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EUROPEAN COMMISSION FOR DEMOCRACY THROUGH LAW
(VENICE COMMISSION)

LAW OF UKRAINE
ON NATIONAL REFERENDUM

The present Law determines the legal principles, organization and the manner of holding a national referendum in Ukraine.

Section 2

GENERAL PROVISIONS

Article 1. Definition of a national referendum

1. A national referendum is one of the forms of direct democracy in Ukraine and a way to exercise the will of Ukrainian people through adoption (approval) of major national decisions by the people (hereinafter referred to as the citizens) who give their votes by secret ballot in the manner established by this Law.

Article 2. Legislation on referendums

1. The manner of preparation and holding a national referendum shall be regulated by the Constitution of Ukraine, this Law, and other laws and regulations of Ukraine.

Article 3. Measures submitted to a national referendum

1. Any measure can be submitted to a national referendum except for those which shall not be voted at a referendum under the Constitution of Ukraine and Ukrainian laws.

2. Several measures relating to the same problem may be submitted to a national referendum.

3. Matters submitted to a national referendum can include:

- 1) approving a new version of the Constitution of Ukraine, amending the Constitution of Ukraine, repealing, invalidating or declaring null and void the Law of Ukraine *On Amendments to the Constitution of Ukraine* (constitutional referendum)
- 2) changing the territorial boundaries of Ukraine (ratification referendum)
- 3) changing or repealing any law of Ukraine or amending the current laws of Ukraine (legislative referendum)
- 4) any other issues, except those which shall not be submitted to a referendum under the Constitution of Ukraine (general referendum).

Article 4. General foundations of the national referendum

1. The President of Ukraine shall call a national referendum by popular initiative provided it has been initiated in compliance with the requirements of the Constitution and the laws of Ukraine on organization and procedures for conducting a national referendum by popular initiative.
2. The results of the people's will expressed at a national referendum shall be binding.
3. A new national referendum on the issues previously considered at the referendum except for amendments to sections 1, 3 and 8 of the Constitution of Ukraine relating to the same problem, shall be held not earlier than one year following the day of announcement of results of the conducted referendum.

The Verkhovna Rada of the next convocation can initiate amendments to sections 1, 3 and 8 of the Constitution of Ukraine relating to the same issue.

Article 5. Key principles for holding a national referendum

A national referendum shall be held on the basis of the following general principles:

- 1) universal suffrage
- 2) equality
- 3) legality
- 4) direct expression of the will
- 5) voluntary participation in a national referendum
- 6) secret ballot
- 7) personal participation in the voting
- 8) one person, one vote

Article 6. Universal suffrage

1. All Ukrainian citizens aged 18 years old and over on the polling day shall have the right to vote in a national referendum of Ukraine. Citizens of Ukraine who are eligible to vote in a national referendum are national referendum voters.
2. If a polling station enters the name of a citizen of Ukraine on the national referendum voters list it shall serve as the ground for exercising his voting right in a referendum. Voters in a national referendum shall exercise their voting right in the manner established by this Law.

3. The documents proving the identity and Ukrainian citizenship of a voter shall include:

- 1) passport of a citizen of Ukraine
- 2) temporary ID of a citizen
- 3) card (certificate) from a criminal executive institution which is to feature the person's last name, first name, patronymic, year of birth and citizenship, photo, executive signature and seal of the institution (for people held in custody at penal institutions)
- 4) international passport of a citizen of Ukraine
- 5) diplomatic passport
- 6) service passport
- 7) crewman identification.

4. The documents specified in items 1 and 2 of part three of this Article shall serve as the grounds for obtaining a national referendum ballot and can be used at ordinary and special polling stations.

5. The documents specified in items 3-7 of part three of this Article shall serve as the grounds for obtaining a national referendum ballot and can be used at overseas polling stations and special polling stations established on board of vessels that sail under the national flag of Ukraine and at the polar station of Ukraine. A passport of a citizen of Ukraine can serve as the ground for obtaining a national referendum ballot at overseas polling stations established in the countries permitting Ukrainian citizens to enter with Ukrainian passports.

6. Ukrainian citizens eligible to vote can work as members of national referendum commissions, participate in referendum campaigns, act as observers in a national referendum and engage in other activities related to preparation and holding of a national referendum in the manner established by this Law and other laws of Ukraine.

7. Any direct or indirect preferences or restrictions of rights of Ukrainian citizens as to participation in a national referendum on the grounds of race, skin color, political, religious or other beliefs, sex, ethnic and social background, material position, place of residence, language and other grounds shall be forbidden. No restrictions as to participation of citizens of Ukraine in a national referendum shall be permitted except for those specified by the Constitution of Ukraine and this Law.

8. Citizens of Ukraine declared legally incompetent by a court shall not have the right to vote.

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9. A citizen of Ukraine living or staying outside Ukraine at the time of holding a national referendum shall be eligible to vote in a national referendum. To ensure such citizen of Ukraine can exercise his right in a national referendum, his name shall be entered on the national referendum voters list at the respective overseas polling station established according to the present Law.

Article 7. Equal voting rights

1. Ukrainian citizens participate in a national referendum on equal terms.

2. Every voter in a national referendum shall have one vote. A voter can use his vote only at one national referendum polling station where his name is entered on the voter's list. A voter shall exercise his voting right during a national referendum in the manner established by this Law.

3. To ensure the parties of a national referendum can enjoy equal rights and opportunities,

- 1) it shall be forbidden for public authorities and local governments to interfere in the process of a national referendum except for cases specified by this Law
- 2) public authorities, local governments, their officials and officers shall be impartial in their attitude to the initiative group and other parties of a national referendum
- 3) it shall be forbidden to use any other funds during the referendum campaign except for the funds allocated to support the national referendum as specified by this Law
- 4) mass media shall ensure equal and impartial treatment of a national referendum process, and provide unbiased and balanced coverage of the positions in favor and against the issue referred to a national referendum.

Article 8. Direct expression of the will in a national referendum

1. Citizens of Ukraine shall personally participate in a national referendum and have their direct say on the matters put on the referendum agenda.

Article 9. Voluntary participation in a national referendum

1. Ukrainian citizens shall participate in a national referendum on a voluntary basis. Nobody can be forced to participate or refuse to participate in a referendum.

2. A national referendum shall be held on a voluntary basis. Citizens of Ukraine shall be provided with the conditions that guarantee the free development of their will and free expression of their will in the voting procedure.

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3. It shall be forbidden to use violence, threats, fraud, bribes or any other actions preventing free will or expression of free will of a voter.

4. To ensure conditions for expression of free will for army conscripts, they shall be given at least a 4-hour vacation on the polling day for participation in a referendum.

Article 10. Secret ballot

1. Voting in a national referendum shall be by secret ballot: control over expression of the will by the voters shall be prohibited.

2. Members of national referendum commissions and any other persons shall be prohibited to take any actions or disclose any data which make it possible to identify the will of a certain voter.

Article 11. Personal vote

1. Every voter shall vote personally in a national referendum. Proxy voting or transfer of the voting right to another voter shall be prohibited.

Article 12. One time voting

1. Every Ukrainian citizen eligible to vote in a national referendum can exercise his right during the referendum only one time and only at one polling station.

Article 13. Public and open nature of a referendum

1. Preparation and holding of a national referendum shall be public and open.

2. To ensure public and open nature of the process, the referendum commissions shall, according to their authorities:

1) put in the public domain the information about the composition of the commission, its location and hours of operation, establishment of constituencies and polling stations

2) provide a possibility for citizens to inspect voters lists

3) publish the results of a national referendum

4) provide other information in the cases specified by this Law.

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Article 14. Parties that initiate a national referendum and calling (announcement) of a national referendum

1. A national referendum shall be initiated by the Ukrainian people and the Verkhovna Rada of Ukraine, in cases and in the manner established by the Constitution of Ukraine and this Law.
2. The President of Ukraine and the Verkhovna Rada of Ukraine shall act as the parties calling (announcing) a national referendum.
3. A constitutional referendum to amend sections 1, 3, 8 of the Constitution of Ukraine shall be called by the President of Ukraine on the initiative of the Verkhovna Rada of Ukraine subject to the requirements of part 8 of Article 22 of this Law.
4. A ratification referendum on territorial changes of Ukraine shall be called by the Verkhovna Rada of Ukraine.
5. A national referendum by popular initiative shall be announced by the President of Ukraine subject to the requirements of part 8 of Article 22 of this Law.

Article 15. National referendum by popular initiative

1. A national referendum by popular initiative is a form of decision making by Ukrainian citizens on the issues of state importance subject to the restrictions established by the Constitution of Ukraine and this Law.
2. Through a national referendum, the Ukrainian people as the bearer of sovereignty and the only source of power in Ukraine can exercise their exclusive right to determine and change the constitutional arrangement in Ukraine by adopting the Constitution of Ukraine (constituent power) in the manner established by this Law.
3. Through a national referendum by popular initiative the Ukrainian people as the bearer of sovereignty and the only source of power in Ukraine can express their will and approve, in the manner established by this Law, a new version of the Constitution of Ukraine, make amendments to the Constitution of Ukraine, repeal, reject or deem invalid a law on amending the Constitution of Ukraine.
4. Through a national referendum by popular initiative, the Ukrainian people as the bearer of sovereignty and the only source of power in Ukraine can express their will, and approve, in the manner established by the Constitution of Ukraine and this Law, the laws of Ukraine (amend the laws), except for the laws which are not subject to referendum approval under the Constitution of Ukraine, repeal laws of Ukraine, reject or deem invalid laws of Ukraine or some of their provisions.
5. A national referendum by popular initiative can be called to solve any matter except for those which are not subject to a national referendum under the Constitution of Ukraine.

6. A national referendum shall be announced by popular initiative at the request of at least three million people in Ukraine who have the right to vote, provided that the signatures for such a referendum are collected in at least two-thirds of regions in Ukraine and that at least 100,000 signatures are collected in each region.

7. The decree of the President of Ukraine as to announcement of a referendum by popular initiative shall be published in official publications within three days from the moment of its signing.

Article 16. National referendum on a new version of the Constitution of Ukraine, amendments to the Constitution of Ukraine, annulment, repeal, and invalidation of the law on amendments to the Constitution of Ukraine.

1. A national referendum on a new version of the Constitution of Ukraine, amendments to the Constitution of Ukraine, annulment, repeal, and invalidation of the law on amendments to the Constitution of Ukraine is a form of expression of the will by the Ukrainian people as to constitutional arrangement in Ukraine through approval of a new version of the Constitution of Ukraine at a national referendum.

2. A national referendum on a new edition of the Constitution of Ukraine, amendments to the Constitution of Ukraine, annulment, repeal, and invalidation of the law on amendments to the Constitution of Ukraine shall be called by the President of Ukraine on the initiative of Ukrainian citizens.

Article 17. National referendum on the law of Ukraine on amendments to sections 1 *General Principles*, 3 *Elections. Referendum*, and 8 *Amendments to the Constitution of Ukraine*.

1. A draft law on amendments to sections 1 *General Principles*, 3 *Elections. Referendum*, and 8 *Amendments to the Constitution of Ukraine* shall be submitted to the Verkhovna Rada of Ukraine by the President of Ukraine or members of Ukrainian parliament who make two thirds of the constitutional composition of the Verkhovna Rada of Ukraine; and it is subject to approval by a national referendum provided it is adopted by at least two thirds of the constitutional composition of the Verkhovna Rada of Ukraine.

2. The decree of the President of Ukraine calling a national referendum shall be published in official publications within three days from the moment of its signing.

Article 18. National referendum on territorial changes of Ukraine

1. A national referendum on territorial changes of Ukraine is a form of making the decision by Ukrainian people as to approval of the law on ratification of an international treaty on territorial changes of Ukraine.

2. The decree of the Verkhovna Rada of Ukraine regarding a national referendum shall be published in official publications within three days from the moment of its signing.

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Article 19. Referendum ballot question

1. Referendum question is a text describing the referendum proposal in the form of a question and asking participants of a national referendum to vote either 'yes' or 'no' to a proposal.
2. Referendum question shall have clear and precise wording and it shall not allow several interpretations.

Article 20. Restrictions for initiation and holding of a national referendum

1. National referendums cannot be initiated if they refer to draft laws in the following areas:
 - 1) taxes
 - 2) budget
 - 3) amnesty.
2. An issue on the territorial changes of Ukraine cannot be submitted (initiated) to a national referendum by popular initiative.
3. Texts of a new version of the Constitution of Ukraine and draft laws referred to constitutional and legislative referendums shall not abrogate or restrict the content or scope of the existing human and citizen rights and liberties or aim to reverse independence of Ukraine or compromise the integrity of its territory.

Article 21. Restrictions for calling (announcement) of a referendum

1. A national referendum cannot be called (announced) or held if the whole country is in a state of war or emergency.
2. Should a state of war or emergency be introduced following the calling (announcement) of the referendum, the party that called (announced) the referendum shall make the decision to suspend the referendum process until the end of the state of war or emergency within three days after introduction of the state of war or emergency.

Article 22. Principles of organizing and holding of a national referendum

1. A national referendum shall be organized and held in an open and public manner.
2. Citizens of Ukraine shall be informed about the decisions of state authorities and local governments relating to a national referendum via mass media within the timeframes specified by this Law.

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3. The state shall guarantee to the citizens of Ukraine, political parties, civil society organizations and the referendum initiative group the right to freely discuss the rationale for holding a national referendum, organize campaigns promoting the issues referred to the national referendum through meetings, rallies, demonstrations, publications, audio and visual (electronic) media.

4. Public authorities and local governments and their officials shall assist in holding meetings and rallies relating to the issues referred to the national referendum, inform the citizens of Ukraine in a timely manner about their venues and time, provide premises if necessary, and take any other actions to ensure free and informed expression of the will by the citizens.

5. Citizens shall be informed about the decisions of the referendum commissions, public authorities and local governments relating to a national referendum through publications or, if this is not possible, in any other way.

6. Mass media shall ensure unbiased coverage of the preparation and holding of the referendum and provide balanced information on the content of the referendum question and legal implications of the referendum. Representatives of mass media shall have guaranteed unhindered access to all public events relating to the referendum as well as to referendum commissions and polling stations on the polling day subject to the terms specified by this Law. Referendum commissions, public authorities, local governments and their officials shall, within the extent of their authorities, provide them with the information as to the preparation and holding of the referendum.

7. Diplomatic and other official representative offices and consular agencies of Ukraine where overseas polling stations are set up, in the countries with a significant number of Ukrainian citizens eligible to vote, shall ensure that local media publish the information relating to the venue and time of voting, location of the respective polling stations, the manner and timelines for applying to the polling stations, in particular regarding such issues as entering the names of voters in the voters list at an overseas polling station.

8. The President of Ukraine and the Central Election Commission shall check compliance of the matters proposed for a national referendum, in particular for a national referendum by popular initiative, with the Constitution of Ukraine, and the laws of Ukraine.

Article 23. National referendum process

1. The national referendum process starts on the day of announcement of a national referendum by the Central Election Commission.

2. The national referendum process ends fifteen days after the day of announcement of the referendum outcomes by the Central Election Commission.

Article 24. Parties to the national referendum process

1. Parties to the respective national referendum process in the cases specified by this Law shall be:

- 1) citizens of Ukraine (national referendum voters);
- 2) President of Ukraine as a party calling (announcing) a national referendum
- 3) the Verkhovna Rada of Ukraine as a party initiating and a calling a national referendum
- 4) national referendum commissions established according to this Law or the Law of Ukraine *On Central Election Commission*
- 5) referendum initiative group established according to this Law
- 6) official observers from the initiative group registered according to the requirements of this Law
- 7) international observers registered according to the requirements of this Law.

Article 25. Calculation of time periods

1. The time periods specified by this Law shall be calculated in calendar days; in certain cases the time periods shall be calculated in hours.
2. The first day of the time period that is to start as a result of commencement of a certain event according to this Law shall be the day following the day of such event.
3. The last day of the time period, which is to end as a result of a certain event according to this Law shall be the day preceding the event.

Section 2

CALLING (ANNOUNCING) A NATIONAL REFERENDUM

Article 26. Procedure for calling a national referendum on amendments to the Constitution of Ukraine

1. Within five days following the receipt of a law on amendments to sections 1, 3 and 8 of the Constitution of Ukraine from the Chairman of the Verkhovna Rada of Ukraine, the President of Ukraine shall issue a decree calling a national referendum on amendments to the Constitution of Ukraine which is to specify the date of the referendum. The text of the law on amendments to sections 1, 3 and 8 of the Constitution of Ukraine which is to be referred to a national referendum shall be attached to the decree of the President of Ukraine.

2. The decree of the President of Ukraine calling a national referendum on amendments to the Constitution of Ukraine shall specify the date of the referendum, which is to be the last week of a 50-day period from the day of issuing the decree.

Article 27. Procedure for calling a national referendum on territorial changes of Ukraine

1. Should a law be adopted on ratification of an international treaty on territorial changes of Ukraine, concluded by the President of Ukraine, the Verkhovna Rada of Ukraine shall make the decision to call a national referendum on territorial changes of Ukraine.

2. A decree of the Verkhovna Rada of Ukraine calling a national referendum on territorial changes of Ukraine shall specify the date of the referendum and the question to be put on the ballot. The text of the law on ratification of a treaty on territorial changes of Ukraine shall be attached to the decree of the Verkhovna Rada of Ukraine. The date of the respective referendum shall be set for the last week of a 50-day period from the date when the Verkhovna Rada adopts a resolution to hold the referendum.

Article 28. Procedure for calling national referendum by popular initiative

1. The President of Ukraine shall issue a decree announcing a referendum as soon as he gets the decision of the Central Election Commission on collection of Ukrainian citizens' signatures calling for a national referendum and implementing requirements of Article 22, part 8, of this Law. The decree shall specify the date of the national referendum and the ballot questions or a draft law to be referred to the national referendum.

2. The decree of the President of Ukraine announcing a national referendum by popular initiative shall specify the date of the referendum, which is to be set for the last week of a 50-day period from the day of issuing the decree.

Article 29. General procedure for exercising a popular initiative

1. National referendum voters shall exercise a popular initiative to hold a national referendum by collecting signatures calling for a referendum.

2. The President of Ukraine shall announce a national referendum by popular initiative provided the ballot questions are in compliance with the Constitution of Ukraine and laws of Ukraine and at least three million people in Ukraine who have the right to vote have signed the call, and provided the signatures for such a referendum have been collected in at least two-thirds of the regions in Ukraine and that at least 100,000 signatures have been collected in each region.

3. A referendum initiative group established and acting according to this Law shall organize and collect signatures calling for a national referendum.

4. Signatures in support of a national referendum on a specific issue shall be collected within 40 days from the moment of registration of the referendum initiative group calling for a national referendum about the issue in question.

Article 30. Procedure for establishing a referendum initiative group

1. A referendum initiative group shall be established at the meetings of Ukrainian citizens attended by at least 2,000 citizens of Ukraine eligible to vote in a national referendum. The meetings can be organized by citizens of Ukraine aged 18 and over at the time of holding the meeting, political parties of Ukraine, and national public organizations registered according to the laws of Ukraine. It shall be forbidden to hold citizens meetings to initiate establishment of a referendum initiative group in the premises of public authorities or local governments.

2. No later than five days prior to the meeting of citizens of Ukraine about a national referendum the initiators shall inform the Central Election Commission in writing of the date, time, venue and purpose of the meeting.

3. The Central Election Commission shall send its representative (representatives) to the meeting of citizens of Ukraine about a national referendum to log the fact of the meeting.

4. Registration of participants shall take place prior to the meeting of Ukrainian citizens on a national referendum. This includes compiling a list of participants which is to feature one's last name, first name, patronymic, date of birth, place of residence including the address, passport number and series, passport issue date and the issuing authority, and identification documents confirming one's identity and citizenship of Ukraine. Each participant of the meeting shall put a signature against his name to confirm one's participation in the meeting.

5. A meeting of citizens of Ukraine on a national referendum shall elect the chairperson and the secretary of the meeting, a tabulation commission, and it shall adopt the meeting agenda which is to include the issue about the motivation for holding a national referendum, it shall word the question for the national referendum and personally identify the members of the referendum initiative group.

6. If the majority of the meeting participants vote for the national referendum and approve the wording of the questions and/or text of the draft law referred to the referendum, the meeting shall elect a referendum initiative group. The group shall be instructed to organize collection of signatures of citizens of Ukraine calling for a national referendum and to take other actions specified by this Law.

7. A referendum initiative group (hereinafter referred to as the initiative group) shall consist of at least 500 citizens of Ukraine who are eligible to vote as of the date of establishing the initiative group. The meeting shall establish one initiative group only. It shall compile a list of its members specifying each member's last name, first name,

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patronymic, date of birth, place of residence or place of staying, and identification documents confirming the identity and citizenship of Ukraine.

8. The meeting of citizens of Ukraine shall also appoint the person (hereinafter referred to as the authorized representative of the initiative group) who will present the interests of the initiative group, and a statement of appointment shall be compiled and signed by the chairperson and the secretary of the meeting.

The statement of appointment of the authorized representative of the initiative group shall specify:

- 1) last name, first name and patronymic of the person representing the party to the referendum process
- 2) his citizenship
- 3) day, month and year of birth
- 4) place of employment, position (occupation)
- 5) place of residence, address and contact phone number.

A written consent of the person elected to the position of the authorized representative of the initiative group shall be attached to the statement.

The authorized representative of the initiative group shall meet the requirements of part two of Article 66 of this Law.

The authorized representative of the initiative group shall act within the scope of rights specified by this Law.

9. The results of the meeting of Ukrainian citizens (hereinafter referred to as the meeting) shall be reflected in the minutes which is to specify the date of the meeting, venue, number of participants, information about election of the chairperson and the secretary of the meeting, discussion of the agenda items, clear wording of the questions for the national referendum, voting results on the agenda items, composition of the initiative group (if it was elected), and according to part eight of this Article, it shall contain the data about the person appointed as a representative of the initiative group. The minutes shall be signed by the chairperson and the secretary of the meeting. The text of the draft law to be referred to the referendum shall be attached as an appendix to the minutes of the meeting. The list of meeting participants and members of the initiative group shall be a part of the minutes. Each person of the initiative group shall give his written consent for participation in the initiative group, which is to be attached to these documents.

10. Ukrainian citizens nominated as members of the initiative group shall not be obliged to participate in the meeting provided there is a written consent of these people to act as members of the initiative group.

The written consent to become a member of the initiative group shall specify the last name, first name and patronymic of the person, his date of birth, place of residence including the address, identification documents confirming the identity and citizenship of Ukraine, consent to participation in the initiative group, date of writing the document and his signature.

11. Within seven days from the day of the meeting the authorized representative of the initiative group shall transfer the documents on the meeting signed by the chairperson and the secretary to the Central Election Commission, including:

minutes of the meeting

list of participants

list of members of the referendum initiative group

statement of appointment of the authorized representative of the initiative group

written consents of all the members of the referendum initiative group to act as members of the initiative group

written consent of an authorized representative of the initiative group.

The list of members of the initiative group shall be also submitted to the central Election Commission in electronic form.

12. The Central Election Commission shall issue a statement of acceptance to the authorized representative who has submitted to the documents specified in part 11 of this Article. The statement shall contain the list of submitted documents and specify the day, month, year and the time of receipt of the documents, position and name of the person who received the documents.

Article 31. Registration of a national referendum initiative group

1. Within five days the Central Election Commission shall study the documents specified by part 11 of Article 30 of the present Law to check their compliance with the legal requirements. Upon completion of the check it shall issue a resolution on registration of the initiative group or refusal to register the initiative group specifying the reasons for the decision.

2. Refusal to register the initiative group can be issued in case of violation of the Constitution of Ukraine or laws of Ukraine during establishment of the initiative group

and/or in case the measure or text to be referred to a national referendum violates the requirements of the Constitution of Ukraine or the laws of Ukraine.

The Central Election Commission shall be entitled to engage other public agencies, companies and organizations to verify the compliance of the measure or text referred to a national referendum with the requirements of the Constitution of Ukraine and the laws of Ukraine. The engaged parties shall provide the respective conclusions on the issues within the time specified by the Central Election Commission.

3. If the Central Election Commission makes the decision to refuse to register the initiative group it shall hand the respective resolution to the authorized representative of the initiative group.

4. The initiative group can appeal the refusal of the Central Election Commission to register the referendum initiative group or its failure to make the decision on the registration of the initiative group in the manner established by the Code of Administrative Proceedings of Ukraine.

5. The decision of the Central Election Commission regarding registration of the initiative group shall contain the wording of the questions to be referred to a national referendum.

6. The Central Election Commission shall issue a registration certificate and ID to the representative of the initiative group not later than the next day following the decision on the registration of the initiative group. The documents shall comply with the form approved by the Central Election Commission. The registration certificate of the initiative group shall specify the wording of the question proposed for a national referendum and the overall timeframe for collection of signatures, which is subject to the date of registration of the initiative group for a respective national referendum.

A notice shall be placed within three days in Holos Ukrainy and Uryadovy Kuryer newspapers with information about the registration of the initiative group, wording of the question proposed for a national referendum, the launch of the signature collection process and period for collecting signatures of citizens in support of the initiative. By decision of the Central Election Commission this information can be published in other publications and audiovisual (electronic) mass media.

7. Registration fee for registering a referendum initiative group shall not be charged.

8. Public authorities, local governments as well as state-owned or municipal companies, organizations, and institutions shall not be allowed to bear any expenses related with organization and activity of a national referendum initiative group.

9. The initiative group shall establish a national referendum fund to ensure the process of collection of signatures of the citizens of Ukraine in support of the national referendum initiative and finance the activities relating to organization and holding of a national referendum.

10. The initiative group shall have the right to withdraw its initiative prior to official publication of the decision on conducting a national referendum. To this end the initiative group shall submit the minutes of the initiative group's meeting with the approval of more than half of its members. The Central Election Commission shall make the decision to terminate the activity of the referendum initiative group and the initiative on holding a national referendum based on the analysis of the submitted documents. The relevant decision shall be published by the Central Election Commission in Holos Ukrainy and Uryadovy Kuryer newspapers within three days after the day when the decision has been made.

11. The Central Election Commission shall refuse to register other initiative groups in case the measure they propose for a referendum coincides either by content or essence with the measures proposed by the national referendum initiative group that has already been registered by the Central Election Commission.

Article 32. Procedure for collecting signatures by the initiative group

1. Since the day of receipt of the registration certificate, the initiative group shall be entitled to freely collect signatures of the citizens of Ukraine calling for a national referendum.

2. Signatures of the citizens shall be entered into signature lists to be compiled according to the form approved by the Central Election Commission. The initiative group shall be entitled to produce signature lists according to the established form by printing, copying or otherwise.

3. A signature list shall specify the date of the initiative group's registration, sequence number of the signature list, name of the administrative territory where signatures are collected (full name of the village or town (territorial community) where signatures are collected as well as name of the district, oblast, or the Autonomous Republic of Crimea that comprise this local community), and exact wording of the question proposed for a national referendum. In case of a constitutional or legislative referendum the text of the respective draft law shall be attached to the signature list.

A signature list shall contain a column to specify the sequence number of a citizen of Ukraine in the signature list; last name, first name, and patronymic of the citizen of Ukraine; year of birth of the citizen of Ukraine (for participants who reach 18 years old in the year of holding a referendum it shall be required to specify the day, month and year of birth); citizenship; place of residence of the citizens of Ukraine and address; and name, number and series of one of the documents specified by this Law confirming the identity of the citizen of Ukraine; date of putting the signature by a national referendum voter; personal signature of the citizen (national referendum voter) and column "Notes".

4. One signature list shall contain signatures of citizens of Ukraine only from one locality where the signatures were collected.

5. Signatures in support of a national referendum shall be collected only by the members of the registered initiative group and only after the date of issuing the certificate of registration of the initiative group.

6. A citizen of Ukraine supporting the call for a national referendum shall add his signature to the signature list and put the date of signing. A citizen shall personally put his last name, first name, patronymic, date of birth, number and series of the document confirming the identity and Ukrainian citizenship and the place of residence. In case a citizen is unable to put the above mentioned data into the signature list personally because of a disability, a member of the initiative group collecting signatures can do it on his request. In this case the member shall make a respective note next to the signature. A citizen shall not put his signature on the signature list if he/she doesn't have a passport or any other document proving his identity. Shall such a signature be detected it shall be deemed null and void and not counted.

7. A citizen of Ukraine supporting a national referendum can put his signature in support of an initiative for a national referendum only once.

Shall several signatures put by the same person be detected only one signature shall be deemed valid.

8. Every signature list shall be certified with a signature of a member of the initiative group who collected the signatures of the citizens in support of a national referendum. When certifying a signature list a member of the initiative group who collected the signatures shall specify his last name, first name and patronymic, date of birth, place of residence, number and date of issuing the document confirming his identity and citizenship of Ukraine, and also sign the list and indicate the date of signing.

9. A member of the initiative group who collected the signatures shall specify in numbers and words the number of collected signatures of the citizens of Ukraine in the signature list.

10. Signatures in support of a national referendum can be collected at the place of study, residence and in other places not prohibited for signature collection by law.

11. Public authorities, local governments, corporate managers, institutions and organizations regardless of the form of ownership shall not be allowed to participate in collection of signatures in support of the call for a national referendum.

During collection of signatures in support of a national referendum it shall be prohibited to force citizens to put their signatures or offer a reward in any form in return for a signature.

It shall be prohibited to collect signatures in support of a national referendum in places where people receive salaries, pensions, subsidies, student grants, and other social payments or charity assistance.

12. Cost of collection of signatures in support of a national referendum shall be covered by the referendum fund established by the initiative group according to the requirements of this Law.

Article 33. Transfer of signature lists by the initiative group to the Central Election Commission

1. As soon as collection of signatures in support of a national referendum is completed but no later than the final date of signature collection specified in the registration certificate, the initiative group shall count the number of collected signatures in each administrative region specified by part two of Article 133 of the Constitution of Ukraine as well as the total number of collected signatures in support of a national referendum. The initiative group shall compile a protocol specifying the results of a signature collection. The protocol shall be compiled according to the form approved by the Central Election Commission and signed by an authorized representative of the initiative group.

2. The authorized representative of the initiative group shall transfer the signature lists and the protocol with the results of a signature collection to the Central Election Commission. The signature lists shall be numbered and bound as separate folders broken down by administrative regions as specified by part two of Article 133 of the Constitution of Ukraine. The transfer shall take place not later than 12 o'clock midnight on the last day of signature collection in support of a national referendum.

3. The Central Election Commission shall accept the documents and affix a seal to each folder with the signature lists. It shall also verify that the number of submitted signature lists matches the number specified in the protocol with the results of the signature collection. The Central Election Commission shall also issue an official document to the authorized representative of the initiative group which confirms acceptance of signature lists and specifies the number of signature lists and the number of citizens signatures in support of the call for a national referendum declared by the initiative group, as well as the date and time of acceptance of the signature lists.

4. If the registered initiative groups fail to perform the actions specified by part two of this Article before 12 o'clock midnight on the last day of the signature collection, the Central Election Commission shall approve the decision to terminate the initiative calling for a national referendum. The respective decision shall be published by the Central Election Commission in Holos Ukrainy and Uryadovy Kuryer newspapers within three days from the moment when the decision was made.

Article 34. Counting of signatures by the Central Election Commission

1. The Central Election Commission shall have seven days from the moment of receipt of the signature lists and protocols to verify the compliance of the signature collection process in support of a national referendum with the established procedure as well as the accuracy of filing the signature lists. It shall also check on a random basis the reliability of the information about the citizens in the signature lists, check their signatures and summarize the results of the signature collection in support of the call for

a national referendum. The verification procedure shall be elaborated by the Central Election Commission.

2. In case the Central Election Commission turns to the Ministry of Internal Affairs of Ukraine and the General Prosecutor's Office of Ukraine with a request to carry out verification of data about the Ukrainian citizens named in the signature lists, the Ministry of Internal Affairs of Ukraine and the General Prosecutor's Office of Ukraine shall perform the respective data verification and report about the results within the time specified by the Central Election Commission.

3. In the following cases signatures of the citizens of Ukraine shall not be counted in the total number of signatures of Ukrainian citizens in the signature lists:

- 1) a signature list does not have all or a part of the information about a citizen of Ukraine who has put his signature in support of the call for a national referendum as required according to the signature list form.
- 2) entries and signatures have been made in the name of another person, except for the cases permitted by this Law
- 3) signatures have been put by the person who was not eligible to vote on the day of signing
- 4) a citizen of Ukraine has put several signatures
- 5) in other cases specified by this Law.

4. In the following cases the signature lists shall not be taken into account in the process of calculating the number of citizens of Ukraine supporting the call for a national referendum:

- 1) signatures of citizens of Ukraine were collected by a person who on the day of signature collection was not eligible to vote and/or was not a member of a respective initiative group for the national referendum
- 2) signature lists contain inaccurate data about the person who collected signatures of the citizens of Ukraine
- 3) signature lists do not have any data about the person who collected signatures of the citizens of Ukraine
- 4) signature lists have been signed by another person than the one who collected signatures of the citizens of Ukraine
- 5) signatures in the signature lists were collected in the premises of public authorities, local governments and in places specified by part nine of Article 32 of this Law.

- 6) signature lists are not executed according to the established form.
5. Based on the verification results the Central Election Commission shall make the decision regarding the results of the signature collection in support of the call for a national referendum.
6. In case the number of signatures in support of a national referendum is sufficient for calling a national referendum the Central Election Commission shall note this fact in its resolution on the results of the signature collection.
7. If the number of signatures is not sufficient for calling a national referendum the Central Election Commission shall issue a reasoned decision regarding the results of the signature collection in which it shall make a note about the lack of signatures, the number of signatures and the grounds for excluding signatures of certain citizens of Ukraine and signature lists from the total counting. At the same time, the Central Election Commission shall make the decision to terminate the initiative on holding the respective national referendum.
8. Not later than the next day following approval of the decision as to termination of the respective national referendum initiative the Central Election Commission shall issue (send) the decision to the authorized representatives of the initiative group and shall have it published in Holos Ukrainy and Uryadovy Kuryer newspapers within 3 days from the moment of making the decision.
9. After receiving the copy of the decision specified by part seven of this Article the initiative group shall be entitled to appeal the decision according to the procedure established by the Code of Administrative Proceedings of Ukraine.

Article 35. Submitting the decision on the results of signature collection in support of a national referendum to the President of Ukraine

1. If the initiative group has collected at least three million signatures of the citizens the Central Election Commission shall submit the decision on the results of the signature collection to the President of Ukraine who is to prepare the Decree on calling a national referendum in the manner established by this Law. The decision shall be submitted no later than the next day following the day of making the decision.

Section 3

ORGANIZING AND HOLDING A NATIONAL REFERENDUM

Article 36. Announcing the beginning of a national referendum

1. The Central Election Commission shall announce the beginning of a national referendum in its meeting, which is to be reflected in the minutes of the meeting.

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Announcement of the beginning of a national referendum by the chairperson of the Central Election Commission shall be the official announcement of a national referendum.

2. The beginning of a national referendum shall be announced on the day following the publication of the Decree of the Verkhovna Rada of Ukraine on a national referendum or the Decree of the President of Ukraine on calling (announcing) of a national referendum.

3. An extract from the minutes of the meeting of the Central Election Commission on announcement of the beginning of a national referendum shall be published by the Central Election Commission in Holos Ukrainy and Uryadovy Kuryer newspapers within three days from the moment of announcement.

Article 37. National referendum constituencies

1. A national referendum shall be held in a single referendum national constituency which includes the whole territory of Ukraine and an overseas constituency.

The Central Election Commission shall create 225 regional constituencies in a national constituency to hold a national referendum. The Central Election Commission determines the number of such constituencies in the Autonomous Republic of Crimea, and Kyiv and Sevastopol cities. Regional constituencies created to hold a national referendum shall have an approximately equal number of citizens who are eligible to vote in a national referendum.

2. The Central Election Commission shall make the decision on establishment of regional constituencies within five days from the moment of publication of the respective Decree of the President of Ukraine or the resolution of the Verkhovna Rada of Ukraine calling (announcing) a national referendum.

3. An overseas constituency shall include all overseas polling stations established for voting in a national referendum.

4. The Central Election Commission shall publish the decision on establishment of regional constituencies for holding a national referendum including their numbers, territorial boundaries and centres in Holos Ukrainy and Uryadovy Kuryer newspapers and other regional mass media within three days from the moment of their establishment.

Article 38. Referendum precincts

1. Referendum precincts shall be used to organize and hold the voting and to count votes of the referendum voters.

2. A referendum precinct can be ordinary, special, or overseas.

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3. Referendum precincts shall be established at least 35 days prior to the national referendum polling day. In exceptional cases referendum precincts can be established at least five days prior to the national referendum polling day along with establishment of referendum precinct commissions.

4. Referendum precincts shall be established with the number of voters from 20 to 2,500 people.

Precincts are divided by size into:

- 1) small precincts with the numbers of voters from 20 to 500 people
- 2) mid-size precincts with the numbers of voters from 500 to 1,500 people
- 3) large precincts with the numbers of referendum voters from 1,500 to 2,500 people.

If the number of referendum voters in a respective territory, establishment or institution is lower (or higher) than the specified limits and it is not possible to include these voters into a different precinct or create an additional precinct within this constituency, the number of voters in such a precinct can be below or above the limits set for national referendum precincts.

5. Referendum district commission shall issue a decision to introduce common numbering of referendum precincts within a district constituency.

Article 39. Ordinary precincts in a national referendum

1. Ordinary precincts shall be established to organize the voting process at the place of voters' residence.

Ordinary referendum precincts shall be set up by referendum district commissions on the recommendation of executive committees of village, town, city and district (in cities) councils (in case of their establishment), and should such authorities be absent - on the recommendation of village, town and city mayors, heads of regional councils in cities or other officials performing their duties according to the law. These recommendations shall be provided to a district commission by the respective authorities or officials at least 38 days prior to the polling day.

A referendum district commission shall determine the territorial boundaries of each ordinary precinct of a national referendum (name of a locality, street and list of residential houses), the location of the referendum precinct commission and the polling station premises.

2. Referendum district commissions shall establish ordinary precincts at least 35 days prior to the national referendum polling day.

3. If within the time specified by this Article no recommendations are made as to establishment of ordinary precincts referendum district commissions shall establish them as advised by the respective oblast, Kyiv and Sevastopol state administrations.

Article 40. Special precincts in a national referendum

1. Special precincts shall be set up at inpatient healthcare facilities, on board of the vessels that sail under the Ukrainian flag on the polling day, at Ukraine's polar stations, penitentiary institutions and other places of temporary stay of national referendum voters with restricted mobility. Special precincts of a national referendum shall be set up in the way to ensure that national referendum voters can cast their votes without violating the rules of staying in such institutions (facilities). It shall not be allowed to set up one special precinct for two and more institutions (facilities).

Special precincts shall be set up by referendum district commissions at the place of location of the respective institutions or facilities or at the place of registration of a vessel or polar station of Ukraine on the basis of recommendations of regional state administrations or executive committees of city and district (in cities, in case of their establishment) councils at least 35 days prior to the referendum polling day. The above mentioned recommendations shall be submitted to the respective referendum district commission at least 38 days prior to the referendum polling day.

Recommendations regarding establishment of a special precinct in the respective facility or institution shall specify:

- 1) institution or facility name
- 2) legal address of the institution or facility
- 3) approximate number of referendum voters who will attend the institution or facility on the polling day
- 4) availability of the respective voting premises and their address (in case the address of the voting premises is different than the legal address of the institution or facility)
- 5) commitment of the institution or facility management to ensure open access to the premises for the respective national referendum commission and for the people who under this Law have the right to be present during the voting process and the counting of votes.

2. Recommendations as to setting up a special precinct on board the vessel sailing under the Ukrainian flag shall specify:

- 1) vessel's name
- 2) vessel's port of registry

- 3) approximate number of national referendum voters on board the vessel
- 4) last day when the vessel leaves the port of registry before the polling day
- 5) expectation of the earliest time when the vessel returns to the port of registry before the polling day.

3. Precincts are usually not set up at military units (formations). Military personnel vote at ordinary polling stations located outside the military units (formations). Only in exceptional cases, following the recommendation of the respective referendum district commission, the Central Election Commission can set up a special referendum precinct on the territory of a military unit (formation) positioned outside a populated locality. This recommendation shall be provided to the Central Election Commission at least 33 days prior to the polling day. In addition to the data outlined by part six of this Article the recommendation shall specify the grounds for setting up the respective special precinct.

The grounds for submitting this recommendation shall be the application of a chief commissioned officer of a military unit (formation) to the respective referendum district commission, which is to be submitted at least 35 days prior to the polling day. The application shall include:

- 1) number and (or) address of a military unit (formation)
- 2) the rationale for setting up a special precinct in a military unit (formation)
- 3) approximate number of national referendum voters at such a precinct
- 4) availability of the respective voting premises and its address (in case the address of the voting premises is different from the legal address of a military unit (formation))
- 5) commitment to ensure open access to the premises for the respective national referendum commission and the people who under this Law have the right to be present during the voting process and counting of votes.

4. In exceptional cases the Central Election Commission can set up a special precinct at least five days prior to the polling day on the recommendation of the respective regional constituency of a national referendum. Such exceptional cases include establishing a new inpatient healthcare facility, penitentiary facility or other institution (facility) of temporary stay of national referendum voters with limited mobility, unscheduled trip of a vessel that sails under Ukraine's flag or unforeseeable establishment (deployment) of a military unit (formation) outside of population centres. The above mentioned recommendation shall be submitted by a referendum district commission at least 15 days prior to the polling day on the basis of the respective application from a regional state administration, executive committee of a city or district (in the city) council (in case of its establishment), chief commissioned officer of a military unit (formation). The application shall include the data specified by parts one, two and three of this Article.

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5. A referendum district commission shall submit proposals to the Central Election Commission regarding the number of the precinct in case it is set up according to part four of this Article.

Article 41. Overseas national referendum precincts

1. Overseas precincts shall be set up by the Central Election Commission at least 35 days prior to the polling day on the recommendation of the Ministry of Foreign Affairs of Ukraine.

Overseas precincts shall be set up at the diplomatic offices and other representative offices and consular agencies of Ukraine located abroad and in military units (formations) deployed outside Ukraine.

The recommendation of the Ministry of Foreign Affairs of Ukraine shall be submitted to the Central Election Commission at least 38 days prior to the national referendum polling day. This recommendation shall be signed by the Minister of Foreign Affairs of Ukraine and sealed with the seal of the Ministry. The recommendation shall specify:

- 1) the country where an overseas precinct is to be set up
- 2) name and address of a diplomatic office, other official representative office or consular agency of Ukraine outside Ukraine where a precinct is to be set up, the name and address of a military unit (formation) deployed outside Ukraine.
- 3) name and address of the voting premises
- 4) written consent of competent authorities of a foreign country to set up an overseas precinct for holding a national referendum including with the voting premises outside the official representative office or consular agency of Ukraine
- 5) boundaries of each overseas precinct taking into account consular districts or their parts
- 6) approximate number of national referendum voters who will be included into the voters lists at the respective precinct.

2. The list of countries with a large number of national referendum voters shall be identified by the Central Election Commission at least 42 days prior to the polling day as advised by the Ministry of Foreign Affairs of Ukraine.

In certain cases an overseas precinct can be set up with the voting premises outside an official representative office or a consular agency of Ukraine. This type of an overseas precinct can be set up only on the territory of large cities in the country where at least 1,000 Ukrainian citizens reside or stay who are eligible to vote in a national referendum. Immediately following the announcement on holding a national referendum the Ministry

of Foreign Affairs of Ukraine shall apply to the authorities of foreign countries to obtain their consent for setting up precincts of a national referendum outside official representative offices and consular agencies of Ukraine and thus to ensure timely establishment of overseas precincts.

3. The Central Election Commission shall decide on the boundaries for each overseas precinct; name and address of a diplomatic office or another official representative office or consular agency of Ukraine outside Ukraine where a precinct is set up, or the name and location of a military unit (formation) deployed outside Ukraine; determine the voting premises at the national referendum polling station; and introduce common numbering of overseas precincts.

Section 4

REFERENDUM COMMISSIONS

Article 42. Referendum commission system

1. The system of referendum commissions responsible for preparation and holding of a national referendum includes:

- 1) the Central Election Commission as the central referendum commission
- 2) referendum district commissions
- 3) precinct commissions.

2. The following commissions exercise the authorities of referendum commissions regarding preparation and holding of a national referendum:

- 1) the Central Election Commission - on the entire territory of Ukraine and in the overseas constituency
- 2) referendum district commission - within the territory of a regional constituency of a national referendum
- 3) referendum precinct commission - within the precinct of a national referendum

3. The authorities of a referendum district commission in the overseas constituency shall be exercised by the Central Election Commission.

Article 43. Status of referendum commissions

1. Referendum commissions are special collective bodies authorized to organize and hold national referendums and ensure compliance and equal application of Ukraine's Law on Referendum.
2. The status of the Central Election Commission shall be defined by the Constitution of Ukraine, the Law of Ukraine *On Central Election Commission* and other laws of Ukraine. The Central Election Commission is at the top of the system of referendum commissions organizing and holding national referendums and is considered to be the commission of the highest level in regard to all referendum district and precinct commissions specified by this Law.
3. The Central Election Commission does not act as a legal successor of referendum district commissions of a national referendum.
4. This Law defines the status of referendum district and precinct commissions.
5. A referendum district commission is a legal entity. A referendum district commission is a higher level commission in regard to all precinct commissions of a national referendum within the respective referendum constituency.
6. A referendum precinct commission is not a legal entity. A referendum precinct commission is a party to the respective referendum process, which has the right within its authorities to apply to public authorities, local governments, companies, institutions, organizations and their officers and officials. A referendum precinct commission shall have a seal the sample of which is subject to approval by the Central Election Commission.

Article 44. Competences of national referendum commissions

1. Competences of the Central Election Commission as to preparation and holding of a national referendum shall be specified by this Law and the Law of Ukraine *On Central Election Commission*.
2. A referendum district commission shall:
 - 1) ensure preparation and holding of a national referendum within a district constituency
 - 2) ensure control of compliance with the laws on a national referendum in a district constituency
 - 3) provide legal, organizational, methodological and technical assistance to precinct commission

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- 4) set up referendum precincts, their boundaries and common numbering within a district and inform national referendum voters thereof
- 5) distribute funds between referendum precinct commissions according to the cost estimates for preparation and holding of a national referendum approved by the Central Election Commission; check that referendum precinct commissions have the premises and means of transportation and communication and consider other issues relating to technical and material support of a national referendum in a district constituency
- 6) together with precinct commissions control the process of compiling the lists of citizens eligible to vote in a national referendum and the process of making them available for inspection to the public by the precinct commissions
- 7) hear reports of referendum precinct commissions, executives and other officials of local executive authorities, local governments, companies, institutions and organizations on the issues relating to preparation and holding of a national referendum
- 8) transfer ballots and other paper forms to referendum precinct commissions according to this Law, ensure control over the proper ballot accounts within a district
- 9) oversee production of seals, stamps and ballot boxes and their delivery to referendum precinct commissions
- 10) summarize the poll results in a district, issue the poll protocol and deliver it to the Central Election Commission
- 11) consider within the scope of its authorities appeals, applications and complaints as to organization and holding of a national referendum in a district, actions of precinct commissions and their failure to act, as well as related to the members of referendum district commissions and members of precinct commissions and make decisions in this regard.
- 12) exercise other authorities according to this Law and other laws of Ukraine.

Authorities of a referendum district commission expire 15 days following the announcement of the poll results by the Central Election Commission.

3. A referendum precinct commission shall:

- 1) check the accuracy of national referendum voters lists
- 2) ensure that the voters lists are made available for public inspection, consider applications regarding errors and inaccuracies in the lists and make decisions

on the respective amendments to the lists in the manner established by the Central Election Commission

- 3) deliver or send individual invitations to citizens of Ukraine in a timely fashion specifying the date of a national referendum, address of the voting premises and the polling hours
- 4) ensure that during preparation for a national referendum and on the polling day the wording of the questions for a national referendum or the text of the bill in case of a constitutional or a legislative referendums are made available for public inspection
- 5) make arrangements to ensure that voters with limited mobility can vote at the polling station or at the place of his staying
- 6) ensure preparation of the voting premises
- 7) make sure that the polling station follows the provisions of this Law, in particular as to displaying campaign materials
- 8) conduct the poll at the polling station on the polling day
- 9) count the votes cast by the national referendum voters at the polling station, issue the poll protocol and transfer the protocol and other materials to the respective district commission of a national referendum
- 10) consider within the scope of its authorities applications and complaints as to organization of a national referendum and conducting the poll in a precinct as well as claims against the members of precinct commissions and make decisions in this regard.
- 11) exercise other authorities according to this Law and other laws of Ukraine.

Authorities of a precinct commission expire 10 days following the announcement of the poll results by the Central Election Commission.

4. In case a national referendum is held at the same time as election of the President of Ukraine or members of the parliament of Ukraine, referendum district commissions and precinct commissions shall not be set up and the respective district and precinct election commissions shall perform their duties. The Central Election Commission shall determine the operational procedures for district and precinct election commissions as referendum district and precinct commissions at the same time.

In case a national referendum is held at the same time as election of members to the Verkhovna Rada of the Autonomous Republic of Crimea, local councils and village, town and city mayors, precinct commission shall not be set up and the respective precinct election commissions shall perform their duties. The Central Election

Commission shall determine the operational procedures for precinct election commissions as referendum precinct commissions at the same time.

Article 45. Procedure for setting up referendum district commissions

1. The Central Election Commission shall set up referendum district commissions at least 40 days prior to the polling day, which is to include the chairperson, deputy chairperson, the secretary and other members of a national referendum district commission.

Recommendations regarding the candidates to a referendum district commission shall be provided to the Central Election Commission at least 42 days prior to the polling day. The recommendations are provided by the respective chairman of the Verkhovna Rada of the Autonomous Republic of Crimea, heads of regional councils as well as those of Kyiv city and Sevastopol city.

2. The recommendation shall specify the experience of the proposed candidates in the work of national referendum or election commissions, the respective education or skills. Consents of persons nominated to act as members of the respective referendum district commission shall be attached to the recommendation.

3. A referendum district commission shall consist of 15 members.

4. The Central Election Commission determines the manner of drawing lots to appoint the chairperson, deputy chairperson and the secretary of a national referendum district commission.

5. Within five day after its establishment a referendum district commission shall publish in local mass media the information about its location, post address, phone numbers, hours of work, composition and changes to the composition.

6. If within the time specified by part one of this Article no recommendations are made as to the composition of a referendum district commission, or the number of candidates is less than 15 people, the Central Election Commission, 40 days before the polling day, shall approve the composition of a referendum district commission on the basis of the proposals of the respective state administrations.

7. A referendum district commission shall consist of citizens of Ukraine living on the territory of Ukraine. A citizen of Ukraine can be a member of only one referendum commission at the same time.

8. A referendum district commission shall not have officials and officers of public authorities and local governments as well as citizens in penitentiary custody or convicted of intentionally committed offences unless he/she has served the sentence or the conviction has been annulled according to the law.

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9. The Central Election Commission shall issue ID cards to members of the referendum district commission in the form approved by the Central Election Commission.

10. Executive agencies and local authorities shall be responsible for providing premises and other technical and material support to referendum district commissions in the manner established by the Central Election Commission.

Article 46. Procedures for setting up referendum precinct commissions

1. A referendum precinct commission shall be set up by the respective referendum district commission at least 20 days prior to the national referendum polling day and consist of the chairperson, deputy chairperson, the secretary and other members of the referendum commission.

Referendum precinct commissions shall be set up on the recommendation of executive committees of village, town, city and district (in cities) councils (if established), and in case of absence of such authorities on the recommendation of village, town and city mayors, heads of city district councils or other officials performing their duties according to the law.

The respective recommendations shall be submitted to a referendum district commission at least 25 days before the national referendum polling day.

2. A referendum precinct commission shall consist of 11 members unless otherwise prescribed by this Law.

The precinct with the number of people eligible to vote in a national referendum not exceeding 50 people can consist of the chairperson, the secretary and between one and three members.

The recommendation shall specify the experience of the proposed candidates in the work of national referendum or election commissions, and relevant education or skills. Consents of persons nominated as candidates to a precinct commission shall be attached to the recommendation.

3. A citizen of Ukraine can be a member of only one referendum commission at the same time.

4. A referendum precinct commission shall not include officials and officers of public authorities and local governments as well as citizens detained in penitentiary institutions or convicted of intentionally committed offences unless he/she has served the sentence or the conviction has been annulled according to the law.

5. The chairperson, the deputy chairperson and the secretary of a referendum precinct commission shall be appointed by means of drawing lots. The Central Election Commission establishes the procedures for drawing lots.

6. If within the time specified by part one of this Article no recommendations have been made as to the composition of a referendum precinct commission or the number of candidates is lower than 11 people the referendum district commission, 20 days before the polling day, shall approve the composition of precinct commissions consisting of 11 persons on the basis of the proposals of local state administrations. The referendum district commission shall also appoint the chairperson, deputy chairperson and the secretary from among the members of the precinct commission in the manner established by part five of this Article.

7. A special precinct commission on board a vessel that on the polling day sails under Ukraine's flag, or at a polar station of Ukraine, shall be set up by a referendum district commission within the time specified by part one of this Article. It shall be set up at the place of registration of the vessel, or the polar station of Ukraine, according to the recommendation of a vessel captain, or head of the polar station of Ukraine. The information thereof shall be reported via communication equipment.

8. The Central Election Commission shall set up a precinct commission at an overseas constituency within the time specified by part one of this Article subject to proposals of the Ministry of Foreign Affairs of Ukraine.

The Ministry of Foreign Affairs of Ukraine shall provide as many recommendations regarding the members of overseas precinct commissions as required to ensure that respective overseas precinct commissions will consist of at least 11 members. In case it is not possible due to objective reasons to set up a precinct commission in the overseas constituency with the specified number of members the Central Election Commission shall set up overseas precinct commissions consisting of the chairperson, the secretary and between one and three members.

9. The decision about setting up a referendum precinct commission shall be made public via publications or, if it is not possible, in any other way within three days from the moment of its establishment.

10. A referendum district commission shall issue a certificate to members of a precinct commission according to the form approved by the Central Election Commission.

11. Executive agencies and local authorities shall be responsible for providing premises and other technical and material support to precinct commissions in the manner established by the Central Election Commission.

Article 47. Organizing the work of referendum commissions

1. A referendum commissions is a collective body. District and referendum precinct commissions organize their work according to the requirements of this Law in the manner established by the Central Election Commission.

2. In case it is necessary to hold a meeting of a referendum commission it can be called by a higher level commission.

3. Provided at least one third of the commission submits a written request to hold a meeting the chairperson or his deputy shall call the meeting of the commission not later than the next day following the request.
4. The first meeting of a referendum commission shall be called by the Chairperson the next day after its establishment and subsequent meetings are carried out when necessary.
5. A meeting of a referendum commission shall be deemed valid provided that more than half of its members are present at the meeting. The meeting of a precinct commission shall be deemed valid independent of the number of its present members on the polling day and during the vote count.
6. The meeting of a referendum commission shall be called with a notice of all the members of the meeting about the time, place and the agenda of the meeting.
7. Members of a referendum commission shall receive the draft decisions of the commission and the necessary documents at least one day prior to the meeting of a referendum commission but no later than the beginning of the meeting.
8. A meeting of a referendum commission shall be chaired by the chairperson of the meeting or his deputy. In case they fail to perform this function the commission shall appoint the chairperson from among its members.
9. A referendum commission is bound to call a meeting to consider the issues within its authorities on demand of three members of the commission as well as by decision of a higher level commission or the court. The issues shall be considered within three days following the receipt of the demand or a respective decision but not later than the polling day, and on the polling day - immediately, except for precinct commissions. A precinct commission shall consider at its meeting the issues within its authorities on demand of the members of the commission on the polling day, or by decision of a higher level commission or the court issued on the polling day - immediately after the end of the poll, except for the issues relating to amendments to the national referendum voter lists.
10. Decisions of a commission shall be approved by majority vote of the present members and by open ballot.
11. Decisions of a commission shall enter into force at the moment of approving the decisions except for the cases specified by this Law.
12. A member of a referendum commission participating in the meeting and disagreeing with the decision of the commission shall be entitled to express his individual opinion in writing within two days following the meeting. The opinion shall be attached to the respective minutes of the meeting and constitute an integral part of the minutes.

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13. The decision of a referendum commission made within the scope of its authorities shall be binding for all parties to the referendum, executive authorities, local governments, their officers and officials, and mass media.

14. The decision of a referendum commission contradicting the laws of Ukraine or adopted beyond the powers of the commission can be revoked by a higher level referendum commission, or the Central Election Commission after consideration of a complaint or on their own initiative, or it can be declared illegal or annulled by the court. In this case a higher level referendum commission and the Central Election Commission shall be entitled to make the decision on the issue.

15. Applications, complaints and other documents submitted to a referendum commission shall be filed and registered according to the procedures established by the Central Election Commission.

16. A referendum commission can engage relevant specialists, experts and technical workers in the manner established by the Central Election Commission to ensure organizational, legal and technical support for exercising its authorities as established by this Law.

17. Nobody has the right to interfere with the activity of referendum commissions except for the cases specified by the law.

Article 48. Right to attend a commission meeting

1. The persons entitled to attend a meeting of the Central Election Commission include a representative of the initiative group with the Central Election Commission and representatives of mass media accredited according to the procedures established by the Central Election Commission.

2. Only the following persons shall be entitled to attend the meetings of district and referendum precinct commissions including during the vote count and establishment of the voting results on the polling day, and be present in the premises of the polling station without permission or invitation from the respective commission:

- 1) members of higher level referendum commissions
- 2) authorized persons and observers of the initiative group that is a party to the referendum process (maximum 2 persons)
- 3) accredited international observers
- 4) representatives of mass media (maximum two persons from one media).

3. Other persons except for those specified in part two of this Article can be present at the meeting of a referendum commission only with the permission or invitation of the commission which is to make the relevant decision at its meeting. The persons not

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covered by part three of this Article shall be prohibited from staying at the polling station during the poll, the meeting of the referendum commission during the vote count and establishing the voting results.

4. A referendum commission can make a decision to deprive the persons covered by part two and three of this Article of the right to be present at its meetings if they prevent the work of the commission.

5. Officers of law-enforcement agencies shall maintain order on the polling day and during the counting of votes only outside the premises of the polling station. In the event of any disorder the chairperson, deputy chairperson or the secretary of a commission can invite a law enforcement officer to take actions to put things in order for the time required for such actions.

Article 49. Keeping records of referendum commissions' activity

1. All records related to the activity of the Central Election Commission shall be arranged as specified by the Law of Ukraine *On Central Election Commission*. All records related to the activity of district and referendum precinct commissions shall be kept in the manner established by this Law and according to the paperwork management procedures for referendum commissions approved by the Central Election Commission.

2. The referendum commission shall keep minutes of the proceedings at its meetings which are to be taken by the commission secretary. If the secretary is not available or if he/she fails to perform the functions the commission shall elect from among its members the secretary of the meeting who is to perform the functions of the secretary at the respective meeting and during execution of the meeting documents. The minutes of the commission meeting shall be signed by the chairperson and the secretary of the commission (or the secretary of the meeting). The minutes of the commission meeting shall be distributed to the members of the commission for inspection before the next meeting of the commission at the latest and each member of the commission shall have the right to sign the minutes.

3. Decisions of referendum commissions shall be adopted in the form of resolutions which are to include the following information:

1) commission's name

2) resolution name

3) date and place of making the resolution and the sequence number of the resolution

4) reasons underlying the decision including the circumstances which made the commission consider the issue, references to the respective provisions of legislation or resolutions of a higher-level referendum commission or the court

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decisions taken into account by the commission when making the decision on the issue.

5) resolution.

4. The resolution shall be signed by the chairperson at the meeting of the referendum commission. The content and number of the resolution shall be reflected in the respective minutes of the commission meeting.

5. The resolution adopted by a district and referendum precinct commission shall be displayed on the official notice board for public inspection not later the next morning following the day of its adoption. In case the decision is made on the eve of the polling day it shall be displayed on the polling day, and in case it is made during the vote count it shall be displayed within four hours following completion of the commission meeting. Within the same time the resolution shall be also communicated to the referendum parties concerned. A copy of the resolution certified by the chairperson of the commission or deputy chairperson and the secretary and sealed with a seal of the commission shall be issued to the referendum party concerned within four hours following the adoption of the resolution or immediately in case it is adopted on the polling day. The official notice board of the commission shall be located at the premises of the commission so as to make it accessible for all visitors.

6. The commission can also make protocol decisions regarding its day-to-day activity.

7. The referendum commission shall issue statements and minutes. A statement of the commission shall certify a certain fact or event identified and admitted by the commission. The minutes of the commission shall summarize the results of certain actions performed by the commission.

8. Statements and minutes of the commission shall be issued in cases specified by this Law according to the form approved by the Central Election Commission and in the number of copies as specified by this Law. A statement or minutes of the commission shall be signed by all members present at the meeting and sealed with the seal of the referendum commission.

Article 50. Status of a referendum commission member

1. A member status in the Central Election Commission shall be defined by the Law of Ukraine *On Central Election Commission*.

2. A member status in a district and referendum precinct commission as well as the manner of gaining the status shall be established by this Law.

3. On the decision of the commission which is subject to approval by a higher level commission, the chairperson, deputy chairperson, the secretary or other members of a district commission (of the total number not exceeding 6 members) or a precinct commission (of the total number not exceeding 6 members) can perform their functions

in the commission for a remuneration according to this Law, over the entire period of commission operation or a part of it. In this case the appointed persons shall be released from performing their working functions or official duties at the primary place of employment without interrupting the general continuous employment records or special service records.

4. A members of the referendum commission shall have the right to:

- 1) participate in preparation of the matters to be submitted for consideration of the referendum commission
- 2) speak at the referendum commission meetings, put questions to other participants of the meeting on the items of the agenda, make proposals on the matters which are within the authority of the commission
- 3) check the activity of lower level commissions on instructions of the relevant commission
- 4) have unhindered access to the documents of the referendum commission where he is a member and of a lower level commission in a given territory
- 5) claim compensation for damage to health, life or property suffered as a result of performing the duties of a member of the referendum commission including the cost of business trips in connection with performance of duties of a member of the commission, in the manner and in the amount established by the Cabinet of Ministers of Ukraine.

5. A member of the referendum commission shall:

- 1) follow the Constitution of Ukraine, this Law and other laws of Ukraine relating to preparation and holding a national referendum
- 2) participate in the meetings of the referendum commission
- 3) obey the decisions of the respective referendum commission, decisions of higher level commissions and perform the functions of a member of the referendum commission.

6. A member of the referendum commission shall also have other rights and obligations according to this Law and other laws of Ukraine.

7. For the time of performing the duties of a member of the referendum commission (participation in meetings and other events in execution of this Law or decisions of the commission) each member of the referendum commissions shall be granted the guarantees and compensations specified by the legislation for employees for the time of performing government or public duties during working hours.

A member of the referendum commission shall be granted time off during working hours at the primary place of employment for the time required to perform the duties of a member of the commission and he/she cannot be dismissed and moved to a lower position due to performing the duties of a member of the referendum commission.

8. Members of the referendum commissions shall be prohibited from campaigning in favour or against the measure submitted to referendum or give any public assessment of the referendum measure.

Article 51. Early termination of the authorities of a referendum commission or a member of the commission

1. The authorities of all the members of district and referendum precinct commissions can be terminated before its term expires by the commission which set it up, on its own initiative, or following a court decision in case of regular violation of the Constitution of Ukraine, this Law and other laws of Ukraine by the commission.

2. Early termination of the authorities of all the members of the referendum commission shall not mean liquidation of the commission.

3. Authorities of a member of the constituency and referendum precinct commission shall be terminated before the term expires in the following cases:

- 1) following the member's personal resignation letter asking for termination of the authorities of the commission member
- 2) withdrawal of his candidacy by the party which nominated him/her
- 3) termination of his Ukrainian citizenship
- 4) member's departure for a destination outside Ukraine for the entire period up to and including the polling day (or departure for a destination outside the country with an overseas precinct for the entire period up to and including the polling day), which makes it impossible for the member to perform the duties of a commission member
- 5) registration of the member as a representative of the initiative group in the Central Election Commission and as an authorized person of the referendum initiative group
- 6) his sitting on some other referendum commission
- 7) regular failure to perform the obligations imposed on the member, which is certified by at least two resolutions of the commission in which he/she is a member

- 8) repeated or one-time gross violation of the law of Ukraine on referendum, which is to be established by a court ruling or a resolution of the higher level commission
- 9) an effective guilty verdict of the court against the member of the commission for committing an intentional crime
- 10) a member of the commission is declared legally incompetent
- 11) his death.

4. In case of circumstances specified by items 1, 3-6 and 9-11 of part three of this Article, the authorities of a member of the commission shall be terminated from the moment of their emergence or detection, and in case of circumstances specified by items 2, 7 and 8 of part three of this Article, from the moment of making the decision on termination of the authorities.

5. The higher level commission which has terminated the authorities of all the members of the commission, a specific member of the commission, or found the grounds for termination of the authorities shall no later than the following day inform the persons who recommended the members whose authorities were terminated or in whose regard they found the grounds for their termination.

6. In case of early termination of authorities of all the members of the commission the relevant higher level commission shall approve the new composition of the referendum commission in the manner established by the Central Election Commission within two days from the moment of termination of the commission authorities.

7. In case of early termination of the authorities of a commission member the higher level commission shall replace the member whose authorities were terminated with a new member in the manner established by this Law within two days from the moment of termination of his authorities but no later than one day before the polling day.

8. In case of early termination of the authorities of a commission member one day before the polling day or on the polling day the decision about termination of the authorities shall be made along with the decision to include a new member in the commission on recommendation of the respective state administration.

9. In case of early termination of the authorities of a member of the overseas precinct commission a new member shall be elected to the commission as advised by the Ministry of Foreign Affairs of Ukraine. In case it is impossible to make the respective replacement the overseas precinct commission shall perform its functions in the existing composition.

10. In case the chairperson, deputy chairperson or the secretary of a referendum commission regularly fails to perform his obligations the respective district or referendum precinct commission can turn to the referendum commission which

established it with an argued request to replace them, provided the majority of members of the respective commission have supported the request. This request shall be subject to consideration within the time specified by parts seven and eight of this Article. The decision to replace the chairperson, deputy chairperson and the secretary of a referendum commission shall not lead to termination of the authorities of these persons as members of the respective referendum commission.

Article 52. Legal entity status of a referendum district commission

1. A referendum district commission shall be recognized as a legal entity or terminate its activity as a legal entity in the manner established by the laws of Ukraine subject to the provisions of this Law.
2. A referendum district commission shall be recognized as a legal entity from the moment the respective information has been entered to the Unified State Register of Legal Entities and Individual Entrepreneurs.
3. Registration fee for state registration of a referendum district commission shall not be charged.
4. A referendum district commission shall terminate its activity as a legal entity from the moment of making the respective entry to the Unified State Register of Legal Entities and Individual Entrepreneurs.
5. No fee shall be charged for publication of the information on termination of the referendum district commission in the State Registration Newsletter.

Section 5

NATIONAL REFERENDUM VOTERS LISTS

Article 53. Compiling preliminary voters lists for a national referendum

1. National Voters Register Authority (hereinafter referred to as the Register) shall compile the lists of referendum voters for ordinary referendum precincts in accordance with the Law of Ukraine *On National Voters Register* and the procedures established by the Central Election Commission.
2. The preliminary voters lists of a referendum precinct shall include citizens of Ukraine who have reached the age of 18 as of the polling day and are eligible to vote and whose registered voting address refers to the respective precinct according to the data of the National Voter Register. A referendum voter can be included into the voters list at one precinct only.

3. A preliminary list of referendum voters shall specify the last name, first name (all first names) and patronymic (if any) of a national referendum voter, his date of birth and his registered voting address, which is to be identified according to the Law of Ukraine *On National Votes Register*. The list of referendum voters shall be based on continuous numbering and have page numbering as well. The referendum voters with the same address shall be listed in the lists next to each other.

4. It shall be required to make a respective note in "Notes" section against the last name of referendum voters with permanent restricted mobility.

5. Not later than 20 days before the polling day preliminary voters lists shall be submitted to the respective referendum district commissions; the voters lists shall comply with the form established by the Central Election Commission subject to the requirements of the Law of Ukraine *On National Voters Register*. A statement of acceptance of the above mentioned voters lists shall be compiled in the form and the manner established by the Central Election Commission. One copy of the statement shall be kept by National Voters Register Authority and the other by the referendum district commission.

6. Not later than 17 days before the polling day the referendum district commission shall transfer one copy of preliminary voters list to the respective commission of an ordinary precinct. The other copy shall be kept by the referendum district commission. At least three members of the precinct commission shall receive the voters lists, one of them being the chairperson of the commission or, if it is not possible, the deputy chairperson or the secretary of the commission. A statement of acceptance of the above mentioned voters lists shall be compiled by the precinct commission in two copies, in the form and the manner established by the Central Election Commission.

7. In case the national referendum is held along with election of the President of Ukraine or members of parliament of Ukraine, the referendum voters lists shall be identical to the voters lists developed for election of the President of Ukraine or members of parliament of Ukraine in the manner established by the Central Election Commission.

Article 54. Procedures for providing information on preliminary national referendum voters lists for open inspection at an ordinary precinct and appeals against inaccuracies in the voters lists

1. The next day following the receipt of a preliminary voters list the commission of an ordinary referendum precinct shall make it available for open inspection at the referendum precinct commission premises.

2. A referendum precinct commission of an ordinary precinct shall send a personal invitation or deliver it in any other manner to each referendum voter informing the voter about entering his name into a preliminary voters list, the address of the respective referendum precinct commission, its phone number and working hours as well as the voting date and venue. Referendum voters marked as voters with permanent restricted mobility shall be informed that they will be provided with a possibility to vote at their

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place of stay. This written notification shall be delivered (sent) at least 13 days before the polling date.

3. Citizens shall have the right to check the referendum voters lists and the accuracy of the information in the lists.

4. Every citizen of Ukraine eligible to vote in a national referendum shall have the right to submit an application to the referendum precinct commission with the request to correct the voters list and include him personally or other voters into voters list or exclude them from it, or appeal to the referendum district commission or the National Voter Register Authority regarding any inaccuracy in the referendum voters list according to the procedure established by the Central Election Commission, and file an administrative suit with the court on these issues in the manner established by the Code of Administrative Proceedings of Ukraine.

5. Applications and complaints submitted to the referendum commissions and the National Voters Register Authority shall be considered by the respective commission or the National Voter Register Authority without delay.

6. The complaint specified in part four of this Article can be submitted to a referendum precinct commission, referendum district commission or the National Voters Register Authority no later than one day prior to the polling day.

7. The National Voter Register Authority and the referendum district commission shall inform the respective district or referendum precinct commissions about the result of hearing the complaints without delay.

8. In case the national referendum is conducted along with election of the President of Ukraine or members of parliament of Ukraine. the procedures for providing the referendum voters lists for open inspection shall be identical to the procedures established by the Law of Ukraine *On Election of the President of Ukraine* or the Law of Ukraine *On Election of Members of Parliament of Ukraine*.

Article 55. Updating a draft referendum voters list at an ordinary referendum precinct

1. Not later than seven days before the polling day the referendum commissions shall update the draft voters lists and submit their own and voters' applications to the National Voters Register Authority regarding non-inclusion, improper inclusion to the draft list or mistakes in the voters profiles.

2. Not later than seven days before the polling day the authorities, institutions and organizations specified in parts three to eight of this Article shall provide information to the National Voters Register Authority, in the form established by the Central Election Commission.

3. The head of a respective regional (city, district) agency of the Ministry of Internal Affairs shall provide information on:

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- 1) Ukrainian nationals registered at the place of residence in the relevant territory who turned 18 years old after the last day of the period for which the National Voters Register Authority received information according to the law or who will turn 18 on the polling day;
- 2) individuals who received citizenship of Ukraine and temporary ID or a passport of a Ukrainian citizen after the last day of the period for which the National Voters Register Authority received information according to the law;
- 3) voters who changed their registered place of residence within a particular territory after the last day of the period for which the National Voters Register Authority received information according to the law;
- 4) voters who registered their place of residence in a particular territory after the last day of the period for which the National Voters Register Authority received information according to the law;
- 5) voters who were deregistered from the place of their residence in a particular territory after the last day of the period for which the National Voters Register Authority received information according to the law;
- 6) individuals whose citizenship of Ukraine was suspended after the last day of the period for which the National Voters Register Authority received information according to the law.

4. The head of a respective regional (city, district) agency of the Ministry of Justice shall provide information on:

- 1) voters who had lived in a particular territory but died after the last day of the period for which the National Voters Register Authority received information according to the law (the fact shall be confirmed with a death certificate);
- 2) voters who changed their last, first name or patronymic, date or place of birth after the last day of the period for which the National Voters Register Authority received information according to the law.

5. The commander of a military base (unit) deployed within a particular territory shall provide information on:

- 1) voters who are army conscripts and arrived for military service in this military base (unit) after the last day of the period for which the National Voters Register Authority received information according to the law;
- 2) other voters who arrived to reside in the area of deployment of this military base (unit) after the last day of the period for which the National Voters Register Authority received information according to the law;

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- 3) voters (including army conscripts) who left the area of deployment of this military base (unit) after the last day of the period for which the National Voters Register Authority received information according to the law.
6. The head of a respective regional (city, district) authority of guardianship and care shall provide information on:
- 1) voters who were declared legally incompetent with a guardian appointed to them after the last day of the period for which the National Voters Register Authority received information according to the law;
 - 2) individuals whose status of legal incompetence was revoked and guardianship over them was suspended after the last day of the period for which the National Voters Register Authority received information according to the law.
7. The head of a respective regional (city, district) authority of the State Penitentiary Department shall provide information on:
- 1) voters who arrived to serve their sentences at penitentiary facilities within a particular territory after the last day of the period for which the National Voters Register Authority received information according to the law;
 - 2) voters who had served sentences at penitentiary facilities within a particular territory and left these facilities after the last day of the period for which the National Voters Register Authority received information according to the law.
8. The head of a specialized institution that registers homeless individuals within a particular territory shall provide information on:
- 1) voters who were registered at the legal address of the institution after the last day of the period for which the National Voters Register Authority received information according to the law;
 - 2) voters who were deregistered from the legal address of the institution after the last day of the period for which the National Voters Register Authority received information according to the law.
9. The information described in parts three to eight of this Article shall be submitted in electronic format and hard copy in the form of a list with continuous numbering of entries and pages. Data validity is confirmed on every page with a signature of the head of a respective authority, agency, institution, military base (unit) commander, and a seal.
10. When a referendum district commission puts down the Ukrainian citizens as members of referendum precinct commission, it shall include into the voter's list at every ordinary precinct the members of the relevant referendum precinct commission who have been registered in the voters lists according to their voting address at other precincts. The decision shall be handed to the respective referendum precinct

commission. With the same decision the referendum district commission shall notify the National Voters Register Authorities in charge of the appropriate territory where the mentioned members of the referendum precinct commission were included into the voters lists about their inclusion into a particular list of voters at a particular referendum precinct.

11. Following the receipt of the notification the National Voters Register Authority shall introduce relevant notes in the National Voters Register database regarding the voters who will not vote according to their registered voting addresses as they were included into the voters lists at other precincts.

12. A referendum district commission shall immediately notify the relevant National Voters Register Authorities about changes in the composition of the referendum commission.

13. The National Voters Register Authority shall revise a draft voters list at an ordinary referendum precinct and produce an updated voters list following consideration of complaints filed by citizens, inspection of inquiries made by referendum commissions and court rulings as well as acting on the basis of information outlined in parts three to eight of this Article, and following communications of referendum district commission regarding inclusion of Ukrainian citizens to voters lists at other polling stations as set forth in part ten of this Article.

14. Updated lists of voters shall be made in a form established by the Central Election Commission and must have a box for signatures of voters to confirm receipt of their ballots. The lists should be handed over to referendum district commissions at least three days before the polling day as described in part five of Article 53 hereof.

15. A referendum district commission shall provide respective referendum precinct commission with updated lists of voters at ordinary precincts not later than two days before the polling day in the manner described in part six of Article 53 hereof.

16. If a national referendum is held along with presidential and parliamentary elections in Ukraine, the lists shall be updated following the procedures established by the Law of Ukraine *On Election of the President of Ukraine* or the Law of Ukraine *On Election of Members of Parliament of Ukraine*.

Article 56. Procedures for changing an updated voters list at an ordinary referendum precinct

1. Chairperson and secretary of a referendum precinct commission may amend the updated referendum voters list at an ordinary referendum precinct.

2. Changes to the updated list of referendum voters shall be made according to this Law following

- 1) court rulings;
- 2) decisions of the referendum district commission;
- 3) communications of the National Voters Register Authority regarding avoidance of multiple inclusion of a voter to the voters list at this precinct;
- 4) decisions of the referendum precinct commission.

3. The referendum precinct commission shall not adopt a decision to amend the updated list of referendum voters on the grounds outlined in part two of this Article.

4. The chairperson and secretary of the referendum precinct commission shall amend the updated list of referendum voters immediately after the commission receives the documents specified in part two of this Article.

5. If a voter is included into the list of referendum voters at a referendum precinct according to the procedure of changing the updated voters list, his data as required for the voters list shall be included at the end of the list according to the documents which served as a ground for his inclusion to the list of voters. In this case the date and number of the decision made by the district or referendum precinct commissions or date of the respective court ruling shall be specified in the box "Notes".

6. Voters wrongly included into a list of referendum voters shall be deleted from it with a note "Excluded" and certifying signatures of the chairperson and secretary of the referendum precinct commission in the "Notes" box. Along with the name of the voter this box shall also specify the date and number of the decision made by the district or referendum precinct commissions, the date of court ruling about exclusion of the voter from the list of voters, or notification issued by the National Voters Register Authority as required by part eleven of Article 55 hereof and part two of this Article.

7. The referendum precinct commission shall notify immediately the respective National Voters Register Authority about the changes made into the list of voters according to a court ruling.

If discovered that a voter has been included into the list at another polling station, the National Voters Register Authority that has received such a notification shall immediately notify thereof the respective referendum precinct commission.

8. On the polling day the chairperson, deputy chairperson and secretary of a referendum precinct commission shall correct inaccuracies and typos in the updated list of referendum voters, i.e. wrong spelling of names, dates of birth, numbers of houses or apartments, if it is clear that despite such typos the list includes the voter who has arrived at the polling station to vote. Such corrections shall be certified with signatures

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of the chairperson, deputy chairperson and secretary of the referendum precinct commission in Notes.

9. If a national referendum is held along with presidential and parliamentary elections in Ukraine, the lists shall be updated following the procedures established by the Law of Ukraine *On Election of the President of Ukraine* or the Law of Ukraine *On Election of Members of Parliament of Ukraine*.

Article 57. Making and updating lists of national referendum voters at special referendum precincts

1. Lists of voters at special referendum precincts (except for in-patient hospitals) shall be made at least 15 days before the polling day by respective referendum precinct commissions in line with part three of Article 53 hereof and according to the information submitted by heads of respective institutions, facilities, captains of vessels, commanders of military bases (units) where such referendum precincts are located.

2. Lists of voters at special referendum precincts located at in-patient hospitals shall be made at least 10 days before the polling day by respective referendum precinct commissions in the form described in part three of Article 53 hereof and according to the information submitted by the heads of respective institutions. Voters expected to leave the hospital before the polling day shall not be included into the information provided and the lists of voters at such a precinct.

3. The information outlined in parts one and two of this Article shall be submitted in one copy signed by the head of a respective institution, facility, by captain of a vessel, commander of a military base (unit) and sealed. The head of a respective institution, facility, captain of a vessel, commander of a military base (unit) shall ensure submission and reliability of such information to the referendum precinct commission at least 17 days (for the head of an in-patient hospital - at least 12 days) before the polling day.

4. Next day after compilation of the list of voters the referendum precinct commission of a special precinct shall make public one copy of the list in the premises of the referendum precinct commission.

5. An individual can address a referendum precinct commission or go directly to court with jurisdiction over the referendum precinct regarding circumstances established in part four of Article 54 hereof.

6. An individual shall file a complaint to a referendum precinct commission personally without indicating the complainant; the complaint is to be considered at the next meeting of the commission.

7. Such a complaint shall be considered by the referendum precinct commission within two days. Following the hearing the commission shall decide on making changes to the list of voters or reasonably dismiss the complaint. A copy of the decision is given to the

complainant with the complaint on the day when the decision is made. A complaint filed a day before the polling day or on the polling day shall be considered immediately.

8. Once the list of voters at a special referendum precinct is compiled, the referendum precinct commission shall immediately provide the information about the voters on the list to relevant National Voters Register Authorities according to the registered voting addresses of such voters.

The content of the voters list at a precinct established on a vessel sailing under the National Flag of Ukraine or at a polar station of Ukraine can be sent through technical means of communication.

9. If a national referendum voter has arrived at an in-patient hospital later than ten days but earlier than three days before the polling day, the respective referendum precinct commission shall update its list of voters and include such an individual to the list on the basis of the information provided immediately by the head of the respective facility with the head's signature certified with a seal of the facility. A National Voters Register Authority at the registered voting address of such a voter shall be immediately notified about his inclusion to the list.

10. A national referendum voter who arrived at a hospital located in the same settlement where he lives can approach the ordinary referendum precinct commission where he is listed as a voter and inquire whether he can vote at the place of his stay according to procedures and within the timeline fixed herein. In this case he shall not be included into the list of voters at the special referendum precinct.

11. If a special referendum precinct is established as an exception in line with Article 38 hereof, the list of voters shall be compiled by the referendum precinct commission not later than three days before the polling day on the basis of information provided by the head of a respective facility, institution, captain of a vessel or commander of a military base (unit). The mentioned information shall be submitted at least four days before the day of the referendum in one copy signed by the head of a respective institution, facility, by captain of a vessel or commander of a military base (unit) and sealed. Once the list of voters at such a constituency is compiled, the referendum precinct commission shall immediately provide the information about the voters on the list to the appropriate National Voters Register Authorities according to the places of residence of such voters. The commission of a referendum precinct established on a vessel sailing under the National Flag of Ukraine or at a polar station of Ukraine can send the content of its referendum voters list through technical means of communication.

12. When making changes in the list of voters, the commission of a special referendum precinct shall immediately notify the respective National Voters Register Authority according to the voting address of a voter about his inclusion into or exclusion from the list of voters.

13. Members of the special referendum precinct commission shall be included into the list of voters at this referendum precinct following a decision of the referendum district commission as established by Article 55 hereof.

14. If a national referendum is held along with presidential and parliamentary elections in Ukraine, the voters lists of special polling stations shall be updated following the procedures established by the Law of Ukraine *On Election of the President of Ukraine* or the Law of Ukraine *On Election of Members of Parliament of Ukraine*.

Article 58. Procedures for compiling and updating lists of national referendum voters at overseas referendum precincts

1. After the overseas referendum precincts are established, the National Voters Register Authority at the Ministry of Foreign Affairs shall make draft lists of voters on the basis of the National Voters Register for every overseas referendum precinct in line with part three of Article 53 hereof. The Ministry of Foreign Affairs shall deliver the lists in hard copy to a respective referendum precinct commission at least 17 days before the polling day.

Every page of the voters lists shall be signed by the head of the National Voters Register Authority at the Ministry of Foreign Affairs and duly stamped.

2. Not later than seven days before the polling day heads of diplomatic or consul institutions of Ukraine shall provide the following information to the National Voters Register Authority at the Ministry of Foreign Affairs, in the form established by the Central Election Commission:

- 1) Ukrainian nationals listed in the consular registers who turned 18 years old after the last day of the period for which the National Voters Register Authority received information according to the law or who will turn 18 on the polling day;
- 2) individuals who received citizenship of Ukraine and temporary ID or a passport of a Ukrainian citizen after the last day of the period for which the National Voters Register Authority received information according to the law;
- 3) individuals whose citizenship of Ukraine was suspended after the last day of the period for which the National Voters Register Authority received information according to the law;
- 4) Ukrainian nationals participating in the referendum who were registered in the consular registers in a respective consular district after the last day of the period for which the National Voters Register Authority received information according to the law;
- 5) Ukrainian nationals participating in the referendum who were taken off the consular register in a respective consular district after the last day of the period

for which the National Voters Register Authority received information according to the law;

- 6) Ukrainian nationals participating in the referendum who are serving in the military bases (units) of Ukraine deployed outside the country in a respective territory.

3. Next day after the receipt of the list of voters an overseas referendum precinct commission shall display one copy of it in the commission's premises.

4. The nationals can read the list of national referendum voters at an overseas precinct as established in Article 54 hereof. An overseas referendum precinct commission shall send a personal invitation informing every Ukrainian national about his inclusion to the voters list at a respective overseas precinct with the referendum precinct commission address, telephone number and working hours as well as the time and place of voting at least five days before the polling day.

5. Every Ukrainian national can file a complaint regarding mistakes in the national referendum voters list at an overseas precinct to the respective referendum precinct commission as established in Article 54 hereof.

6. If an overseas precinct is established as an exception in line with this law, the list of national referendum voters shall be developed by the referendum precinct commission not later than three days before the polling day on the basis of information provided by the head of a respective representative office or a consular office of Ukraine or a commander of a military base (unit). The mentioned information shall be submitted at least four days before the polling day in one copy signed by the head of the representative office, consular office or the commander of a military base (unit) and duly stamped.

7. When including an individual to the national referendum voters list as fixed in part six of this Article, the overseas referendum precinct commission shall use technical means of communication to inform the Central Election Commission and appropriate National Voters Register Authorities according to registered voting addresses of such voters at least on the next day after compiling the voters list at the respective precinct or after inclusion of the voter to the list.

8. Respective National Voters Register Authorities shall use the information about national referendum voters provided in line with part seven of this Article to update the voters lists at the precincts in regard to such voters.

9. The National Voters Register Authority at the Ministry of Foreign Affairs shall pass the updated lists of national referendum voters to overseas referendum precinct commission at least one day before the polling day.

10. Chairperson, deputy chairperson and secretary of an overseas referendum precinct commission can make changes to the updated list of the national referendum voters of such a precinct.

11. The referendum precinct commission shall introduce changes to the voters list immediately after the decision mentioned in part six of Article 56 hereof is made.

12. If a national referendum is held along with presidential and parliamentary elections in Ukraine, the voters lists of overseas polling stations shall be updated following the procedures established by the Law of Ukraine *On Election of the President of Ukraine* or the Law of Ukraine *On Election of Members of Parliament of Ukraine*.

Section 6

FUNDING AND LOGISTICS FOR PREPARATION AND HOLDING OF A NATIONAL REFERENDUM

Article 59. Funding of preparation and holding of a national referendum

1. The national budget of Ukraine shall cover the costs of holding a national referendum, except for the cost of collection of signatures to call the referendum.

2. The Central Election Commission is the main budget administrator responsible for the funds allocated by the national budget for preparation and holding of a national referendum.

3. Based on recommendations of the Central Election Commission the amount of funds for preparation and holding of a national referendum shall be allocated with a separate line in the law of Ukraine on the national budget or established with another law.

4. Based on recommendations of the Central Election Commission, the Cabinet of Ministers shall establish procedures for distribution, transfer, accounting of budget funds disbursement and use, as well as return of unused money allocated for preparation and holding of a national referendum, and forms and timelines of financial reporting for national referendum commissions.

5. The Central Election Commission shall receive the funds for preparation and holding of a national referendum allocated in the national budget within three days after the launch of the national referendum process is announced.

6. The Central Election Commission shall approve standard average expense rates for referendum district commission and standard average expense rates for referendum precinct commission, comprising in particular rental costs of commission premises, payments for the use of facilities and equipment, and pay for commission members.

7. Within five days after its establishment a referendum district commission shall take standard average expense rates as a basis and develop a total cost estimate for preparation and holding of a national referendum, including its own expenses and the expenses to cover the needs of referendum precinct commissions in its territory. The Central Election Commission shall approve the total cost estimate.

8. Referendum commissions shall be funded according to procedures established by the Central Election Commission jointly with the Ministry of Finance of Ukraine.

9. Not later than within five days after the official announcement of the national referendum results, each referendum district commission shall return the national budget funds which it has not used to prepare and hold the referendum to the account of the Central Election Commission. The National Treasury shall inform the Central Election Commission about the return of the money to its account within three days.

10. Within ten days after the official announcement of the national referendum results each referendum district commission shall produce and submit to the Central Election Commission a financial statement about inflow and outflow of the national budget funds for preparation and holding of the national referendum as established by the Central Election Commission, in the form approved by the Central Election Commission jointly with the National Treasury.

11. The Central Election Commission and appropriate national supervision and audit authorities shall oversee the due and intended use of the national budget funds provided for the preparation and holding of the national referendum as established by the Central Election Commission jointly with the Ministry of Finance of Ukraine.

12. The Cabinet of Ministers shall cover all accounts payable of the referendum district commission after their authorities expire, provided that funding of the national referendum has not been completed within the limits set by the national budget for preparation and holding of the national referendum; this shall be done before the end of the next financial year.

13. The initiative group shall establish its own referendum fund to be formed pursuant to this Law to cover expenses for collection of signatures in favor of the national referendum and for other purposes outlined herein as well as to cover campaign expenses after the Central Election Commission has announced the launch of the national referendum process.

Article 60. Logistic support for preparation and holding of a national referendum

1. Executive authorities and local governments, their officials and employees shall assist national referendum commissions in exercising their powers. They shall provide them with necessary premises in line with the standards established by this Law and appropriate regulations of the Central Election Commission; ensure their security and that of ballots and other documents; provide transport vehicles, communications means, equipment, accessories, office appliances according to the standards set by the Central

Election Commission; such equipment shall be returned after powers of the national referendum commissions expire. The Cabinet of Ministers shall establish procedures for payment for such services and reimbursement.

2. Referendum commissions shall purchase goods, pay for works and services required for preparation and holding of the national referendum during the national referendum process using the national budget funds without recourse to tenders (competitions) in accordance to procedures established by the Central Election Commission.

Article 61. Remuneration of the national referendum commission members

1. A member of a referendum commission performing paid work for the commission shall receive remuneration in the amount and manner established by the Cabinet of Ministers upon recommendations of the Central Election Commission. Such payments shall be made from the national budget funds allocated for preparation and holding of the national referendum.

2. The salary of a member of a national referendum commission released from his job duties at the primary place of employment cannot be lower than his average salary at the primary place of employment.

3. To save on the payroll allocated in the budget of a particular commission for preparation and holding of the national referendum, the members of the referendum commission may receive a one-lump monetary reward as established by the Central Election Commission.

4. The work of referendum commission members (including pensioners and temporary unemployed individuals) on the polling day and the days when vote results are established shall be remunerated in the amount and manner established by the Cabinet of Ministers.

5. Work related to preparation and holding of a national referendum performed by individuals legally recognized as unemployed shall not be the reason to remove them from the State Employment Service lists of the people looking for job or stop paying unemployment allowances or other types of allowances to them.

6. Remuneration paid to the referendum commission members including their work on the polling day or days when vote results are established shall not be the ground to cancel or limit any social benefits and subsidies provided to pay for housing and utilities, etc.

7. The work of the individuals specified in part sixteen of Article 47 hereof shall be paid for in the amount and manner established by the Cabinet of Ministers of Ukraine with funds of the national budget allocated for preparation and holding of the national referendum.

Article 62. Referendum fund of a party to the referendum process

1. The initiative group shall establish a referendum fund.
2. The initiative group shall establish a referendum fund not later than five days after its registration. The referendum fund shall be set up to finance the expenses for collection of citizens' signatures, the referendum campaign and other items as provided by this Law.
3. The referendum fund has one accumulation account to finance a particular party to the referendum process as well as current accounts used to finance the expenses incurred by the party participating in the referendum process. Current accounts of the referendum fund of a party to the referendum process shall only receive money from the accumulation account of the respective party to the referendum process.
4. A copy of the decision of the Central Election Commission to register an initiative group shall be the reason to open an accumulation account of the referendum fund.

A bank statement about opening an accumulation account of the referendum fund shall be the ground to open a current account of the referendum fund.
5. The initiative group shall open its referendum fund accumulation account in a Ukrainian bank of its choice in Kyiv. A party to the referendum process can open only one referendum fund accumulation account and only in the national currency.
6. The initiative group can open not more than one current account for its referendum fund in Ukrainian banks per one referendum district. One current account of the referendum fund can service several referendum districts.
7. A party to the referendum process shall not post expenses to finance its campaign in an overseas referendum precinct.
8. The National Bank of Ukraine shall, upon consent of the Central Election Commission, establish procedures for opening and closing referendum fund accounts of the parties to the referendum process.
9. Bank services related to opening, operation and closing of referendum fund accounts shall be provided free of charge. The bank shall not charge nor pay interests for the use of money on the referendum fund accounts of a party to the referendum process.
10. Not later than on the next business day after opening a referendum fund accumulation or current account of a party to the referendum process, the bank shall notify the Central Election Commission in writing about the opening of the account and its details.

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11. The initiative group shall publish information about the opening of an accumulation account of the referendum fund of a party to the referendum process and its details in print media, with publication expenses covered by such fund.

12. The money from current accounts of the referendum fund shall be paid by wire transfer.

13. The use of money from current accounts of the referendum fund shall stop at 3 pm of the last day before the polling day.

14. Seizure of money on accounts of a party to the referendum process is not allowed.

15. Accounts can be closed and transactions with a party to the referendum process's accounts can be stopped before the time established in part thirteen of this Article only if the initiative group terminates the national referendum initiative in cases described in part ten of Article 31, part four of Article 33, and part seven of Article 34 hereof.

Article 63. Referendum fund managers

1. The initiative group shall appoint one manager for the accumulation account of its referendum fund who has an exclusive right to manage the money on this account.

The initiative group shall inform the Central Election Commission about the appointment of the accumulation account manager and give his names, date of birth, residence or temporary residence addresses and details of the documents confirming his identity and citizenship of Ukraine. The notice of the initiative group shall be signed by its authorized representative. A hand-written consent of the citizen Ukraine to be the accumulation account manager shall be attached to the notice.

2. The initiative group shall appoint one manager for every current account of its referendum fund. The current account manager has an exclusive right to administer funds of a respective current account.

3. Accumulation fund managers shall keep books of money inflows and distribution between the current accounts. The current account managers shall ensure compliance with financial discipline and intended use of the referendum fund money.

4. The bank where an accumulation or a current account of the referendum fund is opened shall provide the respective fund manager, on a weekly basis or upon his request, the information about amounts and sources of contributions to the referendum fund accounts, cashflow and account balances.

5. A current account manager shall keep records of the use of money of the respective current account. Not later than on the seventh day after the polling day the current account manager shall submit to the accumulation account manager a financial statement about the use of money of the respective current account.

6. Not later than on the fifteenth day after the polling day the accumulation account manager shall submit to the Central Election Commission a financial statement about the credited amounts and the use of the referendum fund money.

Should the national referendum initiative be terminated in cases described in part ten of Article 31, part four of Article 33, part seven of Article 34 hereof, the accumulation account manager shall not provide the financial statement to the Central Election Commission about the credited amounts and the use of the referendum fund money.

7. The Central Election Commission shall establish the forms of financial statements as specified hereby at least on the fifth day after the announcement of the referendum process.

Article 64. Referendum fund generation and use of fund money

1. The referendum fund shall be generated with personal contributions of the initiative group members, voluntary contributions of individuals (hereafter – a voluntary contribution) and contributions of political parties and nationwide NGOs.

2. A voluntary contribution of a physical person to the referendum fund shall not exceed 400 minimum standard wages. There are no restrictions as to the amount or number of transfers for own money of a member of the referendum initiative group, contribution of a political party or a nationwide NGO transferred to the accumulation account.

3. The following parties to the referendum process are not allowed to make voluntary contributions to the referendum fund:

- 1) foreign nationals and stateless individuals;
- 2) anonymous donors (without indicating the information specified in Part four of this Article in the payment document);
- 3) legal persons except for political parties and nationwide NGOs.

4. A bank or a post office shall accept a voluntary contribution to a referendum fund if an individual has presented one of the documents mentioned in item 1 or 2, part three, Article 6 hereof. The payment document must specify the last name, first name and patronymic, the birth date, place of residence and address of such individual.

5. A bank or a post office shall transfer the voluntary contribution to the accumulation account not later than the next business day after the receipt of an appropriate payment document. The total period of wire transfer of the contribution to the accumulation account of the referendum fund shall not exceed two banking days.

6. The accumulation account manager can reject a contribution from an individual in which case he should submit a respective note and a payment document to the bank where the accumulation account is opened. Such a voluntary contribution shall be

returned to the individual with costs covered from his voluntary contribution. Should this be not possible, the contribution shall be transferred to the national budget.

7. In case of receipt of a voluntary contribution from an individual that exceeds the amount set in part two of this Article, the amount exceeding the limit of contribution shall be returned to the individual by the bank where the accumulation account of the referendum fund was opened with an appropriate application and payment document submitted by the accumulation account manager. The return costs shall be covered from the exceeding amount. In case the return is not possible, the amount shall be transferred to the national budget of Ukraine.

8. The accumulation account manager of the referendum fund must reject a contribution made by an individual if the latter has no right to make such a voluntary contribution according to this Law, provided that the manager is aware of the fact. The bank where the referendum fund account is opened shall transfer such a voluntary contribution to the national budget following the manager's statement rejecting the contribution for this reason. If the accumulation account manager finds that the individual who made a voluntary contribution had no right to do so, he should reject the contribution within three days after finding the fact by filing an application with the bank where the accumulation account of the referendum fund is opened, requesting to transfer the amount to the national budget.

9. The bank where the referendum fund accumulation account of a party to the referendum process is opened shall transfer money from the accumulation account to current accounts of the same referendum fund upon request of the accumulation account manager.

10. The Central Election Commission and the bank where the account of the referendum fund is opened shall control inflows, records and use of money of the referendum fund as established by the Central Election Commission jointly with the National Bank of Ukraine and an authorized central executive authority in the area of communications at least 40 days before the polling day.

11. The bank where a current account is opened shall transfer the money not used by the party to the referendum process to the accumulation account of the appropriate referendum fund not later than on the fifth day after the polling day.

12. The bank where an accumulation account is opened shall transfer the unused money of the initiative group referendum fund to the national budget on 15th day after the official publication of the referendum results by the Central Election Commission. Should the initiative group terminate the national referendum initiative in cases described in part ten of Article 31, part four of Article 33, part seven of Article 34 hereof, the unused money of the initiative group referendum fund shall be transferred by the bank where the accumulation account was opened to the national budget not later than on the 7th day after publication of the respective decision by the Central Election Commission.

13. Voluntary contributions of individuals credited to the accumulation account of the referendum fund later than one day before the polling day shall be returned by the bank to respective individuals at the expense of their contributions. Should this be not possible, the contribution shall be transferred to the national budget of Ukraine.

Section 7

GUARANTEES OF ACTIVITY FOR PARTIES TO THE REFERENDUM PROCESS AND OFFICIAL OBSERVERS

Article 65. Registration of parties to the referendum process

1. The Central Election Commission shall register parties to the referendum process as established by this Law and a decision of the Central Election Commission.
2. The referendum initiative group shall be registered according to this Law and is a party to the referendum by popular initiative.
3. Official observers of the national referendum initiative group are parties to the referendum process if they are registered according to this Law.
4. International observers registered according to this Law shall be parties to the national referendum process.
5. The President of Ukraine is a party to the national referendum process acting as the party calling (announcing) the referendum.
6. The Verkhovna Rada of Ukraine is a party to the national referendum process acting as the party initiating and calling the referendum.

Article 66. Representative of the initiative group at the Central Election Commission

1. The national referendum initiative group registered by the Central Election Commission can delegate a representative to the Central Election Commission authorizing him/her to represent interests of this party in the Central Election Commission. Such representative shall not be an individual party to the referendum process.

2. A Ukrainian national with the voting right can be a representative of a party to the referendum process at the Central Election Commission. A representative of the party to the referendum process shall not be:

- 1) a member of a referendum commission;
- 2) an official of an executive authority, court, law-enforcement agencies or local governments;
- 3) a military serviceman;
- 4) a person in alternative (non-military) service.

3. An application for registration of the representative of the initiative group at the Central Election Commission shall be submitted to the Central Election Commission on the third day after publication of the presidential decree announcing a national referendum. The application shall specify:

- 1) full name of the representative of a party to the referendum process;
- 2) citizenship;
- 3) day, month and year of birth;
- 4) place of employment, position (occupation);
- 5) place of residence, home address and telephone number.

The application shall be signed by the authorized representative of the initiative group.

A written consent of the individual nominated to represent interests of the respective party to the referendum process at the Central Election Commission shall be attached to the application.

4. The Central Election Commission shall register a representative of the initiative group not later than on the second day after filing the respective application to the Central Election Commission.

5. Not later than on the second day after the registration of a representative of the referendum initiative group the Central Election Commission shall give him/her a respective ID card of the form established by the Central Election Commission.

6. The representative of the initiative group at the Central Election Commission shall be entitled to:

- 1) attend all meetings of the Central Election Commission discussing matters related to the national referendum and take part in the discussion: receive agendas and materials

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related to the agenda before meetings, put questions to speakers, take part in discussions and propose decisions of the Central Election Commission;

2) read minutes of the Central Election Commission meetings and its decisions, receive copies thereof; read documents used as a basis for decision-making;

3) immediately see minutes, protocols, telephone messages, faxes and other official communications sent to the Central Election Commission from referendum district commissions and overseas referendum precinct commissions about vote results in a particular constituency, see vote count protocols of respective referendum precinct commissions, and get copies thereof;

4) exercise other rights set forth in this Law for a party to the referendum process at the Central Election Commission.

7. A representative of the referendum initiative group at the Central Election Commission can file a resignation application with the Central Election Commission any time before the polling day inclusively.

8. The initiative group can, at any time, decide to withdraw its representative at the Central Election Commission and nominate another candidate instead. An appropriate application about withdrawal and nomination along with a written consent of the nominated candidate shall be filed with the Central Election Commission according to the procedures established by this Article.

9. The Central Election Commission shall decide to cancel the registration of the withdrawn representative of the referendum initiative group at the Central Election Commission and register another individual as a representative of this party following an application filed according to part eight of this Article not later than three days after its receipt, but not later than the polling day, and immediately if it occurs on the polling day. A copy of this decision shall be immediately handed to the referendum initiative group representative at the Central Election Commission or sent to the address of this party to the referendum process.

10. The ID card of the initiative group representative at the Central Election Commission whose powers have been terminated before the end of the referendum process shall become invalid after a respective decision has been made.

11. From the day of registration at the Central Election Commission until termination of his powers or the end of the referendum process, the initiative group representative shall have the right to be relieved of his job duties without pay upon consent of the owner of a company, facility, organization or an authorized agency.

Article 67. Authorized representatives of the national referendum initiative group

1. A national referendum initiative group may have not more than five authorized representatives at the national referendum constituency and not more than two in every

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referendum district. An authorized representative of a party to the referendum process shall represent the party and shall not be regarded an individual party to the referendum process.

2. Powers of the authorized representatives at the national referendum constituency shall cover also the overseas constituency.

3. An authorized representative must comply with the standards described in part two of Article 66 of this Law.

4. The initiative group shall file to the Central Election Commission an application to register the authorized representatives, signed and certified as required in part three of Article 66 of this Law, at any time after publication of the decree of the President of Ukraine announcing the national referendum.

The application for registration of the authorized representatives of a party to the referendum process shall specify:

- 1) full name of every authorized representative;
- 2) respective referendum constituency;
- 3) citizenship;
- 4) day, month and year of birth;
- 5) place of employment, position (occupation);
- 6) place of residence, home address and telephone number.

5. A written consent of the nominated individual to represent interests of the respective party at the referendum process in a respective constituency shall be attached to the application.

6. Not later than on the third day after receipt of documents described in parts four and five of this Article, the Central Election Commission shall register the authorized representatives of the party to the referendum process. Not later than on the second day of registration the Central Election Commission shall give their ID cards, in the form established by the Central Election Commission, to the initiative group representative at the Central Election Commission.

7. The authorized representative of a party to the referendum process shall:

- 1) help the party to the referendum process to take part in the referendum process, including referendum campaigning;
- 2) represent interests of the party in relations with referendum commissions (except for the Central Election Commission), executive authorities, courts,

local governments, voters, other parties to the referendum process in a respective constituency;

- 3) be entitled to take part with an advisory vote in meetings of referendum commissions (except for the Central Election Commission) in a respective referendum district;
- 4) be entitled to be present at a polling station during the vote and at the meeting of the referendum precinct commission during vote count with due regard to the restrictions established by this Law;
- 5) have rights of an official observer for the party to the referendum process as set forth in parts eleven and twelve of Article 68 hereof;
- 6) have other rights as established by this Law for an authorized representative of a party to the referendum process.

8. The restrictions established in part thirteen of Article 68 hereof shall apply to the authorized representative.

9. The authorized representative can file a resignation application with the Central Election Commission any time before the polling day inclusively.

10. A party to the referendum process can decide to withdraw its authorized representative at any time before the polling day and nominate another candidate instead. An appropriate application about withdrawal and nomination along with a written consent of the nominated candidate shall be filed with the Central Election Commission as established in parts four and five of this Article.

11. The Central Election Commission shall decide to cancel the registration of an authorized representative of a party to the referendum process and register another candidate as an authorized representative of this party on the basis of an application filed according to parts nine or ten of this Article within three days of receipt but not later than the polling day, and immediately if it occurs on the polling day. A copy of this decision shall be immediately provided to the representative of the party to the referendum process in the Central Election Commission or sent to the address of this party.

12. The ID card of an authorized representative whose powers have been terminated before the end of the referendum process shall become invalid after the respective decision has been made.

13. From the day of registration at the Central Election Commission until termination of his powers or the end of the referendum process, the authorized representative shall have the right to be relieved of his job duties without pay upon consent of the owner of a respective company, facility, organization or an agency.

Article 68. Official observers of the national referendum initiative group

1. Official observers of the national referendum initiative group registered with the Central Election Commission may take part in the referendum process.
2. Powers of official observers shall start on the day of their official registration by a respective referendum commission and stop after the Central Election Commission has announced the referendum results.
3. An official observer can be a Ukrainian national with a voting right.
4. An official observer cannot be:
 - 1) a member of a referendum commission;
 - 2) an official of executive authorities, courts or local governments;
 - 3) an official or officer of law-enforcement agencies;
 - 4) a military serviceman;
 - 5) an alternative (non-military) serviceman.
5. An official observer in a referendum district shall be registered by the referendum district commission upon recommendation of an authorized representative of the party to the referendum process in the respective district or national constituency.
6. The recommendation to register official observers shall specify:
 - 1) full name of every observer;
 - 2) citizenship;
 - 3) date of birth;
 - 4) place of employment and position (occupation);
 - 5) place of residence, home address and telephone number.
7. A written consent of such individuals to be official observers of the respective party to the referendum process shall be attached to the recommendation.
8. The recommendation signed by an authorized representative of the party to the referendum process shall be filed with the respective referendum district commission not later than five days before the polling day. Only breach of parts three to seven of this Article can serve as a ground to reject registration of an official observer.

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9. The respective referendum district commission shall register official observers and issue their ID cards, in the form established by the Central Election Commission, not later than the next day after the recommendation is given.

10. Official observers in the overseas constituency shall be registered by the Central Election Commission as established by this Article.

11. An official observer shall be entitled to:

- 1) attend meetings of district and referendum precinct commissions in compliance with this Law, including the vote count procedure at a polling station, and establishment of voting results in a referendum district;
- 2) be present at polling stations during voting, observe actions of commission members from any distance, including handing of ballots to voters and vote count without obstructing the referendum commission members;
- 3) accompany referendum precinct commission members in case of voting at the place of residence and be present during such voting;
- 4) make photos and film, audio and video records without breaking vote secrecy or creating intimidating situations for voters;
- 5) turn to a respective referendum commission or court to rectify breach of this Law if detected;
- 6) make a report about detected breach of this Law;
- 7) take required steps to stop illegal actions during voting and vote count at a polling station;
- 8) receive copies of protocols about handover of ballots to referendum commissions, vote count protocols, poll protocols, and copies of other documents as prescribed by the Law;
- 9) exercise other rights granted by this Law to official observers.

12. If an official observer detects a violation of this Law, he/she has the right to register it by making a report about the violation of the Law. The report shall be signed by the official observer and at least two voters who testify the violation. The report must specify their full names, residence and home address. The report is the proof of the committed violation.

13. An official observer shall not be entitled to:

- 1) unreasonably interfere with activities of a referendum commission, violate the lawful referendum process or illegally obstruct the discharge of duties by referendum commission members;
- 2) fill ballots instead of national referendum voters (even if requested by them);
- 3) be present when a voter is filling his ballot in a voting booth or otherwise break the vote secrecy.

14. A referendum commission shall give a warning to an official observer if he breaches part thirteen of this Article. In case of repeated or gross violation of Part thirteen hereof, the referendum commission can deprive him/her of the right to attend its meeting. Such a decision may be challenged by the official observer at a higher referendum commission or in court as established by this Law.

15. A referendum commission that has registered an official observer may terminate his powers earlier in case he/she breaches the laws of Ukraine. A substantiated decision shall be made about the early termination of powers of an official observer.

16. An authorized representative of the initiative group can withdraw the official observer nominated by the respective party filing a written application to the respective referendum district commission (to the Central Election Commission should the official observer be at an overseas constituency) about termination of his powers and file documents to register another individual as an official observer as established by this Law.

17. An official observer can file a resignation application to the referendum commission that registered him at any time. The referendum commission shall decide to cancel registration of such an official observer on the basis of such application and give a copy of the decision to the authorized representative of the party to the referendum process in the respective constituency.

Article 69. International observers

1. Official observers from other countries and international organizations (hereinafter - International observers) accredited in line with part two of this Article can observe the referendum process.

2. The international observers shall be accredited by the Central Election Commission. Foreign countries and international intergovernmental organizations shall make proposals on accreditation of international observers directly to the Central Election Commission or through the Ministry of Foreign Affairs of Ukraine not earlier than three days after publication of the President's decree or resolution of the Verkhovna Rada calling (announcing) a national referendum and not later than ten days before the polling day.

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3. The Central Election Commission shall make decisions about accreditation of international observers not later than five days before the polling day.

4. Ukrainian nationals cannot be registered as international observers. Ukrainian or foreign nationals or stateless individuals speaking Ukrainian can accompany accredited international observers during their stay at polling stations and during meetings of referendum commissions solely as interpreters.

5. The Central Election Commission shall issue ID cards to accredited international observers in the form that it develops.

6. International observers shall exercise their powers across Ukraine and overseas constituencies.

7. An international observer shall be entitled to:

- 1) attend meetings of representatives of parties to the referendum process with Ukrainian nationals, meetings, rallies and other referendum campaign activities, referendum commission meetings;
- 2) see official information and referendum campaign materials;
- 3) be present at polling stations during voting and at meetings of referendum precinct commission during vote count and meetings of referendum district commissions during establishment of vote results;
- 4) make photos and film, audio and video records without breaking the vote secrecy or creating intimidating situations for voters;
- 5) publicly express his suggestions on how to organize the referendum and improve Ukraine's legislation with international practices; hold press conferences in line with Ukrainian laws;
- 6) establish ad hoc groups together with other international observers upon consent of the Central Election Commission to coordinate their activities within the scope of powers provided by this Law.

8. International observers shall perform observations individually and independently.

9. The Ministry of Foreign Affairs of Ukraine, other executive authorities, local governments and referendum commissions shall assist international observers in their work.

10. Financial and logistic support to the international observers shall be provided by the countries and organizations sending observers to Ukraine or by themselves.

11. The international observers shall not have the right to unreasonably interfere with the activities of referendum commissions, violate the lawful referendum process or

illegally obstruct the discharge of duties by referendum commission members; fill ballots instead of voters (even if requested by them) or otherwise break the vote secrecy and use his status to carry out activities not related to observation of the referendum process.

These restrictions shall also apply to individuals accompanying international observers as established by part four of this Article during their actual work with international observers.

Section 8

REFERENDUM CAMPAIGNING

Article 70. Forms and means of referendum campaigning

1. Referendum campaigning can take place in any form and with any means that comply with the Constitution and laws of Ukraine.

Ukrainian nationals have the right to discuss freely and in details the referendum measure, official information materials of the referendum, potential referendum effects and do campaigning for or against the referendum.

2. Referendum campaigning means carrying out any activities that encourage voters to vote in favor or against the referendum, including any printed, verbal, sound, audio and visual types and forms of ideological influence on people not prohibited by law that directly or indirectly draw one's attention to the referendum issue; building in the society and people's mindsets a positive or negative attitude to the referendum measure or direct political attitudes of citizens and social groups towards the referendum process, including through communications about actions organized or supported for the mentioned purpose.

3. Referendum campaigning can run in the following forms:

- 1) meetings of people, other meetings with voters;
- 2) rallies, marches, demonstrations, pickets;
- 3) public debates, discussions, round tables, press conferences about the essence of the referendum, official informational materials of the referendum;
- 4) publication of speeches, interviews, essays, video films, audio and video clips and other pieces and announcements about the referendum issues in print and audio-visual (electronic) media;

- 5) dissemination of leaflets, posters and other print campaign materials or printed publications with materials of the referendum campaign;
 - 6) publication of print campaign materials in outdoor advertising resources;
 - 7) public calls to vote for or against the referendum measure or public assessment of the essence of the referendum measure;
 - 8) other forms that comply with the Constitution and laws of Ukraine.
4. Publication of the official position of the President of Ukraine and the Verkhovna Rada about holding the national referendum to amend Section 1 "General Principles", Section 3 "Election. Referendum", Section 13 "Amending the Constitution of Ukraine" and the referendum on territorial changes shall not be regarded as a national referendum campaign. Their positions must be covered in an objective and balanced way.
5. The initiative group of the referendum shall be entitled to reach out to people regarding the proposed referendum issue during collection of signatures in favor of the national referendum. Such outreach activities shall not be regarded as referendum campaigning.

Article 71. Referendum campaigning timelines

1. The right to start referendum campaigning arises the next day after publication of the resolution of the Verkhovna Rada of Ukraine or the decree of the President of Ukraine calling (announcing) a national referendum.
2. Referendum campaigning ends at 24:00 last Friday before the polling day.
3. Campaigning before the polling day and on the polling day shall be prohibited. Mass campaign events (meetings, rallies, marches, demonstrations, pickets) in connection with the referendum or its proposed measure, dissemination of campaign materials, discussion of the referendum issue in mass media or at public activities shall be prohibited.

Article 72. Campaign funding

1. The expenses of the referendum campaign shall be covered by the national budget allocated to prepare and hold the national referendum for the purposes specified herein, by referendum funds of the initiative group and own funds of political parties of Ukraine and national NGOs.

Using private money of the Ukrainian citizens or funds from other sources to carry out referendum campaigning, even in case of a referendum by popular initiative, shall be prohibited.

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2. Using the national budget, the Central Election Commission shall ensure campaigning to encourage voters to vote in a relevant referendum and provide the necessary number of draft laws (their texts) in case of a constitutional, legislative or ratification referendum as established by the Central Election Commission.

Article 73. Print materials for referendum campaigning

1. The initiative group can produce print materials for a referendum campaign to be paid by its referendum fund, political parties and nationwide NGOs, or private funds at their own discretion. The information in such materials must comply with this Law.

2. Print campaign materials shall include leaflets, posters, other print products with texts related to the referendum issue and materials placed on outdoor advertisement boards .

3. The initiative group shall submit one copy of each print campaign material produced by its referendum fund within three days after the day of its production to the Central Election Commission, but in any case not later than two days before the polling day.

4. Print materials for referendum campaigns must contain information about the print house, circulation and persons responsible for the issue.

5. Local executive authorities and local governments shall provide premises, stands and announcement boards for referendum campaign materials not later than 42 days before the polling day.

Article 74. General procedures for use of mass media

1. The initiative group, political parties of Ukraine and nationwide NGOs have a right to publish campaigning materials in Ukrainian print media of any ownership type.

2. Campaigning by the initiative group in mass media shall be based on contracts concluded on behalf of the party to the referendum process between its current account manager and the mass medium. Campaigning shall be prohibited without conclusion of such contracts and transferring funds to an account of a respective mass medium.

3. Mass media of any ownership type shall provide all information about publication of campaigning materials of the initiative group upon a written request of the Central Election Commission and send it copies of respective agreements and payment documents.

Article 75. Media coverage of the referendum process

1. The referendum process shall be covered in mass media of any ownership type in interviews, discussions and debates, information statements, news programs and current events in compliance with the principles of objectivity, impartiality and balanced coverage.

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2. If mass media publish any results of opinion polls related to a referendum, they shall specify the organization doing the poll, its time, number of respondents, the method of information collection, exact wording of the question and possible statistical errors.

3. TV and radio broadcasters shall keep audio and video records of all programs with referendum campaigning during 30 days after the official announcement of the referendum results.

Article 76. Restrictions on referendum campaigning

1. The following individuals and entities shall not take part in referendum campaign:

- 1) foreign nationals and stateless individuals, including their involvement in journalist activities or participation in concerts, exhibitions, sports events and other public events organized during the referendum process;
- 2) executive authorities and local governments, law-enforcement agencies and courts;
- 3) officers and officials of agencies specified in item 2 of this part;
- 4) members of referendum commissions during their term in respective commissions.

2. Referendum campaigning shall be limited in military bases (units) and penitentiary institutions. Visits to military bases (units) and penitentiary institutions by individual authorized representatives of parties to the referendum process shall be prohibited. Meetings of these individuals with voters shall be organized by a respective referendum district commission jointly with the commander of the military base (unit) or head of a penitentiary institution subject to a mandatory three days' notice to all authorized representatives of the parties to the referendum process in a respective constituency.

3. Premises where central government authorities and local governments are located must not be used for referendum campaigning carried out at the expense of a referendum fund.

4. Placing campaign materials on buildings and in premises where central government authorities and local governments sit shall be prohibited unless referendum commissions are located in them.

5. It is be prohibited to disseminate any kinds of materials that call for liquidation of Ukraine's independence, change of the constitutional system through violence, breach of sovereignty and territorial integrity of the country, undermining its security, illegal seizure of governmental power, violence and incitement of ethnic, racial, national and religious hatred, encroachment on human rights and freedoms and health of population.

6. During the referendum process mass media, their officials, employees and creative workers shall not campaign for or against the referendum measure in their stories and

programs unless supported by contracts concluded in line with this Law; nor shall they disseminate information encouraging nationals to vote for or against the referendum measure.

7. Placing campaign materials in the same section with commercial or social advertising shall be prohibited.

8. It is prohibited to place campaign materials on advertisement boards in public transport vehicles, subway stations, railway stations, ports and airports as well as use radio or other announcement networks for passengers to call for voting for or against the referendum measure.

9. Should a court considering a dispute related to the referendum process find repeated or single gross violation of this Law by a media organization, it shall suspend (until the end of the referendum process) the license or temporarily prohibit (until the end of the referendum process) the publication thereof.

10. The National TV and Radio Broadcasting Council shall suspend broadcasting in Ukraine of international TV channels, including the ones rebroadcast by telecommunication operators, that violate the provisions prohibiting foreign nationals and stateless individuals to campaign by participating in journalist activities or call for liquidation of Ukraine's independence, change of the constitutional system through violence, breach of sovereignty and territorial integrity of the country, harm to its security, illegal seizure of governmental power, propaganda of war and violence, incitement of ethnic, racial, national and religious hatred, encroachment on human rights and freedoms and public health.

11. Referendum campaigning shall be prohibited if it involves giving cash or free or discounted goods (provided that the value of such goods exceeds 5% of the minimum salary), services, works, securities, loans, lottery tickets and other valuables to voters, institutions, establishments and organizations. Such campaigning or provision of cash or free or discounted goods, services, works, securities, loans, lottery tickets and other valuables accompanied by calls or proposals to vote or not to vote for or against the referendum measure shall be regarded as vote buying.

12. Placing campaign materials of the parties to the referendum process in news programs (news bulletins) on TV and radio shall be prohibited. All referendum campaign materials shall be separated from other materials and indicated as such.

13. Interrupting campaign programs of the parties to the referendum process to advertise goods, works, services or make other announcements shall be prohibited.

14. Media of any ownership type operating in Ukraine shall be prohibited from disseminating information about opinion poll results regarding the referendum measure during five days before the polling day.

15. Placing referendum campaign materials and announcements about the referendum progress on cultural heritage sites shall be prohibited.

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16. Gathering industrial workers meetings and staff meetings for referendum campaigning shall be prohibited.

17. Producing and disseminating print materials for referendum campaigns that do not indicate the print house, circulation and persons responsible for the issue shall be prohibited.

18. Any campaign activities, dissemination of campaign materials in mass media, demonstration of campaign films or videos, dissemination of campaign leaflets, posters, other print campaign materials or print editions with referendum campaign materials, public calls to vote for or against the referendum measure or public evaluation of potential referendum effects shall be prohibited after the end of the referendum campaign pursuant to part two of Article 71 hereof. The campaign materials shall be removed starting from 24:00 of last Friday before the polling day by respective services of local executive authorities and local governments.

19. People obstructing the right to campaign and breaching legal procedures for campaigning shall be held liable as established by the laws of Ukraine.

20. If the Central Election Commission or a referendum district commission receives a report about violation of this Article with elements of a crime or administrative offence, such commission shall immediately engage appropriate law-enforcement agencies to check the report and take necessary measures according to the laws of Ukraine.

SECTION 9

VOTING AND ESTABLISHING REFERENDUM RESULTS

Article 77. Ballots

1. A voter shall vote using a national referendum ballot (hereinafter – the ballot).

2. Ballots are strictly accountable documents that shall be registered. The documents used to register ballots shall be delivered by ballot manufacturers, district and referendum precinct commissions to the Central Election Commission. After the official publication of the referendum results the Central Election Commission shall transfer the registration documents for storage to appropriate archival institutions.

The chairperson, deputy chairperson, secretary and members of respective referendum commissions shall bear personal liability for ensuring proper storage and use of ballots.

3. The form and text of the ballot shall be approved by the Central Election Commission according to the question submitted to the national referendum at least 30 days before the polling day. The ballots shall be identical in their size, color and content. The ballot security level shall be established by the Central Election Commission.

4. The ballot shall contain the referendum name and date, referendum district number or identification of the overseas constituency, the number of the referendum precinct, an indicated place for the seal of the referendum precinct commission, and name and signature of the referendum precinct commission member who gives out the ballot to a voter. The text of the ballot shall be written in the state language, on one page and on one side only.

5. The ballot shall contain the worded question suggested for the national referendum, or the name of the law if the referendum regards a particular law or some of its provisions, and propose the national referendum voter to answer "yes" or "no" to the question whether to endorse or reject the draft or the suggested measure. An empty box is under each of these answer options.

If two or more measures are referred to a referendum, an individual ballot shall be provided for each. In this case the ballots for voting on different issues shall differ in color.

6. The ballot shall contain explanation of the filling procedure for the national referendum voter.

7. The ballot shall have a ballot stub separated with a tear-off line. The stub shall contain the referendum name and date, referendum district number or identification of the overseas constituency, the referendum precinct number, a place for the registration number of the voter in the referendum precinct voters list, place for signature of the voter who has received the ballot, and a place for the name and signature of the referendum precinct commission member responsible for giving out the ballot.

8. The number of ballots printed for every referendum precinct shall be 0.5% higher than the number of the national referendum voters listed at the referendum precinct.

Article 78. Procedures for printing ballots

1. The Central Election Commission shall ensure that at least seven days before the polling day a state-owned print company produce ballots in a centralized manner on the basis of a contract signed between the Central Election Commission and such company.

2. The producer of ballots shall strictly comply with the ordered number of ballots, ensure their accounting and transfer to the customer as established by the Central Election Commission.

3. Production waste, defective printing items and the printing forms shall be destroyed according to the procedures and timelines specified in the ballot production contract.

4. A supervision commission shall be established by the Central Election Commission to oversee the production of ballots and destruction of the print forms, production waste and defective printing items.

5. The Central Election Commission shall receive ballots as packaged by the producer against an acceptance statement in the form established by the Central Election Commission.

6. Special polling stations set up on vessels sailing under the National Flag of Ukraine on the polling day, or on a polar station of Ukraine, can have the ballots produced by the referendum precinct commission as an exception upon consent of the Central Election Commission.

Article 79. Procedures to transfer ballots to referendum commissions

1. A referendum district commission shall receive ballots from an authorized member of the Central Election Commission or representative of the secretariat of the Central Election Commission not earlier than seven days before the polling day at the meeting of the respective referendum district commission. The referendum district commission shall draw up three copies of a ballot acceptance protocol. The protocol shall be drawn up in the manner established by the Central Election Commission and signed by the authorized member or representative of the secretariat of the Central Election Commission who hands over the ballots. The first copy shall be submitted to the Central Election Commission, the second shall be kept by the referendum district commission, and the third copy shall be immediately posted at the premises of the referendum district commission for public access.

2. The referendum district commission shall ensure storage and protection of the ballots received from the Central Election Commission. The ballots shall be kept in the premises of the referendum district commission in a safe box (metal cabinet or a separate room) that is sealed with a band signed by all the commission members present at the meeting of the commission and sealed with the commission's stamp. The safe box (metal cabinet or a separate room) shall be constantly guarded by a law enforcement officer.

3. The referendum district commission shall pass the ballots at its meeting to referendum precinct commissions not earlier than three days before the polling day but not later than 12:00 of the last Saturday before the polling day. At least three members of every referendum precinct commission shall receive the ballots.

4. The referendum precinct commissions shall receive all ballots bearing the number of the respective referendum precinct.

5. A protocol shall be drawn up to certify transfer of ballots by the referendum district commission to the referendum precinct commissions according to the procedures and in the form established by the Central Election Commission. The protocol shall specify:

1) the number of the referendum district;

2) the number of the referendum precinct whose commission members receive the ballots;

- 3) the number of voters on the national referendum voters list of the referendum precinct as of the date of drawing up the protocol;
 - 4) the number of ballots handed to the referendum precinct;
 - 5) names and signatures of referendum precinct commission members who have received the ballots;
 - 6) the number of ballots still kept by the referendum district commission.
6. The ballot transfer protocol shall be drawn up in three copies, each numbered and having equal legal effect. The first copy shall be sent to the Central Election Commission, the second copy shall be kept by the referendum district commission and the third copy shall be immediately posted at the premises of the referendum precinct commission for public access.
7. An extract from the protocol shall be drawn in the form established by the Central Election Commission specifying details of the respective referendum precinct and shall be provided alongside the ballots to representatives of every referendum precinct commission who have received the ballots. The extract shall be signed by the chairperson and secretary of the referendum district commission and three members of the respective referendum precinct commission and certified with a seal of the district commission.
8. Overseas referendum district commissions shall receive ballots in the manner established by the Central Election Commission.
9. An authorized representative and an official observer present during the ballot transfer may request to receive immediately the copies of protocols specified in part one and five of this Article, certified on each page by the chairperson and secretary of the referendum district commission and sealed with the commission's seal. They may receive not more than one copy of the protocol for the respective party to the referendum process.
10. Referendum precinct commission members at the ordinary and special referendum precinct (except for precincts set up on board the vessels sailing under the National Flag of Ukraine and on a polar station of Ukraine) shall transport the received ballots to the premises of the referendum precinct commission accompanied by a law enforcement officer.
11. A referendum precinct commission shall take delivery of the ballots at its meeting immediately after arrival of its members who have received the ballots. The referendum precinct commission members shall count the received ballots, check consistency of the numbers of the referendum district and precinct marked on the ballots, number of the precinct that has received them and put the commission's stamp in the prescribed places on each ballot.

12. A commission member assigned by the commission shall count the ballots aloud during the ballot counting. Other members shall oversee the counting. Breaking down the commission into several groups with each counting a part of the ballots shall be prohibited.

13. Should the counted number of ballots be inconsistent with the number specified in the extract of ballot transfer protocol of the referendum district commission, the referendum precinct commission shall make a mismatch report in two copies and specify the reasons for the mismatch established with a decision of the referendum precinct commission. Such report shall be drawn up in the form and manner established by the Central Election Commission. One copy of the report shall be submitted to the referendum district commission; the other shall be kept by the referendum precinct commission. In case of such mismatch, the number of ballots received by the referendum precinct commission shall be the number counted at the commission's meeting and registered in the mismatch report and in the commission's minutes.

14. Ballots shall be stored in the premises of the referendum precinct commission in a safe box (metal cabinet) sealed at the same meeting with a band bearing signatures of all persons present at the commission meeting and the stamp of the referendum commission. It shall be constantly guarded by a law enforcement officer (until the beginning of the preparatory meeting of the commission as established in Article 81 of this Law).

15. If a national referendum is held along with the presidential or parliamentary election in Ukraine, the procedures for transferring the ballots shall be established by the Central Election Commission.

Article 80. Polling premises

1. Voting shall be carried out in specially allotted and equipped premises with booths for voting by secret ballot and places for handing out the ballots and for the ballot boxes (hereinafter - ballot boxes). One referendum precinct shall have one polling station. The referendum precinct commission shall oversee the outfit of the polling station.

2. Executive authorities and local governments (executive authorities of village, town (where no district councils exist), district and city councils or authorities (officials) carrying out their duties according to the law) shall provide polling stations with necessary premises suitable for the purpose as established by this Law and standards set by the Central Election Commission, and provide technical support to ensure proper outfitting.

3. The polling premises shall have sufficient number of voting booths: at least two for small polling stations, at least four for medium stations and at least six for big stations. Equipment in the polling premises shall be installed so that the ballot hand-out places, entrance and exit from booths and voting boxes are located within the sight of the referendum precinct commission members and individuals entitled to be at the polling premises according to this Law.

4. The polling premises at a special referendum precinct shall provide free access for referendum commission members, authorized representatives of parties to the referendum process, official and international observers, and mass media representatives. Heads of institutions, facilities, commanders of military bases (units) where such stations have been set up shall ensure free access for the referendum precinct commission members, voters registered in the voters list of this referendum precinct, authorized representatives of parties to the referendum process, official and international observers, and mass media to the polling premises.

5. Every polling station shall have the necessary number of ballot boxes, both stationary (big) and mobile (small). Ballot boxes shall be made of a transparent material in the sizes established by the Central Election Commission. A small polling station shall have at least two stationary ballot boxes; a medium-size station, at least three ballot boxes; a big station, at least four ballot boxes. Each polling station shall have at least two mobile ballot boxes. Stationary ballot boxes shall be installed in the polling premises so that voters approaching them could pass through the voting booths (rooms). The Central Election Commission shall establish how the ballot boxes should be produced, registered, used and stored.

6. A referendum precinct commission shall ensure that posters explaining the voting procedures and liability for referendum law violations are placed inside or immediately in front of the polling premises.

Article 81. Preparation for voting

1. The commission of an ordinary or overseas referendum precinct shall inform voters on its list of voters about the time and place of voting in a personal invitation sent out according to this Law.

2. A referendum precinct commission shall hold a preparatory meeting on the polling day not earlier than one hour before the voting starts. At the beginning of the meeting all participants shall examine the band sealing the safe box (metal cabinet) where ballots are kept.

3. If the band on the safe box (metal cabinet) is not damaged and has the respective signatures and seal, the chairperson of the referendum precinct commission shall give one-by-one all the ballot boxes available at the station to commission members, authorized representatives of the parties to the referendum process present at the meeting, official and international observers, and mass media for examination.

After every ballot box has been checked, it shall be security-sealed or, if impossible, sealed with the commission seal whereupon a checklist shall be put into it bearing the number of the constituency, the number of the referendum precinct, the time of checklist throw-in, signatures of the present referendum precinct commission members and optionally signatures of the authorized representatives of the parties to the referendum process and official observers. The signatures shall be certified with the seal of the referendum precinct commission. After the checklist has been thrown into the ballot box,

the chairperson of the commission shall give the next ballot box for examination and do the same with it.

The polling premises shall be considered as ready for voting after the last ballot box has been sealed, a checklist has been thrown into it, and stationary (big) ballot boxes have been installed at their places. Mobile (small) ballot boxes shall be installed at the polling premises with the slots for ballot boxes downwards within the sight of the commission members and other persons present at the polling premises according to this Law.

4. If the examination of the band on the safe box (metal cabinet) with ballots reveals that it is damaged or that signatures and seal on it are inconsistent with those prescribed by part fourteen of Article 79 hereof, the chairperson or the deputy or the secretary of the referendum precinct commission shall immediately notify law-enforcement agencies of Ukraine and the referendum district commission of the same.

After that the chairperson or the deputy or the secretary of the referendum precinct commission shall immediately open the safe box (metal cabinet) and take out the available ballots. The commission members shall check the ballots, particularly in terms of consistency of the referendum district and precinct numbers and availability of a seal imprint of this referendum precinct commission and then count the ballots according to part twelve of Article 79 of this Law. The referendum precinct commission shall make a report about detected signs of safe box (metal cabinet) unlocking and (if so) mismatch of the number of ballots. Such a report shall be drawn up in the form and manner established by the Central Election Commission. The number of ballots found in the safe box (metal cabinet) shall be also recorded in the minutes of the commission meeting. In this case the found number shall be the number of ballots received for the voting by the referendum precinct commission.

5. If the band on the safe box (metal cabinet) is not damaged and has necessary signatures and seal, the safe box (metal cabinet) with ballots shall be opened after security seal is applied and the ballot boxes are installed according to part three of this Article. The chairperson of the referendum precinct commission shall take the ballots and the extract from the ballot transfer protocol of the referendum district commission out of the safe.

6. The chairperson of the referendum precinct commission shall announce the number of ballots received by the referendum precinct commissions on the basis of the extract from the ballot transfer protocol of the referendum district commission or on the report specified in part four of this Article. The commission secretary shall record this number in the vote count protocol of the referendum precinct commission. The number shall be also fixed in the commission's minutes.

7. The chairperson of the referendum precinct commission shall give the necessary number of ballots to commission members who will be giving out the ballots to voters in the polling premises and organizing voting at the place of voters' stay (temporal residence). Commission members who organize voting at the voters' place of residence shall receive two ballots more than the number of voters included into the extract from the voters list as described in part two of Article 83 hereof.

The transfer of ballots shall be recorded in a register in the form established by the Central Election Commission. The mentioned commission members shall confirm the receipt of the ballots by signing the register and ensure that they are kept and handed out to voters as established by this Law. No ballot shall remain in the safe box (metal cabinet) afterwards.

8. If a referendum is held concurrently with election of the President of Ukraine, election of members of Ukrainian parliament or election of members of the Verkhovna Rada of the Autonomous Republic of Crimea, city and village councils, city and village mayors, the Central Election Commission shall establish voting preparation procedures.

Article 82. Voting procedures at the national referendum polling stations

1. Voting shall take place on the polling date from 8 am to 8 pm. In overseas referendum precincts voting shall take place according to the local time of the country where the referendum precincts are established.

If a referendum is held concurrently with election of the President of Ukraine, election of members of Ukrainian parliament or election of members of the Verkhovna Rada of the Autonomous Republic of Crimea, city and village councils, city and village mayors, the Central Election Commission shall establish the voting procedures.

2. The referendum precinct commission shall be responsible for organizing and maintaining order at the polling premises and for keeping the voters' choice secret. If any misconduct punishable by law takes place, the chairperson or deputy chairperson of the referendum precinct commission shall be entitled to invite a representative of the law-enforcement agencies who must take the offender out of the polling station and apply legal measures to him outside the polling station. Law enforcement officers shall be otherwise prohibited from staying inside the polling stations.

3. During the polling day two members of a referendum precinct commission shall give every voter an opportunity to vote: one member of the referendum precinct commission shall give the voter the referendum voters list to sign after the voter has produced one of his/ her documents set out in Article 6 hereof and if the voter's name is on the referendum voters list; the other member of the referendum precinct commission shall put his name and signature in a designated place of the ballot and ballot stub. The voter shall confirm receipt of the ballot by putting his signature on the referendum voters list and in a designated place on the stub. Afterwards the commission member shall tear the stub off the ballot and hand the ballot to the voter. The commission member who has handed out the ballots shall keep the stubs. No other marks on the ballots shall be allowed.

4. A voter may stay in a polling station only during the time period required for voting.

5. Voters shall fill out the ballots in person inside the voting booths. Other persons are not allowed inside the voting booths until the voter has filled out his ballot. A voter who cannot fill out the ballot because of his or her disabilities shall be entitled, upon consent

of the referendum precinct commission chairperson or another commission member, to seek help of another voter, except for commission members, an authorized representative of the party to the referendum process, and an official observer.

6. A voter may not transfer its ballot to other persons. Receiving ballots from persons other than a commission member authorized to hand out ballots, encouraging or forcing voters through bribes, threats or otherwise to transfer ballots to other people shall be prohibited.

7. A voter shall confirm his choice by putting a plus mark ('+') in the ballot or another mark in the box below the chosen answer to the referendum question.

8. A voter shall personally put in the filled ballot into a ballot box. If a voter cannot put his ballot into the ballot box because of physical disabilities, he or she shall be entitled, upon consent of the chairperson or another member of the referendum precinct commission, to ask another person to do so in his or her presence, such person not being a commission member, authorized representative, or official observer.

9. If a ballot box is damaged during voting, it shall be sealed by the chairperson and at least three commission members who represent different parties to the referendum process, in a manner that makes it impossible for any person to further put in or take out the ballots.

This ballot box shall be kept at the polling place within sight of the commission members and other people present in the polling station during voting as established by this Law and may not be used until the voting ends.

10. If a voter makes a mistake while filling out his ballot, he shall be entitled to immediately submit a written application to a commission member who gave him the ballot asking to replace his ballot. The commission member shall give the voter another ballot pursuant to the procedure established by part three of this Article only in exchange for the spoiled ballot. The commission member shall put a respective mark against the name of the voter on the referendum voters list and certify it with his signature.

The commission member who gave the ballot shall immediately cancel the spoiled ballot marking it as unused and certify it in the ballot accountability statement. This statement shall be signed by referendum precinct commission members who were involved in handing the ballot to the voter and the voter who spoiled the ballot. The statement shall be attached to the national referendum voters list.

The cancelled ballot shall be kept by the commission member who gave it until the vote count. During the vote count this ballot shall be regarded as unused and put together with its stub into a package for unused ballots. It shall be prohibited to give out one more ballot instead of the spoiled one.

11. At 8.00 pm the chairperson of the polling station shall announce the end of voting. Only voters present inside the polling premises can vote afterwards.

Voting may not be continued after the time established by this Law. After the last voter leaves the voting place, the polling station shall be closed. Only members of the referendum precinct commission and persons authorized by this Law to attend the vote count meeting of the commission may stay inside the station.

12. In a polling station established on a vessel that sails on the polling day under the National Flag of Ukraine or established on Ukraine's polar station, the commission may announce the end of voting before the time indicated in part one of this Article if all voters on the referendum voters list of this referendum precinct have voted. Vote count at this polling station shall take place according to procedures established by this Law immediately after the vote end is announced.

Article 83. Voting at the place of residence (temporary residence)

1. A voter who is on the referendum voters list of a polling station but cannot visit the polling station in person because of his age, disability or health condition shall be given an opportunity by the referendum precinct commission to vote at his place of residence (temporary residence).

2. To arrange the voting process for voters with limited mobility at their place of residence (temporary residence), the referendum precinct commission shall produce at its meeting, not later than on 4.00 pm on the last day before the polling day, an extract from the referendum voters list, in the form established by the Central Election Commission.

3. The following shall be included into the extract:

1) without a commission's decision - voters with a permanent walking disability whose names on the referendum voters list have a respective mark indicated in part four of Article 53 hereof unless these voters have not informed a respective referendum precinct commission in writing or in person before 12 noon of the last day before the polling day of their willingness to vote at the polling station;

2) subject to the commission's decision - voters with a temporary walking disability, following their application submitted to the referendum precinct commission requesting to arrange voting at their place of residence. Such application indicating the voter's place of residence shall be submitted not later than 4 pm of the last day before the polling day.

4. Voter's application requesting voting at his place of residence shall be registered by the referendum precinct commission in a separate register indicating date and time of submission, full name and place of residence (temporary residence) of the voter.

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5. If a voter is included into the extract from the referendum voters list to vote at his place of residence (temporary residence), the secretary of the referendum precinct commission shall make a mark 'voting at the place of residence' in the box 'voter's signature'.

6. At a special polling station established in an in-patient hospital, voting shall be arranged on the basis of an application written personally by the voter who asks for voting at his place of temporary residence because of his bed rest prescription. If a voter cannot write the application himself because of his physical disabilities, another person may write the application instead of him and indicate it in the application.

Article 84. Voting procedures at the place of voters' residence (temporary residence)

1. Voting at the place of residence (temporary residence) of a voter shall be arranged by at least three referendum precinct commission members designated by the commission. One of such members must be a representative of the initiative group.

If a referendum is held along with election of the President of Ukraine, election of members of Ukrainian parliament or election of members of the Verkhovna Rada of the Autonomous Republic of Crimea, city and village councils, city and village mayors, the Central Election Commission shall establish procedures for voting at the place of residence (temporary residence).

2. Voting at the place of residence (temporary residence) shall be arranged so that commission members who organize such voting process could return to the polling place at least one hour before the vote ends.

3. The chairperson shall announce that the members of the referendum precinct commission are leaving to organize voting at the place of voters' residence.

4. The chairperson shall give the designated members of the referendum precinct commission the extract from the referendum voters list made according to Article 83 of this Law and a sealed mobile ballot box where he puts a checklist at the same time. The checklist shall indicate time (hour and minutes) when the commission members leave to organize voting at the voters' place of residence (temporary residence), the number of ballots provided, and names of the commission members who receive the ballots. The checklist shall be signed by the commission members present at the polling station and, at their discretion, by authorized representatives of the parties to the referendum process and official observers; the signatures are to be certified with the commission's seal.

5. Official observers shall be entitled to be present during voting at the place of voter's residence (temporary residence).

6. If voting is organized at the place of voter's residence (temporary residence), a commission member shall give such voter a ballot on the basis of the extract from the referendum voters list, provided that the voter has presented one of the documents set

out in Article 6 hereof. The other member of the referendum precinct commission shall put his name and signature in designated places of the voting ballot and the stub. A voter shall put his signature on the stub and the extract from the referendum voters list, fill out the ballot as prescribed by part seven of Article 82 of this Law and cast the ballot into a ballot box.

7. If a voter whose name is included in the extract from the referendum voters list for the purpose of voting at the place of his residence (temporary residence) arrives at the polling station after the commission members have left it to organize voting at his place of residence, he may not be given a ballot until the commission members return and the issue of whether the voter has voted at the place of his residence is cleared up.

8. After a voter has voted at the place of his residence (temporary residence) the commission member who gave the voter the ballot shall make a mark 'voted at the place of residence', put his name and signature against the name of the voter in the referendum voters list.

9. The extract from the referendum voters list which served as a basis for voting at the place of residence of voters shall be attached to the referendum voters list and shall be an integral part thereof. Written applications of voters requesting voting at the place of residence (temporary residence) shall be attached to the referendum voters list.

10. Article 83 and this Article shall not apply to overseas referendum precincts.

Article 85. National referendum vote count procedures at polling stations

1. After a polling station closes, votes shall be counted only by the referendum precinct commission members during a commission's meeting held without interruption until all votes are counted. The commission shall make minutes of this meeting and sign it at the same polling premises where the voting took place.

2. If applications or complaints about vote violations at a polling station were submitted to the referendum precinct commission during the voting, the commission shall consider them at the beginning of the meeting before votes are counted at the polling station.

3. Vote count shall be open and transparent and carried out only by the referendum precinct commission members. Vote count shall follow the order of provisions of this Article. If a referendum is held on several issues, votes are counted separately for each ballot series according to procedures established by the Central Election Commission subject to this Law.

4. After votes are counted, the referendum precinct commission shall use the referendum voters list to calculate the number of voters who cast their national referendum ballots at the polling station.

5. Before the vote count the referendum precinct commission shall count the unused ballots. The number of such ballots shall be announced and recorded by the

commission secretary in the vote count protocol. The commission shall cancel unused ballots by tearing off the lower right corner of each ballot. While the unused ballots and votes are counted no mark or note can be made on the ballots.

6. Afterwards the cancelled unused ballots (together with their stubs) and ballots indicated in part ten of Article 82 hereof shall be packed. The package with the referendum documents shall be sealed up and marked, with the mark to indicate the type and quantity of the documents packed, the number of the referendum district or specifications of the overseas constituency, number of the referendum precinct, date and time of packing. The package shall be signed by present members of the referendum precinct commission and bear the commission's seal. The package shall bear marking "Unused ballots".

7. The referendum precinct commission shall count the number of voters who received ballots by counting voters' signatures in the referendum voters list. This number shall be announced.

8. The referendum precinct commission shall calculate ballot stubs signed by the voters and commission members who handed them out. The quantity of stubs shall be announced.

9. If the number of stubs indicated in part eight of this Article and the number of voters who received ballots as indicated in part seven of this Article coincide this number shall be announced and recorded in the box "Number of voters who received ballots" in the vote count protocol.

10. If the number of stubs indicated in part eight of this Article and the number of voters who received ballots as indicated in part seven of this Article do not coincide, a report shall be made and signed by the present members of the referendum precinct commission. The commission shall describe the reason for such mismatch in the report. The signatures shall be certified with the commission's seal. Afterwards the commission shall decide on the number of voters who received the ballots. This number shall be announced and recorded in the vote count protocol.

11. The referendum voters list with the attached extract and applications which served as a basis for making the extract shall be packed in a separate package. The package with documents shall be sealed up and marked, with the mark to indicate the type and quantity of the documents packed, the number of the referendum district or specifications of the overseas constituency, the number of the referendum precinct, date and time of packing. The package shall be signed by present members of the referendum precinct commission and bear the commission's seal. The package shall bear marking "Referendum voters lists".

12. Ballot stubs shall be packed in a separate package. The package with documents shall be sealed up and marked, with the mark to indicate the type and quantity of the documents packed, the number of the referendum district or specifications of the overseas constituency, the number of the referendum precinct, date and time of

packing. The package shall be signed by present members of the referendum precinct commission and bear the commission's seal. The package shall bear marking "Ballot stubs".

13. The referendum precinct commission shall check whether the number of unused ballots and the number of voters who received ballots match the number of ballots received by the referendum precinct commission. In case of a mismatch the referendum precinct commission shall make a report indicating the reason for the mismatch established by the commission. The report shall be signed by the present commission members; the signatures are to be certified with the commission's seal.

14. The chairperson of the referendum precinct commission shall, in presence of commission members and other persons who are entitled to attend the commission's meetings pursuant to this Law, check that the seal imprints on the ballot boxes are not damaged.

15. If any damage of seal imprints or other damage of ballot boxes is detected, the referendum precinct commission shall make a damage report, in the form established by the Central Election Commission, indicating the kind of damage.

16. The referendum precinct commission shall open ballot boxes one by one. Mobile ballot boxes used for voting at the place of residence (temporary residence) shall be opened first and the ballot boxes with damaged seals or other damages detected during voting shall be opened last.

17. When the undamaged ballot boxes are opened, their contents shall be dumped onto the table where commission members sit. Presence of the checklist in the ballot box (checklists in mobile ballot boxes) shall be verified at the same time.

18. Ballots from a damaged ballot box shall be taken out one by one without being mixed. The commission shall count the number of ballots in this ballot box. Presence of the checklist in the ballot box shall be verified, with the checklist to be taken out last.

19. The total number of ballots in every ballot box shall be counted on a separate basis. Voting results shall not be established for every ballot box separately. In the ballot count, a commission member designated by the referendum precinct commission shall count the ballots aloud. Other commission members shall watch the count. In the ballot count, the commission must not be broken down into groups with each group to count a part of the ballots.

20. All items other than ballots found in the ballot boxes shall be put away without counting. Such items include the checklists. In case of doubt as to whether an item is a ballot, the referendum precinct commission shall make a decision on the matter by vote. In this case, every commission member shall be entitled to examine the item in person. During such examination the ballot count shall be suspended. Items other than ballots shall be packed.

The package with documents shall be sealed up and marked, with the mark to indicate the type of the documents packed, the number of the referendum district or specifications of the overseas constituency, the number of the referendum precinct, date and time of packing. The package shall be signed by all present members of the referendum precinct commission and bear the commission's seal. The package shall bear marking "Items".

21. If a mobile ballot box, when opened, appears to have more ballots than the number indicated in the checklist for this ballot box, the commission shall make a mismatch report in the form and according to procedures established by the Central Election Commission. The report shall indicate the number of ballots in the ballot box and names of commission members whose signatures were put on the ballots.

22. When the report specified in part twenty of this Article is drawn, the commission shall check whether ballots from the mobile ballot box have numbers of the respective referendum district and referendum precinct, imprint of the seal of the respective referendum precinct commission as well as names and signatures of the members of the respective referendum precinct commission who organized voting at the place of residence. Ballots with inappropriate features shall not be counted up to establish the total number of voters who took part in the voting and to count the votes. If the mismatch specified in part twenty one of this Article is eliminated after these ballots are isolated from the ballots to be counted, all ballots with appropriate features shall be counted to establish the total number of voters who voted and to count the votes cast at the polling station. If no ballots with inappropriate features are detected or their isolation from the ballots eligible for counting does not eliminate the mismatch specified in part twenty one of this Article, no ballots from the mobile ballot box shall be counted to establish the total number of voters who took part in the voting and to count the votes.

23. If there is no checklist in a ballot box (no checklists in a mobile ballot box), the referendum precinct commission shall make a report, in the form established by the Central Election Commission, noting the absence of the checklist (checklists) and a number of ballots in such ballot box. These ballots shall not be counted to establish the total number of voters who took part in the voting and to count the votes.

24. Should the commission members have doubts as to the validity of a checklist or encounter other questionable situations as specified in parts twenty one and twenty three of this Article, the referendum precinct commission shall make a decision by vote to consider that ballots in a ballot box should not be taken into account to establish the total number of voters who voted and to count the votes. This decision and the voting results shall be recorded in the commission's minutes.

25. If ballots from ballot boxes bear the number of referendum district and/or the referendum precinct other than the number of the referendum precinct where the vote count takes place and/or the number of respective referendum district, and/or if ballots bear no seal of this referendum precinct commission or bear the seal of another commission or any other seal, these ballots shall not be taken into account to establish the total number of voters who voted and to count the votes.

26. After the last ballot box is open, the total number of ballots in all ballot boxes shall be summed up except for ballots not entitled to be counted.

The total number of ballots shall mean the number of the national referendum voters who have taken part in the voting.

This number shall be announced by the chairperson of the referendum precinct commission and recorded by the commission secretary in the vote count protocol.

27. Ballots which are not to be counted to establish the total number of voters who took part in the voting and to count votes as established in this Article shall be packed. The package with the referendum documents shall be sealed up and marked, with the mark to indicate the type of the documents packed, the number of the referendum district or specifications of the overseas constituency, number of the referendum precinct, date and time of packing. The package shall be signed by all present members of the referendum precinct commission and bear the commission's seal. The package shall bear marking "Ballots not to be counted".

28. Ballots that are to be counted shall be placed separately under respective notes marked "Yes", "No", or "Invalid" on both sides. When sorting the ballots, a designated commission member shall show every ballot to all commission members, announcing the referendum voters' choices.

29. A ballot shall be deemed invalid if:

- 1) it bears no name and/or signature of a commission member who gave it to the voter;
- 2) it has more than one mark in respective boxes;
- 3) it has no mark;
- 4) its stub is not torn off;
- 5) a voter's choice is impossible to determine for other reasons.

30. A commission member assigned by the commission shall count the ballots aloud during the count procedure. Other members shall oversee the counting. Breaking down the commission in several groups with each calculating a part of the ballots shall be prohibited. If the commission members have doubts over content of a ballot, the commission shall decide on the issue by voting. Before such vote every commission member shall be entitled to examine the ballot in person. During such examination and voting, other ballots shall not be counted. A respective decision and the commission's voting results shall be recorded in the commission's minutes.

31. Invalid ballots shall be counted on a separate basis. This number shall be announced by the chairperson of the referendum precinct commission and recorded by the commission secretary in the vote count protocol.

Invalid ballots shall be packed. The package with the referendum documents shall be sealed up and marked, with the mark to indicate the type of the documents packed, the number of the referendum district or specifications of the overseas constituency, number of the referendum precinct, date and time of packing. The package shall be signed by all present members of the referendum precinct commission and bear the commission's seal. The package shall bear marking "Invalid ballots".

32. The referendum precinct commission shall count the votes cast in favor of the referendum measure and votes cast against the referendum measure.

During the vote count every commission member shall be entitled to check or recount the ballots. Vote count results shall be announced by the chairperson of the referendum precinct commission and recorded by the commission secretary in the vote count protocol.

33. In the vote count, the referendum precinct commission must check whether the number of voters who took part in the voting equals the sum of invalid ballots, ballots with affirmative votes and ballots with negative votes. In case of discrepancy, the referendum precinct commission may recount the ballots. If the discrepancy is confirmed, the commission shall make a mismatch report indicating the reason of discrepancy, in the form established by the Central Election Commission.

34. Ballots with affirmative votes and ballots with negative votes shall be packed separately. The package with the referendum documents shall be sealed up and marked, with the mark to indicate the type of the documents packed, the number of the referendum district or specifications of the overseas constituency, number of the referendum precinct, date and time of packing. The package shall be signed by all present members of the referendum precinct commission and bear the commission's seal. The package shall bear marking "Yes" and "No" respectively.

35. In cases specified by this Law, referendum documents shall be packed so that no ballot or any other document might be placed into the package or taken out of it without damaging the seal imprint and the package itself.

36. If a national referendum is held along with election of the President of Ukraine, election of members of Ukrainian parliament or election of members of the Verkhovna Rada of the Autonomous Republic of Crimea, city and village councils, city and village mayors, the Central Election Commission shall establish the vote count procedures for the polling stations.

Article 86. Vote count protocol of a referendum precinct commission

1. A referendum precinct commission shall draw a vote count protocol at its meeting. The form of this protocol shall be approved by the Central Election Commission at least 30 days before the polling day. If a referendum is held on several issues, a separate vote count protocol shall be drawn up for every issue according to procedures established by the Central Election Commission with account of this Law.

2. The vote count protocol shall indicate, both in figures and in words, the following data:

- 1) the number of ballots received by the referendum precinct commission;
- 2) the number of total unused ballots;
- 3) the number of voters on the referendum voters list of the referendum precinct (at the end of voting);
- 4) the number of voters who received ballots;
- 5) the number of voters who voted;
- 6) the number of ballots considered invalid;
- 7) the number of votes cast in favor of the issue referred to the referendum;
- 8) the number of votes cast against the issue referred to the referendum.

3. The referendum precinct commission shall draw up the vote count protocol in a number of copies which is four copies more than the number of members of the referendum precinct commission. Copies shall be numbered and have equal legal effect.

4. The vote count protocol shall indicate date and time (hour and minutes) when it is signed by the commission members. Every copy of the protocol shall be signed by the chairperson, deputy chairperson, secretary and other members of the referendum precinct commission who are present at the commission's meeting. If a commission member disagrees with the commission's actions or vote count results fixed in the commission protocol, he shall sign the protocol with a note "Dissenting opinion". The written description of the dissenting opinion shall be attached to the vote count protocol. The protocol shall be signed and sealed with the commission's seal only after it is fully filled in.

Failure or refusal of some commission members to sign the protocol shall not affect the legal validity of the protocol.

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5. Authorized representatives and official observers present at the vote count meeting of the referendum precinct commission may sign the first and second copy of the vote count protocol.

6. A pencil must not be used to fill in a vote count protocol. No corrections shall be made in the protocol.

7. If a referendum precinct commission reveals inaccuracy (a slip of the pen or a mistake in numbers) in the vote count protocol after it has been signed but before it is sent together with the referendum documents to a respective referendum district commission, it shall consider at the same meeting a possibility to make amendments to the voting results by drawing up a new, correct vote count protocol, which shall bear the marking "Corrected". In this case the ballots shall not be recounted. The protocol with "Corrected" marking shall be drawn up in the number of copies as specified by part three of this Article and signed according to the procedures established by part four of this Article. Drawing up the vote count protocol with "Corrected" marking shall be recorded in the commission's minutes.

8. The first and second copy of the vote count protocol and respective copies of the protocol with "Corrected" marking, if any, shall be placed in a package with the special protection system. The package with the documents shall be sealed up and marked, with the mark to indicate the type of the documents packed, the number of the referendum district or specifications of the overseas constituency, the number of the referendum precinct, date and time of packing. The package shall be signed by all present members of the referendum precinct commission and bear the commission's seal. The package shall bear the marking "Vote count protocol". The third copy of the vote count protocol and a respective copy of the protocol with "Corrected" marking shall be kept by the secretary of the referendum precinct commission. The fourth copy of the protocol shall be immediately posted in the premises of the referendum precinct commission for public access; the remaining copies shall be distributed among the commission members, one for every member.

9. Authorized representatives and official observers who were present during the vote count may, immediately upon their request, receive a copy of the vote count protocol, including the one with "Corrected" marking; such copies are to be certified by the chairperson and secretary of the referendum precinct commission and sealed with the commission's seal, not more than one copy for every party to the referendum process.

10. A report in the form established by the Central Election Commission shall be drawn up to record issuing of copies of the vote count protocol. The report shall indicate the individuals who received copies of the protocol, numbers of the copies, date and time when the copies were received and signatures of these individuals. The report shall be signed by the chairperson and secretary of the referendum precinct commission and sealed with the commission's seal. The report shall be placed into the package with the first and second copy of the vote count protocol.

11. Packages with the vote count protocols, ballots, checklists, items, voters lists, as well as dissenting opinions of the commission members in writing, reports, applications,

complaints, if any, and decisions made by the referendum precinct commission immediately after the end of the commission meeting shall be delivered to the referendum district commission according to procedures established by part one of Article 88 hereof.

Article 87. Voting recognized invalid by the referendum precinct commission

1. A referendum precinct commission may recognize voting at the referendum precinct as invalid if it reveals violations of this Law which make it impossible to establish accurately the voting results, in the following circumstances:

1) facts of unlawful voting are revealed (ballots are put into a ballot box by an individual other than a referendum voter except as expressly provided by this Law; voting is performed by individuals not eligible to vote; voting is performed by individuals who are not on the referendum voters list of this referendum precinct or are put on the list without justification; voters vote more than once), with the number of such facts exceeding ten percent of voters who received ballots at the polling station;

2) a ballot box (boxes) is destructed or damaged which makes it impossible to determine the ballots content, if the number of such ballots exceeds ten percent of the voters who received ballots at the polling station;

3) ballot boxes appear to have the number of ballots which is ten percent higher than the number of voters who received ballots at the polling station.

2. If any circumstances specified in part one of this Article are revealed the referendum precinct commission shall draw up a report in each case, in the form and according to procedures established by the Central Election Commission. This report (reports) is a ground for the referendum precinct commission to consider recognizing the vote at the referendum precinct as invalid.

3. If the referendum precinct commission decided to recognize the vote invalid, the vote count protocol of the commission shall specify information indicated in items 1-6 of part two of Article 86 of this Law. The other boxes shall be left blank. The commission shall draw up a vote count protocol as established by Article 86 hereof.

4. If the referendum precinct commission decided to recognize the vote invalid, all ballots from the ballot boxes shall be packed. The package with the referendum documents shall be sealed up and marked, with the mark to indicate the type of the documents packed, the number of the referendum district or specifications of the overseas constituency, number of the referendum precinct, date and time of packing. The package shall be signed by all present members of the referendum precinct commission and bear the commission's seal. The package shall bear marking "Ballots".

5. A decision of the referendum precinct commission on invalidity of the vote and a report (reports) following which this decision was made shall be attached to the vote

count protocol, packed and transported to the referendum district commission as established by part one of Article 88 of this Law.

Article 88. Procedures for transporting and transferring referendum documents to a referendum district commission

1. Referendum documents specified in part eleven of Article 86 hereof shall be transported by the chairperson or deputy chairperson and two members of the commission of an ordinary and special referendum precinct (except for special referendum precincts on board the vessels that sail on the polling day under the National Flag of Ukraine or a polar station of Ukraine), with one of such members being a representative of the initiative group. They must be accompanied by a law enforcement officer who is responsible for secure transportation. Authorized representatives and official observers may accompany transportation of the documents if they wish to do so. Other individuals must not be involved in transportation of the referendum documents.

2. During transportation of the referendum documents packages with vote count protocols, ballots and other documents must not be unpacked.

3. The secretary and other members of the referendum precinct commission who do not accompany transportation of referendum documents to the referendum district commission shall stay at the polling station until they are notified that the referendum district commission has accepted the vote count protocol of the referendum precinct commission. When the referendum documents are transported, the seal of the referendum precinct commission shall be kept in a safe box (metal cabinet) at the commission's premises.

4. A vote count protocol of an ordinary or special referendum precinct (except for special referendum precincts on board the vessels that sail on the polling day under the National Flag of Ukraine or a polar station of Ukraine) and other referendum documents of the referendum precinct commission shall be passed to the referendum district commission at its meeting according to procedures established in Article 89 hereof.

5. Once a vote count protocol from an overseas referendum precinct or a special referendum precinct on board a vessel that on the polling day sails under the National Flag of Ukraine or on a polar station of Ukraine is signed by the referendum precinct commission members, its content shall be immediately transmitted by the referendum precinct commission through technical means of communication to the Central Election Commission (via the Ministry of Foreign Affairs) or to a respective referendum district commission, with the first and second copy of the vote count protocol to be delivered to the commission according to the procedures established by the Central Election Commission. Other documents specified in part eleven of Article 86 of the Law shall be attached to the protocols.

6. If a national referendum is held along with election of the President of Ukraine, election of members of Ukrainian parliament or election of members of the Verkhovna

Rada of the Autonomous Republic of Crimea, city and village councils, city and village mayors, the Central Election Commission shall establish procedures for arranging and transporting the referendum documents to referendum district commissions.

Article 89. Procedures for acceptance and consideration of referendum precinct commissions' documents by a referendum district commission

1. Once the polling stations are closed, a referendum district commission shall start its meeting that lasts uninterruptedly until the voting results are established in the referendum district. During this time members of a referendum district commission may not be involved in performing functions other than participation in the commission's meeting.

2. The meeting of the referendum district commission shall be recorded in the minutes to be signed by the commission chairperson or the person who chairs the meeting and by the commission secretary or a member who performs secretary functions at this meeting. The minutes shall have attached dissenting opinions, if any, of referendum district commission members who participated in the meeting but disagreed with the commission's decisions.

3. At the meeting the chairperson of the referendum district commission shall take delivery of the packed documents of referendum precinct commissions, unpack them and read aloud the vote count protocols. He shall also take delivery of other packed referendum documents specified in part eleven of Article 86 hereof. The time when the referendum district commission accepts the vote count protocol, the list of accepted documents and information in the vote count protocol as announced by the chairperson of the referendum district commission shall be recorded in the minutes of the referendum district commission's meeting.

4. When a referendum district commission accepts the documents it shall check completeness of the documents and integrity of all packages with the referendum documents. Every referendum district commission member shall be entitled to examine every package in person. If the documents are complete and all packages are undamaged, the package with the vote count protocol is opened and information in the protocol is announced.

Following examination of the referendum precinct commission's documents and complaints about violation of this Law during voting and vote count at the polling station and during transportation of the referendum documents to the referendum district commission, the referendum district commission shall make one of the following decisions to:

- 1) accept referendum documents from the referendum precinct commission and take into account information from the vote count protocol when establishing the voting results in the district;

- 2) refuse to accept the vote count protocol and oblige the referendum precinct commission to rectify the identified irregularities;
- 3) recount votes cast at the polling station.

5. A decision specified in part four of this Article shall be made by majority vote of all present members of the referendum district commission and recorded in the referendum district commission's minutes.

6. The vote count protocol of a referendum precinct commission shall be considered by the referendum district commission after its information was announced. If the referendum district commission detects corrections, mistakes or inaccuracies in the vote count protocol, it shall make a decision to oblige the referendum precinct commission to make amendments to the vote count protocol pursuant to part seven of Article 86 of this Law with the decision to be recorded in the minutes of the referendum district commission's meeting. During the time while the issue is considered by the referendum precinct commission, copies of the referendum precinct vote count protocol and documents attached thereto shall be kept by the referendum district commission.

7. The referendum precinct commission shall, within the timeline established by the referendum district commission, consider making amendments to the vote count protocol without recounting the ballots. A protocol with "Corrected" marking shall be transported to the referendum district commission as prescribed by Article 88 of this Law. The time when the referendum district commission accepts the protocol with "Corrected" marking shall be recorded in the referendum district commission's minutes.

Article 90. Vote recount

1. The referendum district commission may adopt a decision to recount votes cast at a precinct polling station should there be complaints substantiated with duly executed reports of the authorized representatives of the parties to referendum process, official observers and/or voters on breaches of this Law that took place during voting and/or vote count at a polling station, where such breaches cast doubt on voting results at this referendum precinct, and should there be a report or written complaints of individuals specified in part one of Article 88 hereof on breaches of this Law during transportation of vote count protocols and other documents to the referendum district commission.

2. If inaccuracies in the vote count protocol may not be rectified without recounting ballots or if there is evidence of unauthorized unpacking of the referendum precinct commission's packages with documents, the referendum district commission shall adopt a decision on vote recount at this referendum precinct.

3. The vote count protocol and packages with other documents of the referendum precinct commission shall be kept at a place where the referendum district commission holds its meeting until the referendum district commission recounts votes cast at the precinct polling station.

4. The referendum district commission shall carry out a vote recount at the referendum precinct with mandatory involvement of members of the referendum precinct commission after it has examined and accepted protocols and other documents of all the remaining referendum precinct commissions in the district. All members of the referendum precinct commission shall be entitled to take part in the vote recount; authorized representatives of the parties to the referendum process and official observers may be present during the vote recount.

5. Following the vote recount the referendum district commission shall draw up a vote recount protocol, in the form established by the Central Election Commission, indicating information specified in part three of Article 87 hereof.

6. The vote recount protocol shall be drawn up in a number of copies which is bigger by four than the number of referendum district commission members. All copies shall be numbered and have equal legal effect. All copies shall be signed by present members of the referendum district commission and members of the referendum precinct commission who participated in the vote recount and certified with the seal of the referendum district commission. The information recorded in the protocol shall be announced while the protocol is drawn according to procedures prescribed by Articles 85-87 of this Law. The first and second copy of every protocol may be signed by the authorized representatives and official observers who were present during the vote recount.

Failure or refusal of some commission members to sign the protocol shall not affect the legal validity of the protocol.

7. The referendum district commission may adopt a decision to recognize voting at a referendum precinct as invalid if the vote recount reveals circumstances specified in part one of Article 87 of this Law.

8. If voting at a referendum precinct is recognized invalid after the vote recount, the referendum district commission's vote recount protocol for this referendum precinct shall be drawn up according to the procedures established by part five and part six of this Article and indicate only information specified in items 1-6, part two, Article 86 hereof. The other fields shall be left blank.

9. The first copy of the referendum district commission's vote recount protocol, the respective vote count protocol of the referendum precinct commission, decision of the referendum district commission about invalidity of the vote at the referendum precinct shall be attached to a referendum district commission's poll protocol for voting results in the district. The second copy of the vote recount protocol shall be kept by the referendum district commission's secretary; the third copy shall be transferred to the respective referendum precinct commission; the fourth copy shall be immediately posted in the premises of the referendum district commission for public access; the remaining copies shall be distributed among the referendum district commission members, one for every member.

Article 91. Establishing voting results in a referendum district

1. After accepting and examining vote count protocols of referendum precinct commissions, including those marked "Corrected", and acting on the basis of the referendum precinct commission's vote count protocols, messages with the contents of such protocols transmitted by referendum precinct commissions through technical means of communication from the special referendum precincts established on vessels sailing under the National Flag of Ukraine on the polling day or on a polar station of Ukraine, and on the basis of the referendum district commission's vote recount protocols should there be a vote recount at respective referendum precinct, a referendum district commission shall establish the following:

- 1) the number of ballots received by the referendum district commission;
- 2) the number of ballots cancelled by the referendum district commission;
- 3) the number of ballots received by referendum precinct commissions in the district;
- 4) the number of unused ballots cancelled by referendum precinct commissions in the referendum district;
- 5) the total number of voters included in the referendum voters lists of the referendum precincts of the referendum district;
- 6) the number of voters who received ballots in the referendum district;
- 7) the number of voters who took part in voting in the referendum district;
- 8) the number of ballots considered invalid;
- 9) the number of votes cast in favor of the measure referred to the referendum;
- 10) the number of votes cast against the measure referred to the referendum.

If a referendum is held on several issues, votes shall be counted separately for each ballot according to procedures established by the Central Election Commission subject to this Law.

2. Data about voting results in the referendum district shall be recorded in figures and in words in a poll protocol of the referendum district commission. Data specified in items 3-10 of part one of this Article shall be recorded in the protocol in figures for every precinct in the referendum district and in figures and words totally for the referendum district.

3. The poll protocol of the referendum district shall be drawn up by the referendum district commission in the number of copies which is bigger by three than the number of

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referendum district commission members. Copies shall be numbered and have equal legal effect.

4. The poll protocol must not be completed with a pencil nor must it be signed or sealed with the seal of the referendum district commission until fully completed.

5. The poll protocol shall be signed by the chairperson, deputy chairperson, secretary and other members of the referendum district commission who are present at its meeting and confirmed with the commission's seal. The protocol shall indicate date and time (hour and minutes) when it is signed by the referendum district commission members. If a member disagrees with established voting results fixed in the protocol, he shall sign the protocol and make a note "Dissenting opinion". Such member shall convey his dissenting opinion in writing and attach it to the poll protocol. Authorized representatives and official observers present at the meeting when the voting results are established in the referendum district may sign the first copy of the protocol.

Failure or refusal of some commission members to sign the protocol shall not affect the legal validity of the protocol.

6. If the referendum district commission reveals inaccuracies (a slip of the pen or a mistake in figures) in the poll protocol after it has been signed but before it is sent to the Central Election Commission, it shall consider at the same meeting to make amendments to the poll protocol by drawing up a new protocol which shall bear the marking "Corrected". A protocol with "Corrected" marking shall be drawn up and signed according to procedures and in the number of copies as established by this Article. A referendum district commission must not draw up a protocol with "Corrected" marking at any other meeting without instructions of the Central Election Commission.

7. The first copy of the poll protocol and the first copy of the protocol with "Corrected" marking, if any, shall be placed in a package with a special protection system. The package with the referendum documents shall be sealed up and marked, with the mark to indicate the type of the documents packed, the number of the referendum district or specifications of the overseas constituency, number of the referendum precinct, date and time of packing. The package shall be signed by all present members of the referendum precinct commission and bear the commission's seal. The package shall bear marking "Poll protocol".

8. A referendum district commission shall transport to the Central Election Commission the first copy of the referendum district commission's poll protocol or, if amended, a poll protocol with inaccuracies (slips of the pen or mistakes in figures) and a protocol with "Corrected" marking together with respective protocols and reports of referendum precinct commissions, decisions adopted on the basis of these reports and, if any, vote recount protocols and written dissenting opinions of referendum district commission members, applications and complaints about violations by the referendum district commission of procedures for establishing voting results in the district and follow-up decisions of the referendum district commission. The second copy of the protocol shall be kept by the referendum district commission; the third shall be posted immediately in

the commission's premises for public access; the remaining copies shall be distributed among the referendum district commission members, one for every member.

9. The chairperson or his deputy and two referendum district commission members shall be responsible for transportation of the referendum documents indicated in part eight of this Article.

10. A referendum district commission shall establish voting results in the referendum district within five days following the polling day irrespective of the number of its precincts where voting has been recognized invalid. Voting may not be recognized invalid in the entire referendum district. A poll protocol shall be transported to the Central Election Commission immediately after being signed.

11. If a referendum is held along with election of the President of Ukraine, election of members of Ukrainian parliament or election of members of the Verkhovna Rada of the Autonomous Republic of Crimea, city and village councils, city and village mayors, the Central Election Commission shall establish procedures for organizing and establishing the voting results.

Article 92. Establishing voting results in the overseas referendum district

1. The Central Election Commission shall hold a meeting to accept, consider and announce poll protocols of overseas referendum precincts or messages with the contents of respective vote count protocols transmitted with technical means of communication pursuant to part five of Article 88 hereof.

2. After accepting and examining vote count protocols of overseas referendum precinct commissions, the Central Election Commission shall, at the same meeting, establish data for the overseas referendum district as specified in part one of Article 91 of this Law, acting on the basis of the referendum precinct commissions' vote count protocols and messages with the contents of such protocols transmitted through technical means of communication by the referendum precinct commissions.

3. Information about voting results in the overseas referendum district shall be announced by the Central Election Commission and recorded in figures and in words in the Central Election Commission's poll protocol for the overseas referendum district.

4. The protocol indicated in part three of this Article shall be drawn up as prescribed by parts one to four of Article 91 hereof.

5. The protocol indicated in part three of this Article shall be drawn up in two copies, signed by the Chairperson, Deputy Chairpersons, secretary and other members of the Central Election Commission who are present at the meeting, and sealed with the Commission's seal.

The Central Election Commission shall indicate the date and time (hour and minutes) of signing. If a member disagrees with the established voting results fixed in the poll

protocol of the Central Election Commission he shall sign the protocol and make a note "Dissenting opinion". Such member shall convey his dissenting opinion in writing which is to be attached to the poll protocol. A representative of the initiative group in the Central Election Commission and authorized representatives in the national referendum district who are present when voting results are established for the overseas referendum district may sign the first copy of the protocol.

Failure or refusal of some commission members to sign the protocol shall not affect the legal validity of the protocol.

6. Upon request of the representative of the initiative group to the Central Election Commission, the Central Election Commission shall immediately provide him a copy of the poll protocol for the overseas referendum district, including the one marked "Corrected". The Chairperson and Secretary of the Central Election Commission shall sign and seal each page in these copies.

7. The Central Election Commission shall establish voting results in the overseas referendum district irrespective of a number of overseas referendum precincts where voting has been recognized invalid. Voting may not be recognized invalid in the entire overseas constituency.

Article 93. Establishing results of a national referendum

1. The Central Election Commission shall hold a meeting to establish results of the national referendum and draw up a respective protocol on the basis of poll protocols of referendum district commissions, including protocols with "Corrected" marking, and the Central Election Commission's poll protocol for the overseas constituency.

The following data shall be recorded in figures and in words in the referendum protocol:

- 1) the number of ballots commissioned by the Central Election Commission;
- 2) the number of ballots received by referendum district commissions;
- 3) the number of ballots received by referendum precinct commissions;
- 4) the total number of unused ballots;
- 5) the number of voters put on the referendum voters lists;
- 6) the total number of voters who received ballots;
- 7) the total number of voters who voted;
- 8) the number of ballots considered invalid;
- 9) the number of votes cast in favor of the measure referred to the referendum;

- 10) the number of votes cast against the measure referred to the referendum.
2. If several issues have been referred to the referendum, the Central Election Commission shall establish referendum results for each measure.
3. If a referendum district commission fails to submit to the Central Election Commission its poll protocol, including the one with "Corrected" marking, within the timeline established by the Law, the Central Election Commission shall establish referendum results in this district on the basis of available protocols of the referendum precinct commissions.
4. Voting results shall be recorded in figures and in words in the referendum protocol of the Central Election Commission. Data specified in items 2-10 of part one of this Article shall be recorded in figures for every district (including the overseas constituency) and in figures and in words totally for the national constituency.
5. The Central Election Commission shall draw up the referendum protocol in two copies and indicate there the date and time (hour and minutes) of signing. This protocol shall be certified with the seal of the Central Election Commission. If a commission member disagrees with data on the protocol, he may express his dissenting opinion in writing which is to be attached to the protocol.

Failure or refusal of some commission members to sign the protocol shall not affect the legal validity of the protocol.

A representative of the initiative group to the Central Election Commission and authorized representatives in the national constituency who are present when the referendum results are established may sign the first copy of the protocol.

6. The measure referred to the national referendum shall be deemed approved if more than half of the voters who took part in the voting voted in favor of the measure.
7. If requirements of part six of this Article are not met, the Central Election Commission shall decide to recognize the measure as not approved by the national referendum.

Article 94. Official announcement and publication of referendum results

1. At its meeting the Central Election Commission shall announce the referendum results and make a respective record in its minutes.
2. Announcement of the referendum results by the person who chairs the meeting of the Central Election Commission shall be deemed the official announcement of the referendum results.
3. The Central Election Commission shall publish the national referendum results within three days of official announcement of the referendum results by the Central Election

Commission through publication thereof in *Holos Ukrainy* and *Uryadovy Kuryer* newspapers and in other mass media.

Section 10

LEGAL EFFECTS OF A NATIONAL REFERENDUM

Article 95. Legal effects of a national referendum by popular initiative

1. Results of a national referendum by popular initiative are final, they require no approval of any public authority and are binding upon Ukrainian citizens and public authorities to whose competences they are related.
2. A new version of the Constitution shall come into effect on the day of announcement by the Central Election Commission of results of the national referendum on approval of the new version.
3. A law of Ukraine approved by a national referendum shall come into effect on the day of announcement by the Central Election Commission of the referendum results except when the effective day for such law is expressly specified in that law.
4. A law or individual provisions thereof and decisions on abolishment thereof (loss of effect or recognition as invalid) approved by a national referendum shall lose effect on the day of announcement of respective referendum results by the Central Election Commission.
5. Provisions of the Constitution of Ukraine and laws of Ukraine amended with a law of Ukraine that has lost effect or has been cancelled (recognized ineffective or invalid) according to the decision approved by a referendum, shall regain their effect on the day of announcement of respective referendum results by the Central Election Commission.

Article 96. Legal effects of a national referendum called by the President of Ukraine and the Verkhovna Rada of Ukraine

1. A law amending the Constitution of Ukraine passed by the Verkhovna Rada of Ukraine pursuant to article 156 of the Constitution of Ukraine and approved by a national referendum shall take effect on the day of official announcement of respective referendum results, except when the effective date of that law is expressly specified therein.
2. If a law amending the Constitution of Ukraine has not been approved by a referendum, a draft law on amending sections 1, 3 and 13 of the Constitution of Ukraine in regard to the same issue may be re-submitted to the next convocations of the Verkhovna Rada of Ukraine.

3. If a law on ratification of an international treaty on territorial changes of Ukraine has been approved by a national referendum, it shall come into effect on the day of announcement of respective referendum results.

Article 97. Official publication of the bill approved by a referendum

1. In case of a constitutional or legislative referendum, the Central Election Commission shall, within five days of announcement of the referendum results, publish in *Holos Ukrainy* and *Uryadovy Kuryer* newspapers the bill approved (adopted) by the national referendum or the bill as amended (adopted) with the decisions approved by the national referendum. In case of a ratification referendum, it shall publish the respective international treaty of Ukraine. Final provisions of the bill shall indicate that they it has been approved by a national referendum and specify the date of such referendum.

Section 11

COMPLAINING AGAINST DECISIONS, ACTIONS OR OMISSION THEREOF RELATED TO THE REFERENDUM PROCESS

Article 98. General grounds for complaining against decisions, actions or omission thereof related to the referendum process

1. Articles 98-107 of this Law establish procedures for complaining against decisions of referendum commissions, their actions or omission thereof to a higher-level referendum commission.
2. The Code of Administrative Proceedings of Ukraine establishes procedures for filing an administrative lawsuit in relation to the referendum process.

Article 99. Complainant

1. An complainant in relation to the national referendum process may be the initiative group (a party to the referendum process acting through its representative in the Central Election Commission, authorized person or other person lawfully authorized by the party to the referendum process), an official observer or a voter (a national of Ukraine) whose rights to participate in the referendum or whose lawfully protected interests regarding participation in the referendum process, including rights to be involved in activities of a referendum commission or carry out observations, have been violated by the subject of complaint's decision, action or omission thereof.
2. A document confirming powers of the authorized person or representative of the initiative group to the Central Election Commission is a respective ID card issued pursuant to this Law.

Article 100. Subject matter of complaint and subject of complaint

1. A complaint may be filed by a respective complainant against a decision, action or omission thereof of a referendum commission or any member thereof.
2. Decisions, actions or omission thereof of a referendum precinct commission or its members shall be appealed with a respective referendum district commission.
3. Decisions, actions or omission thereof of a referendum district commission or any member thereof shall be appealed with the Central Election Commission.
4. Decisions, actions or omission thereof of the Central Election Commission shall be appealed with a court according to procedures established by the Code of Administrative Proceedings of Ukraine.
5. An complainant specified in Article 99 of this Law shall at his discretion file a complaint with a referendum commission or an administrative lawsuit with a court.
6. The court where a lawsuit has been filed against decisions, actions or omission thereof related to the referendum process shall immediately notify a respective referendum commission and the higher commission about institution of proceedings and a decision adopted by the court.
7. If a lawsuit is filed with a court and a complaint regarding the same issue in filed with a referendum commission, the commission shall, after receipt of the court's notification about initiation of proceedings, suspend consideration of the complaint until a court decision takes legal effect.

Article 101. Period for filing complaints

1. A complainant may file a complaint with a referendum commission within five days of a decision, action or omission thereof of the subject of complaint, except as specified in parts two and three of this Article.
2. A complaint against any violation which took place before the polling day may be filed within the timeframe established by part one of this Article, but not later than 24:00 of the day preceding the polling day.
3. A complaint against any violation which took place during the vote may be filed with a respective referendum precinct commission before the polling station closes. A complaint against a decision, action or omission thereof of a referendum commission or its members which took place on the polling day during the vote count and establishment of voting results at the polling station may be filed with a higher referendum commission within two days of such decision, action or omission thereof.
4. The day of omission of an action shall be the last day of the period when an action prescribed by the laws should have taken place.

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5. The day of filing a complaint shall be the day when a complaints authority receives the complaint.

6. The period for filing complaints may not be extended or renewed except when the complaint is filed again after being corrected not later than on the day that follows the day it was returned by the complaints authority as established by Article 99 hereof.

7. If the complainant amends or adjusts his demands during consideration of his complaint because of circumstances not known to him before, such amendment or adjustment shall not be deemed a new appeal and shall not be subject to time restrictions.

Article 102. Form and content of complaint

1. A complaint shall be filed with a referendum commission in writing. The complaint shall include:

- 1) name of the complaints authority with which it is filed;
- 2) full name, place of residence (postal address) of the complainant as well as his number of telephone or other means of communication, e-mail, if any;
- 3) full name, place of residence (postal address) of the subject of complaint as well as his number of telephone or other means of communication, e-mail, if any;
- 4) essence of the issue raised;
- 5) description of circumstances and evidence that justify demands of the complainant;
- 6) clearly stated demands and essence of the decision sought from the complaints authority;
- 7) a list of documents and materials attached;
- 8) indication of the parties concerned who have to be involved in consideration of the complaint, in the complainant 's view;
- 9) signature of the complainant or an individual who represents him pursuant to Article 94 of this Law, and date of signing.

2. Copies of the complaint and copies of all documents attached to the complaint shall be attached to it, all in the number of copies equaling the number of the subjects of complaint and parties concerned as indicated in the complaint.

Article 103. Procedures and period for hearing complaints

1. A referendum commission shall hear complaints according to this Law and procedures established by the Central Election Commission.
2. A complaint drawn up in violation of Article 102 of this Law shall be returned by the Chairperson or another member of the Central Election Commission upon instruction of the Chairperson or by the chairperson or deputy chairperson of a district or referendum precinct commission, as the case may be, to the complainant without consideration not later than the next day after the complaint was filed, with a complaint filed on the day before the polling day to be returned immediately on the polling day or the following day. If a complaint is returned without consideration, the complaints authority shall list all defects that prevented it from being considered and indicate a possibility to re-file the complaint drawn up pursuant to Article 102 hereof within the period of time established by this Law.
3. If a complaint is re-filed with no defects rectified or with new defects, the complaints authority shall decide to dismiss the complaint.
4. A complaint drawn up in compliance with Article 102 of this Law shall be heard by a respective commission at its meeting within five days of receipt thereof, except as provided in parts five to seven of this Article.
5. A complaint against violations that took part before the polling day shall be heard by a referendum commission within the time frame established by part four of this Article but before the vote starts.
6. A complaint against violations which took part during the vote shall be heard by a referendum commission immediately after the polling stations close, except complaints demanding to update referendum voters lists which are to be considered immediately.
7. A complaint filed to a higher referendum commission against any violation which took place on the polling day during the vote count and establishment of voting results at a polling station shall be heard within two days of filing.
8. If a referendum commission finds it necessary for law-enforcement agencies to check up facts indicated in the complaint, such law-enforcement agencies shall, upon commission's request, check up these facts and take respective measures to terminate violations of laws within three days of receipt of the commission's request. If they receive such request less than three days before the polling day, on the polling day or the following day, they shall do so immediately. The law-enforcement agencies shall notify the commission of the check-up results and measures taken.
9. A complaints authority, when hearing a complaint, shall send in advance notification of the time and place of the hearing to the complainant, subject of complaint, and other parties concerned with a registered telegram, fax or e-mail. The complainant, subject of complaint, and other parties concerned may be notified of the same by phone, with an

official of the complaints authority to record this fact in a written note to be attached to the protocol. Failure of the parties notified of the hearing of the complaint to attend the meeting of the complaints authority shall not invalidate such meeting.

10. Copies of the complaint and documents attached thereto shall be provided in advance to the subject of complaint and parties concerned, and if this is impossible not later than the hearing of the appeal begins. The subject of complaint has the right to present written explanation regarding the complaint, to be considered by the complaints authority.

11. A complaints authority may decide to dismiss a complaint if it was filed by an improper complainant or filed with violation of the time frame established by this Article.

12. When deciding to dismiss a complaint, the Central Election Commission may, acting on its own initiative, consider facts described in the complaint.

13. Other issues related to hearing of complaints by referendum commissions shall be settled by the Central Election Commission subject to this Law.

14. Referendum commissions and law-enforcement agencies shall organize their activities in the course of the referendum process, including on days off and the polling day, so that they can accept and consider complaints and requests of referendum commissions within the time frame and according to the procedures established by this Law.

Article 104. Evidence

1. Evidence serving as a basis for a referendum commission to identify circumstances that justify requirements and objections of the complainant, subject of complaint or other parties concerned and establish other circumstances that are significant for proper consideration of a complaint, shall include:

- 1) written documents and materials (including electronic ones) containing information about circumstances and facts that are significant for due consideration of the complaint;
- 2) written explanations of the subjects of complaint;
- 3) expert opinions provided in writing upon request of the complaints authority, complainant or the subject of complaint.

2. Evidence shall be provided to a referendum commission by the complainant, the subject of complaint or the parties concerned. A referendum commission acting as a complaints authority may request (demand) additional evidence on its own initiative.

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3. If the complainant, subject of complaint or the concerned party fail to provide evidence to prove the facts he refers to the referendum commission shall decide on the case on the basis of available evidence.
4. A referendum commission shall consider only the evidence that is significant for consideration of the complaint. A referendum commission acting as a complaints authority shall mention in its decision the evidence that is irrelevant for consideration of the complaint or has no evidential value.
5. Circumstances (facts) to be proven with particular means of proof as established by the laws may not be proven in any other manner.
6. Either original written evidence or a duly certified copy of it may be submitted. If a copy of written evidence is submitted, a referendum commission may request to see the original or demand and obtain the original on its own initiative. After consideration of the complaint, the referendum commission shall, upon request of the owner of the original, return the document and keep a duly certified copy thereof in the complaint file.
7. The referendum commission shall evaluate relevance and reliability of every piece of evidence as well as sufficiency and interrelation of the pieces of evidence as a whole pursuant to the laws. No evidence shall have previously established force except for the circumstances and facts established by an effective court decision.

Article 105. Decision of a complaints authority following hearing of a complaint

1. A decision of a complaints authority shall be fair, lawful and substantiated.
2. When a complaints authority considers a complaint against a decision of the subject of complaint, it shall decide:
 - 1) whether the subject of complaint has made the contested decision;
 - 2) whether the subject of complaint has made the contested decision in a lawful manner;
 - 3) whether the contested decision has been made within the subject of complaint's mandate and according to procedures established by law;
 - 4) what legal regulations should be applied to this legal relation and whether hearing of the complaint is within the complaints authority's mandate;
 - 5) whether every demand of the complainant should be satisfied or dismissed;
 - 6) whether the infringed lawful rights or legal interest of the complainant should be otherwise rectified;
 - 7) what decisions the parties should be obliged to make or what actions to take arising from cancellation of a decision.

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3. When a complaints authority considers a complaint against an action (omission thereof) of the subject of complaint, it shall decide:

- 1) whether the contested action (omission thereof) of the subject of complaint has taken place;
- 2) whether the subject of complaint has performed the contested action (omission thereof) in a lawful manner;
- 3) what legal regulations should be applied to this legal relation and whether hearing of the complaint is within the complaints authority's mandate;
- 4) whether every demand of the complainant should be satisfied or dismissed;
- 5) whether the infringed lawful rights or legal interest of the complainant should be otherwise rectified;
- 6) what decisions the parties should be obliged to make or what actions to take arising from recognition of the actions (omission thereof) as unlawful.

4. When an complaints authority considers the substance of a complaint, it may decide to satisfy it fully or partially or dismiss it.

5. If a complaint is satisfied, the complaints authority may decide to:

- 1) recognize that the subject of complaint's decision or part thereof, actions or omission thereof do not comply with the laws on referendum, infringe citizens' right to participate in a referendum as well as rights and legal interests of a party to the referendum process;
- 2) annul the decision;
- 3) oblige the subject of complaint to take actions established by the laws regulating organization and conduct of the national referendum;
- 4) oblige the subject of complaint to avoid taking certain actions;
- 5) otherwise remedy the infringed civil rights, and the rights and legal interests of the party to the referendum process;
- 6) oblige the subject of complaint to take actions which are established by the referendum laws and arise from cancellation of the decision and/or recognition of the contested actions or omission thereof as unlawful.

6. Having decided that actions or omission thereof do not comply with the national referendum laws, the complaints authority shall grant the complaint. The complaints authority may grant all or a part of the complainant's demands.

7. If a court recognizes a decision of a respective referendum commission as unlawful, the referendum commission or a higher referendum commission shall make a decision on this issue on the basis of the court ruling. If the decision is not recognized as invalid on formal grounds, the referendum commission may not take a decision which repeats in its substance the decision recognized as unlawful.

8. Acting on the basis of a complaint, court ruling, or on its own initiative, a higher referendum commission may cancel a decision of a lower commission and decide on the issue or oblige the lower referendum commission to reconsider the issue.

9. A complaints authority shall dismiss the complaint if it establishes that decisions, actions or omission thereof of the subject of complaint have been made in compliance with the law, within its mandate as prescribed by law and have not infringed voters' rights or rights and legal interests of other parties to the referendum process.

10. A copy of the decision of a complaints authority shall be handed or sent to the complainant, subject of complaint, the parties concerned, and a respective referendum commission no later than the next day following the decision or immediately if the decision is made the day before the polling day or on the polling day .

Article 106. Appealing decisions, actions or omission thereof by particular subjects of complaint

1. Actions or omission thereof shall be appealed with a court if they are performed by an executive agency, local government, company, establishment, institution or organization, their officials or officers, where such actions or omission thereof relate to their failure to discharge their obligations imposed by this Law, unlawful intervention into activities of the referendum commissions or their members, and failure to comply with referendum campaign legislation.

2. An appeal shall be filed with a court against actions or omission thereof by a media organization, its owner, official or employee who violates procedures established by the law for media work during referendum process and/or other requirements of referendum campaign legislation.

3. Actions or omission thereof by the initiative group, other parties initiating the referendum, and official observers representing parties to the referendum process shall be appealed with a court.

Section 12

FINAL PROVISIONS

Article 107. Liability for breach of the national referendum legislation

1. Persons in breach of the referendum legislation shall bear disciplinary, administrative and criminal liability as established by law.

Article 108. Storing referendum documents, other documents of referendum commissions and valuables

1. Following official announcement of the referendum results, the Central Election Commission shall transfer referendum documents and other documents to be archived, including referendum precinct vote count protocols and referendum district poll protocols, to a respective central state archives; the referendum district commissions shall transfer such documents to a respective local state archives.

2. Referendum documents that are not to be stored at the National Archives shall be transferred by referendum district commissions to local archives set up by local executive authorities or local governments pursuant to the Law of Ukraine *On the National Archives and Archival Institutions*.

3. The Central Election Commission shall establish a list of referendum documents and other documents to be stored at the national and other archival institutions and procedures for transferring them to these institutions subject to approval by a central government agency responsible for archive-keeping and document management.

4. Ballots, checklists, referendum voters lists, reports, applications, complaints against violations of this Law during the vote and vote count, referendum commissions' minutes, protocols and decisions shall be kept by local archival institutions for two years after the official announcement of referendum results whereupon they shall be destroyed according to established procedures.

5. The Central Election Commission shall establish a list of national referendum documents to be stored at the archives.

6. Archival institutions shall provide access to national referendum documents according to procedures established by the laws of Ukraine.

7. Local executive authorities and local governments shall make sure that ballot boxes, voting booths, seals and stamps of referendum precinct commissions and referendum district commissions are duly stored after the commissions terminate their activities.

Section 13

MISCELLANEOUS

1. This Law shall take effect on the day of its official publication.
2. The Cabinet of Ministers of Ukraine shall, within one month of official publication of this Law:
 - develop proposals on bringing the laws of Ukraine in compliance with this Law and submit the proposals to the Verkhovna Rada of Ukraine;
 - bring its regulations in compliance with the Law;
 - take efforts to adopt the regulations established by this Law;
 - oversee ministries and other central executive authorities canceling their regulations which are in conflict with this Law.
3. The Central Election Commission shall, within one month of official publication of this Law, bring its regulations in compliance with this Law.
4. The Law of Ukraine *On National and Local Referenda* shall be recognized as invalid from the day of official publication of this Law (the outdated law published in Vidomosti Verkhovnoi Rady Ukrainy, 1991, No.33, p. 443; 1992, no.35, p. 515; 2001, no.49, p. 259; 2010, no.48, p. 564; as amended by Law of Ukraine No. 5029-VI dated July 3, 2012).

President of Ukraine

Viktor Yanukovych

Kyiv
November 6, 2012
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