon having given a written pledge.

2. The Central Electoral Commission shall establish the procedure for giving a written pledge by the members, chairmen of the municipal electoral committees and the electoral committees of the polling districts. The texts of a written pledge of the member and the chairman of an electoral committee shall read as follows:

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

So help me God.”

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

3. Upon having given a written pledge, a person shall subscribe to the text of the pledge. The pledge shall be effective for the whole duration of the appointment to work in the electoral committee. The text of a written pledge may not be altered. It shall be prohibited to hold the position in the electoral committee without giving a written pledge.

4. Written pledges of the members, chairmen of the electoral committees shall remain in the custody of the electoral committee that has administered them.

5. When appointing an electoral committee member, the Central Electoral Commission or a municipal electoral committee shall fix the time when he must give a written pledge. The person who has not given a written pledge within 15 days after his appointment or who has given a written pledge with a reservation, shall be removed from his position in the electoral committee.

6. Sitzings 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 committee shall be adopted by open, majority vote. In the event of a tie vote, the committee chairperson's vote shall be casting. Committee members who do not agree with the decision shall be entitled to express a separate opinion in writing. An individual opinion shall be attached to the minutes and shall form an integral part of the minutes.

7. After the close of elections, the powers of the chairmen and members of municipal electoral committees and electoral committees of polling districts shall be suspended. The decision to terminate the powers of the committee members, chairman shall be taken by the electoral committee which appointed the committee members, chairman when this committee, its chairman have fulfilled all the tasks assigned to them under this Law.

8. The chairman, member of an electoral committee who has given a written pledge shall be prohibited from any form of election campaigning and attempts to influence the voter's will in any other way. The individual who has violated this requirement or a written pledge of an electoral committee member, must be dismissed from the committee and may be prosecuted under laws.

**Article 18. Appeals against Decisions of Electoral Committees Adopted before
Closing of the Polls**

1. All parties which have nominated presidential candidates, as well as agents of candidates to the office of the President of the Republic may appeal against the decisions of electoral committees according to the following procedure:

1) decisions of the electoral committees of the polling districts – to the municipal electoral committee;

2) decisions of the municipal electoral committees – to the Central Electoral Commission;

3) decisions of the Central Electoral Commission - to the Supreme Administrative Court of Lithuania.

2. Appeals must be considered within 48 hours from the submission of the appeal. The decision of the Supreme Administrative Court of Lithuania shall become effective from its pronouncement.

**Article 19. Complaints against the Decisions of Electoral Committees which Have
Been Adopted after the Close of the Poll**

1. All parties which have nominated presidential candidates, as well as the agents of candidates to the office of the President of the Republic, may appeal to the municipal electoral committee against the decisions of electoral committees of polling districts concerning the drawing-up of records of the calculation of votes not later than within 24 hours of their adoption. These appeals must be considered within 24 hours from the submission of the appeal.

2. When considering an appeal against the decision of the electoral committee of a polling district concerning the drawing-up of records of the calculation of votes, the municipal electoral committee may recount the ballot-papers presented by the electoral committee of the polling district, provided that at least three-fifths of the municipal electoral committee members are present. Upon establishing an arithmetic mistake, incorrectly calculated valid or invalid ballot-papers, the said committee may amend the entries in the records of the calculation of votes. The municipal electoral committee shall have no right to nullify the vote counting records of the polling district electoral committee.

3. The decisions of the Central Electoral Commission, with the exception of the decisions to declare the results of the elections of the President of the Republic invalid, may be appealed against to the Supreme Administrative Court of Lithuania not later than within 2 days of the adoption of the decision, and must be considered not later than within 48 hours.

This term shall include non-working days as well. The decision of the Supreme Administrative Court of Lithuania shall become effective from the moment of its pronouncement and its execution shall be binding upon the Central Electoral Commission.

4. While considering an appeal against the decision of the municipal electoral committee concerning the drawing-up of records of the calculation of votes, the Central Electoral Commission may re-count the ballot-papers presented by the municipal electoral committee. Upon establishing an arithmetic mistake or incorrectly calculated ballot-papers, it may amend the entries in the records of the calculation of votes of the municipality or polling district. The Central Electoral Commission shall not have the right to declare invalid records of the calculation of votes of the municipality.

Article 20. Assistance for Electoral Committees

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

2. State and municipal institutions, enterprises, establishments and institutions, as well as their officers must consider requests submitted by electoral committees and give them justified replies within 3 days.

3. Electoral committees may employ the required number of personnel for assistance work. The Government shall, on the recommendation of the Central Electoral Commission, approve the procedure for paying the employed staff for work in electoral committees and the amount of such payment.

4. Municipal and state institutions and organisations must provide electoral committees with premises and equipment for the preparation and execution of elections.

Article 21. Payment for Work of Electoral Committee Members

1. Chairpersons, deputy chairpersons and members of electoral committees shall be paid salaries for their work in electoral committees in accordance with the rates submitted by the Central Electoral Commission and approved by the Government.

2. The procedure for imposing incentive measures to the chairmen, their deputies and members of the electoral committees shall be approved by the Government on the recommendation of the Central Electoral Commission.

Article 22. Changing the Composition of Electoral Committees

1. The chairperson or a member of a municipal, polling district electoral committee may be dismissed from his post in the committee by the electoral committee which approved the composition of this committee, or by the Central Electoral Commission.

2. The electoral committee may consider only the justified proposal of a party to recall the member of the electoral committee whom it has proposed.

3. As necessary, a new chairman or member of the electoral committee may be appointed in accordance with the procedure established by this Law and on the expiry of the period provided for in paragraph 1 of Article 13 and paragraph 5 of Article 15.

CHAPTER THREE

Electoral rolls

Article 23. Electoral Rolls

1. For the organisation and execution of elections, the following electoral rolls shall be compiled:

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

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

3. The procedure for compiling electoral rolls must be such that every citizen of the Republic of Lithuania who is entitled to vote shall be entered on electoral rolls. No one may be entered on an electoral roll more than once.

4. The electoral roll of the Republic of Lithuania and the electoral rolls of municipalities, which are drawn up and kept by the keeper of the population register, shall be made in electronic storage media. Electoral rolls of polling districts shall be printed. The Central Electoral Commission shall establish the procedure and form of compiling rolls, method of compiling and the procedure for their use. When drawing up electoral rolls, the following informational shall be used:

1) in the electoral roll of the Republic of Lithuania: name, surname, person's number, date of birth, number of the document confirming citizenship, address of a place of residence and grounds for entering the address in the population register;

2) in the municipality electoral rolls: name, surname, person's number, date of birth, address of a place of residence and grounds for entering the address in the population register;

3) in the electoral rolls of polling districts: name, surname and the address of a place of residence. The address of a voter who has expressed disagreement that the address of his place of residence would be announced in the electoral roll of a polling district, shall be indicated only in the annex of the electoral roll of the polling district and in the voter certificate.

5. Each voter shall have the right to refuse to consent that the address of his place of residence would be publicly announced in the polling district electoral roll. The Central Electoral Commission shall, in conjunction with the keeper of the population register, create conditions for a voter to exercise his right not to consent that the address of his place of residence would be announced in the polling district electoral roll.

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

1. All citizens of the Republic of Lithuania who have the right to vote shall be entered on the electoral roll of the Republic of Lithuania according to the data of issuance of the document (passport or identity card) confirming the citizenship, and according to the population register of the Republic of Lithuania. Rolls compiled according to these data shall be provisional.

2. Compiling, checking and keeping of electoral rolls shall be organised by the Central Electoral Commission on the basis of the information furnished by state and municipal institutions and establishments as well as electoral committees.

3. The following persons shall be removed from the electoral roll of the Republic of Lithuania:

- 1) a citizen of the Republic of Lithuania who has died;
- 2) a person who has lost the citizenship of the Republic of Lithuania; and
- 3) a citizen who has been declared legally incompetent by the court.

4. Provisional electoral rolls with changes done therein and acknowledged in the procedure established by the Central Electoral Commission shall be, not more than 7 days prior to the election, approved as final electoral rolls. Changes in final electoral rolls may be made only subject to the consent of the Central Electoral Commission.

Article 25. Electoral Rolls of Municipalities

The electoral roll of a municipality shall be drawn up in the electronic information media by the Central Electoral Commission according to the electoral roll of the Republic of Lithuania and the place of residence of a voter (the last known place of residence of a voter) indicated therein, and shall be delivered to the municipal electoral committee at least 39 days

before the elections. Electoral rolls of voters residing abroad shall be also drawn up and shall be delivered to diplomatic missions and consular posts of the Republic of Lithuania. Furthermore, lists of voters whose place of residence is unknown shall be drawn up.

Article 26. Electoral Rolls of Polling Districts

The electoral roll of a polling district shall be drawn up by the municipal electoral committee according to the electoral roll of the municipality and the place of voter's residence indicated therein, and shall be delivered to the electoral committee of the polling district at least 26 days prior to the elections. Furthermore, lists of citizens whose place of residence is unknown shall be drawn up. Voters, ship's crew members and passengers who will be unable to return to Lithuania during the period of voting by post or to be present on the election day, shall, according to the procedure established by the Central Electoral Commission, be entered on an electoral roll of the polling district on the territory whereof the ship's registration harbour administration is located.

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

1. The electoral committee of a polling district, a diplomatic mission and a consular post shall, at least 25 days prior to the election, shall provide conditions for the voters to have access to electoral rolls of the polling district. Voters shall be provided with data of an annex of the polling district electoral roll that concern only them. It shall be prohibited to make copies of electoral rolls of a polling district, or distribute them in other ways. The business hours of electoral committee members as well as the telephone numbers for voters to make inquiries about whether they are entered on the electoral roll must be on display at the entrance to the electoral committee office. Following expiration of the time limit for delivering voter certificates as provided by this Law, the business hours of the polling district electoral committee, its telephones must be on display in stairwell entrances of multi-family apartment houses. The time and place for the voters to exercise their right to have access to electoral rolls shall be on display in a diplomatic mission and a consular post, at the entrance to the premises of an electoral committee.

2. The electoral roll of the Republic of Lithuania and electoral rolls of municipalities shall not be announced publicly, however, the information about the entry of a voter on the electoral roll may be provided to the voter by telephone.

Article 28. Voter Certificate

1. A voter certificate shall be a document issued by an electoral committee specifying the polling district on the electoral roll of which a voter is entered. Electoral committees shall hand in voter certificates signed by the chairman of an electoral committee. A voter himself, or at his request – any other person, may print his voter certificate in accordance with the data of the electoral roll of the Republic of Lithuania received electronically pursuant to the procedure established by the Central Electoral Commission. In this event, the voter himself shall sign his voter certificate, except for the cases when because of the physical handicaps or disability he himself cannot sign it and the certificate is signed by another person chosen by the voter, indicating his name, surname and personal number. One may not vote without a voter certificate (duplicate), except for voting on the ship.

2. A voter certificate shall contain:

- 1) the name and surname of the voter;
- 2) the birth date of the voter (year, month, day);
- 3) the voter's address of the place of residence;
- 4) the name and number of a municipality in which the voter votes;
- 5) the name, number of a polling district on the electoral roll of which the voter has been entered, as well as the address of a polling station;
- 6) the successive number of a voter on the electoral roll of a polling district; and
- 7) the election date, the voting time at a polling station, the note that this certificate is obligatory when voting, other information relevant for the voter or when organising the elections.

3. If a voter requests to issue him with a duplicate of a voter certificate in place of the lost one or of a voter certificate he has not received, a duplicate must be issued to the voter immediately right after the establishment of the data on the voter which must be entered into the certificate.

Article 29. Delivery of the Voter Certificate

1. The delivery of voter certificates to voters shall be organised by the electoral committee of a polling district.

2. Articles 58, 61, 62 and 63 of this Law shall lay down the procedure for delivering voter certificates to voters who are in health care (except out-patient), social care and guardianship institutions, military units, arrest houses, remand prisons (detention facilities) and penal institutions, as well as to voters who have gone abroad.

3. The delivery of voter certificates shall be noted in the provisional electoral roll of a polling district. A voter certificate shall be either delivered to the voter personally or to the

other person who lives together with the voter, or to a neighbour of the voter, who knows the voter and undertakes to deliver the voter certificate to the voter. The delivery of voter certificates to voters must be finished at least 20 days before the election.

4. The voter who has not received a voter certificate in due time or who has received a voter certificate with incorrect data, must forthwith inform the polling district committee in the territory of which he resides, and to produce his passport or other document confirming his identity to this electoral committee. If the voter is entered on the electoral roll of this polling district, the electoral committee of the polling district must write out a new voter certificate to the voter and issue it to him immediately. If the voter has not been entered on the electoral roll of this polling district, but the address of the place of voter's residence according to the population register data is assigned to the territory of this polling district or the voter produces evidences that he resides within the territory of this polling district, the polling district electoral committee shall provide a request blank, the form whereof is prescribed by the Central Electoral Commission, to be filled out by the voter to enter him on the electoral roll of this polling district (or a member of the polling district electoral committee shall fill out this request himself), and shall immediately inform the municipal electoral committee about this, which must have care of entering the voter on the electoral roll of this polling district. The voter certificate shall be written out and delivered to the voter following upon checking the accuracy of electoral rolls.

5. A municipal electoral committee may, in the manner prescribed by the Central Electoral Commission, issue a voter's certificate to a voter whose name is entered on the electoral roll of a different municipality if said voter is not able to return to his permanent place of residence to collect or obtain in some other manner a voter certificate. The voter must request this in writing.

Article 30. Checking the Accuracy of Electoral Rolls before Drawing up Final Electoral Rolls

1. Preliminary electoral rolls shall be updated when transferring a voter from one electoral roll of a municipality or a polling district into another, when removing a voter from or entering him on the electoral roll of the Republic of Lithuania.

2. The voter shall be transferred from one electoral roll into another if it becomes clear that the address of his place of residence in the provisional roll is incorrect or it has changed after said roll was drawn up.

3. Transferring of a voter from the electoral roll of one polling district into another in the same municipality shall be the responsibility of the municipal electoral committee which

shall notify the Central Electoral Commission about the changes made in the electoral rolls of the polling districts. Transferring of the voter from the electoral roll of one municipality into the electoral roll of another municipality shall be executed by the Central Electoral Commission on the recommendation of the municipal electoral committee and shall inform the municipal electoral committees about the changes made. Only the Central Electoral Commission may enter a voter on or strike him from the electoral roll of the Republic of Lithuania in the cases provided in Article 24 of this Law.

Article 31. Entry of Citizens of the Republic of Lithuania Who Are Staying Abroad on Electoral Rolls

1. Citizens of the Republic of Lithuania staying in other states shall be entered on the electoral roll of the municipality of the city of Vilnius.

2. A diplomatic mission and a consular post of the Republic of Lithuania shall, at least 15 days before the elections, submit to the Central Electoral Commission the electoral roll compiled in the diplomatic mission and the consular post, as well as the data concerning checking the accuracy of said roll. This roll may be supplemented with the voters who will be unable to return to Lithuania during the period of voting by post or to be present on the election day, and who shall vote in a diplomatic mission or a consular post.

Article 32. Entering of Voters who are in Military Units, on Ships, Arrest Houses, Remand Prisons (Detention Facilities) and Penal Institutions

1. Voters performing the mandatory military shall be entered on the electoral rolls of that polling district on the territory of which they had permanently resided before they were summoned for the mandatory military service. Voters performing the active military service, civil service or working under employment contract in international military operations abroad shall be entered on the electoral rolls of the polling district on the territory of which they declared their place of residence.

2. The voters who are aboard a ship and who will be unable to return to Lithuania during the period of early voting or to be present on the polling day, shall be entered on the additional electoral roll of the polling district on whose electoral roll the ship's crew is entered.

3. Voters who are in arrest houses, remand prisons (detention facilities) or penal institutions shall be entered on the electoral roll of the polling district on the territory of which they declared their place of residence. If such a person has not declared a place of residence and upon his written request, he shall be entered on the electoral roll of the polling district

within the territory of which the penal institution, arrest house or remand prison (detention facility) is situated. A person who had declared his place of residence before he was placed in an arrest house, remand prison (detention facilities) or penal institution may not be entered on the electoral roll of the polling district within the territory of which the arrest house, remand prison (detention facilities) or penal institution is situated.

Article 33. Updating Electoral Rolls upon Drawing up Final Electoral Rolls, as well as on the Polling Day

If following the approval of the final electoral rolls, but no later than until 6 p.m. on the election day, the electoral committee of a polling district is addressed by a voter who is not entered on the electoral roll of this polling district and submits the passport or identity card of the citizen of the Republic of Lithuania, the electoral committee of the polling district shall enter the voter on the additional electoral roll of the polling district and allow him to vote according to the procedure established by the Central Electoral Commission. The Central Electoral Commission shall immediately inform the municipal electoral committee about the voter's surname, name, personal number, number of his passport or identity card. The municipal electoral committee shall check whether or not the voter is entered on the electoral roll of the municipality and take measures to guarantee that the voter would not vote twice or the ballot papers filled by him would be counted only once. If the voter has voted twice, only that vote shall be counted which was put in the ballot box of the polling district. The other vote of the voter, received by post or when cast according to the additional electoral roll of the polling district shall not be counted.

Article 34. Complaints about Electoral Rolls

1. A voter or a representative of the party may lodge complaints with the electoral committee of the polling district no later than 7 days before the election about the errors made in electoral rolls due to which the voter has not been entered on the electoral roll in the manner prescribed by this Law or has been entered on several electoral rolls. The electoral committee of the polling district must investigate 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 election day.

2. A decision of the electoral committee of a polling district may be appealed against to an appropriate regional court. The court shall consider the appeal within 3 days. The decision of the court shall be final.

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

4. Electoral committees of polling districts shall report to the municipal electoral committee about the received complaints and changes made in the electoral rolls by the court's decision, and the electoral committee of the municipality shall report to the Central Electoral Commission as soon as possible but no later than within 12 hours.

CHAPTER FOUR

Nomination of Candidates to the Office of President of the Republic

Article 35. Nomination of Candidates to the Office of the President of the Republic

1. Individual persons may nominate themselves to the office of President of the Republic.

2. The parties which are registered in the manner prescribed by law and meet the requirements for the number of party members may nominate or support individuals to be candidates to the office of President of the Republic.

3. The nomination of candidates to the office of the President of the Republic shall begin not more than 80 nor less than 65 days prior to the day of elections.

4. When an early election of the President of the Republic according to Article 87 of the Constitution or an election of the President of the Republic according to paragraph 1 of Article 89 of the Constitution is held within two months from the announcement thereof, the nomination of candidates to the office of the President of the Republic shall commence on the next day after the entry into force of an appropriate Seimas or Government resolution concerning the announcement of an election, and shall end not later than 45 days before an election day. If the said election is held earlier than within two months from the announcement thereof, such 45-day time limit shall be reduced by the number of days lacking to constitute a two-month time limit.

Article 36. Statement about Individual's Participation in the Elections as a Candidate to the Office of President of the Republic

1. An individual who has been nominated or who has nominated himself to the office of President of the Republic must make a written statement about this to the Central Electoral Commission.

2. If an individual is nominated by parties to be a candidate to the office of President of the Republic, such decision shall also be presented in writing. An individual who has been nominated or who has nominated himself to the office of President of the Republic must arrive and submit to the Central Electoral Commission a document confirming the citizenship of the Republic of Lithuania and a document attesting to the payment of a deposit amounting to five most recent average monthly wages of the national economy (hereinafter referred to as the AMW). After the elections the election deposit shall be refunded to the individual who paid it, provided that a candidate to the office of President of the Republic has received more than 7 percent of votes cast by the voters who participated in the elections.

3. An individual who has been nominated or who has nominated himself to the office of President of the Republic must:

1) inform the Central Electoral Commission in writing whether he is or has been and when a citizen of any other state (states);

2) submit to the Central Electoral Commission a document confirming the citizenship of any other state (states);

3) submit a document issued by the competent authorities of the Republic of Lithuania, another state (other states), attesting to the renouncement of the citizenship another state (other states) of or the loss thereof;

4) inform the Central Electoral Commission in writing whether he agrees that the Central Electoral Commission would receive from the competent authorities of the Republic of Lithuania and foreign countries the data about the citizenship of any other state (states) he has or has had, and the renouncement or loss thereof.

4. An individual who has nominated himself or has been nominated as a candidate to the office of President of the Republic must submit to the Central Electoral Commission a pledge of a set form to adhere to the prohibition to bribe voters or persons entitled to vote.

5. If an individual does not agree that the Central Electoral Commission would receive the data specified in subparagraph 4 of paragraph 3 of this Article or does not submit to the Commission a pledge to adhere to the prohibition to bribe voters and persons who are entitled to vote as provided for in paragraph 4 of this Article, the Central Electoral Commission shall not register individual's nomination to the office of President of the Republic, and if it has registered his nomination to the office of President of the Republic or his candidacy for President of the Republic, shall repeal such registration.

6. The Central Electoral Commission shall, not later than within 3 calendar days after the receipt of the statement, ascertain whether there any reasons specified in Article 78 of the Constitution of the Republic of Lithuania preventing the individual's nomination as a

candidate to the office of President of the Republic are present, as well as whether he has fulfilled the requirements specified in paragraphs 3 and 4 of this Article and shall adopt a grounded decision on whether or not to issue forms for the collection of voter signatures to the individual, with the name and surname of the candidate for the office of President of the Republic indicated thereon. Refusal to issue the forms for the collection of voter signatures may be appealed against to the Supreme Administrative Court of Lithuania not later than within 3 days of the adoption of the decision, and the said Court must investigate the appeal not later than within 72 hours of receipt of the complaint. This term shall include non-working days as well. The decision of the Supreme Administrative Court of Lithuania shall become effective from its pronouncement.

7. A candidate for President of the Republic shall have the right to withdraw in writing his application documents not later than 15 days left before the election. In this case the Central Electoral Commission may take a decision concerning registration of a candidate to the office of President of the Republic only if the candidate to the office of President of the Republic attends a meeting of the Central Electoral Commission and if not less than 13 days are left before elections.

Article 37. Collecting of Voter Signatures

1. At least twenty thousand voter signatures as prescribed in Article 79 of the Constitution must be collected on the form for the collection of voter signatures, which shall contain the following text:

I, as a citizen of the Republic of Lithuania, confirm my support for the application of

.....

....(the person's name and surname)

to participate in the(day, month and year) elections as a candidate to the office of President of the Republic.

Ser ial No. No	Individual's Surname, Name	Series and No of the Document Confirming Citizenship of the Republic of Lithuania	Date of Birth	Permanent Place of Residence	Signature and Date
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2. The name and surname of the individual who has collected the signatures shall be indicated at the bottom of the form for the collection of voter signatures, as well as the series

and number of the document confirming his citizenship of the Republic of Lithuania, his permanent place of residence, and signature.

3. All information on forms for the collection of signatures of voters shall be filled out and signed by the voters themselves. If a voter cannot fill out and sign the form because of his physical handicaps or disability, another person shall do this upon his request. Such fact must be indicated by an appropriate inscription on the form for the collection of signatures of voters and attested by the signature of the person who collects voters' signatures. The said person must verify the identity of the person who signs the form as well as the fact whether such person has filled out the correct data on the form. Voters may support each candidate to the office of President of the Republic only once.

4. Forms for the collection of voter signatures shall be issued by the Central Electoral Commission directly to individuals who have announced in writing their participation as candidates in the elections of the President of the Republic and, upon the request of these persons - to persons indicated by them.

Article 38. Registration of Candidates to the Office of the President of the Republic

1. At least 45 days prior to the elections, individuals who have been nominated or who have nominated themselves as candidates to the office of the President of the Republic must submit voter signature collection forms containing to the Central Electoral Commission, which issued the said forms. Moreover, each individual who has been nominated or who has nominated himself as a candidate to the office of the President of the Republic must present the extracts containing the basic data from the income tax return and the personal property declaration approved by the State Tax Inspectorate, as well as a declaration of private interests.

2. Individuals who have been nominated or who have nominated themselves as candidates to the office of President of the Republic may submit a certificate of their health condition to the Central Electoral Commission. The Central Electoral Commission shall announce such certificates through mass media.

3. The Central Electoral Commission shall check whether the forms for the collection of voter signatures have been completed correctly not later than within 10 days of the receipt thereof. In the event that it is discovered that a citizen has signed for the same candidate more than once, none of his signatures shall be counted. Moreover, the signatures and data obtained or filled out in violation of paragraph 3 of Article 37 of this Law shall not count.

4. If, after the signatures which are not to be counted are cast off, the candidate to the office of President of the Republic has the signatures of at least twenty thousand of voters, the Central Electoral Commission must register the individual as a candidate to the office of President of the Republic not later than within 24 hours. Refusal of the Central Electoral Commission to register an individual as a candidate to the office of President of the Republic may be appealed against to the Supreme Administrative Court of Lithuania not later than within 3 calendar days, and the said Court must investigate the appeal within 72 hours. This term shall include non-working days as well. The decision of the Supreme Administrative Court of Lithuania shall become effective from its pronouncement.

5. Individuals who have been nominated or who have nominated themselves as candidates to the office of President of the Republic shall acquire the status of candidate to the office of President of the Republic upon their registration as candidates to the office of President of the Republic with the Central Electoral Commission, and the publication of a list of the individuals registered as candidates to the office of the President of the Republic in the information supplement of the *Valstybės žinios (the Official Gazette)*.

6. The Central Electoral Commission shall officially announce the list of all individuals who have been registered as candidates to the office of President of the Republic no later than 30 days prior to the day of the elections, and shall issue said individuals with a certificate of candidacy to the office of President of the Republic within 24 hours of the announcement thereof. The campaign for elections of the President of the Republic shall commence on the day of the official announcement of the list of candidates to the office of President of the Republic.

7. When early presidential elections in pursuance of Article 87 of the Constitution or presidential elections in pursuance to paragraph 1 of Article 89 are held within two months from the announcement thereof, individuals who have been nominated or who have nominated themselves as candidates to the office of President of the Republic must submit to the Central Electoral Commission the forms for the collection of signatures, specified in Article 37 of this Law, not later than 40 days left before the elections.

8. When early presidential elections in pursuance of Article 87 of the Constitution or presidential elections in pursuance to paragraph 1 of Article 89 are held earlier than within two months from the announcement thereof, 30-day and 40-day time limits, specified in paragraphs 6 and 7 of this Article, shall be reduced by such the number of days lacking to constitute a two-month time limit.

9. When early presidential elections in pursuance of Article 87 of the Constitution or presidential elections in pursuance to paragraph 1 of Article 89 are held earlier than within two

months from the announcement thereof, they may not be held earlier than within 45 days from the announcement of the elections.

Article 39. Agents of a Candidate to the Office of President of the Republic

1. An individual who has been registered as a candidate to the office of President of the Republic shall have the right to have his own agents. Candidates to the office of President of the Republic shall submit their list of agents to the Central Electoral Commission which shall, not later than within 24 hours, issue agent certificates (indicating the name and surname of the candidate) to the agents of the candidates to the office of President of the Republic.

2. On the instruction of the candidate to the office of President of the Republic, an agent of the candidate to the office of President of the Republic shall have the right to represent the candidate in meetings with voters and in the mass media, to raise funds for financing the elections, and to carry out other instructions of the candidate to the office of President of the Republic which do not contradict laws.

3. Candidates to the office of President of the Republic may at any time recall their agents. Upon receiving such a request from a candidate to the office of the President of the Republic, the Central Electoral Commission shall adopt a decision concerning the recall of an agent and shall announce this decision publicly.

Article 40. Observers of the Elections of the President of the Republic

1. Parties which nominate individuals as candidates to the office of President of the Republic, candidates to the office of the President of the Republic and their agents shall enjoy the right to appoint not more than two election observers in each polling district. An election observer shall be a person bearing the certificate in the form established by the Central Electoral Commission. He shall have the right to observe elections conducted within the territory of the municipality or the polling district which is indicated in his certificate. The certificate of an observer of presidential election shall be issued by:

1) the Central Electoral Commission - to observe elections on the entire territory of the Republic of Lithuania, in the diplomatic missions and consular posts of the Republic of Lithuania or only in the territories of the concrete municipalities or polling districts upon the recommendation of the Minister of Foreign Affairs, the President of the Republic or a person authorised by him, or upon the request of the persons representing international institutions, as well as at its own discretion;

2) a municipal electoral committee – to observe elections in the entire territory of this municipality, in one or several polling districts to citizens of the Republic of Lithuania who

are above 18 years of age upon the proposal of the candidate to the office of President of the Republic or at the request of the local branch of the party which has nominated in individual as a candidate to the office of President of the Republic (proposal, request must indicate the surname, name of the individual, his personal code, name of the polling district (districts)).

2. The observer's certificate shall be issued by the chairman of the electoral committee on behalf of the committee or by any other member of the committee on the instruction of the committee chairman. It shall be prohibited to refuse to issue an observer's certificate or to delay issuance thereof. All refusals to issue an observer's certificate must be reported at the next electoral committee sitting and an appropriate agent of a candidate to the office of President of the Republic must be notified thereof.

3. An election observer shall have the right to demand that the chairman and members of an electoral committee, as well as persons who are in the polling station of a polling district should adhere to this and other laws of the Republic of Lithuania. Electoral committees must take care of providing an election observer with proper conditions at the polling station of a polling district to monitor the observance of this Law. If an election observer violates this or other laws himself, his observer's certificate may be revoked on the decision of the chairman of the municipal electoral committee. The members of the electoral committee, the Central Electoral Commission and an appropriate agent of a candidate to the office of President of the Republic must be immediately notified in writing of the decision.

CHAPTER FIVE

V. Guarantees of the Activities of Candidates to the Office of President of the Republic

Article 41. The Right of Candidates to the Office of President of the Republic to Speak at Meetings or through Mass Media

1. After the official publication of the list of candidates, the candidates to the office of President of the Republic shall have equal right to speak at voter meetings or at any other meetings, gatherings, or conferences, and to utilise state mass media and publicise their election programme.

2. Heads of state institutions and establishments must assist the candidates to the office of President of the Republic to organise meetings with voters and to obtain necessary information, with the exception of confidential information.

Article 42. The Right of Candidates to the Office of President of the Republic to be Relieved from Work or their Service Duties during the Period of Campaigning

1. Upon his or her request, candidates to the office of President of the Republic shall be relieved from work or service duties for the period of the election campaign but for no longer than 2 months.

2. The provision of paragraph 1 of this Article shall not apply to a candidate to the office of President of the Republic who performs the duties of the Seimas member, the member of the Government or the President of the Republic.

Article 43. The Immunity of a Candidate to the Office of President of the Republic

1. During election campaign as well as until the oath of President of the Republic a candidate to the office of President of the Republic may not be found criminally liable, arrested, his freedom may not be restricted in any other way without the consent of the Central Electoral Commission.

2. The provisions of paragraph 1 of this Article shall not apply to a candidate to the office of President of the Republic who performs the duties of the Seimas member, the member of the Government or the President of the Republic. An issue of immunity of such persons during the election campaign shall be resolved in the manner prescribed by the Constitution and the laws.

Article 44. Liability for Violation of This Law

Persons who by force, threat, deception, bribery or otherwise prevent voters from implementing the right to elect or to be elected to the office of President of the Republic, to organise and carry out election campaign, who have violated the procedure of election campaign, announced or otherwise disseminated fraudulent data about a candidate to the office of President of the Republic or prevented a candidate from meeting with voters, or who have otherwise violated this Law, as well as the members of electoral committees or other officers who have falsified, damaged, destroyed, stolen or hidden election documents, made an incorrect vote count, violated the secrecy of voting or otherwise violated this Law, shall be held liable under law.

CHAPTER VI CAMPAIGNING

Article 45. Basic Principles of Campaigning

1. The conditions prescribed by this Law to start campaigning shall be provided for parties and candidates to the office of President of the Republic from the day the election campaign starts. Election campaign expenses and political advertising expenses incurred before the start of election campaign, must be declared in the manner prescribed by law and may not exceed the maximum permissible amount of election campaign expenses set by law.

2. Election campaign may be conducted in any form or manner, provided it does not violate the Constitution and the laws, conflict with the morals, justice or societal cohesion, contravene fair and respectable elections.

Article 46. Conditions and Procedure for the Use of the Mass Media

1. Candidates to the office of President of the Republic shall all have equal opportunity to participate free of charge in special broadcasts intended for election campaigning and produced by the Lithuanian National Radio and Television. Rules governing the making of such broadcasts shall be approved by, actual coverage and duration of broadcasts of the Lithuanian National Radio and Television shall be fixed by the Central Electoral Commission after consultation with the head of the Lithuanian National Radio and Television.

2. Candidates to the office of President of the Republic may participate themselves in special broadcasts intended for election campaigning on the Lithuanian national radio and television or may invite representatives of the parties and their own agents or other individuals specified by them to take part in the said broadcasts.

3. The procedure for specifying the election campaign by indicating the source of funds or that the election campaign is carried out free of charge, shall be established by the Central Electoral Commission:

4. Upon the demand of a candidate to the office of President of the Republic or the candidate's agent, mass media which has publicised compromising material about the said candidate to the office of President of the Republic must publicise the countering opinion of the candidate or his agent at least 5 days prior to the day of election.

5. It shall be prohibited to set up and communicate outdoor political advertising:

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

2) on means of transport and public transport;

3) in motorways and their sanitary protection areas, as well as in streets and along the side thereof, if it might block technical traffic regulation means and road signs, decrease visibility thereof, blind traffic participants, detract attention thereof, thus increasing the danger to traffic participants, and also it is prohibited to use advertising that imitates road signs;

4) on sculptures and monuments;

5) within 50 metres around the building which houses a polling station;

6) without permission of the owner of the land, construction works or other structures on or in which it is set up;

7) in the locations which are not approved by a municipal electoral committee as it is laid down in paragraph 8 of this Article.

6. Outdoor political advertising on/in protected territories and immovable cultural properties, as well as on their territories shall be permitted only upon co-ordination with a state establishment responsible for the protection of cultural properties and an establishment authorised by the founder of the protected territory.

7. In order to communicate political advertising in compliance with the principle of equality of candidates to the office of President of the Republic, each shall be provided with at least one special place within the territory of every polling district. According to this Law, the outdoor political advertising shall be the political advertising communicated by means of outdoor advertising. Political advertising communicated in public places, buildings, means of transport shall be regarded as outdoor political advertising. A municipality shall with its own funds make fit places of outdoor political advertising. Outdoor political advertising shall be produced and communicated with the funds of candidates to the office of President of the Republic.

8. Places in which outdoor political advertising may be set up within the territory of a municipality must be selected and presented for approval to the municipal electoral committee by the director of the municipal administration not later than 35 days prior to a polling day. If consents or arrangements specified in paragraphs 5 or 6 of this Article are necessary in order to disseminate outdoor political advertising or they are mandatory according to other laws, their copies shall be submitted together with the recommendation of the municipal administration. If stands, screens or provided places are not suitable for outdoor political advertising or are not made properly fit, the municipal electoral committee shall request that suitable places be provided or that provided places be made properly fit. An equal area of advertising, indicated by the chairman of the electoral committee of the polling district, shall be reserved for all candidates to the office of President of the Republic (the names of the

candidates shall be alphabetised). This area must not exceed for each the format A2. Outdoor political advertising shall be communicated by candidates to the office of President of the Republic or persons authorised by them in the areas of advertising provided for them. If outdoor political advertising is communicated in the places, which are not designated for this purpose, the director of the municipal administration must ensure immediate removal of such advertising.

9. Persons who violate the requirements of the procedure for setting up and communicating outdoor political advertising shall be held liable under the law.

10. All disputes concerning the campaigning shall be settled by the Central Electoral Commission.

Article 47. Prohibition to Take Advantage of one's Official Position for Campaigning

1. Anyone shall be prohibited from taking advantage of his official position in state or municipal institutions and establishments, as well as in the state or municipal mass media for any form of election campaign or from instructing other persons to do so or from trying to exert influence upon the will of voters in any other manner, taking advantage of his official position. State, municipal officers shall be prohibited from using their official position in creating for themselves or others exceptional election campaigning conditions. In the event the officer violates this Article, criminal or administrative action may be brought against him in a manner prescribed by law.

2. If a person is a candidate for President of the Republic, he can use the state or local authority mass media only according to the procedure set forth in Article 41 of this Law. If a candidate to the office of President of the Republic due to the fulfilment of his duties has to release important news to the mass media, he may do so only at a press conference. The state or local authority mass media can publicise only a recording of such conference, which contains no election campaigning.

Article 48. Financing of Presidential Election Campaign

Financing of presidential election campaigns shall be regulated by the Law on Financing of Political Parties and Political Campaigns, as well as Control over such Financing.

Article 49. Prohibition of Campaigning on the Polling Day

1. Campaigning, regardless of its methods, forms and measures, shall be prohibited during the 30 hours preceding elections and on the polling day, with the exception of

permanent visual campaign material in the places intended for this, provided that it was displayed at least 48 hours prior to the beginning of the elections. During the period of election campaign prohibition no visual campaigning material (with the exception of those issued by the Central Electoral Commission) may be displayed in a polling station or within 50 meters of the building in which a polling station is located.

2. Information about the course of elections, their importance for the life of the country, the number of voters who have come to vote, the documents necessary to have when voting, invitation to come to vote or any other information which does not urge not to participate in elections, vote for or against a candidate to the office of President of the Republic shall not be regarded as election campaign.

3. Persons who violate the provisions of paragraph 1 of this Article shall be held liable under law.

CHAPTER VII

Preparatory Activities for the Organisation of Elections

Article 50. Ballot Papers

In elections of the President of the Republic, each voter shall be presented with a ballot-paper which shall contain the name and surname of each candidate to the office of President of the Republic. Candidates to the office of President of the Republic shall be listed in alphabetic order.

Article 51. Delivery of Ballot Papers

1. Municipal electoral committees shall recount received ballot papers and postal voting envelopes, and write up an acceptance report.

2. Municipal electoral committees shall deliver ballot-papers to the electoral committees of polling districts at least 12 hours prior to the beginning of voting. The electoral committees of polling districts shall recount the ballot-papers and draw up a report of the receipt thereof.

3. Municipal electoral committees shall deliver ballot-papers and postal voting envelopes to central post offices at least 2 days before the beginning of postal voting.

4. At diplomatic missions and consular posts of the Republic of Lithuania, voters must be provided with free access to ballot-papers and postal voting envelopes at least 15 days prior to the election day, on ships voters must be provided with free access to the text of ballot-

papers not less than 15 days prior to elections. On ships ballot-papers shall be printed according to their description sent by a radiogram.

5. The Central Electoral Commission shall be responsible for printing, calculation and delivery of ballot-papers and postal voting envelopes within the fixed time period.

EIGHT SECTION

Voting

Article 52. Time and Place of Voting

Voting shall take place on the day of election from 7 a.m. to 8 p.m. in the polling station designated by the electoral committee. Voters shall only vote in the polling district on whose electoral roll their names have entered. Votes received by mail shall be valid only in the polling district on whose electoral roll the name of the voter has been entered.

Article 53. Preparation of Polling Stations

1. A polling station of the polling district must be completely prepared for elections not later than 12 hours before the beginning of voting. Moreover, the electoral committee must have counted all ballot papers received from the municipal electoral committee and drawn up their acceptance report by the prescribed time. In the polling station of a polling district there must be a ballot box , secret voting booth (booths) in which a voter could fill ballot papers in secrecy. Election posters, issued by the Central Electoral Commission, must be displayed in the polling station. The text of this Law must be accessible in each polling district. The election campaign material, except for the material issued by the Central Electoral Commission, shall be removed from the polling station, passageways leading to or out of it (corridors) and within 50 metres of the building in which the polling station is situated. Working places for the electoral committee members, places for election observers must be also organised. Upon completion of preparations the polling station shall be closed, sealed, left under the police protection and the chairman of the electoral committee of the polling district shall inform the municipal electoral committee thereof.

2. The Central Electoral Commission shall establish other requirements for preparation of polling stations

Article 54. Commencement of Voting

On the day of election, the polling station shall be opened only if at least 3/5 of the members of the electoral committee of the polling district are present. The chairman of the

electoral committee, together with the members of the electoral committee, shall make sure that a ballot box is empty and seal it up. Having checked that the polling station has been furnished without violating the established requirements, the chairperson of the electoral committee of the polling district shall register the total number of the ballot-papers received by the electoral committee of the polling district into the record of the calculation of votes, distribute the ballot-papers and electoral rolls among the members of the electoral committee, register the number of ballot-papers handed out to each electoral committee member into the record of the calculation of votes of the polling district and open the polling station, thereby, proclaiming the commencement of elections.

Article 55. Voter Identification

1. At the entrance to the polling station, a voter shall present his voter certificate, passport or other document proving his identity to an electoral committee member of the polling district. Upon having established that the voter has arrived at the polling district on the electoral roll of which his name has been included, a committee member shall hand the voter an arrival card, stamped with the seal of the polling district, indicating which the voter was to come to the polling station to vote and shall show the committee member to be applied to for a ballot. It shall not be allowed to hand several arrival cards to one voter or to hand in to a voter another voter's arrival card. If upon arriving at the polling station, the person does not have the required documents or it is not clear whether he has been entered on the electoral roll of this polling district, the committee member shall not hand the arrival card to this person, shall hand him a guest's card and refer him to the committee chairman or deputy chairman to find out about voting.

2. The committee member who is instructed to hand out the ballot papers, having established on the basis of the produced documents that the person who arrived to vote is indeed the citizen of the Republic of Lithuania who has been entered on the electoral roll, or provided that two citizens of the Republic of Lithuania entered on the electoral roll of that polling district witness to this fact in writing to the electoral committee chairman, shall find the surname of the voter on the electoral roll and shall accept the voter certificate and the arrival card from the person. After the voter and the committee member who hands ballot papers sign on the electoral roll of the polling district, the voter shall be handed ballot papers. The voter certificate and arrival card shall not be returned to the voter. In voting by post, 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.

3. It shall be prohibited to hand the voter the ballot paper of another person. The member of an electoral committee who violates this provision shall be liable under law.

Article 56. Voting Procedure

1. Having been handed the ballot-paper, the voter shall go into a voting booth and mark the ballot-paper personally. Only one voter at a time may enter a voting booth and stay there, with the exception of the case referred to in paragraph 5 of this Article.

2. On the ballot-paper, the voter shall mark the name of the candidate for whom he is voting.

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

4. If a voter so requests, faulty ballot-papers shall be exchanged for new ones by the decision of the electoral committee of the polling district. The chairperson of the electoral committee shall cross out the faulty ballot paper with a fountain pen (ball-point pen) and shall sign it. The electoral committee secretary and one of the committee members shall also sign the faulty ballot-paper. Spoiled ballot papers shall be kept separately.

5. Voters who because of physical handicaps or disability are unable to mark their ballot-papers themselves or cast them into the ballot-box may invite another person to mark the ballot-paper in the voting booth and cast it into the ballot-box for them. Electoral Committee chairpersons or members, election observers, shall be prohibited from carrying out such actions for voters.

Article 57. Voting by Post

1. Voting by post shall be made possible for voters who due to the health or age are in healthcare (except out-patient), social guardianship and care establishments or carry out mandatory military service and therefore are unable to arrive at a polling district, or they carry out active military service, civil service or work under employment contracts in international military operations abroad, or serve a sentence of arrest or imprisonment, or are in arrest houses, remand prisons (detention facilities) . Postal voting shall be possible at post offices set specially for postal voting (hereinafter referred to as “special post offices”) during their business hours on a last Wednesday, Thursday or Friday before the polling day. In military units deployed abroad postal voting shall be conducted in accordance with the procedure laid down by the Central Electoral Commission, on the recommendation of the Ministry of National Defence. Expenses related to postal voting shall be covered with the funds of the State Budget.

2. The head of the post office shall be responsible for the organisation of postal voting. The chairman of the electoral committee of the polling district on the territory whereof the post office is situated shall be responsible for organising the supervision over the post office work related to voting by post. He shall, in conjunction with the chairmen of other polling district committees whom the municipal electoral committee has assigned with such a task, organise that members of polling district committees participate during voting in special post offices. Commanders of military units deployed abroad shall be responsible for organising voting by post in those units.

3. The head of the post office, with the consent of the municipal electoral committee, shall appoint postal workers for the issue and collection of ballot papers and postal voting envelopes during voting by post, who are entrusted with the work with election documents. If the municipal electoral committee requests so, the head of the post office must remove a postal worker from the work with election documents. Postal workers who are authorised to issue and accept election documents shall be issued by the municipal electoral committee the certificates in the established form. A postal worker who is not in possession of such certificate shall not have the right to issue and accept election documents. An electoral committee member, election observer, who has produced his certificate to the postal worker, a voter, who has produced the voter certificate, passport or any other document proving his identity, shall have the right to write down his remark in the said certificate. The head of the post office shall immediately notify the municipal electoral committee about this remark.

4. In the places referred to in Articles 60, 61, 62 and 63 of this Law there must be some premises (place) where the voter can, without interference and in secrecy, mark the ballot papers and put them into a postal voting envelope. In these cases voting procedure may be observed by the observers who have certificates permitting them to observe elections in any polling district.

5. The postal worker shall issue election documents in accordance with the procedure established by the Central Electoral Commission. Together with ballot papers, voters shall be given postal voting envelopes. A return envelope shall be addressed by the postal worker to the electoral committee of the polling district, which is indicated in the voter certificate of the person.

6. The voter shall vote personally and in secrecy:

- 1) mark the ballot papers;
- 2) put the marked ballot papers into the ballot paper envelope;
- 3) seal the ballot paper envelope;

4) place the ballot paper envelope into the return envelope together with the voter certificate;

5) seal the return envelope.

7. Actions referred to in paragraphs 6 and 8 of this Article shall be carried out by a voter himself. If because of the physical handicaps or disability a voter is unable to carry out the said actions himself, at his request such actions shall be carried out by a person he chooses. This person must mark the ballot papers in the voter's presence in compliance with his instructions and preserve the secrecy of voting.

8. The sealed return envelope (with the voter certificate, ballot paper envelope and ballot paper in it) the voter shall hand to a postal worker. Upon having received the return envelope handed by the voter, he shall seal it with a special mark and give the voter a receipt confirming the acceptance of this envelope.

9. A postal worker shall be prohibited from carrying out for a voter the actions referred to in paragraphs 6 and 8 of this Article, as well as from accepting from the voter a return envelope which is not sealed. Voters shall be prohibited from taking out postal ballot papers, postal voting envelopes or handing them to other persons.

Article 58. Article 70. Polls in Diplomatic Missions and Consular Posts of the Republic of Lithuania

1. Voters who have gone to foreign states shall be entitled to vote in diplomatic missions or consular posts of the Republic of Lithuania during their business hours. Not less than 4 hours must be allotted for voting during a business day of the said establishments. Polls shall close on the election day at the Republic of Lithuania time.

2. Voting commissions set up by the diplomatic missions or consular posts of the Republic of Lithuania shall hand election documents to the voters who have notified the said institutions about their places of residence, or, at their request, deliver the documents by post and accept them.

3. Voters who have come for voting to a diplomatic mission or consular post of the Republic of Lithuania shall be prohibited from taking out the election documents or giving them to another persons.

Article 59. Polls Held on Ships

1. Voters (ship's crew and passengers) who are aboard a ship, if they left from a port of the Republic of Lithuania not earlier than 4 days prior to an election day and have not returned until the election day, or in the presence of other circumstances because of which they cannot

vote in their polling district, by post, in a diplomatic mission or consular post of the Republic of Lithuania, shall have the right to vote on the ship.

2. On the recommendation of the Minister of Transport and Communications, the Central Electoral Commission shall draw up a list of ships sailing under the flag of the State of Lithuania, on which there are no less than 5 crew members - voters, voting is organised and with which the radio communication is maintained during the voting. On the recommendation of the Minister of Transport and Communications, the Central Electoral Commission shall fix such time for voting on the ship that each voter who is aboard the ship is given the opportunity to vote.

3. Voter certificates shall not be issued to the voters voting on ships.

Article 60. Organisation of Voting in Diplomatic Missions, Consular Posts and on Ships of the Republic of Lithuania

1. Voting commissions shall be set up in diplomatic missions, consular posts and on ships of the Republic of Lithuania in order to organise voting and count the votes cast.

2. Electoral committees shall be composed of a committee chairman and at least two members. An electoral committee shall be set up in a diplomatic mission or consular post of the Republic of Lithuania by its head from the employees of the diplomatic mission or consular post of the Republic of Lithuania, or from other citizens of the Republic of Lithuania residing in a foreign country. The procedure for giving written pledges of electoral committee members shall be established by the Central Electoral Commission.

3. Voting commissions on ships shall be set up by ship captains – citizens of the Republic of Lithuania, taking into account the decision of a meeting of the ship’s crew – citizens of the Republic of Lithuania.

4. The Central Electoral Commission shall establish the procedure for voting, vote counting and submitting records to the Central Electoral Commission as well as the procedure for issuing certificates to election observers.

5. On the recommendation of the Minister of Foreign Affairs, the Central Electoral Commission shall draw up a list of diplomatic missions and consular posts of the Republic of Lithuania in which voting shall be conducted and shall set polling days (no less than 10) for each diplomatic mission and consular post.

6. In diplomatic missions, consular posts of the Republic of Lithuania their heads and on ship their captains – citizens of the Republic of Lithuania shall be responsible for organizing voting, submitting to the Central Electoral Commission the records and other documents determined by it.

7. Voting shall not be organised on ships in which there are no conditions for organising the voting in accordance with the requirements of this Law.

Article 61. Voting in Institutions of Healthcare, Social Guardianship and Care

1. Voters who because of their health condition or age are in healthcare (except out-patient) facilities, institutions of social guardianship or care shall be entitled to vote in such institutions.

2. A municipal electoral committee shall, not later than 15 days prior to a polling day and upon the recommendation of the heads of the institutions specified in paragraph 1 of this Article, draw up a list of special post offices and, upon the recommendation of the head of the post office, set such working hours of the post offices that the days of voting in them would be in compliance with paragraph 1 of Article 57 of this Law.

3. The heads of the institutions referred to in paragraph 1 of this Article shall draw up lists of voters voting in special post offices. The following must be indicated in such list of voters voting in a special post office: voter's name and surname, personal number, municipal electoral committee (name and number), whether or not a voter has a voter certificate. The head of the institution shall transfer a list of voters voting in a special post office to a municipal electoral committee, receive voter certificates from it or print them according to the date received via means of electronic communication and ensure the delivery of the certificates to voters, allot the premises appropriate for voting, and be responsible that the voters would be notified about the working place and time of a special post office, and that the conditions would be created for voters to reach it.

4. Voters who are able to move shall vote themselves in accordance with the procedure covered in paragraphs 6 and 7 of Article 57 of this Law. Voters who are unable to move shall be visited by at least two polling district committee members, election observers (should they wish so) and employees of special post offices.

5. If because of the physical handicaps or disability voters are unable to vote themselves, they may entrust other persons to vote for them. These persons must mark the ballot papers in the presence of the voter according to his instructions and preserve the secrecy of voting.

6. Committee members, employees of a special post office and election observers shall be prohibited from carrying out the actions related to voting, as well as from accepting from the voter a return envelope which is not sealed.

7. It shall be prohibited to exert influence upon the self-determination of a voter who is in a healthcare (except out-patient), social guardianship and care institution, or to rush him to vote.

Article 62. Voting in Military Units

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

2. A municipal electoral committee shall, not later than 15 days prior to a polling day and upon the recommendation of the commanders of military units stationed within the territory of the Republic of Lithuania, draw up a list of special post offices and, upon the recommendation of the head of the post office, set such working hours of the post offices that the days of voting in them would be in compliance with paragraph 1 of Article 57 of this Law.

3. The commanders of military units shall draw up a list of voters voting in a special office. The following must be indicated in such list of voters voting in a special post office: voter's name and surname, personal number, municipal electoral committee (name and number), whether or not a voter has a voter certificate. The commander of a military unit shall transfer a list of voters voting in a special post office to a municipal electoral committee, receive voter certificates from it or print them according to the date received via means of electronic communication and ensure the delivery of the certificates to voters, allot the premises appropriate for voting, and be responsible that the voters would be notified about the working place and time of a special post office, and that the conditions would be created for voters to reach it. In it is impossible to set a special post office or to ensure that voters will be able to properly carry out actions related to voting, the commanders of military units (with the exception of the commanders of the military units stationed abroad) shall create conditions for voters to go to another special post office for voting or on polling day to travel to a polling district on the electoral roll of which they have been entered.

4. The provisions of Article 57 shall apply to voting in military units.

5. It shall be prohibited to exert influence upon self-determination of a voter voting in a military unit, or to rush him to vote.

Article 63. Polls in Penal Institutions

1. Voters who serve arrest or imprisonment sentence shall be entitled to vote in an institution they serve a sentence.

2. A municipal electoral committee shall, not later than 15 days prior to a polling day and upon the recommendation of the heads of penal institutions, draw up a list of special post offices and, upon the recommendation of the head of the post office, set such working hours of the special post offices that the days of voting in them would be in compliance with paragraph 1 of Article 57 of this Law.

3. The heads of penal institutions shall draw up a list of voters voting in special post offices. The following must be indicated in such list of voters voting in a special post office: voter's name and surname, personal number, municipal electoral committee (name and number), whether or not a voter has a voter certificate. The head of a penal institution shall transfer a list of voters voting in a special post office to a municipal electoral committee, receive voter certificates from it or print them according to the date received via means of electronic communication and ensure the delivery of the certificates to voters, allot the premises appropriate for voting, and be responsible that the voters would be notified about the working place and time of a special post office, and that the conditions would be created for voters to reach it.

4. The provisions of Article 57 of this Law shall apply to voting in penal institutions.

5. The provisions of this Article and Article 57 of this Law shall apply to voting in arrest houses, remand prisons (detention facilities).

6. It shall be prohibited to exert influence on self-determination of a voter voting in an arrest house, remand prison (detention facilities) or penal institution, or to rush him to vote.

Article 64. Voting at Home and Voting in Advance

1. Only the following persons may vote at home: disabled voters, voters with temporary working incapacity, voters aged 70 and over if because of the health condition they are unable to come to a post office to vote or to a polling district on election day and if they produce a voter's request, the form of which is set by the Central Electoral Commission, for voting at home. Electoral committees which make up and verify lists of voters voting at home shall be entitled to receive information concerning disabled persons from the State Social Insurance Fund Board or its territorial departments, and information concerning persons with temporary working incapacity – from healthcare establishments. Electoral committees may not disseminate this information and shall use it only for the purpose of making-up and verification of lists of voters voting at home.

2. Only those voters may vote in advance, who are unable to arrive to a polling district to vote on polling day. A municipal electoral committee shall organise voters' voting in advance. Voting in advance must be conducted from 12.00 to 8.00 pm on the Wednesday and Thursday preceding a polling day, in the premises prepared beforehand and fitted for voting, which are situated in the building in which a workplace of mayor (director of the administration) of that municipality is located. In order to hand out and accept ballot papers and postal voting envelopes when voting in advance, the chairman of a municipal electoral committee shall appoint not less than 2 members of a municipal electoral committee or district electoral committees who may not be proposed by the same political party. Voting in advance shall be supervised by the chairman of a municipal electoral committee or, upon his instruction, a member of the municipal electoral committee.

3. Voters' requests for voting at home shall be submitted to polling district committees. The committees shall begin to accept requests of voters, residing within the territory of a concrete polling district, for voting at home by handing voter certificates to such voters and end accepting the requests on the Thursday preceding a polling day. Accepting of requests for voting at home of voters who temporarily stay within the territory of a concrete polling district and have not been entered on the electoral roll of this polling district shall end on the Tuesday preceding a polling day. A voter who because of his physical handicaps or disability is unable to fill in a request for voting at home or to hand it to a polling district committee, may authorise his family member, neighbour or a person who takes care of him to carry out the said actions for him. These persons shall sign the voter's request and indicate their name, surname and personal number.

4. On the Thursday preceding a polling day a polling district committee shall draw up and approve a roll of voters voting at home who are entered on the electoral roll of that polling district. On the Wednesday preceding an election day a municipal electoral committee shall draw up and approve a roll of voters who reside or temporarily stay within the territory of a concrete polling district but have been entered on the electoral roll of another polling district and have not been entered on the electoral roll of this polling district when revising them.

5. On the Friday or Saturday preceding a polling day, from 8.00 am to 8.00 pm at least two members of a polling district committee shall deliver postal voting envelopes and ballot papers to the homes of the voters who have been entered on the roll of the polling district voters voting at home and who are the voters of this polling district. On the Thursday preceding an election day at least two members of a municipal electoral committee or, by order of its chairman, at least two members of a polling district committee shall deliver postal voting envelopes and ballot papers to the homes of the voters who have been entered on the

electoral roll of the municipal voters voting at home, but who have not been entered on the electoral roll of the polling district within the territory of which they temporarily stay. Voting at home and voting in advance may be observed by election observers who have a certificate to observe elections in any polling district. After the completion of voting, sealed return envelopes shall be transferred to the post office which shall transfer them to polling districts together with election documents of voters who voted by post. Lists of voters who voted at home and in advance, ballot papers which were not used, shall be included into the accounting and preserved by the electoral committees which organised voting. After the end of elections such committees shall transfer the said documents together with other elections documents to an appropriate municipal electoral committee or the Central Electoral Commission.

6. A concrete schedule of electoral committee members' coming to the homes of voters shall be approved by the chairman of a polling district or municipal committee not later than, respectively, in the Wednesday or Thursday preceding the noon of an election day. This schedule shall be made public; its copy shall be posted up on the billboard of the polling district (municipal) electoral committee on the day of approval of the schedule. Only the electoral committee members and election observers proposed by different political parties may come together to the homes of the voters.

7. The provisions of paragraphs 6 and 7 of Article 57 of this Law shall apply to voting at home and early voting.

8. The sealed return envelope (with the voter certificate, ballot paper envelope and ballot papers in it) the voter shall hand to a member of the polling district (municipal) electoral committee. Upon having received the return envelope handed by the voter, he shall give the voter a receipt confirming the acceptance of this envelope.

9. When a voter votes at home or carries out early voting, it shall be prohibited to exert influence on his determination and to hasten his voting. Committee members shall be prohibited from carrying out the actions for a voter, referred to in paragraphs 6 and 7 of Article 57 of this Law, as well as from accepting an unsealed return envelope from a voter. Voters shall be prohibited from taking out ballot papers or giving them to another persons.

CHAPTER NINE

COUNTING OF VOTES AND ESTABLISHMENT OF ELECTION RESULTS

Article 65. Counting of Postal Voting Envelopes and Ballot Papers in Post Offices

1. The procedure for counting postal voting envelopes and ballot papers in the Republic of Lithuania shall be laid down and this accounting shall be administered by the Central Electoral Commission.

2. Accounting of postal voting envelopes and ballot papers, their issuing and acceptance when voting shall be managed by the heads of appropriate post offices. They shall indicate accounting data in a journal specially designated for this purpose. Accounting of postal voting envelopes and ballot papers for voting by post, used when voting in military units stationed abroad, their issuing and acceptance when voting shall be managed by the commanders of those military units. They shall transfer to the Central Electoral Commission accounting data pertaining to election documents, unused postal voting envelopes, ballot papers and postal voting envelopes with ballot papers marked by voters. The Central Electoral Commission shall, not later than until a polling day, transfer the received postal voting envelopes with the ballot papers marked by voters to the committee of a polling district on the electoral roll of which a voter has been entered.

3. The post office head shall deliver unused postal voting envelopes and ballot papers to the municipal electoral committee one day prior to an election day.

4. The head of a post office or a person authorised by him shall deliver postal voting envelopes containing ballot papers marked by voters to polling district committees on the polling day, but not later than 2 hours before the closing of the polls.

5. Return envelopes, unused and damaged ballot papers of voters who voted on the Thursday preceding a polling day, shall be transferred to a municipal electoral committee by the members of the electoral committees who went to the homes of the voters pursuant to the provisions of Article 64 of this Law. The municipal electoral committee shall not later than on the Friday preceding a polling day transfer return envelopes to a post office.

6. Return envelopes, unused and damaged ballot papers of voters who voted on the Friday or Saturday preceding a polling day, shall be transferred to the chairman of a polling district committee not later than 9.00 pm of the same day. Having checked the received election papers, the polling district committee shall decide whether or not voting at home has met the requirements of this Law.

7. Return envelopes shall be kept together with ballot papers.

8. Before starting to count the votes, return envelopes of voters who voted by post shall be put together with return envelopes of voters who voted at home, mixed and counted together according to Article 68 of this Law and in the same manner as the votes received by post.

Article 66. Keeping of Records of Ballot Papers in Polling Stations

1. Upon the closing of a polling station the chairperson of the electoral committee of the polling district, in the presence of at least 3/5 of the members of the electoral committee, shall close and seal the ballot-box slot, collect unused ballot-papers from each member of the electoral committee of the polling district, count them publicly, record the number of unused ballot-papers in the vote calculation record, and verify, according to signatures in the electoral roll, voter certificates, if all ballot-papers have been handed lawfully.

2. The polling district electoral committee shall count the unused and spoiled ballot papers publicly; annul them by cutting off the upper right corner; put them into the envelopes specially designated for this purpose and seal these envelopes. The number of unused and faulty ballot-papers shall be entered in the vote calculation record.

Article 67. Counting of Votes of the Voters who Have Voted in the Polling Station of the Polling District

1. The electoral committee of the polling district, in the presence of at least 3/5 of its members, shall inspect the ballot- box of the polling district to: ensure that the seals have not been broken, 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 of the polling district, in the presence of at least 3/5 of its members, shall decide if the ballot box has been tampered with. If the electoral committee of the polling district decides that the ballot-box was tampered with, an act shall be drawn up about this and votes shall not be calculated.

2. Upon ascertainment that the ballot-box was not tampered with and in the presence of at least 3/5 of the members of the electoral committee of the polling district as well as observers, the box shall be opened, all ballot-papers shall be placed on tables (any other documents and writing-materials must not be present on the tables), and the votes shall be counted.

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

4. The number of the voters of the polling district shall be established according to the electoral roll of the polling district. The number of voters who have been handed ballot-papers shall be established according to the electoral rolls testifying the receipt of the ballot-paper. The number of voters who have voted in the polling district shall be established according to the number of ballot-papers found in the ballot-box of the polling 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 polling districts and the number of ballot-papers received by post.

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

6. The results of the vote calculation shall be entered in the vote calculation records.

Article 68. Keeping of the Records of Voters who Have Voted by Envelopes and the Counting of their Votes

1. After the counting of ballot papers found in the ballot box, ballot papers received by post and at homes shall be calculated in the following procedure:

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

2) return envelopes shall be opened one at a time;

3) a voter certificate shall be taken out of the return envelope, the voter's surname shall be read aloud, it shall be checked against the voter list of the polling district, and the ballot paper envelope shall be stamped with the seal of the polling district. If the person on the voter certificate is not on the electoral roll of the polling district, if the voter has already signed such electoral roll indicating that he has already voted in the polling district, if another postal voting envelope has been received from the same voter, if there is no voter certificate in the return envelope, or if there is more than one ballot paper envelope in the return envelope, the seal shall not be affixed and the ballot paper (ballot papers) in the envelope shall be considered invalid, the envelope shall not be opened. A ballot paper envelope (envelopes) must be marked with a note that the ballot papers placed in them are invalid. The content of such envelopes shall not be reckoned in the vote counting record of the polling district;

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

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

6) when all envelopes received by post and at home have been inspected, the ballot box shall be opened and the sealed ballot paper envelopes shall be opened. If there is more than one ballot paper in the envelope, all ballot papers in the envelope shall be considered invalid. Then the votes received by post shall be counted according to the requirements of Article 72.

2. If only one sealed ballot paper envelope is in the polling district (committee), it, in order to protect the secrecy of voting, shall not be opened, and shall be handed over to the electoral committee which has formed this committee. This committee shall enter the results of the voting in its vote counting record.

Article 69. Vote Counting Records of the Polling District

1. A vote calculation record shall be drawn up in every polling district. It shall include:

- 1) the number of voters in the polling district;
- 2) the number of ballot papers received from the municipal electoral committee;
- 3) the number of ballot-papers 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 spoiled ballot-papers;
- 4) the number of unused ballot-papers;
- 5) the number of voters who have voted in the polling station of the polling 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 office of President of the Republic;
- 10) the number of postal voting envelopes of voters who have voted at home, the number of postal voting envelopes received by post, the total number of voting envelopes received by post and at home, and the number of sealed ballot paper 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 office of President of the Republic;
- 14) the total number of voters who participated in the elections in the polling district;
- 15) the total number of invalid votes in the polling district;
- 16) the total number of votes cast for each candidate to the office of President of the Republic.

2. 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 record, indicating the number of extra ballot-papers which were found.

3. The chairperson and members of the electoral committee of the polling district shall sign the vote calculation record of the polling district. After that the election observers shall

sign the records. Their remarks, the separate opinions of the committee members shall be appended to the records and shall be an integral part thereof.

Article 70. Invalid Ballot Papers

1. Invalid ballot-papers shall be:

1) ballot-papers, which are not of the established sample;

2) ballot-papers, which are sealed with the seal of the wrong polling district;

3) ballot-papers in which voters marked more than one candidate to the office of President of the Republic.

4) ballot-papers on which voters have not marked any of the candidates to the office of President of the Republic.

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

Article 71. Presentation of Vote Counting Documents of the Polling District to the Municipal Electoral Committee

1. The electoral committee of a polling district shall put all ballot-papers, including invalid and unused ballot-papers, all voting envelopes, vote calculation records, electoral rolls and other election documents into packages, make their inscriptions and seal it in accordance with the procedure established by the Central Electoral Commission. Packages shall be delivered to the municipal electoral committee within 12 hours of the closing of voting.

2. The Central Electoral Commission and the Ministry of the Interior must ensure the safety of transportation of the election documents and the persons transporting them.

Article 72. Vote Counting of a Polling District in the Municipal Electoral Committee

1. TA municipal electoral committee shall begin calculating votes upon receiving all vote calculation records and other election documents from all polling districts.

2. The municipal electoral committee shall accept the election documents delivered by the polling district electoral committee and shall check:

1) whether all documents (packages) which had to be submitted have been delivered;

2) sealing and descriptions of the packages (whether the description is full and correct);

3) whether all data have been entered in the vote calculation record; if they do not contradict one another; if they correspond to the data available to the municipal electoral committee (the number of ballot papers issued to the electoral committee of the polling district, the number of voters, the number of return envelopes received by post); if there are

all necessary signatures; whether all separate opinions of the committee members, remarks of election observers are attached to the record in which they are specified; and

4) whether all remarks and complaints of voters have been considered in the electoral committee of the polling district.

3. The municipal electoral committee shall immediately report the data of the vote counting record, its comments concerning the documents submitted by the polling district committee to the Central Electoral Commission in the manner prescribed by it, and shall ensure the safety of submitted documents.

4. The packages sealed by the polling district committees, which contain ballot papers and other election documents, may be opened in the municipal electoral committee only by decision of the municipal electoral committee.

5. Upon establishing the shortage of documents submitted by the polling district electoral committee, the municipal electoral committee shall take measures to eliminate the shortage, request the chairman of the polling district electoral committee to supply the missing documents.

6. The municipal electoral committee shall count the votes in the following manner: it shall sum up the figures submitted by polling district electoral committees and shall add to them the votes cast by the voters by post, which have been counted in the municipal electoral committee.

Article 73. Vote Calculation Records of Municipal Electoral Committees

1. In accordance with vote counting records, ballot papers and other documents of polling districts, the municipal electoral committee shall establish:

1) the number of voters who have participated in the elections held in the municipality, which shall equal the number of voters who have voted in the polling districts of the municipality;

2) the number of invalid ballot-papers in the municipality which shall equal the number of invalid ballot-papers in polling districts;

3) the number of valid ballot-papers in the municipality which shall equal the number of valid ballot-papers in polling districts;

4) the number of votes cast for each candidate to the office of President of the Republic. This number shall equal the sum of votes received in the polling districts separately for each candidate to the office of President of the Republic.

2. The data referred to in paragraph 1 of this Article shall be entered in the vote calculation record of the municipal electoral committee. Vote calculation records of the

municipal electoral committee shall be signed by the chairperson and members of the electoral committee of that municipality.

Article 74. Presentation of Vote Calculation Documents of Municipal Electoral Committees to the Central Electoral Commission and Establishment of Results of Presidential Elections

1. The Central Electoral Commission may begin to establish the election results after the vote calculation records of all municipal electoral committees as well as other election documents have been received.

2. All documents (except financial documentation) received from polling districts, voter lists, the vote counting record of the municipal electoral committee, the minutes of the municipal electoral committee for the whole period of its activities and other election documents shall be placed into special packages and sealed by the municipal electoral committee. The packages shall, within the time limit established by the Central Electoral Commission, be delivered to the Central Electoral Commission.

3. In accordance with vote counting records of the municipal electoral committees and according to vote counting records received from the diplomatic missions and consular posts of the Republic of Lithuania, the Central Electoral Commission shall establish:

- 1) the number of voters of the Republic of Lithuania;
- 2) the number of voters who have participated in the presidential elections;
- 3) the number of invalid ballot-papers;
- 4) the number of valid ballot-papers; and
- 5) the number of votes cast for each candidate to the office of President of the Republic.

4. While investigating the complaints filed in the procedure established by this Law, the Central Electoral Commission may recount ballot-papers and, upon the establishment of errors in their calculation, may correct entries in vote calculation records. The Central Electoral Commission may not consider invalid vote calculation records of electoral committees of polling districts, municipal electoral committees due to errors detected in vote calculation records.

5. The Central Electoral Commission may declare the presidential election results null and void, if it has established that severe violations of this Law which were committed after the announcement of the date of presidential elections until the end of election campaigning as set in this Law, as well as in the course of voting or falsification of documents had an essential influence on the presidential election results. In this case, a run-off presidential election shall

be conducted in accordance with the procedure laid down in paragraph 6 of Article 77 of this Law.

6. A candidate to the office of President of the Republic shall be considered elected if during voting for the first time in which at least half of all voters participate, he receives more than half of the votes of all voters participating in the elections. If less than half of all voters participated in the elections, a candidate to the office of President of the Republic shall be considered elected when he receives the most, but no less than one-third of votes of all voters.

7. If during the first voting round in the presidential election none of the candidates to the office of President of the Republic get the required majority vote, within 2 weeks of the day of the proclamation of the election results, on Sunday run-off voting shall be conducted in the procedure established by this Law between the two candidates to the office of President of the Republic who received the most votes in the first voting round. A date of run-off voting shall be announced by the Central Electoral Commission together with the final results of the first voting. The candidate to the office of President of the Republic who gets more votes during the run-off voting shall be considered elected.

8. If during the first voting in the election to the office of President of the Republic not more than two candidates took part and neither of them received the necessary number of votes, a run-off election to the office of President of the Republic shall be held not later than within 3 months from the presidential election day.

Article 75. Participation of Observers in the Calculation of Votes and the Establishment of Election Results

1. Observers of political parties which have nominated candidates to the office of President of the Republic, observers appointed by candidates to the office of President of the Republic, and representatives of the mass media may participate in the calculation of votes in electoral committees of polling districts and municipal electoral committees, as well as in the establishment of election results in the Central Electoral Commission.

2. The observers shall have the right to make remarks and claims to the 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. Election observers shall have the right to make written protests, which must be added to the electoral committee records or decisions and, together with other election documents, must be delivered to the electoral committee which set up this electoral committee.

Article 76. Proclamation of Election Results

1. The final results of the presidential election shall be proclaimed by the Central Electoral Commission on the seventh day following the polling day.

2. The results of the run-off presidential election shall be proclaimed by the Central Electoral Commission not later than within 7 days from the day of the run-off voting.

Article 77. Inquiry Concerning the Violation of the Law on Presidential Elections

1. Not later than within 3 days of the official proclamation of the election results the Seimas of the Republic of Lithuania may appeal to the Constitutional Court of the Republic of Lithuania with the inquiry whether or not this Law has been violated during the elections of President of the Republic.

2. The Constitutional Court of the Republic of Lithuania shall investigate and evaluate the decision only of the Central Electoral Commission or its refusal to investigate complaints concerning the violations of this Law in the cases when decisions have been adopted or other actions of the Central Electoral Commission have been performed after the closing of voting during the election of President of the Republic.

3. This inquiry referred to in paragraph 1 of this Article shall be investigated by the Constitutional Court of the Republic of Lithuania not later than within 72 hours of its submission to the Constitutional Court. This term shall include non-working days as well.

4. Following the findings of the Constitutional Court of the Republic of Lithuania, the Seimas of the Republic of Lithuania shall adopt the final decision concerning the violation of the Law on Presidential Elections.

5. If the Constitutional Court of the Republic of Lithuania makes a conclusion that the Central Electoral Commission has severely violated the Law of the Republic of Lithuania on Presidential Elections or has falsified election documents, and this has had an essential influence on the establishment of the presidential election results, the Seimas of the Republic of Lithuania may pass one of the following resolutions:

1) to declare the presidential election results invalid - when, from the vote calculation records, it is impossible to establish real election results; or

2) to establish real final presidential election results according to the vote calculation records confirmed by electoral committees, provided that the decisions of the electoral committees concerning confirmation of these records have not been appealed against in the Supreme Administrative Court of Lithuania, and the Supreme Administrative Court of Lithuania has not reversed the decisions of the electoral committees concerning confirmation or non-confirmation of these records.

6. Upon declaring the results of the election of President of the Republic invalid, the run-off election of President of the Republic shall, not later than within 3 months of the presidential election day, be held in the manner prescribed by this Law.

Article 78. Preservation of Documents of Presidential Elections

The Central Electoral Commission shall, not later than within 3 months of the proclamation of the final presidential election results, prepare and publish a book about the results of the presidential elections, and shall within 4 months transfer vote calculation records of electoral committees of polling districts and municipal electoral committees, nomination documents (except the forms for the collection of voters' signatures), minutes of the sittings as well as the decisions of the Central Electoral Commission and a set of sample presidential election documents to the State Archives for permanent preservation. After that the Central Electoral Commission may, in a prescribed manner, decide to destroy the presidential election documents, which are not subject to preservation.