

President
National Assembly
Republic of Slovenia
France Cukjati, MD

LAW ON ELECTIONS TO THE NATIONAL ASSEMBLY
official consolidated text
(ZVDZ-UPB1)

I. GENERAL PROVISIONS

Article 1

Deputies of the National Assembly are elected on the basis of universal and equal suffrage in free and direct elections by secret ballot.

Article 2

Deputies are elected in constituencies.

Deputies are elected according to the principle that each deputy is elected according to an approximately equal number of citizens, and according to the principle that political interests are proportionally represented in the National Assembly.

The Italian and Hungarian ethnic communities have the right to elect one deputy each to the National Assembly.

Article 3

Except where specific provisions are made by this Law, the election of deputies of the Italian and Hungarian ethnic communities is regulated for these elections by the provisions of this Law applying to other deputies.

Article 4

According to this Law, due terms are irrespective of Sundays, public and other holidays. Applications, due in term according to this Law, are submitted directly to the competent bodies.

Article 5

Public election campaign must end at least 24 hours prior to the day of election.

Article 6

Costs for the holding of elections are covered by the budget of the Republic of Slovenia.

It is considered that the funds for holding the elections in terms of laws governing the public finances and procurement are ensured on the day, which is with the election call defined as the day when the terms for the election tasks commence.

Public procurement necessary for implementing elections may commence with the regular election even before the date of the election call.

If because of the deadlines required by the elections implementation, it is not possible to comply with the deadlines set by the law governing public procurement, the public procurement is awarded under the negotiated procedure without prior publication.

II. VOTING RIGHTS

Article 7

Each citizen of the Republic of Slovenia of 18 years of age on the day of the election has the right to vote and stand for election as a deputy.

Notwithstanding the preceding paragraph, a citizen of the Republic of Slovenia who reached the age of eighteen but their business capacity is non-existent due to mental illness, retardation or impairment, or the parental rights or other persons' rights were extended after the age of their adulthood because they are not able to understand the meaning, purpose and effects of elections, does not have the right to vote and be elected.

The court specifically decides in proceedings for the withdrawal of business capacity or extended parental rights after the time of the adulthood, on the deprivation of the right to vote and be elected.

A voter has the right to vote in the constituency in which he has permanent resident status.

A voter without permanent resident status in the Republic of Slovenia has the right to vote in the constituency where they or one of their parents last had permanent resident status.

In the event that this is not possible to ascertain, the voter has the right to decide in which constituency and electoral district they shall vote.

Article 8

Members of the Italian and Hungarian ethnic communities enjoying the right to vote have the right to vote and stand for election as a deputy of the Italian or Hungarian ethnic communities.

Article 9

Voters vote in person. No-one is allowed to vote by proxy.

Votes shall be cast in a secret ballot.

A person listed on the electoral register may not be denied the right to vote nor be prevented from voting.

Article 10

Freedom of choice and secrecy of voting must be guaranteed to the voter.

No-one may be called to account for their vote or be requested to answer whether they voted, whom they voted for, or why they did not vote.

Article 11

The records of the right to vote are regulated by law.

III. GENERAL ELECTIONS

Article 12

General elections to the National Assembly are regular and early.

Regular elections are held every four years.

Irregular elections are held in the event of the dissolution of the National Assembly prior to the end of its four-year term.

Article 13

Regular elections are held no more than two months and at least fifteen days prior to the expiration of four years from the date of the first meeting of the former National Assembly. In the event of a prolonged mandate period the due term is the day on which the prolonged mandate period expires.

Early elections are conducted no later than two months after the dissolution of the National Assembly.

The mandate period of the former National Assembly ends with the first meeting of the new National Assembly. The first meeting of the new National Assembly is the meeting at which more than a half of the parliamentary mandates are confirmed.

Article 14

General elections are called by the President of the Republic.

Early elections are called by the President of the Republic with the Act on dissolving the National Assembly.

The Act on the calling of elections is published in the Official Gazette of the Republic of Slovenia.

Article 15

Regular elections are called no more than 135 days and at least 75 days prior to the expiration of four years from the date of the first meeting of the former National Assembly.

The period from the day when elections are called to the election day must not be more than 90 days and not less than 60 days.

Early elections may be held 40 days after the day on which the elections were called at the earliest.

Article 16

The day of calling the election and the election day are determined by the Act on the calling of the election.

The terms for activities related to elections begin on the day determined as the day of calling the election.

The election day is a Sunday or any other non-working day.

IV. BY-ELECTIONS

Article 17

If a deputy's term of office is terminated, they are replaced for the remainder of the term of office by the candidate from the same list of candidates who would have been elected if the replaced deputy had not been elected, unless he resigns within six months of the confirmation of the term of office.

If the term of office of a deputy of an ethnic community is terminated, they are replaced for the rest of the term of office by the candidate from the list of candidates who would have been elected if the replaced deputy had not been elected.

If the candidates from the first or second paragraph of this article fail to accept office within eight days, the right is transferred to the next candidate on the list.

Article 18

If there are no candidates on the candidacy list referred to in the preceding article, a by-election is conducted.

By-elections are also conducted in the event of the termination of the term of office of a deputy from the first paragraph of the preceding article within six months of the confirmation of the term of office.

A by-election is not conducted if a deputy's term of office is terminated less than six months prior to the expiry of the term of the National Assembly, unless the Assembly decides otherwise.

A deputy elected at a by-election is elected for the period until the expiry of the term of the National Assembly.

Article 19

By-elections are called by the President of the Republic at least fifteen days after the National Assembly ascertains the termination of a mandate.

The by-election is conducted in the constituency to which the deputy had been elected before the termination of his term of office.

The candidate with a majority of votes at the by-election is elected.

If there are two or more candidates at the by-election in a constituency, then all the candidates from the lists of candidates in all electoral districts stand at the by-election. The voter may only vote for as many candidates as there are deputies elected at the by-election in the constituency. The candidates who receive the majority of votes shall be elected at by-elections.

By-elections are conducted in accordance with the law regulating general elections, unless otherwise determined by this article.

V. CONSTITUENCIES

Article 20

Eight constituencies are formed for the election of deputies to the National Assembly. Each constituency elects eleven deputies.

Constituencies are formed according to the principle that each deputy is elected by an approximately equal number of inhabitants.

In the forming of the constituencies and electoral districts, geographical, cultural and other features are taken into account.

Electoral districts may cover the area of a single municipality, two or three municipalities or part of a municipality.

Each constituency is divided into eleven electoral districts, each with an approximately equal number of voters. Each electoral district elects one candidate.

Special constituencies are formed in the territories inhabited by the Italian and Hungarian ethnic communities for the election of ethnic community deputies.

Article 21

Constituencies and electoral districts are determined by law.

VI. ELECTORAL BODIES

Article 22

Elections of deputies are conducted and performed by electoral commissions and polling boards (hereinafter: electoral bodies).

Electoral commissions are appointed for a period of four years and polling boards for each election separately.

Article 23

Electoral commissions are:

- 1) republic electoral commission,
- 2) constituency electoral commissions,
- 3) district electoral commissions.

Electoral commissions for special constituencies are formed for the election of deputies of the Italian and Hungarian ethnic communities.

Article 24

An electoral body comprises of a president, members and their deputies (hereinafter: members).

Only a person with the right to vote may be a member of an electoral body.

No-one may be a member of more than one electoral body.

Article 25

A member of an electoral body may not simultaneously be a candidate at the election.

If a member of an electoral body accepts a candidacy then their function as a member of the electoral body is terminated by law.

Trustees or representatives of lists of candidates may not be members of electoral bodies.

Article 26

The function of an electoral body is honorary.

Members of electoral bodies must perform their functions thoroughly and responsibly, and must abide by laws and other regulations, irrespective of any other instructions.

Members of electoral bodies and their deputies have the right to adequate compensation in respect of the work carried out in the electoral body. The amount of compensation or reimbursement of expenses of members of electoral bodies, registrars and other persons performing duties in the election is determined by the national electoral commission in agreement with the Ministry of finance. For members of the national electoral commission, the amount of compensation is determined for each month of the implementation of the election on the basis of the basic salary of the president of the constitutional court, namely for the president of the national electoral commission and his deputy, to a maximum of one quarter of the basic salary of the president of the constitutional court, and for the other members of the national electoral commission a maximum of one sixth of the basic salary of the president of the constitutional court. The national electoral commission determines the amounts of compensation depending on their attendance at meetings and other activities. At a time when there is no election, the president of the national electoral commission receives compensation equal to 10% of the basic salary of the president of the constitutional court, and their deputy, the compensation of 5% of the basic salary of the president of the constitutional court.

Article 27

An electoral body has a quorum if all its members or their deputies are present.

An electoral body has a quorum, if in place of absent members any deputies are present. The president may only be deputised by his deputy.

Article 28

An electoral body reaches decisions by majority vote of its members.

In the event that a decision is not reached due to an equal number of votes being cast in favour of and against a particular resolution, the vote of the president of the electoral body is decisive.

If an electoral body fails, in due time, to reach a decision vital for the holding of elections, the president of the electoral body makes the decision.

Article 29

State bodies and local self-government bodies must assist electoral bodies in their work and provide them, where necessary, with the information needed for their work.

Administrative and technical conditions for the functioning of district electoral commissions and electoral commissions of electoral units are provided by administrative units where the head offices of these commissions are.

If the implementation of the public procurement is not possible because of the deadlines required by the implementation of early elections, or other serious reasons, a company determined by law as a publisher of the Official Gazette of the Republic of Slovenia arranges for printing and distributing of the printed material determined by the competent electoral authority.

Article 30

Representatives of lists of candidates have the right to be present at the work of constituency electoral commissions and the republic electoral commission.

Trustees of lists of candidates have the right to be present at the work of polling boards and district electoral commissions.

Representatives and trustees of lists of candidates have the right to inform the president of an electoral body of any irregularities.

Article 31

Representatives of a list of candidates are appointed by the proposer of the list when they propose the names of candidates to the constituency electoral commission.

The names of the trustees of a list of candidates are reported by representatives of the list to the district electoral commission no later than five days before the election day.

A representative or trustee of a list of candidates may not also be a candidate.

The trustee of a list of candidates may only be a person whose right to vote in the territory of the constituency is registered.

Article 32

The national electoral commission is appointed by the National Assembly.

The national electoral commission comprises of a president and five members and their deputies.

The president and deputy president of the national electoral commission are appointed from amongst judges of the Supreme Court.

Two members and two deputies of members of the national electoral commission are appointed from amongst legal experts. Three members and deputies of members of the national electoral commission are appointed at the proposal of the deputy groups whereby proportional representation of political parties must be taken into account.

Article 33

Constituency electoral commissions are appointed by the national electoral commission.

A constituency electoral commission comprises of a president and three members.

The president and deputy president of a constituency electoral commission is appointed from amongst judges.

One member and one deputy of a member of a constituency electoral commission are appointed from amongst legal experts. Two members and two deputies of members of a constituency electoral commission are appointed at the proposal of the deputy groups whereby proportional representation of political parties must be taken into account.

At least one member of a constituency electoral commission for the election of ethnic community deputies must be a member of the relevant ethnic community.

Article 34

District electoral commissions are appointed by the national electoral commission.

A district electoral commission is appointed for each electoral district.

A district electoral commission comprises of a president and three members and their deputies. The president of a district electoral commission is appointed from amongst judges; another qualified legal expert is appointed as their deputy.

Other members of the district electoral commission and their deputies are appointed at the proposal of the political parties, in accordance with proportional representation of said parties. Representative bodies of the local communities in an electoral district may also propose the appointment of members of district electoral commissions and their deputies.

In appointing members of district election commissions and their deputies in the preceding paragraph, the proposals from political parties are first taken into account, from whose lists of candidates in recent elections were candidates elected to the National Assembly, in the order according to the number of candidates elected where in the case of the same number the result is determined by lot, and then suggestions of other political parties and local communities, so as to ensure the political plurality of the composition of electoral commissions. If there are no proposals or are too few, officials employed in state administration or local administration are designated instead of the missing members and as their deputies.

Article 35

If the term of office of an electoral commission member expires in the period after the calling of elections such term shall be prolonged until the end of the elections.

Article 36

An electoral commission has a registrar, and they can have two deputies at the most. The registrar and their deputies are appointed among officials by the electoral commission.

Article 37

The national electoral commission:

- 1) assures the lawful conduct of the election and the uniform application of the provisions of this Law referring to the electoral procedure,
- 2) coordinates the work of constituency electoral commissions and district electoral commissions, provide them with expert advice on the application of this Law and supervises their work,
- 3) regulates the forms for the application of this Law,
- 4) regulates the uniform standards for voting materials and other physical conditions of election proceedings,

- 5) declares the results of elections to the National Assembly,
- 6) issues confirmations of election,
- 7) notes which lists of candidates have received 4% or more of votes cast for all lists at the national level,
- 8) takes care of the implementation of voting at the diplomatic consular representative bodies of the Republic of Slovenia,
- 9) organizes education for the members of other election authorities,
- 10) performs other duties determined by this Law.

The national electoral commission determines which official electoral documents must be sent to it by the constituency electoral commissions and district electoral commissions, and the due term and manner of sending.

The national electoral commission may transfer authority, from its own jurisdiction, to a constituency electoral commission for the election of ethnic community deputies.

Professional, administrative and technical tasks for the national electoral commission are performed by the department of the national electoral commission. Organization and work of this department is arranged by the national electoral commission with this Act. The department of the national electoral commission is headed by a director, who also serves as secretary of this commission. The director, following an open competition for a term of five years, is appointed by the national electoral commission. The provisions of the Law governing civil servants are applied for the procedure for the selection, appointment and dismissal and refer to the directors of directorates, except for provisions allowing dismissal due to no-fault grounds.

Article 38

The constituency electoral commission:

- 1) assures the lawful conduct of elections of deputies in the constituency,
- 2) ascertains whether individual candidacies and lists of candidates are in accordance with the law,
- 3) determines election results and declare which candidates were elected in a constituency according to Article 90 hereof, and issue reports on the results of the election,
- 4) supervises direct technical work related to the election,
- 5) performs other duties determined by this Law.

Article 39

The district electoral commission:

- 1) designates polling stations,
- 2) appoints polling boards,
- 3) determines results in electoral districts,
- 4) supervises direct technical work related to the election,
- 5) performs other duties determined by this Law.

The duties from the preceding paragraph are performed by a special constituency electoral commission for the election of deputies of the Italian or Hungarian ethnic communities.

Article 40

Polling boards directly supervise the voting at polling stations.

At least one polling board is appointed for each polling station.

Article 41

A polling board comprises of a president and an even number of members, each of whom has a deputy.

The president and members of a polling board must be citizens of Slovenia and have permanent resident status in the territory of the electoral district.

Political parties may submit their nominations for president and members of a polling board to the district electoral commission no later than ten days after the calling of elections. In appointing members of election committee, the proposals from political parties are first taken into account, from whose lists of candidates in recent elections were candidates elected to the National Assembly, in the order according to the number of candidates elected where in the case of the same number the result is determined by lot, and then suggestions of other political parties and local communities and their parts, so as to ensure the political plurality of the composition of electoral commissions. If there are no proposals or are too few, officials employed in state administration or local administration are designated instead of the missing members.

VII. NOMINATION

Article 42

Candidates may be nominated by political parties and voters.

Article 43

Political party nominates candidates according to the procedure determined by their regulations. The list of candidates is determined by secret ballot.

Political party may submit a list of candidates in every constituency, provided that these lists are supported by the signatures of at least three deputies of the National Assembly.

The signatures of the deputies on the prescribed forms are submitted to the national electoral commission.

A political party may submit a list of candidates in a constituency, provided that the list was nominated by party members who have resident status in the constituency, and that it is supported by at least fifty voters who have resident status in the constituency.

A political party may submit a list of candidates for a constituency in a manner other than that described in the preceding paragraph, provided that the list is supported by at least one hundred voters who have resident status in the constituency.

Two or more political parties may submit a joint list of candidates.

On the list of candidates no gender should be represented by less than 35% of the total actual number of candidates on the list.

The provision of the preceding paragraph does not apply to the candidate lists, where there are three candidates included, in which case at least one representative from each of the genders should be included.

Article 44

Voters may nominate a list of candidates by signature.

A list of candidates in an individual constituency may be nominated by at least one hundred voters who have resident status in the constituency.

For lists from this Article, the provision of the sixth paragraph of the Article 43 of this Act is applied.

Article 45

A candidate for deputy of the Italian or Hungarian ethnic community may be nominated by at least thirty voters who are members of the Italian or Hungarian ethnic community.

Article 46

Support by signature may be given from the day determined for the beginning of electoral activities until the day determined for the submitting of lists of candidates.

A voter or a deputy may give his support by signature only once.

Article 47

A voter gives his support by signature on the prescribed form. The form is signed in person before the competent body which keeps records of the right to vote, or at the competent local office.

The bodies from the preceding paragraph keep a special record of issued forms. This record is an official secret and the right to access data in it belongs only to the electoral commission or court.

A voter shall give support by signature on the prescribed form, provided by the competent service of the National Assembly.

People who are in hospitals, homes for the elderly, institutions for disabled persons and similar institutions during the deadline for the submission of lists of candidates, and people in prison, may express their support in a way that their signature on a form is approved by an authorized person of the body or legal person specifically authorized for this.

People, who permanently or temporarily reside abroad during the deadline for collecting signatures, may express their support in a way that their signature on a form is approved by an official person of a diplomatic consular representative body of the Republic of Slovenia abroad or a person designated for the identification of voters by the Ministry of Foreign Affairs.

People who have registered permanent or temporary residence in the Republic of Slovenia, but due to illness or disability are unable to personally appear before the competent authority and are not located in institutions under the fourth paragraph of this Article, may express their support for a candidate or list of candidates before an official of a competent authority, who visits the home of such a person no later than six days before the deadline for submitting lists of candidates.

Request for a form from the fourth and fifth paragraphs of this Article and requests for visits by officials from the sixth paragraph of this Article may be submitted no later than fifteen days before the deadline for submitting lists of candidates.

Article 48

The number of candidates on a list may not exceed the number of deputies to be elected in the constituency.

An individual may be a candidate in one constituency and on one list only.

Article 49

In determining a list of candidates it must also be decided in which electoral district each individual candidate from the list of candidates will stand.

Only one candidate from a list of candidates may stand in each individual electoral district.

If there are not as many candidates as there are deputies to be elected in a constituency, then one candidate may stand in two electoral districts at most.

If there is only one candidate on the list submitted by the voters, then he may stand in all electoral districts.

Article 50

Written consent of the candidate is required for every candidacy. The consent of the candidate is irrevocable.

Article 51

The list of candidates is submitted to the constituency electoral commission. The proposal for the list of candidates must bear the designation of the constituency, the name of the proposer, the name of the list, personal data of candidates - given name, surname, date of birth, profession and occupation and permanent address, as well as the name and permanent address of the representative of the list. Enclosed with the list must be the written consent of the candidates, confirming that they agree to their nomination and the minimum number of forms with signatures of voters, as determined by this Law.

The order of candidates on the list of candidates in electoral districts must also be enclosed with the proposal for the lists.

A list of candidates submitted by a political party must also include the minutes of the meeting at which the list of candidates was determined as well as the rules of the political party relating to the determining the candidates at the elections into the National Assembly.

Article 52

The name of the list of candidates proposed by a political party is the name of the political party. Part of the name may also include an abbreviation or the initials of a party's name. The party's symbol or sign may also be added.

If two or more political parties submit a joint list of candidates, then they determine the name of the joint list which must show clearly that it is a joint list of two or more political parties.

Article 53

A list of candidates submitted by voters is named by the voters themselves. If a name is not determined, then the given name and surname of the first candidate on the list becomes the name of the list.

Article 53.a

The name of the list of candidates must not contain the names of foreign countries or foreign parties and their symbols and abbreviations used by them.

VIII. CONFIRMATION OF LISTS OF CANDIDATES

Article 54

Lists of candidates are submitted to the constituency electoral commissions no later than twenty-five days prior to the election day.

Upon receipt of the lists of candidates, the constituency electoral commission determines whether the lists of candidates were compiled in accordance with this Law, and whether they were submitted in due time.

Article 55

The constituency electoral commission shall reject a list of candidates if it establishes that the list was not submitted in due time.

Article 56

The constituency electoral commission shall reject a list of candidates if it establishes that the list is not in accordance with this Law.

If the constituency electoral commission ascertains formal shortcomings in an individual list of candidates, it shall immediately require the proposer to make corrections within three days. If the formal shortcomings are not corrected in due time, the electoral commission shall reject the list of candidates.

In cases from the preceding two paragraphs the electoral commission may reject a list of candidates entirely or with regard to individual candidates.

Article 57

If the constituency electoral commission establishes that a candidate appears on two or more lists of candidates, then it shall confirm as valid the candidacy that was first submitted, and inform the candidate and the representatives of the list of candidates of its decision.

The constituency electoral commissions shall send the information on the lodged lists of candidates to the republic electoral commission. If the republic electoral commission establishes that a candidate appears on more than one list of candidates, then it shall accept as valid the nomination that was established first, and inform the constituency electoral commission, the candidate and the representatives of the list of candidates of its decision.

Article 58

If the submitted list of candidates is in accordance with the Law and was submitted in due time, it shall be confirmed by the constituency electoral commission.

Article 59

The constituency electoral commission shall issue a certificate of confirmation or rejection of a list of candidates at least eighteen days prior to the election day. The certificate shall be sent to the representative of the list of candidates.

Article 60

The constituency electoral commission compiles a register of confirmed lists of candidates in its constituency in an order decided by lot.

The constituency electoral commission also compiles a register of confirmed candidates for election in individual electoral districts. The order of the candidates is the same as the order on the register of confirmed lists of candidates.

Article 61

The registers of confirmed lists of candidates and registers of candidates for election in individual electoral districts are published in the public media at least fifteen days prior to the election day. The national electoral commission supervises their publication.

Article 62

The public media is obliged to publish lists of candidates with data determined by this Law. The republic electoral commission determines the public media which shall publish the registers of lists of candidates.

The costs of publication are covered from the funds for the holding of elections.

IX. VOTING AT POLLING STATIONS

1. ORGANISATION AND WORK AT POLLING STATIONS

Article 63

Polling stations are determined by the district electoral commission.

Polling stations have serial numbers.

Article 64

A special room is designated as the polling station. The room must be arranged in such a way as to ensure secrecy of voting. The polling stations must be equipped in such a way as to prevent any observation of the voter completing a ballot paper.

A polling station includes the building in which voting is conducted, the courtyard of that building and a specified space around the building.

Electoral commissions prepare in due time for all the polling stations designated by them, the appropriate number of ballot boxes, printed ballot papers and other voting materials.

Public notices with registers of lists of candidates or individual candidates in the election must be posted in the polling station.

Article 65

All forms of electioneering are prohibited on the premises of a polling station on the election day.

Article 66

The president and members of a polling board meet one day prior to the elections on the premises where the elections are to be conducted and ensure that the room is adequately arranged for the holding of elections and take receipt of the necessary number of ballot boxes and ballot papers, the verified electoral register for the district of the polling station, public notices and any other material needed for the facilitation of voting at the polling station.

The president and members of a polling board must receive the voting materials referred to in the preceding paragraph at least half an hour prior to the commencement of voting.

The polling board shall draw up records on the equipping of the polling station and the receipt of materials from the first paragraph of this article. The records must be signed by the president and all members of the polling board.

Article 67

The president and members of a polling board gather in the room where elections are to be conducted at least half an hour prior to the commencement of voting, and check whether the room and voting materials are in the same condition as they were the day prior to elections. They check whether the ballot box is empty. Records on this are drawn up and signed by the president and members of the polling board.

2. VOTING

Article 68

Voting is conducted without interruption from 7 a.m. to 7 p.m. A polling station at which all voters enrolled on the electoral register have already voted may close before 7 p.m.

Polling boards may, in agreement with the district electoral commission, determine that the voting is to end after 7 p.m., if this is needed to accommodate voters who could not otherwise vote. The district electoral commission must inform the representatives of candidates' lists about the fact that the voting at the polling station will end after 7 p.m., as soon as such a decision was taken.

Notwithstanding the provision from the second paragraph of this Article, voting may not begin before 4 a.m. nor end after 11 p.m.

Article 69

Voters who are absent on the election day may vote prior to that day, but not more than five days and not later than two days prior to the election day. Such voting shall be conducted at a special polling station at the headquarters of the district electoral commission.

Voting is lead by a committee appointed by the district electoral commission in the manner defined in the Article 41 of this Act.

After each end of early voting, the ballot boxes and other election material are sealed, and they are unsealed every time early voting continues or before determining the outcome of the voting. The national electoral commission establishes uniform standards to protect the ballot

box and other voting materials in time from early voting to the moment of determining the election results.

Article 70

The district electoral commission informs voters of the date of election day, and of the polling station where they are enrolled on the electoral register.

Article 71

A voter votes in person at the polling station where they are enrolled on the electoral register.

Voters first give their surname and given name and also, if necessary, their address.

If necessary, the president or a member of the polling board may establish the identity of an individual by their personal document or in any other way. Identity may be established on the basis of any personal document which provides personal data of a voter.

Thereupon the president or a member of the polling board encircles the serial number alongside the name of the voter on the electoral register, and the voter signs in the specified place in the electoral register. The chairman or a member of the election committee verifies whether the voter has signed in the right place and hands them the ballot. A voter receives the ballot even if they are unable to sign or they refuse to sign. If they cannot sign because of physical impairment or other reasons, or if they refuse to sign, the electoral committee specifically identifies this in the electoral register. The chairman or a member of the election committee explains at the request of a voter about technical aspects of voting.

If, by mistake, an individual is not enrolled on the electoral register, they may vote on the basis of a certificate issued by the competent body, stating that the voter is enrolled as a voter in the district of the polling board in which they wish to vote. This is entered in the records and the certificate is included with the records.

Article 72

The polling board may not deny the right to vote to anyone who is enrolled on the electoral register for that polling station, or to persons who have proven their eligibility with a certificate.

If a member of the polling board wishes to record a comment related to individual voters who wish to vote, then the comment is entered in the records.

If a person whose name has already been encircled on the electoral register and there exists their signature already, and they wish to vote, then their surname, given name, occupation and

address are entered in the records, along with any statement the person wishes to make. The person shall not be entitled to vote.

Article 73

Voting shall be conducted with a ballot paper.

A ballot paper for voting on candidates in an electoral district comprises of:

- the designation of the constituency,
- the designation of the electoral district,
- serial numbers and names of the lists of candidates in the order from the register of lists of candidates, and surnames and given names of candidates standing for election in the electoral district,
- instructions on how to vote.

A voter may vote for one candidate only. A voter votes by encircling the serial number alongside the name of the candidate for which he wishes to vote.

Article 74

A ballot paper for voting on candidates for deputy of the Italian or Hungarian ethnic communities comprises of:

- the designation of the constituency,
- surnames and given names of candidates in the order from the register of candidates,
- instructions on how to vote.

A voter votes by indicating his preferential order of candidates in front of the names of the candidates, starting with the number 1.

Article 75

When a voter casts his vote, he puts the ballot paper into the ballot box and leaves the polling station.

Article 76

Incomplete ballot papers and ballot papers on which it cannot be clearly determined which candidate the voter has selected shall be declared invalid.

A ballot paper is valid if the voter voted in a manner other than that specified by the provisions of Articles 73 and 74 hereof, provided it is clear which candidate he voted for.

Article 77

All members of the polling board and their deputies must be present during the complete period of voting.

Trustees of individual lists have the right to be present for the complete period of voting.

Each list of candidates may have only one trustee in the polling station. The district electoral commission issues a certificate to the trustee by which they identify themselves to the polling board.

Article 78

The president of the polling board, helped by the members of the committee, keeps peace and order in the polling station. If necessary, he may call for the assistance of the police. When police officers are in the polling station they are under the authority of the president of the polling board and the voting is interrupted.

The president of the polling board has the right to remove from the polling station anyone who disturbs peace and order. Such event shall be entered into the records. The polling board may decide whether to remove a trustee.

No-one is allowed to enter the polling station bearing arms or dangerous implements, with the exception of policemen in the case from the first paragraph of this Article.

The president of the polling board may order voters to be allowed in only one by one or in small numbers, if this is deemed necessary to ensure uninterrupted voting.

Article 79

A voter is entitled to be accompanied by a person who helps them to cast the vote and deliver the ballot, if they are not able to vote due to a physical disability or illiteracy. The decision on this is made by the polling board and entered in the records.

Article 79.a

The district election commission determines at least one polling station for the area of the district that is accessible for people with disabilities. Voters wishing to vote at this polling station must communicate their intention to the district election commission no later than three days before the voting day. The election commission may allow individually tailored ballots and voting machines at this polling station.

The district election commission also determines at least one polling station where voters who do not reside in the district can vote, if they notify the district election commission about their intention, in the district they are registered to vote, at least three days before the voting day.

Article 80

Records are kept on voting, and all important events occurring in the polling station should be written therein.

At the request of any member of the polling board or any trustee, their opinions and remarks on particular circumstances are entered in the records. The records are signed by the president and members of the polling board.

Article 81

Voters may not be called up for military exercises on the election day.

People in care in retirement homes who do not have permanent resident status there, and people who are hospitalised may also vote by post, provided they have notified the district electoral commission or constituency electoral commission no later than ten days prior to the day of elections.

Voting by post is conducted before the day determined as the day of election.

Article 82

Voters who are registered in the register of voting rights of citizens of the Republic of Slovenia, who do not permanently reside in the Republic of Slovenia, may vote by post or through a diplomatic consular representative body of the Republic of Slovenia, if the country where they reside, allows such voting, or if allowed by an international agreement. These voters receive the ballot papers in time to vote with the attached voting card.

Voters who are abroad on the day of voting, where they have temporary resident status, may vote by post or through a diplomatic consular representative body of the Republic of Slovenia, provided that they have notified the national electoral commission no later than thirty days before the election day, and that the country where they are living approves of such voting and if allowed by an international agreement.

The ballot paper is only to be accepted if a voter casting his vote by post also encloses in the envelope a voting card that was signed personally.

The provisions valid for elections in Slovenia shall be applied accordingly for voting by post or through diplomatic consular representative bodies of the Republic of Slovenia.

Notwithstanding the provisions of the Article 73 and 74 of this Act, the voting may be made by a formal blank ballot, which includes the designation of the constituency and the electoral district as well as instruction on how to vote. Voters express their will in such a manner that in the space on the ballot personally or otherwise enter the name and surname of the candidate for whom they vote, or the name of candidates' list for which they vote.

Article 83

Voters, who for reasons of illness cannot go to the polling station where they are enrolled on the electoral register, may vote in their home before a polling board. In order to do so they must notify the district electoral body no later than three days before the election day.

3. Determination of election results in the polling stations

Article 84

When voting is completed, the polling board immediately begins to determine the election results. First, unused ballot papers are counted; they are put in a special box which is then sealed. Thereupon the polling board ascertains, using the electoral register and certificates, the total number of voters. They open the ballot box; ascertain the number of delivered ballots, the number of invalid ballots, the number of votes given to each list and the number of votes given to each individual candidate.

For the election of deputies of the ethnic communities, the polling board ascertains the preferential order of the candidates.

Article 85

Records are kept on the determining of election results by the polling board. The records are comprised of: the number of voters enrolled on the electoral register, the number of voters that voted according to the electoral register, the number of voters who voted with a certificate, the total number of voters who voted by ballot paper, the number of invalid ballot papers, and the number of votes given to individual candidates.

With regard to the second paragraph of the preceding article, the preferential order of candidates is written in the records.

Any special opinions and remarks by members of the polling board and the trustees of lists of candidates are also written in the records.

The records are to be signed by the president and members of the polling board.

Article 86

The president of the polling board declares the results of the elections at the polling station, no earlier than 7 p.m.

The polling board shall send the records about their work and other electoral material to the district electoral commission.

X. DETERMINATION OF ELECTION RESULTS IN A CONSTITUENCY

Article 87

The district electoral commission determines for its district: the number of voters enrolled on the electoral register, the number of voters from the electoral register who cast their vote, the number of voters who voted with certificates, the number of voters who voted by post, the number of invalid ballot papers, the number of votes given to each list of candidates, the number of votes given to individual candidates. The electoral commission determines the results of voting by post, whereby it takes into account the ballot papers received by post up until 12 noon on the day after the election day, except for the ballots, which arrived from abroad. In determining the outcome of voting by post from abroad, the ballots which are taken into account are the ballots which arrived by post until 12 noon of the eighth day after the voting day.

Article 88

The district electoral commission keeps records on the determining of election results for the electoral district. The records are signed by the president and members of the district electoral commission.

The records and other material is sent to the constituency electoral commission by the district electoral commission in due time, determined by the national electoral commission.

Article 89

The constituency electoral commission determines, for each list of candidates, the total number of votes cast for a list in the constituency, the share of individual candidates in the

overall number of votes cast in a constituency, and the total number of votes given to all lists of candidates in a constituency.

If a candidate from a list of candidates has received votes in two electoral districts, then the constituency electoral commission determines his share of votes in the overall number of votes in both electoral districts.

The constituency electoral commission determines the total number of votes cast for all candidates in a constituency.

Article 89.a

The national electoral commission establishes at the national level: the number of votes given to individual candidates from the list in electoral districts, the number of votes given to lists in constituencies and the total number of votes cast for all lists of candidates in the country. In doing so, the electoral commission also takes into account the outcome of voting at diplomatic consular representative bodies of the Republic of Slovenia and by post from abroad, received at the national electoral commission within the deadline from the Article 87 of this Act. The result of voting in the preceding sentence is determined in electoral districts by the national election commission.

The national electoral commission communicates to constituency electoral commissions the final outcome of the vote for each constituency.

Based on the determined result of the voting for the territory, the national electoral commission determines what lists of candidates or the same lists of candidates in the country received at least 4% of the total number of votes cast for all lists in the country, and are to be taken into account at the allocation of seats.

X.a DETERMINING THE OUTCOME OF ELECTIONS

Article 90

The number of seats given to an individual list is determined by a quotient calculated by dividing the total number of votes given to all lists of candidates in a constituency by the number of deputies elected in the constituency, increased by one, which is rounded up to the higher number. The number of votes given to a list is divided by this quotient. The list shall be given the number of seats equal to the number of times the quotient divides into the number of votes for the list.

Notwithstanding the preceding paragraph, the list which does not meet the conditions set out in the third paragraph of the Article 92 of this Act, does not obtain the mandate.

Article 91

For each list of candidates, the number of candidates elected is equal to the number of seats given.

Candidates from a list of candidates are elected according to their share in the overall number of votes in an electoral district or two electoral districts.

If two candidates received the same number of votes then the selection is made by lot.

Article 92

Seats not distributed in the constituencies, are allocated at the national level so that the lists or the same lists of candidates are assigned as many seats as is the difference between the number of seats that would be assigned to them on the basis of totals of votes at the national level, and the number of seats obtained in the constituencies.

In the distribution of these seats it shall first be determined how many of all 88 mandates would be assigned to lists or lists with the same name, in proportion to the number of votes given in all constituencies. This is determined on the basis of the order of the highest quotients, which is calculated by dividing the sums of votes given to lists or lists with the same name in all constituencies, by all numbers from 1 to 88 (d'Hondt system).

Those lists or the same lists that did not receive at least 4% of the total number of votes in the country are not taken into account in the allocation of seats.

Seats from the first paragraph of this Article are allocated to the lists or the same lists in the order of the highest quotients from the previous paragraph, with higher quotients considered as mandates that the list or the same list received on the basis of the Article 90 of this Act.

If any of the lists or the same lists in the allocation of seats according to the first paragraph of this Article, would receive fewer seats than they won in the division at the level of the electoral unit, then in determining how many seats would be allocated to the lists or to the same list or on the basis of the total votes at the national level, the reduced total number of seats that are still to be distributed at the national level, is to be taken into account.

Article 93

Seats given to lists of the same name in the distribution at the national level are assigned to lists in the constituencies which are left with the highest remainder of votes in proportion to the quotient in a constituency according to the Article 90 hereof. If all seats in a constituency are already distributed, the seat is assigned to the list in a constituency in which the list has the next highest remainder of votes in proportion to the quotient in a constituency. Candidates from the lists of candidates shall be elected in accordance with Article 91 hereof.

Article 94

The results of the elections in the constituencies are determined by the constituency electoral commission. The record is made about this and about their work, which is then signed by the president and the members of the commission. The records and other election material are sent to the national electoral commission.

The results of the elections at the national level are determined by the national electoral commission, which is entered into their records and then signed by the president and the members of the commission.

Article 95

The electoral commissions of the special constituencies for the election of deputies of the Italian and Hungarian ethnic communities ascertains the number of voters enrolled on the electoral register, the number of voters who voted, the number of voters who voted by post, the number of invalid ballot papers and the preferential order of candidates.

The preferential order of candidates is given points. For each first position the candidate receives as many points as there were candidates on the ballot paper. For each successive position a point less is given. The points of each candidate are then added up.

Article 96

The candidate who receives the majority of votes in a constituency is elected as the deputy of the Italian or Hungarian ethnic community. If two or more candidates receive an equal number of votes, a draw shall decide on their election. The draw shall be performed by the special constituency electoral commission in the presence of the candidates or their representatives.

The election results from the preceding paragraph shall be determined by the special constituency electoral commission. Records will be made on that and on their work. The records shall be signed by the president and members of the commission. The records and other electoral material shall be sent to the national electoral commission.

Article 97

The results of the elections to the National Assembly are published in the Official Gazette of the Republic of Slovenia.

Article 98

The national electoral commission issues a certificate of election to the elected deputy.

XI. ADDITIONAL ELECTIONS AND RE-ELECTIONS

Article 99

Additional elections are conducted if the voting was not carried out in a constituency or at an individual polling station on the day determined as the election day. Additional elections are called by the constituency electoral commission. The provisions of this law applying to general elections shall apply also to the additional elections. The latter must be conducted within 30 days of the day determined as the election day of general elections.

Article 100

If the competent electoral commission ascertains that irregularities occurred in the voting at polling stations which could affect the results of elections, then it shall nullify the voting at the polling stations and decree re-elections.

Re-elections are called by the constituency electoral commission unless the voting was nullified by the national electoral commission, in which case the elections are called by the national electoral commission.

Article 101

Re-elections are also held if, in the event of a complaint, the National Assembly or the Constitutional Court does not confirm a deputy's term of office and the national electoral commission determines that re-elections must be held for this reason.

Re-elections from the preceding paragraph are called by the national electoral commission.

Article 102

The voting day for the re-elections must be stated in the act on the calling of elections.

Re-elections with existing candidacies must be conducted within 15 days of the day of calling the elections. Re-elections with new candidacies must be conducted no later than two months after the day of calling the elections.

XII. PROTECTION OF VOTING RIGHTS

Article 103

Each candidate or representative of lists of candidates has the right, in the case of irregularities in the nomination procedure, to lodge a complaint with the constituency electoral commission. The complaint must be lodged within the due term for the submittal of lists of candidates.

The constituency electoral commission must reach a decision on the complaint, in accordance with the procedure for determining the legality of a list of candidates, within 48 hours of the due term for the submittal of lists of candidates.

Article 104

The national electoral commission may nullify or change the resolution of the constituency electoral commission, issued in accordance with the procedure for determining the legality of a list of candidates, if it determines that the resolution is irregular or in breach of the law. This must be done at the latest by the day determined for the publication of lists of candidates.

Article 105

An appeal against a decision of the electoral commission with regard to the second paragraph of Article 103 hereof or against a decision of the national electoral commission with regard to the preceding article, must be lodged at the court competent to deal with contentious administrative matters within 48 hours of its announcement.

The court must reach a decision on the appeal within 48 hours of the lodging thereof.

The court shall reach a decision in a senate of three judges.

The court shall reach a decision on the basis of appropriate application of the provisions of the Law on Contentious Administrative Matters.

Article 106

With regard to irregularities in the work of the polling board and district electoral commissions at elections, each candidate, representative of a list of candidates and voter has the right to lodge a complaint with the constituency electoral commission.

A complaint must be lodged within three days from the election day. The constituency electoral commission must reach a decision on the complaint within 48 hours.

Article 107

If a constituency electoral commission establishes, on the basis of a complaint, such irregularities in the work of a polling board which considerably affect, or could affect, the election results, then it shall nullify the voting at the polling station at which the voting was supervised by the polling board in question, and decree re-elections in the extent to which the voting was nullified.

If a constituency electoral commission establishes, on the basis of a complaint, such irregularities in the work of the district electoral commission which considerably affect, or could affect, the election results, then it shall determine the election results in the electoral district itself.

Article 108

If the republic electoral commission establishes such irregularities in the work of a constituency electoral commission which considerably affect, or could affect, the election results, then it shall determine the election results in the constituency itself.

Article 109

Each candidate or representative of a list of candidates has the right to lodge a complaint with the National Assembly against the decision of an electoral commission, which could affect the confirmation of a deputy's term of office. The complaint must be lodged at the latest by the first meeting of the National Assembly. A complaint related to additional or re-elections must be lodged at the latest 15 days after the election day of additional elections or re-elections. The National Assembly decides on the complaint when confirming deputies' terms of office.

XIII. PENAL PROVISIONS

Article 110

The following shall be punishable by a fine of at least SIT 30,000:

1. anyone acting contrary to Article 5 hereof,
2. anyone soliciting for votes at the polling station (Article 65 hereof),
3. anyone who refuses to leave the polling station after having voted and after repeated requests by the president of the polling board to leave (Article 75 hereof),
4. anyone disturbing the peace at polling stations (Article 78).

A fine of no less than SIT 50,000 shall be imposed upon a person who contrary to the Article 78 of this Act comes to the polling station with a weapon or dangerous instrument or whoever

orders armed forces to be brought to the polls or brings them themselves without the authority of the president of the election committee.

A fine of no less than SIT 200,000 shall be imposed on a legal person, sole proprietor or individual independently performing an activity contrary to the Article 5 of this Act.

A fine of no less than SIT 50,000 shall be imposed upon the responsible person of a legal person, sole proprietor or individual independently performing an activity contrary to the Article 5 of this Act.

The police has jurisdiction for the breaches from Article 75 and 78 of this Act and the Ministry of the Interior for the breaches from Article 5 and 65 of this Act.

Law on Elections to the National Assembly - ZVDZ (Official Gazette RS, no. 44/92) contains the following temporary and final provisions:

XIV. TEMPORARY AND FINAL PROVISIONS

Article 111

In the first elections to the National Assembly the political parties may lodge lists of candidates in every constituency, provided they are supported by the signatures of at least three delegates of the Chambers of the Assembly of the Republic of Slovenia.

Article 112

On the day that this Law comes into force, the Law on Elections to the Assembly (Official Gazette SRS 42/89 and 5/90, Official Gazette RS 10/90 and 45/90) shall cease to apply, apart from the provisions on additional elections of delegates to the chambers of the assemblies of the municipalities and special socio-political bodies.

Article 113

This Law shall come into force on the fifteenth day after its publication in the Official Gazette of the Republic of Slovenia.

Law amending the Law on Elections to the National Assembly - ZVDZ-A (Official Gazette RS, no. 60/95) contains the following final provision:

Article 2

This Law shall come into force on the fifteenth day after its publication in the Official Gazette of the Republic of Slovenia.

Law Amending the Law on Elections to the National Assembly - ZVDZ-B (Official Gazette RS, no. 78/06) contains the following temporary and final provisions:

TEMPORARY AND FINAL PROVISIONS

Article 32

Persons who have been completely deprived by a final court decision of legal capacity due to mental illness, retardation or impairment or the parental rights of the parents or other persons have been extended after their adulthood, before the enactment of this Act, have no right to stand for election, but they have the right to vote.

On the proposal of the person who is entitled to submit a proposal for the introduction of the procedure from the preceding paragraph, the court shall decide on the electoral rights of persons referred to in the preceding paragraph in accordance with the second and third paragraph of the Article 2 of this Act.

Article 33

Notwithstanding the provisions of the Article 10 and 11 of this Act in the first elections to the National Assembly, which will be made after this Act comes into force; no gender in the candidate list may be represented by less than 25% of the actual total number of candidates on the list of candidates.

Article 34

From the date this Act comes into force, the current secretary of the national electoral commission starts a five-year mandate as the director of the national election commission.

Article 35

The provisions of the Article 16 and other articles of this Act relating to the introduction of transparent voting boxes, starts to apply on 1.1. 2007.

Article 36

Notwithstanding the provisions of the Voting Rights Register Act (Official Gazette RS, no. 52/02), the electoral rolls are drawn up so that a place for the signature of the voter is set in them and they are handed to the competent electoral commissions on the ninth day before the voting day.

Article 37

This Law shall come into force on the fifteenth day after its publication in the Official Gazette of the Republic of Slovenia.