

Act amending the General Elections Act and the Local Government Elections Act (assistance with voting).

CHAPTER I

Amendments to the General Elections Act, No. 24/2000, with subsequent amendments.

Article 1

Two new paragraphs shall stand after the third paragraph of Article 63 of the Act, reading as follows.

If the circumstances of a voter covered by the third paragraph are such that he requests to have a representative, whom he has chosen himself, help him to cast his vote, the election official shall make a break in voting until other voters who may be present have finished casting their votes. The voter's representative shall step aside. The election official shall immediately prepare a ruling on the voter's request. The election official shall authorise the representative to help the voter to cast his vote if the voter himself is able to express his will clearly and without coercion to the election official stating that he wishes to have assistance from the representative, whom he has chosen himself. If the voter is not able, by himself, to express this will clearly to the election official, then the election official shall authorise the representative to help the voter to cast his vote if the voter submits a certificate from a rights protection officer who works in accordance with the Act on the Protection of the Rights of Disabled Persons confirming that the voter has himself chosen a particular, named, representative to help him to cast his vote. If the voter does not fulfil the above conditions, voting cannot take place in this way. The election official shall record his decision in the register provided for under the first paragraph and state the reasons for it. The election official's decision shall be final. If the election official authorises the voter's representative to assist him with casting his vote, then voting shall proceed and the fact that assistance was given shall be mentioned in the accompanying letter. The voter's representative shall be bound by an oath of confidentiality not to disclose what passes between him and the voter at the time of the voting. For this purpose, he shall confirm his oath before voting takes place by signing a special form. In pre-election voting, a voter's representative may not act as the representative of another voter for the same election.

In the case of voting in accordance with the fourth paragraph, the provisions of Articles 62-67 shall apply regarding the voter's representative.

Article 2

Two new paragraphs shall be added to Article 86 of the Act, reading as follows.

If the circumstances of a voter covered by the first paragraph are such that he requests to have a representative, whom he has chosen himself, help him to cast his vote in the polling booth, a break shall be made in the voting until other voters who

may be present in the polling room have finished casting their votes. The voter's representative shall leave the polling room. The electoral commission, or local electoral commission where there is more than one ward, shall immediately prepare a ruling on the voter's request. A local electoral commission may prepare its ruling on the voter's request together with him outside the polling room so that polling can continue with other voters. The electoral commission shall authorise the representative to help the voter to cast his vote if the voter himself is able to express his will clearly and without coercion to the electoral commission stating that he wishes to have assistance from the representative, whom he has chosen himself. If the voter is not able, by himself, to express this will clearly to the electoral commission, then the electoral commission shall authorise the representative to help the voter to cast his vote if the voter submits a certificate from a rights protection officer who works in accordance with the Act on the Protection of the Rights of Disabled Persons, confirming that the voter has himself chosen a particular, named, representative to help him to cast his vote. If the voter does not fulfil the above conditions, voting cannot take place in this way. The electoral commission's decision shall be recorded in the electoral records book, with the reasons stated. The electoral commission's decision shall be final. If the electoral commission authorises the representative to assist the voter in the polling booth, polling shall proceed. The voter's representative shall be bound by an oath of confidentiality not to disclose what passes between him and the voter in the polling booth. For this purpose, he shall confirm his oath before voting takes place by signing a special form. In voting during a polling session, a voter's representative may not act as the representative of another voter for the same election.

When voting takes place, the provisions of Articles 79, 81–85 and 87 shall apply to the voter's representative.

Article 3

The following amendments shall be made to Article 126 of the Act:

- a. The words 'or a voter's representative' shall stand after the words 'pre-election voting officer' in lettered item *b*.
- b. A new lettered item shall be added, reading as follows: if a voter's representative as provided for under Article 63 or Article 86 becomes the representative of another voter in the same election.

CHAPTER II

Amendments to the Local Government Elections Act, No. 5/1998, with subsequent amendments.

Article 4

Two new paragraphs shall be added to Article 63 of the Act, reading as follows. If the circumstances of a voter covered by the first paragraph are such that he requests to have a representative, whom he has chosen himself, help him to cast his vote in the polling booth, a break shall be made in the voting until other voters who

may be present in the polling room have finished casting their votes. The voter's representative shall leave the polling room. The electoral commission, or local electoral commission where there is more than one ward, shall immediately prepare a ruling on the voter's request. A local electoral commission may prepare its ruling on the voter's request together with him outside the polling room so that polling can continue with other voters. The electoral commission shall authorise the representative to help the voter to cast his vote if the voter himself is able to express his will clearly and without coercion to the electoral commission stating that he wishes to have assistance from the representative, whom he has chosen himself. If the voter is not able, by himself, to express this will clearly to the electoral commission, then the electoral commission shall authorise the representative to help the voter to cast his vote if the voter submits a certificate from a rights protection officer who works in accordance with the Act on the Protection of the Rights of Disabled Persons, confirming that the voter has himself chosen a particular, named, representative to help him to cast his vote. If the voter does not fulfil the above conditions, voting cannot take place in this way. The electoral commission's decision shall be recorded in the electoral records book, with the reasons stated. The electoral commission's decision shall be final. If the electoral commission authorises the representative to assist the voter in the polling booth, polling shall proceed. The voter's representative shall be bound by an oath of confidentiality not to disclose what passes between him and the voter in the polling booth. For this purpose, he shall confirm his oath before voting takes place by signing a special form. In voting during a polling session, a voter's representative may not act as the representative of another voter for the same election.

When voting takes place, the provisions of Articles 55, 57–62 and 64 shall apply to the voter's representative.

Article 5

The following amendments shall be made to Article 103 of the Act:

- a. The words 'or a voter's representative' shall stand after the words 'pre-election voting officer' in lettered item *b*.
- b. A new lettered item shall be added, reading as follows: if a voter's representative as provided for under Article 63 becomes the representative of another voter in the same election.

Article 6

This Act takes effect immediately.

Passed by the Althingi on 11 October 2012