

Act

No. 180/2014 in the Collection of Laws

Of 29 May 2014

On the Conditions of Electoral Law and change and completion of certain laws, as amended by Act no.356/2015

The National Council of the Slovak Republic has approved the Act as follows:

FIRST PART

Basic provisions

Section 1

Subject Matter

This Act governs the conditions of electoral law and the organization of elections to the National Council of the Slovak Republic, elections to European Parliament, elections of the President of Slovak Republic, plebiscite regarding the removal of President of Slovak Republic, elections to the territorial self-governing bodies and the process of declaration of referendum according to art.93-99 of Slovak Constitution (further as “the elections”).

Section 2

Principles of Electoral Law

The elections shall be conducted on the basis of a universal, equal and direct electoral franchise, by means of secret ballot.

Section 3

Right to Vote

The right to vote has everyone who turns the age 18 years, the latest on the polling day, according to conditions set out in particular provisions (further as an “elector”).

Section 4

Legal Barriers of the right to vote

A person is incapable of exercising the right to vote if he or she is:

a) subject to restrictions on personal freedom imposed by law for the protection of public health,

b) he or she is serving an deprivation of liberty sentence for the commitment of particularly serious crime,

c) he or she is deprived of the legal capacity.

Section 5

The right to be elected

The conditions of right to be elected are establish, in special provisions, further in this Act.

Section 6

Legal Barriers of the right to be elected

A person cannot be elected if he or she:

a) is serving an deprivation of liberty sentence,

b) is lawfully sentenced for perpetration of deliberate criminal act, if this sentence has not been extinguished,

c) is deprived of the legal capacity.

Section 7

Electoral Districts

The electoral districts are established further in this Act, in particular provisions.

Section 8

Polling Districts

(1) For the casting and counting of votes, a mayor of municipality, city mayor, in the capital city of Slovak Republic, in Bratislava, and mayor of city districts in the city of Košice (further as “municipality mayor”), creates the polling districts and organizes polling stations, according to time period stated in the Declaration of Elections. When organizing the polling stations, the municipality mayor shall especially account for the easiest access to the polling stations for the people with disabilities.

(2) A polling district shall include approximately one thousand electors.

(3) The polling districts are indicated by Arabic numbers in continuous numerical series. In the capital city of Slovakia, in Bratislava, and in the city of Košice, the polling districts are indicated by independent numerical series in each city section (district).

Section 9

Permanent electoral register

(1) The permanent register of electors (further as a "permanent register") shall be compiled and maintained by each municipality and in the case of the Slovak Republic's capital city Bratislava and the city Košice, each borough thereof (in this Act referred to as a "municipality"). In the permanent register, a municipality shall register the names of electors who have permanent residence in municipality. An elector shall be enlisted only in one permanent register.

(2) In the permanent register, the electors are alphabetized according to their surnames.

(3) The permanent register contains these information about electors:

a) the name and surname,

b) the identification number, in the case of a foreigner also his date of birth if he does not have an identification number,

c) the nationality,

d) the address of permanent residence.

(4) The municipality strikes off the permanent register an elector who:

a) changed his permanent address to a different municipality,

b) died or was presumed to be death,

c) terminated his permanent residence in Slovak Republic.

(5) The municipality shall make a change in the permanent register if the elector changed his name, surname or the address of permanent residence in municipality.

(6) A municipality shall keep under review any facts that require a change in the permanent register. A municipality shall make such changes on the basis of:

a) its own records, or

b) notification from a state body or another municipality, or

c) results of objection proceedings.

(7) The state bodies and municipalities which decide on the personal status of citizens, or keep records about citizens as a function of the civil service, shall forthwith notify respective municipalities of cases when citizenship of the Slovak Republic is obtained or lost, an elector

dies or an elector's death is presumed, an elector's first name or surname is changed, a person becomes eighteen years old, legal capacity is revoked, or permanent residence is changed.

(8) There must be a space for the correction of mistakes and marking the legal barriers for the right to vote in the permanent register.

Section 10

Objection proceedings

(1) An elector may verify during the office hours whether he or she is registered in a permanent register and may request that the registered information be supplemented or corrected. A municipality shall carry out such a request or within three days inform the elector in writing why the request cannot be carried out.

(2) If a municipality does not correct a mistake or omission in the permanent register, the elector concerned may submit a petition to the competent court to order the municipality to correct or complete the information about him or her in the permanent register. Such proceedings are subject to a separate law. On the basis of such court decision, a municipality shall amend the permanent register; on the polling day, the polling district commission shall so amend the register of electors eligible to vote in the polling district (further as an "electoral register").

Section 11

Register of Electors

(1) The municipality should draw up the register of electors from the permanent register for particular polling districts, in the case of the register of electors for the elections to the European Parliament, the section 75 shall also apply.

(2) The register of electors should be delivered by the municipality to the polling district commission, one hour before the start of poll at the latest.

(3) The name of an elector will be added to the register of electors by the polling district commission on the day of poll if it is specially stipulated further in this Act.

(4) Every person, who becomes acquainted with the data from the register of electors is obligated to remain silent.

(5) The creation of particular list of electors is established further in this Act.

Section 12

General Provisions

(1) The elections are administered by the State Commission for Elections and Control of Financing of Political Parties.

(2) The district electoral commissions and polling district commissions are established for the purposes of elections. Establishment of any other electoral commissions is stated further in this Act.

(3) The electoral bodies, for the purposes of this Act, are:

a) the Ministry of Internal Affairs

b) the Statistical Office of the Slovak Republic ("Statistical Office"),

c) the district authorities,

d) the self-governing district,

e) the municipality.

Section 13-17

Excerpt from Act No. 180/2014 Coll. on the Conditions of the Right to Vote and on amendments and supplements to certain laws

State Commission for the Elections and Control of Political Parties Funding

Section 13

(1) A State Commission is established for elections and the control of funding for political parties (hereinafter referred to as "the State Commission") as an independent body to oversee the funding of political parties and political movements (hereinafter referred to as "the political party"), the management of elections, and the monitoring of election results. The State Commission has 14 members. Ten members of the State Commission are delegated by political parties which in recent elections have gained representation in the National Council of the Slovak Republic, in proportion to the number of seats obtained. The number of members of the State Commission appointed by political parties that formed the government must be equal to the number of members of the State Commission delegated by other political parties represented in the National Council of the Slovak Republic. This equality shall be maintained throughout the functional period of the State Commission. One member of the State Commission is delegated

by the President of the Constitutional Court of the Slovak Republic, the President of the Supreme Court of the Slovak Republic, the Attorney General and the President of the Supreme Audit Office.

(2) The Chairmans of the political parties, President of the Constitutional Court of the Slovak Republic, the President of the Supreme Court of the Slovak Republic, the Attorney General and the President of the Supreme Audit Office shall notify to the President of the Slovak National Council about the name, surname, academic degree, date of birth, educational attainment and permanent residence address of the State Commission member no later than 60 days after the election announcement results for the National Council of the Slovak Republic; with the notification they shall enclose the State Commission member's extract of Criminal Register no older than three months, along with document of their educational attainment. The President of the Slovak National Council shall issue a certificate to the State Commission members, stating that they are members of the State Commission, within 15 days from the expiry of the period stated in the first sentence. The President of the State Commission is elected by the National Council of the Slovak Republic through a secret ballot from all members of the Commission.

(3) The functional period of the State Commission's office begins on the date of taking a pledge pursuant to Paragraph 18, Section 3, by the members of the State Commission, and ends on the date of taking a pledge by the new members of the State Commission. The pledge is taken to the President of the National Council of the Slovak Republic on the day when certificates regarding State Commission membership are handed over.

(4) Membership in the State Commission is a public function. A member of the State Commission may be a Slovak citizen who has permanent residence in the Slovak Republic, is unimpeachable legal capacity, with a master's degree and who has reached at least 35 years of age. The same person may be a member of the State Commission for a maximum of two consecutive terms of office.

(5) Unimpeachable for the purpose of this Act is someone who has not been convicted of an offense. Integrity is demonstrated by an extract from the Criminal Register no older than three months.

(6) The function of a State Commission member ceases upon:

a) the expiration of the office term.

b) resignation from the function.

c) if a member of the State Commission no longer meets the conditions for the exercise of the function under Section 4 or Paragraph 14.

d) due to the change of the political forces pursuant to Section 1 through a decision of the political party that appointed them.

(7) If there is a vacant position for a State Commission member, a new member will be appointed for the remaining term of office. A new member will be announced to the President of the National Council of the Slovak Republic by whoever delegated the member of the State Commission whose function was vacated, no later than seven days after the vacancy of the office; if there is a change of proportion of political powers, a new member of the State Commission for the remaining term is delegated by that political party, to whom the right belongs based on proportional representation. The President of the National Council of the Slovak Republic shall issue a certificate of membership in the State Commission to the new member on the day when the pledge is taken.

(8) The office of the State Commission member shall not be exercised in an employment relationship.

(9) A member of the State Commission shall be entitled to a monthly remuneration for the performance of duties in the amount of 1.5 times the average monthly wage of an employee in the economy of the Slovak Republic for the preceding calendar year, rounded up to the nearest whole euro. The President of the State Commission receives a special bonus of 30% of the monthly remuneration. A member of the State Commission shall be entitled to a reimbursement of justified travel expenses associated with the performance of their function under a special regulation.

(10) A member of the State Commission also contributes to health insurance, sickness insurance and pension insurance in the same manner as an employee.

(11) A Member of the State Commission shall immediately notify whoever has appointed them to the State Commission about all the facts due to which they cannot perform their function. They are also required to submit a certificate of membership in the State Commission to the President of the National Council of the Slovak Republic.

(12) The details of membership of the State Commission, the abolishing of the State Commission, the procedures of political parties for delegating members of the State Commission, and the rules for electing the President of the State Commission shall be regulated by the statute of the State Commission, approved by the National Council of the Slovak Republic.

Section 14

The office of the State Commission member is incompatible with the candidacy for the office of:

- a) president of the Slovak Republic.
- b) member of the National Council of the Slovak Republic.
- c) member of the European Parliament.
- d) president of a self-governing region.

- e) member of a regional council.
- f) town mayor.
- g) member of the municipal council.

Section 15

(1) The activities of the State Commission are managed by its Chairman.

During his/her absence he/she is represented by the member of the State Commission, who is authorized by Chairman in paper form. A member of the State Commission representing the Chairman does not receive additional payment under Paragraph 13, Section 9, and has no right under Section 2, last sentence.

(2) The State Commission decides in an assembly. The State Commission constitutes a quorum if at least three quarters of its members are present at the meeting. The validity of the decision shall be passed by a majority vote of all members. If the State Commission votes on whether an election moratorium on publishing public opinion surveys was violated, as well as concerning the registration of the list of candidates or the deletion of a candidate from the list of candidates, three-quarters of the votes from all State Commission members are needed to approve the resolution. If there is a draw in the votes, a decisive vote is cast by the Chairman of the State Commission.

(3) The details of the negotiations, the decision-making of the State Commission, and the participation in its meetings are governed by the Rule of Procedure, approved by the State Commission with a three-quarters majority of votes from all members.

(4) The office of the State Commission (hereinafter referred to as “the Office”) is established at the Ministry of Interior as a separate organizational unit. The Head of the Office shall attend the meetings of the State Commission without the right to vote.

(5) The Ministry of the Interior determines the structure of the Office after consultation with the State Commission. The Ministry of the Interior discusses the termination or modification of the state office employee’s civil service and the termination or change of their employment during the work performance in the public interest in advance with the President of the State Commission.

(6) The expenditure on the State Commission and Office activities shall be paid from the budget of the Ministry of Interior. The Ministry of Interior shall consult the budget for the activities of the State Commission with the State Commission. The Ministry of Interior provides organizational, material-technical, and personnel conditions for the activities of the State Commission and the Office.

(7) The Ministry of Interior:

- a) performs a professional and administrative role relating to the State Commission department in electoral matters.
- b) provides the printing of ballots.
- c) issues samples of electoral forms and envelopes and ensures their production.
- d) directs municipalities in shaping electoral constituency, compiling register of electors, equipping polling station and performing the safekeeping of election documents.
- e) defines a system of electronic communication between electoral authorities.
- f) provides methodological and information tools for municipalities and electoral authorities necessary for their activities.
- g) cooperates with the European Commission in matters of elections for the European Parliament.
- h) performs other tasks according to specific sections of this Act.

(8) After agreement with the Ministry of Finance of the Slovak Republic, the Ministry of Interior shall govern the following through a generally binding regulation:

- a) the sum of remuneration of members and reporting clerks in election commissions
- b) details concerning payment the remuneration of members and reporting clerks in election commissions

(9) The Statistical Office creates professional summarization units for the preparation of processing and processing of the election results for the State Commission, district electoral commissions, the electoral commissions of self-governing regions, and circuit electoral commissions. The Statistical Office creates the summarization unit also for the local election commission, if voting results for more than 50 electoral constituency are being counted.

(10) A member of the professional summarization unit swears the following to the Election Commission: "I pledge on my honor that I will faithfully and impartially perform my duties and I will comply with the Constitution and laws of the Slovak Republic."

(11) Professional summarization units of electoral commissions perform duties under the programming and organizational processing of election results and perform other tasks as directed by the relevant election commissions. The expenditure for the activity of the professional summarization units is paid for from the budget of the Statistical Office.

(12) The State Commission invites the head of the professional summarization unit to its meetings, whenever the subject of negotiation concerning matters on the preparation and

processing of election results and the preparedness of the professional summarization units under electoral commissions for the performance of duties under this Act.

(13) After the agreement with the Ministry of Interior, the Statistical Office shall issue guidelines for processing election results.

Section 16

(1) The State Commission:

- a) examines and registers the lists of candidates for elections to the National Council of the Slovak Republic and the European Parliament elections.
- b) supervises the preparation of electoral commissions at lower levels to perform their duties under this Act.
- c) manages the professional summarization unit during the performance of duties under this Act.
- d) controls the financing of political parties.
- e) controls the funding and management of election campaigns.
- f) is an appellate body against the decision of the Ministry of Interior issued pursuant to special regulations in matters of political party and election campaign funding.
- g) negotiates the allocation of broadcasting time on television and radio during election campaigns based on a proposal from the broadcaster.
- h) learns the results of the mail voting by persons entitled to vote who do not have permanent residence in the Slovak Republic, and draws up the minutes concerning the outcome of the mail voting by persons entitled to vote, who do not have permanent residence in the Slovak Republic.
- i) learns and publishes interim and overall election results.
- j) draws up a report on the election results.
- k) issues certifications on election to candidates elected as members of the National Council of the Slovak Republic and European Parliament members.
- l) announces the succession of an alternate Member of the European Parliament.
- m) notifies the President of the National Council of the Slovak Republic on the succession of an alternate member, or the non-application of mandate in the cases laid down by the law in specific sections.
- n) manages the processing of voting results.

o) hands over the electoral documents for safekeeping to the Ministry of Interior.

p) performs other tasks according to the specific sections of this Act and under special regulations.

(2) In the performance of duties under this Act and special regulations, the State Commission cooperates with the Ministry of Interior and the Statistical Office.

(3) The State Commission provides political parties and candidates with methodological assistance and advice on the rules for the financing of political parties and election campaign financing.

(4) The Office:

a) plays the role of the State Commission Secretariat.

b) controls the performance of duties arising for natural and legal persons from legislation governing the funding of political parties and election campaigns.

c) performs the tasks stipulated by special regulations.

d) performs other tasks as directed by the State Commission.

Section 17

A candidate for a member of the National Council of the Slovak Republic, a European Parliament Member, a President of the Slovak Republic, a President of Self-governing Region of an autonomous region, a regional council member, a town mayor, and a municipal council member must not be a member of the election commission in the elections in which they are candidating.

Section 18

(1) A person who is 18 years old, has the legal capacity and permanent residence in the territory of Slovak Republic may become a member of Electoral Commission.

(2) The Electoral Commission shall consist of at least five members. The process of creation of electoral commissions is regulated further in this Act.

(3) The member of electoral commission signs the following oath in order to take charge of his function: "Hereby I pledge on my honor, that I will conduct the tasks related to my function conscientiously and impartially and according to the Slovak Constitution and laws."

(4) The Electoral Commission shall have a quorum when more than a half of its members is present. For a commission to approve a resolution, a majority of present members must vote for

it. Where the votes are equal, the proposal shall be deemed as rejected. The minutes (record) shall be taken during a meeting of an electoral commission.

(5) The chairperson and deputy chairperson of an electoral commission shall be chosen by drawing lots among all members of the commission at its first meeting. This process shall be supervised by the electoral officer of the commission.

Section 19

(1) The electoral officer of an electoral commission shall serve as an expert advisor to the commission. At the same time, he or she shall make the organisational and administrative arrangements related to the preparation and organization of commissions meetings. An electoral officer has an advisory vote in discussions of the commission. The expenses related to the function of an electoral officer are covered from the States budget.

(2) The electoral officer is sworn to his function by the following oath: “Hereby I pledge on my honor that I will carry out tasks connected to my function conscientiously and impartially and according to the Slovak Constitution and laws.”

(3) The electoral officer of the State Commission for Elections and Control of Financing of Political Parties shall be appointed by the Government of Slovak Republic, the Minister of Internal Affairs advances the suggestion after an agreement with State Commission for Elections and Control of Financing of Political Parties. The appointment and removal of the electoral officer of district electoral commission and polling electoral commission is set out further in this Act.

(4) The electoral officer of polling district commission is appointed and removed by the mayor of municipality.

(5) The electoral officers shall be appointed by the competent state body in sufficient time to be able to fulfil their duties pursuant to this Act.

Section 20

Declaration of elections and the period for its conduction

(1) The declaration of elections shall be promulgated in the Collection of Laws of the Slovak Republic.

(2) The declaration of elections indicates:

a) the date of elections

b) the time period for creation of polling districts and determination of polling stations,

- c) the time period for creation of electoral commissions and its first meeting,
- d) any other facts that are required by the law.

(3) The elections shall be held on one day, a Saturday. Elections shall be conducted from 7 a.m. until 10 p.m. If the local conditions require, the mayor may bring forward the start of polling by not more than two hours.

Section 21

Notification of electors

(1) The municipality shall, no later than 10 days since the declaration of elections, publish at its office board and website, if it has one, the information about the conditions for the right to vote and right to be elected. According to the particular provisions, the municipality shall publish the above mentioned information also in the language of national minority. The example for the municipality, shall be provided by the Ministry of Internal Affairs via district office. It will be also published at its website.

(2) In the case of elections to the European Parliament, the municipality shall send to the electors who are citizens of different European member states, no later than 10 days since the declaration of elections, the information about the conditions for the right to vote and right to be elected. The example for the municipality shall be provided by the Ministry of Internal Affairs which shall publish the above mentioned information in Slovak and English language at its website.

(3) The municipality shall send to each household a notification stating the time of polling, the polling district, polling station where the elector may vote, information about the duty to show proof of identity before voting, and it shall do so not later than twenty-five days before the polling day. These information shall be also published in the language of national minority according to special provisions.

(4) There where the detention and the punishment of imprisonment take place (further as “Institute”), the information regarding the conditions of right to vote shall be provided to the accused and sentenced by this Institution. The Institution shall also inform the accused and sentenced about the possibility of a written request of the ballot papers from the municipality in which electoral register they are registered. The form for this request shall be provided by the Institution.

Section 22

Polling section and its equipment

(1) A sign announcing the “polling Section” together with the number of polling district shall be placed at the entrance to the polling section. According to particular provisions, the municipality shall mark the polling section also in the language of national minority.

(2) The State Flag and State Coat of Mark shall be placed at the front side of the polling section.

(3) The ballot box, portable ballot box, ballot box for unused and defective ballot papers, the registry of electors, new forms of the registry of electors for the purposes of adding electors, adequate number of ballot papers and sufficient number of non-transparent envelopes of the same size, quality and color which are stamped with the official seal of the municipality (in this Act referred to as an "envelope"), and adequate number of the polling district commission's report of conduct and the results of voting in the polling district shall be placed at the polling station.

(4) Ballot papers with the sign stating "Example" and the information regarding the voting shall be placed inside the polling station or in front of its entrance. According to particular provisions, the municipality shall state the above information also in the language of national minority, in the case of referendum, the proposals which are the subject of referendum shall be also available in the language of national minority. The texts of proposals in the language of national minorities shall be provided by the Ministry of Internal Affairs via district authorities. The texts shall be also published at the Ministry's website.

(5) The polling section shall be equipped with separate areas for the amendment of ballot papers (polling booths) and with writing material. The number of polling booths is determined by the municipality taking into account the number of electors in respective polling districts.

(6) The municipality is in charge of equipping the polling station.

Section 23

Start of Polling

Before the start of polling, the chairman of a polling district commission shall inspect in the presence of members of the commission whether the ballot stations is equipped in accordance with section 22, he shall inspect if the ballot box and the portable ballot box are empty and then seal both ballot boxes. The chairman shall then declare the start of polling.

Section 24

Method of voting

(1) An elector shall vote in the order according to the sequence when he arrived to the polling station. He has to vote in person, no substitutes (proxies) are allowed.

(2) After entering a polling station, an elector shall prove his or her identity by his ID card or by any other officially issued document which encompasses the photography of elector and all personal information about the elector which are listed in the registry of electors. The polling district commission shall then circle the consecutive number of the elector in the electoral registry and give the elector the ballot papers and an empty envelope. The elector shall confirm the acceptance of ballot papers and envelopes by his signature; if he is not able to confirm the acceptance by his signature the chairman of district polling commission shall note this fact into the registry of electors. An elector who does not show his or her identity card until the end of polling shall not be allowed to vote. The same shall apply also for the voting outside of polling station. In the case of an elector who is accused or sentenced for a crime, the elector shall prove

his identity by the card of accused, or the card of the sentenced, or by the testimony of two members of Penitentiary and Justiciary Force present at the Institution where the polling takes place.

(3) After receiving the ballot papers and an envelope, an elector shall go to a polling booth. In the polling booth, an elector shall place in the envelope one ballot paper which he adjusts in accordance with particular provisions. The elector who does not enter the polling booth shall not be allowed to vote by the polling district commission.

(4) On the request of the elector, the polling district commission shall lay out for him a new set of ballot papers in exchange for the defective ones. The defective ballot papers shall be placed by the elector into a ballot box for unused ballot papers.

(5) To cast a vote, an elector shall leave the polling booth and place the envelope in the ballot box in front of the polling district commission.

(6) An elector who is unable to mark a ballot paper owing to his physical disability, or an inability to read or write, shall notify the polling district commission about these facts before voting. He or she shall have the right to be accompanied in the polling booth by another elector, who is not a member of the polling district commission, for the purpose of marking his or her ballot paper according to his or hers instructions and placing it in the envelope. Both electors shall be instructed about the voting and merits of the crime of obstruction of preparation and continuity of elections and referendum by a member of commission.

(7) For serious reasons, in particular of health, the polling district commission may allow an elector on request to cast his or her vote outside the polling station and within the polling district for which the polling district commission was established. In such a case, the polling district commission shall send to the elector two of its members together with the portable ballot box, envelopes and ballot papers; these members of the commission shall ensure that secrecy of voting is observed. The elector's participation in voting shall be registered by the polling district commission in each copy of the electoral register immediately after the two commission members sent with the portable ballot box have returned to the polling station.

(8) In the case that the voting takes place in the Institution, the Institution shall set out the time of voting to the portable ballot box with competent polling district commission.

(9) An elector who owing to a physical disability is not able to place the envelope into the ballot box may on request have it done on his or her behalf and in his or her presence by another elector who is not a member of the polling district commission.

(10) It is mandatory for the elector to place aside the ballot papers which has not been used or the defective ballot papers into a special ballot box for these purposes. In the case that the voting takes place outside of polling station, the elector shall discard the above mentioned ballot papers in front of the commission's members.

Section 25

In the case that circumstances interrupting either the start, continuation, or end of polling occur, the polling district commission may either postpone the start of polling or extend the time for polling. However, the total time for polling must not be shortened by such measures. A polling district commission shall inform electors of such measures in a manner customary thereat. In the case that polling is interrupted, a polling district commission shall seal the electoral documents and ballot boxes. At the resumption of polling, the polling district commission shall check that the seals have not been broken. The circumstances which interrupted the start, continuation, or end of polling, and the fact that the seals were not broken, shall be stated by the polling district commission in its record of the conduct and result of polling for the polling district.

Section 26

Order in the polling station

The chairman of the polling district commission, and in his or her absence the deputy chairman, shall be responsible for maintaining the order at the polling station. Instructions on maintaining the order in the polling station and on the proper conduct of polling shall be binding for all present.

Section 27

Presence in the polling booth and observance of elections

(1) Persons entitled to be present in the polling station shall include apart from the members of the polling district commission, its electoral officer, members of higher electoral commissions, members of their expert summary bodies, and electors, also the observers sent by international organizations.

(2) The proxy of an independent candidate shall have a right to be present during the conduct of the elections and counting of votes at the polling station. The municipality is obliged to detach separate room for the proxy of independent candidate and the members of international organizations at the polling station. Such persons may be excluded from the polling station in the case that their presence would pose a threat to the conduct of the elections and counting of votes.

(3) Other persons, who manifested an interest to observe the conduct of the elections and counting of votes, shall have a right to be present at the polling stations also. Such persons may be excluded from the polling station in the case that their presence would pose a threat to the conduct of the elections and counting of votes, or because of the lack of capacity at the polling station.

Section 28

End of polling

When the time set for the end of polling elapses, votes may only be cast by those electors who are inside or in front of the polling station. The polling station shall then be closed and the chairman of the polling district commission shall declare the end of polling. The chairman of polling district commission shall then put aside the ballot box for defective and unused ballot papers, to a specific place, in order to prevent any manipulation with this ballot box.

Section 29

Process after the end of polling and evaluation of validity of ballot papers and envelopes

- (1) After the end of polling, the chairman of polling district commission shall have the remaining unused ballot papers and envelopes sealed and the ballot box opened. If a portable ballot box was used by the polling district commission on the request of citizens, the contents of both ballot boxes, after being opened, shall be mixed.
- (2) The polling district commission shall take envelopes with ballot papers from the ballot box, count them, and compare their number with the entries in the electoral register. Envelopes which do not meet the terms pursuant to section 22(3), and ballot papers which were not in an envelope, shall not be taken into account by the polling district commission.
- (3) The damage (spoiling) of ballot paper or an envelope shall not have influence over its validity. The obliteration and writing into the ballot papers shall not be observed.
- (4) In the case of doubt over the validity of an envelope, ballot paper or preferential vote, the polling district commission shall have the final decision on its validity.

Section 30

The record of polling district commission

- (1) The polling district commission shall make a record of the conduct and result of polling in the polling district, in two counterpart copies. The record shall be signed by the chairman and other members of the commission.
- (2) The above mentioned record may be created by the polling district commission also in the electronical form determined by the Statistical Office. The Statistical Office shall allocate a special identification code for this record. After the production of previously mentioned record in the electronical form, two printed counterpart copies shall be signed by the chairman and other members of the commission. Consequently, the record in electronical form and its printed and signed copy shall be send to the competent polling commission.
- (3) The essentials of the record of conduct and result of polling in a polling district are enumerated further in this Act.
- (4) If any of the members of polling district commission did not sign the record of the conduct and result of polling in the polling district, he or she may specify, in the record, the reasons why

he or she decided not to sign the record. The fact that someone did not sign the record does not have any influence over the validity of record

Section 31

Activity of polling district commission after the signature of polling district commissions record

- (1) After the signature of each counterpart of the record of the conduct and result of polling in the polling district, the chairman of the polling district commission shall announce the result of polling.
- (2) A polling district commission shall send the other electoral documents to the municipality for safekeeping.

Section 32

Record of district electoral commission

- (1) The district electoral commission shall make a record of the conduct and result of polling in two counterpart copies. The record shall be signed by the chairman and other members of the commission. If any member of the polling district commission does not sign the record, he or she may state the reasons for not doing so. The fact that someone did not sign the record does not have any influence over the validity of record.
- (2) The essentials of the record of the conduct and result of polling made by a district electoral commission are enumerated further in this Act.

Section 33

Record of State Commission for Elections and Control of Financing of Political Parties and publication of results

- (1) The State Commission for Elections and Control of Financing of Political Parties shall make a record of the result of elections in two counterpart copies. The record shall be signed by the chairman and other members of the commission. If any member of the polling district commission does not sign the record, he or she may state the reasons for not doing so. The fact that someone did not sign the record does not have any influence over the validity of record.
- (2) The State Commission for Elections and Control of Financing of Political Parties shall publish the results of elections after the record of the results of elections is signed, it may also publish the consecutive results. The results shall be published via expert offices for the summarization at the Statistical Office website.
- (3) The essentials of the record of election's result are set out further in this Act.

Section 34

Material and personal security of electoral commissions

(1) Material resources necessary for the function of electoral commissions and persons securing the organizational and technical preparation of elections and its conduct are provided for:

a) the State Commission for Elections and Control of Financing of Political Parties by the Ministry of Internal Affairs,

b) the district polling commission by the district authorities,

c) the polling district commission by the municipality, in the city for the city polling commission by the city in which territory it is created.

(2) The authorities mentioned in art.1(a,b) shall secure the placement of the expert office for summarization of the electoral commission.

Section 35

Cooperation of public authorities

The public authorities are obliged to cooperate in implementation of this Act.

Section 36

Rights of members of electoral commissions

(1) The member of an electoral commission must not be, as a result of performing this office, restricted in his or her rights and entitlements arising from employment or similar working relations, he or she shall have the right to take a vacation (time off) with either reimbursement of salary, or a payment equivalent to his or her average monthly income. The self-employed person (self-contractor) is entitled to the reimbursement equivalent to the respective part of the minimum salary among employees who are paid monthly. The performance of the office of a member of an electoral commission or an electoral officer of a polling district commission represents the other act in general interest.

(2) The employer who has reimbursed the salary, pursuant to art.1, shall have the right to be reimbursed accordingly. The employer and self-employed person shall file a claim pursuant to art.1:

a) at the District Office where the person is a member of a district electoral commission,

b) at the municipality where the person is a member of a polling district commission.

(3) The reimbursement pursuant to art.1 shall be paid within the 30 days from filing the claim.

(4) The member or electoral officer of a polling district commission shall have the right to remuneration for polling day if he or she is not entitled to reimbursement of wages or salary for this day pursuant to art.1. The reimbursement is paid to the member of commission by the municipality. The reimbursement for the electoral officer is paid by the authority which shall secure the functioning of electoral commission as stated in section 34.

Section 37

Reimbursement of election-related expenses

- (1) The expenses related to elections shall be covered from the State's budget.
- (2) The Ministry of Internal Affairs shall govern the municipalities, districts and district authorities when spending the financial resources for preparation, conduct and determination of election's results.

Section 38

Proceedings and measures against inactivity

- (1) The proceedings according to this Act, except sections 40 and 41, is not governed by the general provisions of administrative proceedings Act.
- (2) If the municipality fails to fulfill its duties according to this Act, the head of district office shall immediately secure the fulfillment of its duties from the financial resources allocated to the municipality from the State's budget. The head of district office is, for these purposes, entitled to govern the municipalities and impose tasks for the municipalities.

Section 39

Safe keeping of electoral documents

- (1) The electoral commissions submit the electoral documents for safe keeping to the municipalities, district authorities, municipal districts and the Ministry of Internal Affairs. The submission of electoral documents is addressed further in this Act. Protocol which should encompass the registry of submitted electoral documents shall be created during the submission of electoral documents. This Protocol shall be signed by the members of particular electoral commissions and persons responsible for taking over the documents.
- (2) The electoral documents become, starting with the day of safe-keeping of the documents pursuant to art.1, a part of registry of the administrative body which took them into safe-keeping and shall be regulated according to the policy of this registry.
- (3) Special provisions shall govern the declassification of election's results reports. Only the court and bodies active in criminal proceedings shall have access to look into the electoral documents.

Section 40

Offenses

The offense is committed by the person who:

- a) after the voting does not put the not used ballot papers to the ballot box intended for it,
- b) does not obey the instructions for the preservice of order in the polling station according to section 26,
- c) requests the registration into the registry of electors both in Slovak Republic and simultaneously in another EU Member state during the elections to the European Parliament,
- d) presents in the declaration on oath to the list of candidates false information.

Section 41

- (1) The district authority shall inflict a fine of 33 euro for the offense pursuant to section 40(a,b) and a fine of 100 euro for an offense pursuant to section 40(c,d).
- (2) The offenses and its proceedings shall be governed by the general provisions for offenses.

SECOND PART

The elections to the National Council of Slovak Republic

Section 42

The right to vote

A person has the right to vote in the elections for the National Council of Slovak Republic if he or she is a citizen of the Slovak Republic.

Section 43

The right to be elected

A person may be elected for a Member of the National Council of Slovak Republic if he or she is at least twenty-one years old on the day of elections and has a permanent residence in the Slovak Republic.

Section 44

Electoral constituency

The territory of the Slovak Republic forms a single electoral constituency for the purposes of elections to the National Council of Slovak Republic.

Section 45

Special electoral register

- (1) A special register of electors who do not have the permanent residence in the Slovak Republic shall be maintained by the Ministry of Internal Affairs.
- (2) The electors in the special electoral register are administrated in the alphabetical order.
- (3) For each elector registered in the special electoral register, there shall be stated his or her:
 - a) first name and surname;
 - b) identity number, or if one has not been assigned, date of birth; and
 - c) address of permanent residence abroad.
- (4) An elector shall be registered in the special electoral register at his or her own request to vote by post. The request to vote by post shall be submitted in writing or electronically.
- (5) The Ministry shall perform the necessary arrangements for the amendment of missing information about the elector in the case that some of the prescribed essentials for the request to vote by post are missing. In the case that the elector fails to deliver the missing information or other essentials, 35 days before the start of elections the latest, the Ministry shall not register the elector to the special electoral registry.
- (6) The Ministry shall submit two copies of the special electoral register to the State Commission for Elections and Control of Financing of Political Parties on the day of elections.

Section 46

Voting certificate

- (1) The elector who is not able to vote in the polling district in whose electoral register he or she is registered shall receive from the municipality at his or her request a voting certificate; the elector shall be deleted from the electoral register and a note about the issuance of the voting certificate shall be added to it.

(2) A request pursuant to subsection (1) shall be submitted by the elector in person during office hours of a municipality, the last working day before the elections the latest. The municipality shall issue the voting certificate without a delay.

(3) The elector may request the voting certificate also in the written form. The request shall be delivered to the municipality 15 days before the day of elections the latest. The request must contain the information about the elector pursuant to section 9(3). The elector may request the voting certificate through a proxy, the last day before the elections the latest.

(4) The elector may request the voting certificate electronically, 15 days before the day of elections the latest. For these purposes the municipality publishes at its website the electronic address (email address) for the delivery of such requests. In the case that the municipality does not have a website, it shall publish the electronic address at the municipal board. Such a request must contain:

a) the information about the elector pursuant to art.9(3),

b) postal address for the delivery of the voting certificate.

(5) The voting certificate shall be delivered to the permanent residence address within 3 days from the day of elector's request delivery.

(6) In the case that the elector states in his or hers request that the voting certificate will be taken over by a different person, he is obliged to specify the name, surname and ID number of this person. This person is then obliged to confirm the acceptance of the voting certificate by his or hers signature.

(7) The voting certificate forms shall be provided by the Ministry of Interior Affairs. The Ministry shall deliver the voting certificates to the municipalities via district authorities. The district authority shall, pursuant to particular provisions, issue the voting certificates also in the language of national minority. Voting certificate forms must include security features pursuant to section 9(3). The municipality shall imprint the seal of office at the voting certificates. Further, there must be space, at the voting certificate, for the information regarding the name and surname of the person issuing the voting certificate, his or hers signature, the date and place of issuance and the information regarding the type of elections for which it was issued.

(8) The municipality maintains records about the issued voting licenses. The records contain the number of the voting license, information about the elector under § 9 paragraph. 3 and its date of issue. The elector's request for the voting license is part of the records.

(9) The voting license entitles to be registered to the register of electors in any election district.

Section 47

District Election Commission

(1) A political party or coalition whose List of Candidates was registered can delegate one member and one substitute to the District Election Commission. The notice of the delegation of the member and the substitute will be delivered to the Head of District Office by the political party or coalition within the period specified in the decision on the declaration of election.

(2) Notice of delegation of a member and a substitute contains

a) first name, last name and date of birth of the member with address to which documents can be delivered,

b) first name, last name and date of birth of the substitute with address to which documents can be delivered,

c) the signature of the person authorized to act on behalf of the political party and stamp of the political party; in case of coalition, first name, last name, signature of the person authorized to act on behalf of every political party in the coalition and its stamp.

(3) Notice of the delegation of member and substitute may be delivered in paper or electronic form. Time period for the delivery of the notice ends on the last day of the period. Notices received after the deadline will not be considered.

(4) If the District Election Commission has not been constituted as provided in paragraph 1 or if the number of its members is reduced to under 5 with no substitute, missing members will be appointed by the Head of the District Office.

(5) The first meeting of the District Election Commission shall be held within the period specified in the decision on the declaration of election; the meeting is convened by the Head of the District Office

(6) Withdrawal of the List of Candidates by the political party or coalition means the end of its membership in the District Election Commission.

(7) Membership in the District Election Commission comes to end by the day of delivery of the written notice of withdrawal of member by the political party or coalition that delegated him or by the delivery of the written notice of member resignation to the President of the District Election Office that summon his substitute. The membership in the District Election Office expires even when member fails to sworn in his promise at least 10 days before the polling day; this does not apply on the substitute.

(8) The District Election Commission

a) supervise the preparations of the Precinct Election Commissions to fulfill the tasks according to this Act,

b) discuss information from the District Office on organizational and technical preparation for the elections,

c) discuss information to secure the activity of its summarization body

d) monitors the processing of the voting results,

e) prepare the minutes of the election results

f) gives electoral documents to the District Office for storage

(9) The territory of the District Election Commission is consistent with the territorial district of the District Office under a special regulation.

Section 48

Clerk of the District Election Commission

The clerk of the District Election Commission is appointed and recalled by the Head of the District Office.

Section 49

Precinct Election Commission

(1) For membership of a Precinct Election Commission, each political party or coalition whose list of candidates has been registered shall nominate one of its members and one substitute. Political party or coalition will deliver the notice about the delegated member to the head of the district office within the period specified in the decision on the declaration of elections.

(2) Notice of the delegation includes a member and an alternate

a) name, surname and date of birth of the member with the address to which the documents may be delivered,

b) name, surname and date of birth of the substitute with the address to which the documents may be delivered,

c) the signature of the person authorized to act on behalf of a political party and stamp of political party; in the case of a coalition, name, surname and signature of the person authorized to act for each political party of the coalition and its stamp.

(3) Notice of the delegation of member and substitute may be delivered in paper or electronic form. The time limit for delivery of the notice ends on the last day of the period. The notifications delivered after the deadline will not be considered.

(4) If the Precinct Election Commission is not constituted as provided in paragraph 1 or if the number of its members is reduced to below five and there is no substitute, the missing members are appointed by head of the district office.

(5) The first meeting of the Precinct Election Commission shall be held within the period specified in the decision on the declaration of election; meeting is convened by head of the district office.

(6) Withdrawal of the list of candidates by political parties or coalition will end the membership of the political party or coalition in the Precinct Election Commission.

(7) Membership in the Precinct Election Commission ends the day of delivery of written notice of revocation of member by political party or coalition that delegated him, or by delivery of

written notification of resignation by the member to the president of the Precinct Election Commission, which will call a substitute. Membership in the Precinct Election Commission expires even if the member has not been sworn at least ten days before the polling day; this does not apply for substitute.

(8) The Precinct Election Commission

- a) supervise the proper conduct of polling
- b) inscribe voters on the election day on the electoral roll
- c) add up the votes and prepare the minutes on the course and result of polling
- d) gives electoral documents to the District Office.

Section 50

The List of Candidates

(1) The List of Candidates can be submitted by a political party that is registered under a special regulation. Political party submits the List of Candidates by a plenipotentiary in paper and electronic form no later than 90 days before the polling day to the Registrar of the State Commission. The period for submitting the List of Candidates shall end on the last day of the period. The Lists of Candidates that were not delivered by the specified means and the Lists of Candidates received after the deadline will not be considered.

(2) Political parties may, for the purposes of elections form a coalition and submit a joint list of candidates as referred in paragraph 1. A political party that is part of a coalition may not file a list of candidates individually.

(3) The List of Candidates shall include:

- a) the name of the political party or names of political parties forming the coalition,
- b) a list of candidates that includes name, title, date of birth, occupation that the candidate performed at the time of submitting the List of Candidates, the address of the candidates and their order number on the list expressed by Arabic numerals for all candidates,
- c) the name, position and signature of the person authorized to act on behalf of a political party and stamp political party; if the coalition name, position and signature of the person authorized to act on behalf of each party of the coalition and stamp each party of the coalition.

(4) To the List of Candidates must be attached

- a) personally signed statement by each candidate on the list as he agrees with his candidacy, does not stand for another list of candidates and does not hinder the right to be elected,
- b) proof of payment of the election deposit of 17,000 euros (further as "the deposit")
- c) notice of the determination of representative of the political party or coalition and its substitute with the name, surname and address to which the documents may be delivered; the political party or coalition is in the electoral matters bound with the representative acts; the representative of a political party or coalition of his substitute cannot be a candidate.

(5) The List of Candidates of a political party or coalition cannot have more than 150 candidates.

(6) The List of Candidates of a political party can include its logo; for a coalition graphic characters of all political parties that form the coalition may be placed

(7) The Registrar of the State Commission finds if the submitted list of candidates contain the particulars referred to in paragraph 3 and whether they are accompanied by the documents referred to in paragraph 4. If this is not the case, the Registrar of the State Commission shall invite the representative of the political party or coalition within a period determined, to modify or amend the List of Candidates. The Registrar of the State Commission shall submit national lists of candidates to the Commission for review and approval at its first meeting.

(8) Following the submission of List of Candidates, it is not possible to complement the List of Candidates for other candidates, or change their order.

(9) The deposit is paid to off-budget account, which is established for this purpose by the Ministry of the Interior; the account number shall be disclosed by the Interior Ministry on its website. The Ministry of Interior refund any deposit within one month after the results of the elections to a political party or coalition whose List of Candidate was not registered or political party or coalition, which received at least two percent of the total valid votes cast. Deposits that is not refunded are the revenues of the state budget.

Section 51

Review of the Lists of Candidates

(1) The State Commission shall examine the lists of candidates not later than 80 days before the polling day. Review of the Lists of Candidates is performed by the State Commission through its expert summarization body. List of Candidates without attached proof of payment of the deposit, the National Commission does not examine.

(2) The State Commission shall delete from the list of candidates candidate

- a) having the restriction of the right to be elected according to § 6,
- b) that does not comply with § 43,
- c) who did not join a declaration pursuant to § 50 par. 4 point. a),
- d) if it is listed on several lists of candidates of political parties or coalitions on the list of candidates to which it is attached a declaration pursuant to § 50 par. 4 point. a); if the candidate signed the declaration for more lists of candidates shall be struck off all lists of candidates, or
- e) that appears on the list of candidates above the established number of candidates according to § 50 par. 5th

Section 52

Registration of the Lists Candidates

(1) The State Commission shall register no later than 70 days before the polling day the Lists of Candidates, which are in accordance with this Act, as well as Lists of Candidates which have

been prepared in accordance with § 51 paragraph. 2. The registration of Lists of Candidates is a prerequisite for ballots to be printed.

(2) The State Commission within the period referred to in paragraph 1 refuses to register Lists of Candidates, that are not in accordance with this Act, as well as the list of candidates that cannot be adjusted according to § 51 paragraph. 2.

(3) The decision about the List of Candidates registered, the Lists of Candidates registered with amendments or Lists of Candidates registration refusal will draw up the National Commission without delay, the decision will be signed by the Director, and invite political parties and coalitions to take a decision within 24 hours. If a political party or coalition does not take a decision within the prescribed period, the decision is considered taken.

(4) The decision of the State Commission on registered Lists of Candidates with the adaptations and the decision to refuse to register Lists of Candidates may be affected by the political party or coalition which can submit a proposal for a decision to leave its candidate for the List of Candidates or a proposal for a decision on registration of the List of Candidates to the relevant court.

(5) If the court decides that the candidate should stay on the List of Candidates or to register the Lists of Candidates, the State Commission shall carry out the court's decision within 24 hours of its delivery by registration on the electoral list.

(6) After the register of the Lists of Candidates the State Commission submits a directory of candidates based on political parties and coalitions to the Ministry of Interior that will ensure its print in the required number and through district offices delivers them to municipalities no later than 40 days before the polling day. Municipalities shall ensure that no later than 25 days before the polling day, the List of Candidates is delivered to every household. The directory presents the List of Candidates drawn number, the name of the political party or names of political parties forming the coalition, serial number, name, title, age, employment of the candidate based on the List of Candidates and the municipality of residence. If a political party or political parties of the coalition introduced its logo on List of Candidates, the logo is also used in the directory of candidates. The district office delivers this directory to municipalities by special regulation with the title page and also in the minority language. For the purposes of elections by mail the Ministry of Interior published the directory of candidates not later than 40 days before the polling day on its website.

Section 53

Numbering of the Lists of Candidates

State Commission shall immediately after the registration of the Lists of Candidates determined a number by lot, which marks the List of Candidates of each political party or coalition. For the List of Candidates that is registered by a court decision, the Commission allocates the number, which follows the highest number previously drawn. Drawn numbers of Lists of Candidates will be published by the State Commission on the web site of the Ministry of Interior.

Section 54

Withdrawal of the List of Candidates, renunciation and withdrawal of a candidate

- (1) A political party or coalition may 48 hours before the election the latest withdraw its List of Candidates by proxy in writing.
- (2) A candidate may not later than 48 hours before the election give up his candidacy; a waiver must be made in paper form and his signature must be officially certified. At least 48 hours before the election a political party or coalition can revoke its candidate by its proxy.
- (3) Withdrawal of the List of Candidates by a political party or a coalition, resignation or withdrawal of a candidate must be received by the Chairman of the State Commission, which shall ensure its publication in polling stations and on the web site of the Ministry of Interior. Withdrawal of the List of Candidates by a political party or a coalition, resignation or withdrawal of a candidate cannot be withdrawn.
- (4) If a candidate resigned or been withdrawn from a registered list of candidates, data shall remain on the List of Candidates, but he is not considered in the allocation of seats.

Section 55

The ballots

- (1) The ballot shall be made for each political party or coalition who's List of Candidates has been registered.
- (2) The Ministry of Interior shall, based on the registered Lists of Candidates, ensure the required number of ballots.
- (3) The ballot paper must include the drawn number of the List of Candidates, the Election Day, the name of the political party or names of political parties forming the coalition, serial number, name and surname of the candidate, title, age, and employment of a candidate as in the List of Candidates and the municipality of residence. The order of candidates on the ballot must be in accordance with the order on the registered List of Candidates. If a political party or political parties of the coalition List of Candidates introduced its logo, the graphic symbol will also be included on the ballot paper. The State Commission verifies the accuracy of the data that are placed on the ballot, and affixing the original ballot by the official stamp. Original ballot is a substrate for printing the ballots.
- (4) Ballots shall be printed in characters of the same type and same size and same color, quality and dimensions of the paper.
- (5) If a political party uses capital letters in their name, its name on the ballot paper is in the same way as the names of the other political parties.

(6) The Ministry of Interior delivers the ballots to municipalities through District Offices no later than 40 days before the polling day. Heads of District Office shall ensure that the ballot papers are delivered to the Precinct Election Commissions on the Election Day the latest.

(7) An elector who votes in the Slovak Republic will receive ballots at a polling station on the Election Day.

(8) If the withdrawal of the List of Candidate list by a political party or coalition or the annulment of a political party or a political party, which is part of the coalition, happens after the registration of the Lists of Candidates, ballot papers of this political party or coalition will not be printed, and if printed, the Precinct Election Commissions ensure that they are not distributed for the polling stations; if they have been distributed, they will not be counted.

Section 56

Announcement of elections

(1) Elections to the National Council of the Slovak Republic are declared by the President of the Slovak National Council no later than 110 days before the date of their actions.

(2) If the Constitutional Court of the Slovak Republic declared the election null and void or annul the election result, chairman of the National Council of the Slovak Republic shall announce elections to the National Council of the Slovak Republic within 30 days from the delivery of the declaration of the Constitutional Court to the National Council of the Slovak Republic.

Section 57

The method of election

(1) An elector may vote in the Slovak Republic

- a) in the polling district in whose list of voters is registered, or
- b) in any election precinct on the voting card.

(2) An elector can vote by post outside the Slovak Republic.

(3) Mail vote is for

- a) a voter who does not have permanent residence in the Slovak Republic and who was on request listed to a special list of registered voters.
- b) a voter who has permanent residence in the Slovak Republic, at the time of election is residing outside its territory and asks the municipality in which he reside for the choice of mail election.

Section 58

Method of voting

(1) An elector who comes on the Election Day to the polling station with a voting card shall be entered by the Precinct Election Commission to the electoral register after providing his identification card. Precinct Election Commission attaches the voting card to the electoral register and give the elector the voter ballots and an empty envelope.

(2) An elector who comes on the Election Day to the respective polling station by place of residence and is not listed on the list of voters will be added to the electoral list by the Precinct Election Commission on the basis of his identification card. The Precinct Election Commission shall give the elector the voter ballots and an empty envelope.

(3) An elector who comes on the Election Day to the respective polling station by place of residence due to the court pursuant to § 10 para. 2, is added to the electoral list by the Precinct Election Commission on the basis of his identification card. Precinct Election Commission shall give the elector the voter ballots and an empty envelope.

(4) The voter inserts one ballot to the envelope in a specific area of the polling booth. On the ballot, which is inserted into the envelope, he can circle the number of no more than four candidates listed on a ballot to indicate his preference.

Section 59

Election by mail for electors without permanent residence in the Slovak Republic

(1) An elector who does not have the permanent residence in the Slovak Republic may apply either written or electronically for the mail election. The application must be received by the Ministry of Interior at least 50 days before the polling day. Applications delivered after the prescribed period will not be considered.

(2) The application for election by mail must contain the following information about the elector

- a) first and last name
- b) identification number and if not assigned, the date of birth
- c) address of the place of residence abroad

(3) The elector attaches following documents to the application for election by mail

- a) an affidavit in the national language that he does not have permanent residence in the Slovak Republic
- b) a photocopy of his passport of the Slovak Republic with personal data or photocopy of the citizenship certificate of the Slovak Republic

4) The Ministry of Interior will send at least 35 days before the polling day to the elector that requested the election by mail, to his address abroad

- a) envelope under § 22. 3 provided with the official seal of the Ministry of Interior,
- b) ballot papers
- c) return envelope
- d) guidance on how to vote

5) The returning envelope must be marked with the slogan "ELECTION BY MAIL". It has to include the address of the Ministry of Interior as an addressee and elector's address as the sender address.

6) An elector can circle the number of maximum 4 candidates that are listed on the ballot to indicate his preference.

7) An elector will insert the ballot to the envelope and sealed envelope inserts to the returning envelope that he will send. Postage is paid by the elector.

8) The votes that are delivered to the Ministry of Interior at least the last working day before the polling day will be counted to the election results. The Ministry of Interior will give the returning envelopes to the State Commission on the polling day.

9) The State Commission will circle the order numbers of the electors and will keep the election by email in the special register of electors. After the opening of the returning envelopes will insert the ballots into the ballot box.

10) The procedure for identifying the voting results is according to the provision of § 29 paragraph 2-4 and § 61 and 62 accordingly.

11) The State Commission shall keep report of the results of the election by mail by voters who do not have permanent residence in the Slovak Republic. The report is signed by the president and other members of the State Commission. If any of the State Commission members did not sign the report, he can state the reasons why. Failure to sign the report of the results of the election has no effect on its validity.

Section 60

Postal voting by electors who have permanent residence in the Slovak Republic and who are outside its territory at the time of the elections

(1) An elector with permanent residence in the Slovak Republic who will be outside its territory at the time of the elections may make a request, in writing or electronically, to vote by post to the municipality in which he or she has a permanent residence. The request must be delivered not later than fifty days before the polling day. No regard is taken of requests delivered after the appointed period of time.

(2) The request must contain these data about the elector:

- a) name and surname
- b) identification number
- c) the address of permanent residence
- d) the designated address of permanent residence abroad

(3) The municipality shall send the elector, not later than thirty-five days before the polling day, to his or her designated address of permanent residence abroad:

- a) an envelope pursuant to section 22, art.3,
- b) ballot papers,
- c) a return envelope, and
- d) instructions on how to vote.

(4) The return envelope must be marked with the words "POSTAL VOTE". The address of the municipal authority, as the recipient, and the address of the elector abroad, as the sender, must be written on the return envelope.

(5) On the ballot paper, which an elector places in the envelope, he or she may circle the number of not more than four candidates to which he or she gives preference. Other marks on the ballot paper shall not be taken into account.

(6) After placing the ballot paper into the envelope, the elector shall place the sealed envelope into the return envelope and send it by post. The postal charge shall be paid by the elector.

(7) Only votes on those ballot papers delivered not later than the last working day before polling day shall be counted towards the election result.

(8) The return envelopes delivered to the municipality, in accordance with the time period referred to in art.7, shall be submitted by the municipality to the respective polling district commission after the start of polling.

(8) In the presence of a representative of the municipality, the polling district commission shall circle in the electoral register the numbers of those electors who sent the return envelopes and shall mark them as postal votes. It shall then open the return envelopes and take out the envelopes with ballot papers; the representative of the municipality shall then place these envelopes into the ballot box.

Section 61

Counting votes at the polling district commission

After taking the ballot papers from the envelopes, a polling district commission shall divide and count the ballot papers cast for individual parties and coalitions. The commission shall exclude spoiled ballot papers, and shall establish how many electors of each political party or coalition exercised the right to a preferential vote. Further, it shall count the preferential votes cast for individual candidates on the ballot papers. The results are published in the record of the conduct and result of polling in a polling district.

Section 62

Evaluation of ballot papers

(1) If an envelope contains more than one ballot paper for different political parties or coalitions, then all the ballot papers therein are invalid. A ballot paper is also not valid if it is not printed on the prescribed form, or if it is for a political party or coalition pursuant to section 55(8).

(2) If the elector marked on a ballot paper a preferential vote for more than four candidates, the ballot paper shall be counted for the political party or coalition, but it shall not be taken into account for preferential votes.

Section 63

The record of the conduct and result of polling in a polling district

(1) The polling district commission shall state in the record of the conduct and result of polling in a polling district the following:

- a) the time of the start and end of polling, and eventually any interruption of polling;
 - b) the number of electors registered in the electoral register of the polling district;
 - c) the number of electors who participated in voting;
 - d) the number of electors who returned envelopes pursuant to section 24;
 - e) the number of electors who sent the return envelopes from abroad;
 - f) the number of valid votes cast for each political party or coalition;
 - g) the number of electors of each political party or coalition who exercised the right to a preferential vote; and
 - h) the number of valid preferential votes cast for individual candidates of each political party or coalition.
- (2) The polling district commission shall, without a delay, submit one copy of the record of the conduct and result of polling in a polling district to the district electoral commission.
- (3) The polling district commission will cease to exist under the direction of the district electoral commission.

Section 64

Verification of records by a district electoral commission

The district electoral commission determines the elections result based on the the record of the conduct and result of polling in the polling district. If a district electoral commission has doubts about the information stated in the record, it has the right to demand clarification and other information from the polling district commission; the apparent mistakes shall be corrected by the district electoral commission alone, after an agreement with the polling district commission; there are clear errors, it shall rectify them with the agreement of the polling district commission, or else it shall request the polling district commission to reconvene and correct them. Persons who may be present at such proceedings shall include members and electoral officers of electoral commissions, members of their expert summary bodies, observers sent by international organizations, and anyone so permitted by the district electoral commission.

Section 65

The record of the conduct and result of polling made by a district electoral commission

(1) A district electoral commission shall make a record in two counterpart copies of the conduct and result of polling. The record shall be signed by the chairperson and other members of the

commission. If any member of the polling district commission does not sign the record, he or she shall state the reasons for not doing so.

(1) The record of the conduct and result of polling made by a district electoral commission shall indicate the following:

a) the number of polling districts and the number of polling district commissions which sent results of polling;

b) the number of electors registered in the electoral register;

c) the number of electors who participated in voting;

d) the number of electors who returned envelopes pursuant to section 24;

e) the number of electors who sent return envelopes from abroad;

f) the number of valid votes cast for each political party or coalition;

g) the number of electors of each political party or coalition who exercised the right to a preferential vote; and

h) the number of valid preferential votes for individual candidates of each political party or coalition.

(2) The district electoral commission submits electronically to State Commission for Elections and Control of Financing of Political Parties, without a delay, signed record about the voting results and secures the delivery, in the time period of three days, of one copy of the record to the State Commission for Elections and Control of Financing of Political Parties. The district electoral commission ceases to exist under the direction of the State Commission for Elections and Control of Financing of Political Parties. Other electoral documents shall be submitted to the District Office for safekeeping.

Section 66

Conditions for allocating seats

(1) State Commission for Elections and Control of Financing of Political Parties shall establish how many valid votes were cast for each political party or coalition.

(2) The State Commission for Elections and Control of Financing of Political Parties shall further establish:

a) which political parties obtained less than five per cent of the total number of votes cast;

b) which coalitions consisting of two or three political parties obtained less than seven per cent of the total number of votes cast; and

c) which coalitions consisting of at least four political parties obtained less than ten per cent of the total number of votes cast.

(3) The political parties or coalitions, which gained more votes from the total number of votes cast than established in art.2, proceed to the next stage of establishment of elections results. When further establishing the election results and allocating seats, the State Commission for Elections and Control of Financing of Political Parties shall not take into account the political parties or coalitions pursuant to article 2 nor the votes cast for them.

Section 67

(1) If the State Commission for Elections and Control of Financing of Political Parties establishes that the requirements pursuant to section 66 have not been fulfilled by any political party or coalition then it shall lower the thresholds as follows:

a) for a political party, from five per cent to four per cent according to section 66(2)(a);

b) for a coalition mentioned in section 66 (2)(b), from seven per cent to six per cent; and

c) for a coalition mentioned in section 66 2(c), from ten per cent to nine per cent;

(2) The State Commission for Elections and Control of Financing of Political Parties gradually lowers the percentual limitation according to art.1, in order to enable that during the further establishment of the election results and allocating seats, it is possible to take into account not fewer than two political parties, or two coalitions, or one political party and one coalition.

Section 68

Allocation of seats

(1) The sum of valid votes cast for the proceeding political parties or coalitions shall be divided by the number 151 (the number of seats in parliament plus one). The result of this division rounded off to a whole number then represents the republic electoral number.

(2) The sum of valid votes obtained by a political party or coalition shall be divided by the republic electoral number; a political party or coalition shall be allocated a number of seats equal to the number of times the republic electoral number divides into the sum of valid votes which it obtained.

(3) In the case that one more seat, than should have been, is allocated to a political party or coalition, the surplus seat shall be deducted from the political party or coalition which has the smallest residue from the division. If the residues are equal, the seat shall be deducted from the

political party or coalition which obtained the lesser number of votes. If the numbers of votes are equal, the deduction shall be decided by drawing lots.

(4) In the case that not all seats are allocated or that a political party or coalition should be allocated more seats than it has candidates, the State Commission for Elections and Control of Financing of Political Parties shall allocate such seats among other political parties or coalitions which have the highest residue from the division. If the residues are equal, the seat shall be allocated to the political party or coalition which obtained the larger number of votes. If the numbers of votes are the equal, the allocation shall be decided by drawing lots.

(5) The seats allocated to a political party or coalition shall be assigned among its candidates in the order as they are listed on the ballot paper. If any of the electors who cast a valid vote for the political party or coalition exercised the right to a preferential vote, then a seat shall be allocated firstly to a candidate who obtained at least 3% of preferential votes from the total sum of valid votes casted for the political party or coalition. If the political party or coalition is allocated more seats and has more candidates that fulfil the above mentioned condition, the mandates will be distributed to the candidates gradually, according to the highest number of preferential votes they received. If the number of preferential votes is the same, the allocation shall be decided by order on the ballot paper.

(6) Candidates who were not allocated a seat shall become substitutes.

Section 69

The Election Results

(1) The State Commission for Elections and Control of Financing of Political Parties shall make a Record of the election results which should include:

- a) the number of district electoral commissions which has sent the record of conduct and result of polling
- b) the number of polling districts
- c) the number of electors registered in electoral registers;
- d) the number of electors who participated in voting;
- e) the number of electors who returned envelopes pursuant to section 24;
- f) the number of electors who sent the return envelopes from abroad;
- g) the number of valid votes cast for each political party or coalition; and

h) the first names and surnames of candidates who were elected as Members of Parliament, in conjunction with information regarding the results of preferential voting, and the number of elected women and men;

i) the names and surnames of candidates who became substitutes, in conjunction with information regarding the results of preferential voting.

(2) The State Commission for Elections and Control of Financing of Political Parties shall hand over the record of the election results to the Slovak Parliament.

(3) After the verification of elections by Slovak Parliament, its Chairman communicates to the Ministry of Finances of Slovak Republic the information regarding the number of valid votes submitted for each political party or coalition.

Section 70

The certificate of election

The State Commission for Elections and Control of Financing of Political Parties shall issue a certificate of election to each candidate elected to be a Member of Parliament.

Section 71

The Succession of substitutes

(1) If a seat becomes vacant during an electoral term, it shall be filled by a substitute from the respective political party or coalition on the basis of his or her position on the list of candidates. However, if there are valid preferential votes on the list of candidates, the seat shall be filled by that candidate who obtained not less than three per cent of the preferential votes and the highest number of preferential votes.

(2) If there is no substitute from the respective political party or coalition, the seat shall remain vacant until the end of the electoral period.

(3) If a political party has been dissolved, no substitute shall succeed from it and the seat shall remain vacant until the end of the electoral period.

(4) If the seat of the Member of Parliament is not employed, the seat shall remain vacant until the end of the electoral period.

(5) The succession of a substitute shall be announced by the Chairman of the National Council of the Slovak Republic (Parliament) not later than fifteen days after the seat became vacant or a fact mentioned in art.4 occurred. The substitute shall be issued with a certificate regarding the fact and date when he or she became a Member of Parliament. For a substitute mentioned in article 4, such a certificate shall state in addition that he or she will fill the seat for only as long as the person substituted holds the office for which that person was substituted, or for as long as the

person substituted is in the pre-trial custody. After a substitute ceases to fill a seat, he or she shall remain as a substitute on the list of candidates and in the same position as before.

NINTH PART

Common, transitional and final provisions

Section 216

Following the agreement with the Statistical Office of the Slovak Republic and Ministry of Finances, the Ministry of Internal Affairs shall establish, by the statute, the particular types of expenses associated with the elections, which will be covered from the state budget, and its reimbursement method.

Section 217

(1) The Ministry of Internal Affairs shall:

a) ensure the printing of ballot papers, methodological and information material, guidelines and envelopes;

b) direct the municipalities and bodies of the local Civil Service (District bodies) in:

1) the designation of polling districts,

2) the compiling of electoral registers, and

3) the securing and arranging of the electoral rooms

4) the safekeeping of ballot papers and other electoral documents.

(2) The Statistical Office of the Slovak Republic with the agreement of the Ministry shall issue a methodology for processing the results of polling.

Section 218

(1) In a case of a decomposition or fusion of municipalities, the tasks, which this Act imposes on the municipality, the municipal board or the mayor of municipality, shall be fulfilled for the

newly established municipalities by the district authorities, in cooperation with the decomposed municipality or fused municipalities.

(2) Tasks, which are fulfilled by the municipalities and districts, according to this law, represent the exercise of state administration.

Section 219

(1) The electoral commissions created for the elections to the authorities of self-governing municipalities in 2014 shall fulfill the functions pursuant to the current legal framework until the elections to the authorities of self-governing municipalities in 2018 take place.

(2) The electoral commissions created for the elections to the authorities of municipal districts in 2013 shall fulfill the functions pursuant to the current legal framework until the elections to the authorities of self-governing municipalities in 2017 take place.

(3) If a necessity to organize elections to the authorities of local governments arises in the current electoral term, these elections shall be governed by the present laws.

(4) The elections to the National Council of Slovak Republic, for the President of Slovak Republic, plebiscite regarding the removal of President and referendum announced until the 30th of June 2015, if it should be performed after the 1st of July 2015, shall be governed by the present laws.

(5) The first State Electoral Commission, pursuant to this Act, shall be established until the 31st of August 2015 in accordance with the results of elections to the National Council of Slovak Republic from 2012. The chairmen of competent political parties, the chairman of Slovak Constitutional Court, the chairman of Slovak Supreme Court, general prosecutor and the chairman of the Supreme Control Office shall communicate to the chairman of National Council of Slovak Republic, latest on the 31st of July 2015, the name, surname, title, date of birth, education and the address of permanent residence of the member of the State Electoral Commission. The extract from the police records, not older than 3 months, of the member of State Electoral Commission in conjunction with the education certificates shall be attached to this announcement.

Section 220

In those legal provisions, where the expressions “State Electoral Commission” and “Central Electoral Commission” are used, one should understand the “State Commission for Elections and Control of Financing of Political Parties”.

Section 221

Provisions of transposition

The binding legal documents of European Union, attached in Annex 2, shall be garbled by this Act.

Section 250z

Proceedings in the case of registry of electors

(1) In the case that the municipality will not eliminate the mistakes or shortcomings in the registry of electors, the respected elector is entitled to file a proposal, for the decision to make a correction or amendment to the registry of electors, to the regional court (the lowest court) in accordance with his polling district.

(2) The claimant and the municipality represent the parties in this proceeding.

(3) The Court shall decide without a trial by the resolution, within 5 days of the acceptance of elector's proposal. The resolution shall be delivered to both parties without a delay.

(4) No discretionary remedies are permitted against the Court's Resolution.

Section 250za

Proceedings in the case of registration of lists of candidates for the elections to the National Council of Slovak Republic and for the elections to the European Parliament

(1) If the State Commission for Elections and Control of Financing of Political Parties decided:

a) about the registration of list of candidates with amendments, the respective political party, political group or coalition of political groups is entitled to file a proposal, for the issuing of decision to leave the candidate at the list of candidates, to the Slovak Supreme Court,

b) about the refusal of registration of list of candidates, the respective political party, political group or coalition of political groups is entitled to file a proposal, to register the list of candidates, to the Slovak Constitutional Court.

(2) The proposal pursuant to art. 1 shall be submitted not later than 3 days as from the day of obtaining the Commissions decision.

(3) The political party, political group or coalition of political groups and the State Commission for Elections and Control of Financing of Political Parties represent the parties in this proceedings.

(4) The Court shall decide by a Resolution within 5 days as from the day when the proposal was filed. The resolution shall be delivered to both parties without a delay.

(4) No discretionary remedies are permitted against the Court's Resolution.

