

Opozorilo: Neuradno prečiščeno besedilo predpisa predstavlja zgolj informativni delovni pripomoček, glede katerega organ ne jamči odškodninsko ali kako drugače.

Neuradno prečiščeno besedilo Zakona o lokalnih volitvah obsega:

- Zakon o lokalnih volitvah (Uradni list RS, št. 72/93 z dne 31. 12. 1993),
- Zakon o spremembah in dopolnitvah zakona o lokalnih volitvah (Uradni list RS, št. 7/94 z dne 16. 2. 1994),
- Zakon o spremembah in dopolnitvah zakona o lokalnih volitvah (Uradni list RS, št. 33/94 z dne 13. 6. 1994),
- Zakon o spremembah in dopolnitvah zakona o lokalnih volitvah – ZLV-C (Uradni list RS, št. 70/95 z dne 8. 12. 1995),
- Zakon o spremembah in dopolnitvah zakona o lokalnih volitvah – ZLV-D (Uradni list RS, št. 51/02 z dne 11. 6. 2002),
- Delno razveljavitev zakona o volitvah v državni zbor, zakona o državnem svetu, zakona o volitvah predsednika republike in zakona o lokalnih volitvah (Uradni list RS, št. 73/03 z dne 29. 7. 2003),
- Zakon o dohodnini – ZDoh-1 (Uradni list RS, št. 54/04 z dne 20. 5. 2004),
- Zakon o spremembah in dopolnitvah Zakona o lokalnih volitvah – ZLV-E (Uradni list RS, št. 72/05 z dne 29. 7. 2005),
- Zakon o spremembah in dopolnitvah Zakona o lokalni samoupravi – ZLS-M (Uradni list RS, št. 72/05 z dne 29. 7. 2005),
- Zakon o lokalnih volitvah – uradno prečiščeno besedilo – ZLV-UPB1 (Uradni list RS, št. 100/05 z dne 10. 11. 2005),
- Zakon o spremembah Zakona o lokalnih volitvah – ZLV-F (Uradni list

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The unofficial consolidated version of the Local Elections Act comprises:

- Local Elections Act (Official Gazette of the Republic of Slovenia [*Uradni list RS*], No. 72/93 of 31 December 1993),
- Act Amending the Local Elections Act (Official Gazette of the Republic of Slovenia [*Uradni list RS*], No. 7/94 of 16 February 1994),
- Act Amending the Local Elections Act (Official Gazette of the Republic of Slovenia [*Uradni list RS*], No. 33/94 of 13 June 1994),
- Act Amending the Local Elections Act – ZLV-C (Official Gazette of the Republic of Slovenia [*Uradni list RS*], No. 70/95 of 8 December 1995),
- Act Amending the Local Elections Act – ZLV-D (Official Gazette of the Republic of Slovenia [*Uradni list RS*], No. 51/02 of 11 June 2002),
- Decision abrogating in part the National Assembly Elections Act, the National Council Act, the Election of the President of the Republic Act and the Local Elections Act [*Uradni list RS*], No. 73/03 of 29 July 2003),
- Personal Income Tax Act – ZDoh-1 (Official Gazette of the Republic of Slovenia [*Uradni list RS*], No. 54/04 of 20 May 2004),
- Act Amending the Local Elections Act – ZLV-E (Official Gazette of the Republic of Slovenia [*Uradni list RS*], No. 72/05 of 29 July 2005),
- Act Amending the Local Self-Government Act – ZLS-M (Official Gazette of the Republic of Slovenia [*Uradni list RS*], No. 72/05 of 29 July 2005),
- Local Elections Act – Official Consolidated Text – ZLV-UPB1 (Official Gazette of the Republic of Slovenia [*Uradni list RS*], No. 100/05 of 10 November 2005),
- Act Amending the Local Elections Act – ZLV-F (Official Gazette of the

RS, št. 121/05 z dne 30. 12. 2005),

- Zakon o lokalnih volitvah – uradno prečiščeno besedilo – ZLV-UPB2 (Uradni list RS, št. 22/06 z dne 28. 2. 2006),
- Odločbo o razveljavitvi prvega odstavka 68. člena Zakona o lokalnih volitvah (Uradni list RS, št. 70/06 z dne 6. 7. 2006),
- Odločbo o ugotovitvi, da sta Zakon o volitvah v Državni zbor in Zakon o lokalnih volitvah v neskladju z Ustavo, ker ne urejata podrobneje pravil o glasovanju po pošti in o zavrnitvi ustavne pritožbe (Uradni list RS, št. 54/07 z dne 18. 6. 2007),
- Zakon o spremembah in dopolnitvah Zakona o lokalnih volitvah – ZLV-G (Uradni list RS, št. 60/07 z dne 6. 7. 2007),
- Zakon o lokalnih volitvah – uradno prečiščeno besedilo – ZLV-UPB3 (Uradni list RS, št. 94/07 z dne 16. 10. 2007),
- Zakon o spremembah in dopolnitvah Zakona o lokalnih volitvah – ZLV-H (Uradni list RS, št. 45/08 z dne 9. 5. 2008),
- Zakon o spremembah in dopolnitvah Zakona o lokalnih volitvah – ZLV-I (Uradni list RS, št. 83/12 z dne 6. 11. 2012),
- Zakon o spremembah in dopolnitvah Zakona o lokalnih volitvah – ZLV-J (Uradni list RS, št. 68/17 z dne 1. 12. 2017).

ZAKON O LOKALNIH VOLITVAH

(neuradno prečiščeno besedilo št. 18)

I. SPLOŠNE DOLOČBE

1. člen

Ta zakon ureja volitve v občinske svete, volitve županov in

Republic of Slovenia [*Uradni list RS*], No. 121/05 of 30 December 2005),

- Local Elections Act – Official Consolidated Version – ZLV-UPB2 (Official Gazette of the Republic of Slovenia [*Uradni list RS*], No. 22/06 of 28 February 2006),
- Decision abrogating paragraph one of Article 68 of the Local Elections Act (Official Gazette of the Republic of Slovenia [*Uradni list RS*], No. 70/06 of 6 July 2006),
- Decision establishing that the National Assembly Elections Act and the Local Elections Act are inconsistent with the Constitution as they do not regulate in detail the rules on voting by post, and dismissing the constitutional complaint (Official Gazette of the Republic of Slovenia [*Uradni list RS*], No. 54/07 of 18 June 2007),
- Act Amending the Local Elections Act – ZLV-G (Official Gazette of the Republic of Slovenia [*Uradni list RS*], No. 60/07 of 6 July 2007),
- Local Elections Act – Official Consolidated Text – ZLV-UPB3 (Official Gazette of the Republic of Slovenia [*Uradni list RS*], No. 94/07 of 16 October 2007),
- Act Amending the Local Elections Act – ZLV-H (Official Gazette of the Republic of Slovenia [*Uradni list RS*], No. 45/08 of 9 May 2008),
- Act Amending the Local Elections Act – ZLV-I (Official Gazette of the Republic of Slovenia [*Uradni list RS*], No. 83/12 of 6 November 2012),
- Act Amending the Local Elections Act – ZLV-J (Official Gazette of the Republic of Slovenia [*Uradni list RS*], No. 68/17 of 1 December 2017).

LOCAL ELECTIONS ACT

(Unofficial consolidated version No. 18)

I. GENERAL PROVISIONS

Article 1

This Act governs elections to municipal councils, elections of

volitve v svete krajevnih, vaških in četrtnih skupnosti.

S tem zakonom se v pravni red Republike Slovenije prenaša Direktiva Sveta 94/80 (ES) z dne 19. decembra 1994 o določitvi podrobne ureditve za uresničevanje volilne pravice in pravice do kandidiranja na lokalnih volitvah državljanov Unije, ki prebivajo v državi članici, v kateri nimajo državljanstva (UL L št. 368 z dne 31. 12. 1994, str. 38), zadnjič spremenjena z Direktivo Sveta 2013/19/EU z dne 13. maja 2013 o prilagoditvi Direktive 94/80/ES o določitvi podrobne ureditve za uresničevanje volilne pravice in pravice do kandidiranja na lokalnih volitvah državljanov Unije, ki prebivajo v državi članici, v kateri nimajo državljanstva, zaradi pristopa Republike Hrvaške (UL L št. 158 z dne 10. 6. 2013, str. 231).

Volitve predstavnikov občin v pokrajinske svete in v ustrezne organe drugih širših lokalnih skupnosti urejajo občine s svojimi predpisi v skladu s sporazumom oziroma drugim aktom o povezavi z drugimi občinami v pokrajino ali drugo širšo lokalno skupnost. **(črtan)**.

2. člen

Člani občinskih svetov, župani in člani svetov krajevnih, vaških in četrtnih skupnosti se volijo na podlagi splošne in enake volilne pravice na svobodnih in neposrednih volitvah s tajnim glasovanjem.

3. člen

Stroške za izvedbo lokalnih volitev krijejo občine.

4. člen

Glede vprašanj, ki s tem zakonom niso posebej urejena, se smiselno uporabljajo določbe zakona o volitvah v državni zbor.

mayors and elections to the councils of local, village and district communities.

This Act transposes Council Directive 94/80 (EC) of 19 December 1994 laying down detailed arrangements for the exercise of the right to vote and to stand as a candidate in municipal elections by citizens of the Union residing in a Member State of which they are not nationals (OJ L 368, 31.12.1994, p. 38), most recently amended by Council Directive 2013/19/EU of 13 May 2013 adapting Directive 94/80/EC laying down detailed arrangements for the exercise of the right to vote and to stand as a candidate in municipal elections of citizens of the Union residing in a Member State of which they are not nationals, by reason of the accession of the Republic of Croatia (OJ L 158, 10.6.2013, p. 231) into the legal order of the Republic of Slovenia.

The elections of representatives of municipalities in regional councils and in the relevant bodies of other wider local communities shall be governed by the municipalities through regulations in accordance with an agreement or other act on linking with other municipalities in a regional or other wider local community. **(Deleted)**.

Article 2

Members of municipal councils, mayors and members of the councils of district, village and urban communities shall be elected on the basis of universal and equal suffrage in free and direct elections by secret ballot.

Article 3

The costs of holding local elections shall be covered by the municipalities.

Article 4

The provisions of the National Assembly Elections Act shall apply *mutatis mutandis* to questions not specifically governed by this Act.

II. VOLITVE V OBČINSKE SVETE

1. Volilna pravica

5. člen

Pravico voliti in biti voljen za člana občinskega sveta ima vsak državljan Republike Slovenije, ki je na dan glasovanja dopolnil 18 let starosti.

Pravico voliti in biti voljen za člana občinskega sveta ima pod pogoji iz prvega odstavka tega člena tudi državljan druge države članice Evropske unije, ki ima potrdilo o prijavi stalnega prebivanja in prijavljeno stalno prebivališče v Republiki Sloveniji oziroma potrdilo o prijavi prebivanja in prijavljeno začasno prebivališče v Republiki Sloveniji.

Pravico voliti člana občinskega sveta imajo pod pogoji iz prvega odstavka tega člena tudi tujci, ki imajo dovoljenje za stalno prebivanje in prijavljeno stalno prebivališče v Republiki Sloveniji.

Volilno pravico iz prvega in tretjega odstavka tega člena ima volivec v občini, v kateri ima prijavljeno stalno prebivališče.

Volilno pravico iz drugega odstavka tega člena ima volivec v občini, v kateri ima prijavljeno stalno prebivališče, če stalnega prebivališča nima prijavljenega v Republiki Sloveniji, pa v občini, v kateri ima zadnje prijavljeno začasno prebivališče.

Glede omejitve izvrševanja volilne pravice na lokalnih volitvah oseb, ki jim je odvzeta poslovna sposobnost ali podaljšana roditeljska pravica, se uporabljajo določbe zakona, ki ureja volilno pravico za volitve v Državni zbor.

II. ELECTIONS TO MUNICIPAL COUNCILS

1. The right to vote

Article 5

Every citizens of the Republic of Slovenia who has reached the age of 18 by the election day shall have the right to vote and to stand for election as a member of a municipal council.

Under the conditions referred to in paragraph one of this Article, the right to vote and to stand for election as a member of a municipal council shall also apply to citizens of other Member States of the European Union holding a permanent residence registration certificate and having a registered permanent residence in the Republic of Slovenia, or a residence registration certificate and a registered temporary residence in the Republic Slovenia.

Under the conditions referred to in paragraph one of this Article, the right to vote for members of municipal councils shall also apply to foreign nationals holding a permanent residence permit and having a registered permanent residence in the Republic of Slovenia.

Voters shall exercise the right to vote referred to in paragraphs one and three of this Article in the municipality in which they have a registered permanent residence.

Voters shall exercise the right to vote referred to in paragraph two of this Article in the municipality in which they have a registered permanent residence or, if they do not have a permanent residence registered in the Republic of Slovenia, in the municipality of their last registered permanent residence.

As regards limitations on exercising the right to vote in local elections of persons who have been deprived of legal capacity or regarding whom parental rights have been extended, the provisions of the Act governing the right to vote in elections to the National Assembly shall

6. člen

Pravico voliti in biti voljen za člana občinskega sveta – predstavnika italijanske oziroma madžarske narodne skupnosti imajo pripadniki teh narodnih skupnosti, ki imajo volilno pravico.

7. člen

Pravico voliti in biti voljen za člana občinskega sveta – predstavnika romske skupnosti imajo pripadniki te skupnosti, ki imajo volilno pravico.

8. člen

Volilna pravica se evidentira s splošnim občinskim volilnim imenikom.

Volilna pravica državljanov za volitve predstavnikov italijanske in madžarske narodne skupnosti se evidentira s posebnim občinskim volilnim imenikom občanov – pripadnikov teh narodnih skupnosti.

Volilna pravica državljanov za volitve predstavnika romske skupnosti se evidentira s posebnim občinskim volilnim imenikom občanov – pripadnikov te skupnosti.

Glede vodenja evidence volilne pravice, sestavljanja občinskih volilnih imenikov in drugih vprašanj v zvezi z evidenco volilne pravice, ki s tem zakonom niso posebej urejena, se smiselno uporabljajo določbe zakona o evidenci volilne pravice.

2. Volilni sistem

apply.

Article 6

The right to vote and to stand for election as a member of a municipal council – regarding representatives of the Italian or Hungarian national communities – shall be held by members of these national communities who have the right to vote.

Article 7

The right to vote and to stand for election as a member of a municipal council – regarding representatives of the Roma community – shall be held by members of this community who have the right to vote.

Article 8

The right to vote shall be recorded in a general municipal electoral register.

The right of citizens to vote for representatives of the Italian or Hungarian national communities shall be recorded in a special municipal electoral register of residents who are members of these national communities.

The right of citizens to vote for representatives of the Roma community shall be recorded in a special municipal electoral register of residents who are members of this community.

The provisions of the Voting Rights Register Act shall apply *mutatis mutandis* to matters concerning the maintenance of records of voting rights, the composition of municipal electoral registers and other questions relating to records of voting rights that are not specifically governed by this Act.

2. Electoral system

a) Skupne določbe

9. člen

Člani občinskih svetov se volijo po večinskem načelu (večinske volitve) ali proporcionalnem načelu (proporcionalne volitve).

Če šteje občinski svet manj kot 12 članov, se člani občinskega sveta volijo po večinskem načelu.

Če šteje občinski svet 12 ali več članov, se člani občinskega sveta volijo po proporcionalnem načelu.

Za ugotovitev števila članov občinskega sveta iz drugega in tretjega odstavka tega člena ter za določanje volilnih enot in števila članov občinskega sveta, ki se volijo v posamezni volilni enoti, se ne upošteva števila članov občinskega sveta – predstavnikov italijanske oziroma madžarske narodne skupnosti ter predstavnikov romske skupnosti.

10. člen

Člani občinskega sveta – predstavniki italijanske oziroma madžarske narodne skupnosti se volijo po večinskem načelu.

Člani občinskega sveta – predstavniki romske skupnosti se volijo po večinskem načelu.

b) Večinske volitve

11. člen

a) Joint provisions

Article 9

Members of municipal councils shall be elected under the principle of majority (majority elections) or under the principle of proportionality (proportional elections).

If a municipal council has fewer than 12 members, the members of the municipal council shall be elected under the principle of majority.

If a municipal council has 12 or more members, the members of the municipal council shall be elected under the principle of proportionality.

In establishing the number of members of the municipal council referred to in paragraphs two and three of this Article and in determining the constituencies and number of members of the municipal council to be elected in each constituency, the number of members of the municipal council who are representatives of the Italian or Hungarian national community or representatives of the Roma community shall not be taken into consideration.

Article 10

Members of municipal councils who are representatives of the Italian or Hungarian national communities shall be elected under the principle of majority.

Members of municipal councils who are representatives of the Roma community shall be elected under the principle of majority.

b) Majority elections

Article 11

Pri volitvah po večinskem načelu se glasuje o posameznih kandidatih. Volivec lahko glasuje največ za toliko kandidatov, kolikor članov občinskega sveta se voli v volilni enoti.

Izvoljeni so kandidati, ki so dobili največ glasov.

12. člen

Če se v volilni enoti voli en član občinskega sveta in sta dva kandidata dobila enako največjo število glasov, odloči o izvolitvi med njima žreb.

Če se v volilni enoti voli več članov občinskega sveta in sta zadnja dva kandidata, ki prideta v poštrev za izvolitev, dobila enako število glasov, odloči o izvolitvi med njima žreb.

c) Proporcionalne volitve

13. člen

Pri proporcionalnih volitvah se glasuje o listah kandidatov v volilni enoti.

Če se glasuje o listah kandidatov, volivec lahko glasuje samo za eno listo kandidatov. Volivec lahko na glasovnici pri listi kandidatov, za katero je glasoval, označi kandidata, ki mu daje pri izvolitvi prednost pred ostalimi kandidati na listi (preferenčni glas). Volivec lahko da preferenčni glas samo enemu kandidatu z liste.

14. člen

Če se glasuje o listah kandidatov v občini kot eni volilni enoti,

In elections according to the principle of majority, votes shall be cast for individual candidates. Voters may vote for as many candidates as there are members of the municipal council to be elected in the constituency.

Those candidates who receive the most votes shall be elected.

Article 12

If one member of the municipal council is to be elected in a constituency and two candidates have received an equally highest number of votes, the election shall be decided by drawing lots.

If several members of the municipal council are to be elected in a constituency and the last two candidates who qualify for election have received an equal number of votes, the election shall be decided by drawing lots.

c) Proportional elections

Article 13

In proportional elections, votes shall be cast for lists of candidates in a constituency.

If votes are cast for lists of candidates, voters may only vote for one list of candidates. Voters may, on the ballot paper for the list of candidates for which they have voted, mark a candidate to whom they give preference in the election ahead of other candidates on the list (a preferential vote). Voters may give a preferential vote to only one candidate on the list.

Article 14

If there is a vote on lists of candidates in a municipality as a

se mandati dodelijo listam kandidatov po zaporedju najvišjih količnikov, ki se dobijo tako, da se število glasov za vsako listo kandidatov deli z vsemi števili od ena do števila članov občinskega sveta (D'Hondtov sistem). Z liste kandidatov je izvoljenih toliko kandidatov, kolikor mandatov je dobila lista.

15. člen

Če se glasuje o listah kandidatov po volilnih enotah, se število mandatov, ki jih dobi posamezna lista v volilni enoti, ugotovi s količnikom, ki se izračuna tako, da se skupno število glasov, oddanih za vse liste kandidatov v volilni enoti, deli s številom članov občinskega sveta, ki se volijo v volilni enoti. S tem količnikom se deli število glasov za listo. Listi pripada toliko mandatov, kolikorkrat je količnik vsebovan v številu glasov za listo.

16. člen

Mandati, ki niso bili razdeljeni v volilnih enotah po prejšnjem členu, se razdelijo na ravni občine na podlagi seštevka glasov, oddanih za istoimenske liste, ki so bile vložene v dveh ali več volilnih enotah.

Za razdelitev teh mandatov se najprej ugotovi, koliko mandatov bi pripadalo istoimenskim listam, sorazmerno številu glasov, ki so jih dobile v vseh volilnih enotah. To se ugotovi na podlagi zaporedja najvišjih količnikov, ki se izračunajo tako, da se seštevki glasov, ki so jih dobile istoimenske liste v vseh volilnih enotah, delijo z vsemi števili od ena do skupnega števila mandatov.

Istoimenskim listom iz prejšnjega odstavka se pri delitvi mandatov na ravni občine dodeli toliko mandatov, kolikor znaša razlika med številom mandatov, ki bi jim pripadli po prejšnjem odstavku, in številom mandatov, ki so jih že dobile po prejšnjem členu v volilnih enotah.

single constituency, the seats shall be allocated to the lists of candidates in order of the highest quotients, which shall be calculated by dividing the number of votes for each list of candidates by all numbers from one to the number of members of the municipal council (the d'Hondt system). The number of candidates elected from each list of candidates shall be equal to the number of seats obtained by the list.

Article 15

If lists of candidates are being voted on by constituencies, the number of seats obtained by individual lists in the constituency shall be determined by the quotient, which shall be calculated by dividing the total number of votes cast for all lists of candidates in the constituency by the number of members of the municipal council to be elected in the constituency. The number of votes for each list shall be divided by this quotient. Each list shall be allocated a number of seats equal to the number of times the quotient is included in the number of votes for the list.

Article 16

Seats that have not been distributed in constituencies under the preceding Article shall be distributed at the level of the municipality on the basis of the total number of votes cast for lists having the same name submitted in two or more constituencies.

For the purpose of distributing seats, it shall first be determined how many seats would be allocated to lists having the same name proportionate to the number of votes received in all constituencies. This shall be determined on the basis of the order of the highest quotients, which shall be calculated by dividing the total number of votes obtained by the lists having the same name in all constituencies by all numbers from one to the total number of seats.

In the distribution of seats on the level of the municipality, the lists having the same name referred to in the preceding paragraph shall be allocated a number of seats equal to the difference between the number of seats they would have received under the preceding paragraph and the number of seats they have received under the preceding Article in constituencies.

17. člen

Mandati, ki jih dobijo istoimenske liste pri delitvi mandatov na ravni občine po prejšnjem členu, se dodelijo listam v volilnih enotah, ki imajo največje ostanke glasov v razmerju do količnika v volilni enoti iz 15. člena tega zakona.

18. člen

Če sta dve listi kandidatov, ki prideta v poštrev za razdelitev mandatov, dosegli enak najvišji količnik po zaporedju najvišjih količnikov, odloči o dodelitvi mandatov med dvema listama žreb.

Kandidati so izvoljeni po vrstnem redu na listi, razen če je najmanj četrtina volivcev, ki so glasovali za posamezno listo kandidatov, oddala preferenčne glasove za posamezne kandidate z liste. V tem primeru so z liste izvoljeni kandidati, ki so dobili največje število preferenčnih glasov po zaporedju največjega števila preferenčnih glasov, kolikor število preferenčnih glasov posameznega kandidata presega 10 odstotkov števila vseh glasov, oddanih za listo. Če po tem pravilu ni izvoljenih toliko kandidatov, kolikor mandatov pripada posamezni listi, se preostali mandati dodelijo kandidatom po vrstnem redu kandidatov na listi.

Če sta zadnja dva kandidata z liste kandidatov, ki prideta v poštrev za izvolitev, dobila enako število preferenčnih glasov, odloči o izvolitvi med njima žreb.

3. Volilne enote

19. člen

Za večinske volitve članov občinskega sveta se v občini oblikujejo volilne enote.

Article 17

The seats received by the lists having the same name in the distribution of seats at the level of the municipality under the preceding Article shall be distributed to the lists in constituencies that have the largest remaining votes in proportion to the quotient in the constituency referred to in Article 15 of this Act.

Article 18

If two lists of candidates that qualify for the distribution of seats obtain an equally highest quotient in the order of the highest quotients, the allocation of seats between the two lists shall be decided by drawing lots.

Candidates shall be elected in the order indicated on the list unless at least a quarter of the voters who voted for an individual list of candidates cast preferential votes for individual candidates from the list. In such case, those candidates shall be elected who received the highest number of preferential votes in the order of the highest number of preferential votes, if the number of preferential votes for each candidate exceeds 10 percent of the total number of votes cast for the list. If, under this rule, not as many candidates are elected as there are seats that pertain to an individual list, the remaining seats shall be allocated to the candidates in the order of the candidates on the list.

If the last two candidates on the list of candidates who qualify for election obtain an equal number of preferential votes, the election between the two shall be decided by drawing lots.

3. Constituencies

Article 19

For majority elections of members of a municipal council, constituencies shall be formed in the municipality.

Če občinski svet ne šteje več kot sedem članov, se lahko vsi člani občinskega sveta volijo v občini kot eni volilni enoti.

20. člen

Volilne enote se oblikujejo tako, da se en član občinskega sveta voli na približno enako število prebivalcev.

Če je območje občine razdeljeno na krajevne, vaške ali četrtne skupnosti, obsega volilna enota območje ene ali več takih skupnosti ali dela take skupnosti.

Če območje občine ni razdeljeno na skupnosti iz prejšnjega odstavka, obsega volilna enota območje enega ali več naselij ali dela naselja.

21. člen

Pri večinskih volitvah se v vsaki volilni enoti voli en član občinskega sveta. Če je to smotrno zaradi oblikovanja volilnih enot, se lahko v volilni enoti voli tudi več članov občinskega sveta, vendar ne več kot trije.

22. člen

Za proporcionalne volitve članov občinskega sveta se v občini lahko oblikujejo volilne enote.

Volilne enote za proporcionalne volitve se oblikujejo v skladu z 20. členom tega zakona in tako, da se v vsaki volilni enoti voli najmanj pet članov občinskega sveta.

Če občina ni razdeljena na volilne enote, se za volilno enoto šteje območje občine.

If a municipal council has no more than seven members, all members of the municipal council may be elected in the municipality as one constituency.

Article 20

Constituencies shall be formed in such a way that approximately the same number of inhabitants elect each member of the municipal council.

If the territory of a municipality is divided into local, village or district communities, the constituency shall consist of the territory of one or more such communities or part of such a community.

If the territory of the municipality is not divided into the communities referred to in the preceding paragraph, the constituency shall consist of the territory of one or more settlements or part of a settlement.

Article 21

In majority elections, each constituency shall elect one member of the municipal council. If reasonable for the formation of constituencies, constituencies may elect more than one member of the municipal council, but never more than three.

Article 22

In proportional elections of members of a municipal council, constituencies may be formed in the municipality.

Constituencies for proportional elections shall be formed in accordance with Article 20 of this Act and in such a way that each constituency elects at least five members of the municipal council.

If the municipality is not divided into constituencies, the territory of the municipality shall be considered the constituency.

23. člen

Volilna enota za volitve članov občinskega sveta – predstavnikov italijanske oziroma madžarske narodne skupnosti ter volilna enota za volitve članov občinskega sveta – predstavnikov romske skupnosti je območje občine.

4. Splošne volitve

24. člen

Splošne volitve v občinske svete so redne in predčasne.

Redne volitve v občinske svete se opravijo vsako četrto leto.

Predčasne volitve v občinske svete se opravijo, če se občinski svet razpusti pred potekom štiriletne mandatne dobe.

Predčasne volitve se opravijo tudi, če hkrati odstopi večina članov občinskega sveta.

25. člen

Redne volitve v občinske svete se opravijo tretjo nedeljo v novembru.

Predčasne volitve v občinski svet se opravijo najpozneje dva meseca po razpustu občinskega sveta.

26. člen

Redne volitve v občinske svete razpiše predsednik Državnega

Article 23

The constituency for the election of members of the municipal council who are representatives of the Italian or Hungarian national communities and the constituency for the election of members of the municipal council who are representatives of the Roma community shall be the territory of the municipality.

4. General elections

Article 24

General elections to municipal councils shall be regular or early.

Regular elections to municipal councils shall be held every four years.

Early elections to municipal councils shall be held if the municipal council is dissolved before the expiry of the four-year term of office.

Early elections shall also be held if the majority of the members of the municipal council resign at the same time.

Article 25

Regular elections to municipal councils shall be held on the third Sunday of November.

Early elections to a municipal council shall be held within two months of the dissolution of the municipal council.

Article 26

Regular elections to municipal councils shall be called by the

zbora Republike Slovenije.

Predčasne volitve v občinski svet v primeru iz četrtega odstavka 24. člena tega zakona razpiše občinska volilna komisija.

Akt o razpisu volitev se objavi v Uradnem listu Republike Slovenije.

27. člen

Redne volitve v občinske svete se razpišejo julija v letu, ko se opravijo redne volitve.

Od dneva razpisa volitev do dneva glasovanja ne sme preteči več kot 90 in ne manj kot 60 dni.

Predčasne volitve v občinske svete se razpišejo najkasneje v 20 dneh po razpustu občinskega sveta.

Predčasne volitve se lahko opravijo najprej v 40 dneh od dneva razpisa volitev.

28. člen

V aktu o razpisu volitev se določi dan razpisa volitev in dan glasovanja.

Z dnem, ki je določen kot dan razpisa volitev, začnejo teči roki za volilna opravila.

Za dan glasovanja se določi nedelja ali drug dela prost dan.

5. Nadomestne volitve

29. člen

Če članu občinskega sveta, ki je bil izvoljen na večinskih

President of the National Assembly of the Republic of Slovenia.

In the case referred to in paragraph four of Article 24 of this Act, early elections to municipal councils shall be called by the municipal electoral commission.

The act on the calling of elections shall be published in the Official Gazette of the Republic of Slovenia.

Article 27

Regular elections to municipal councils shall be called in July in the year when regular elections are to be held.

The interval from the date of calling the elections to the election day may not be longer than 90 or shorter than 60 days.

Early elections to municipal councils shall be called within 20 days of the dissolution of the municipal council.

Early elections may be held no earlier than 40 days after the date of calling the elections.

Article 28

The act on the calling of elections shall determine the day on which elections are called and the election day.

The period for activities related to elections shall begin on the day determined as the day on which elections are called.

The election day shall be a Sunday or other work-free day.

5. By-elections

Article 29

If the office of a member of the municipal council elected in a

volitvah, preneha mandat, se opravijo nadomestne volitve.

30. člen

Če preneha mandat članu občinskega sveta, ki je bil izvoljen na proporcionalnih volitvah, postane član občinskega sveta za preostanek mandatne dobe tisti kandidat, ki bi bil izvoljen, če ne bi bil izvoljen član občinskega sveta, ki mu je prenehal mandat, razen če je odstopil prej kot v šestih mesecih od potrditve mandata.

Če kandidat, ki bi po tem zakonu postal član občinskega sveta za preostanek mandatne dobe, v osmih dneh ne sporoči, da sprejema funkcijo člana občinskega sveta, se ta pravica prenese na naslednjega kandidata z iste liste kandidatov. Če takega kandidata ni, ga nadomesti kandidat z istoimenske liste v volilni enoti, v kateri je imela lista največji ostanek glasov v razmerju do količnika v volilni enoti. Če tudi noben kandidat s te liste kandidatov v osmih dneh ne sporoči, da sprejema funkcijo člana občinskega sveta, se opravijo nadomestne volitve.

Nadomestne volitve se opravijo tudi, če članu občinskega sveta, v primeru iz prvega odstavka tega člena, preneha mandat, ker je odstopil prej kot v šestih mesecih od potrditve mandata.

31. člen

Nadomestne volitve se ne opravijo, če članu občinskega sveta preneha mandat manj kot šest mesecev pred potekom mandatne dobe občinskega sveta, razen če občinski svet odloči drugače.

Na nadomestnih volitvah se član občinskega sveta izvoli za čas do izteka mandatne dobe občinskega sveta.

majority election ceases, a by-election shall be held.

Article 30

A member of a municipal council elected in a proportional election whose office ceases, unless he or she resigns within six months of the confirmation of his or her office, shall be replaced for the remainder of the term of office by the candidate who would have been elected had the member of the municipal council whose office has ceased not been elected.

If the candidate who would become a member of the municipal council for the remainder of the term of office in accordance with this Act fails to notify, within eight days, that he or she accepts the office of member of a municipal council, this right shall be transferred to the next candidate from the same list of candidates. If there is no such candidate, he or she shall be replaced by a candidate from the list having the same name in the constituency in which the list had achieved the largest remainder of votes in relation to the quotient in the constituency. If none of the candidates from this list of candidates notifies, within eight days, that he or she accepts the office of member of the municipal council, a by-election shall be held.

A by-election shall also be held if, in the case referred to in paragraph one of this Article, the office of a member of the municipal council ceases because the member resigned within six months of the confirmation of his or her office.

Article 31

By-elections shall not be held if the office of a member of a municipal council ceases less than six months before the expiry of the term of office of the municipal council, unless the municipal council decides otherwise.

In by-elections, members of the municipal council shall be elected for the period until the expiry of the term of office of the municipal council.

32. člen

Nadomestne volitve razpiše občinska volilna komisija najpozneje v 15 dneh po ugotovitvi občinskega sveta o prenehanju mandata.

Nadomestne volitve se opravijo v volilni enoti, v kateri je bil izvoljen član občinskega sveta, ki mu je prenehal mandat.

Nadomestne volitve se opravijo po večinskem načelu. Na nadomestnih volitvah je izvoljen kandidat, ki je dobil največ glasov.

Nadomestne volitve se opravijo po določbah tega zakona, kolikor ni v tem členu drugače določeno.

6. Volilni organi

33. člen

Volitve v občinske svete vodijo in izvajajo občinske volilne komisije.

Določene naloge pri izvedbi lokalnih volitev opravlja tudi Državna volilna komisija.

Za volitve članov občinskega sveta – predstavnikov italijanske in madžarske narodne skupnosti ter članov občinskega sveta – predstavnikov romske skupnosti se imenuje posebna občinska volilna komisija.

Če se pri proporcionalnih volitvah člani občinskega sveta volijo po volilnih enotah, se lahko imenujejo volilne komisije volilnih enot. **(črtan).**

34. člen

Article 32

By-elections shall be called by the municipal electoral commission no later than 15 days after the municipal council establishes that the office has ceased.

By-elections shall be held in the constituency in which the member of the municipal council whose office has ceased was elected.

By-elections shall be held under the principle of majority. The candidate who receives the most votes shall be elected in by-elections.

By-elections shall be held in accordance with the provisions of this Act, in so far as this Article does not stipulate otherwise.

6. Electoral bodies

Article 33

Elections to municipal councils shall be held and carried out by municipal electoral commissions.

The National Electoral Commission shall also perform certain tasks in the implementation of local elections.

A special municipal electoral commission shall be appointed for the election of members of the municipal council who are representatives of the Italian or Hungarian national communities or of members of the municipal council who are representatives of the Roma community.

If, in proportional elections, members of the municipal council are elected according to constituencies, constituency electoral commissions may be appointed. **(Deleted).**

Article 34

Glasovanje na voliščih vodijo volilni odbori.

Za vsako volišče se imenuje najmanj en volilni odbor.

35. člen

Občinsko volilno komisijo sestavljajo predsednik in trije člani ter njihovi namestniki.

Predsednik volilne komisije in njegov namestnik se imenujeta izmed sodnikov ali izmed drugih diplomiranih pravnikov. Ostali člani volilne komisije in njihovi namestniki se imenujejo po predlogih političnih strank, drugih organizacij občanov v občini ter občanov.

36. člen

V posebni občinski volilni komisiji za izvolitev članov občinskega sveta – predstavnikov italijanske in madžarske narodne skupnosti ter romske skupnosti morata biti vsaj en član in en namestnik člana pripadnika narodne skupnosti oziroma romske skupnosti.

37. člen

Volilni odbor sestavljajo predsednik in parno število članov ter njihovi namestniki.

Predsednik in člani volilnega odbora ter njihovi namestniki se imenujejo izmed občanov, ki imajo stalno prebivališče v občini.

Politične stranke, druge organizacije občanov v občini ter občani lahko najpozneje v desetih dneh po razpisu volitev dajo svoje predloge za imenovanja predsednika in članov volilnega odbora ter njihovih namestnikov občinski volilni komisiji.

Voting in polling stations shall be conducted by electoral committees.

At least one electoral committee shall be appointed for each polling station.

Article 35

A municipal electoral commission shall have a chairman, three members and their substitutes.

The chairman of the electoral commission and his or her substitute shall be appointed from among judges or other law graduates. The other members of the electoral commission and their substitutes shall be appointed on the proposal of political parties, other residents' organisations and residents.

Article 36

The special municipal electoral commission for the election of members of the municipal council who are representatives of the Italian or Hungarian national communities or of the Roma community must have at least one member and one substitute member who are members of the national community or the Roma community, respectively.

Article 37

An electoral committee shall have a chairman, an even number of members and their substitutes.

The chairman and members of the electoral committee and their substitutes shall be appointed from among residents who have permanent residence in the municipality.

Political parties, other residents' organisations in the municipality and residents may submit their proposals for the appointment of the chairman and members of the electoral committee and their substitutes to the municipal electoral commission no later than ten days

Predsednik, član volilnega odbora in njun namestnik ne more biti zakonec, oče, mati, otrok, sestra ali brat, posvojitelj ali posvojenec kandidata v volilni enoti, v kateri je ta volilni odbor imenovan, niti ne more živeti s kandidatom v zunajzakonski skupnosti ali registrirani istospolni partnerski skupnosti.

Oseba, imenovana v volilni odbor, je dolžna obvestiti pristojno občinsko volilno komisijo v treh dneh po javni objavi kandidatur oziroma list kandidatov o svojem sorodstvenem ali drugem razmerju s kandidatom, določenim v prejšnjem odstavku.

Predlagatelj mora ob vložitvi predlogov iz tretjega odstavka tega člena za vsakega od kandidatov za predsednika in člana volilnega odbora oziroma njune namestnike priložiti njegovo pisno izjavo, da soglaša z imenovanjem v volilni odbor, in njegovo pisno izjavo, da bo najpozneje v treh dneh po javni objavi kandidatur oziroma list kandidatov obvestil pristojno volilno komisijo o sorodstvenem ali drugem razmerju s kandidatom, določenem v četrtem odstavku tega člena.

Predsedniku, članu volilnega odbora in njunemu namestniku, ki je s kandidatom v sorodstvenem ali drugem razmerju, določenem v četrtem odstavku tega člena, preneha funkcija v volilnem odboru, pristojna volilna komisija ga razreši in imenuje nadomestnega predsednika oziroma člana volilnega odbora ali njunega namestnika. Kandidat za nadomestnega predsednika volilnega odbora oziroma člana ali njunega namestnika mora priložiti pisno izjavo, da soglaša z imenovanjem v volilni odbor, in pisno izjavo o tem, da ni v sorodstvenem ali drugem razmerju, določenem v četrtem odstavku tega člena.

38. člen

Občinsko volilno komisijo v občini imenuje občinski svet, volilne odbore pa občinska volilna komisija.

after the calling of elections.

The chairman, a member of the electoral committee and their substitutes cannot be a spouse, father, mother, child, sister or brother, adoptive parent or adopted child of a candidate in the constituency in which such electoral committee is appointed, nor may they live in a non-marital union or registered same-sex partnership with a candidate.

A person appointed to an electoral committee shall be obliged to inform the competent municipal electoral commission within three days of the public announcement of the candidatures or lists of candidates of his or her family or other relationship with a candidate referred to in the preceding paragraph.

When submitting the proposals referred to in paragraph three of this Article, the proposer must provide for each of the candidates for chairman and members of the electoral committees and their substitutes the candidate's written statement that he or she agrees to the appointment to the electoral committee and his or her written statement that, within three days of the public announcement of candidatures or lists of candidates, he or she shall inform the competent electoral commission of a family or other relationship with a candidate referred to in paragraph four of this Article.

If the chairman, a member of the electoral committee or the substitute thereof and a candidate are in a family or other relationship referred to in paragraph four of this Article, his or her office in the electoral committee shall cease, while the competent electoral commission shall dismiss him or her and appoint the substitute chairman or a member of the electoral committee or a substitute thereof. The candidate for the substitute chairman or member of the electoral committee or the substitute thereof must deliver a written statement that he or she agrees to the appointment to the electoral committee and a written statement that he or she is not in a family or other relationship referred to in paragraph four of this Article.

Article 38

The municipal electoral commission in a municipality shall be appointed by the municipal council, while electoral committees shall be

Občinska volilna komisija se imenuje za štiri leta, volilni odbori pa za vsake volitve.

Če bi članom občinske volilne komisije prenehal mandat v času po razpisu volitev, se jim mandat podaljša do konca volitev.

39. člen

Občinska volilna komisija ima tajnika, ki ga imenuje na predlog občinske uprave.

40. člen

Državna volilna komisija:

1. skrbi za enotno uporabo določb zakona, ki ureja volitve v državni zbor, v delu, ki se uporabljajo tudi za lokalne volitve in se nanašajo na volilne postopke;
2. daje občinskim volilnim komisijam strokovna navodila v zvezi z izvajanjem določb zakona, ki ureja volitve v državni zbor, v delu, ki se uporabljajo tudi za lokalne volitve in se nanašajo na volilne postopke;
3. predpiše obrazce za izvrševanje tega zakona;
4. določa enotne standarde za volilni material in druge materialne pogoje za izvedbo volilnih opravil.

41. člen

Občinska volilna komisija:

1. skrbi za zakonitost volitev v občinski svet;
2. potrjuje posamične candidature oziroma liste kandidatov in sestavlja sezname kandidatov oziroma list kandidatov;
3. določa volišča;
4. imenuje volilna odbore;
5. ugotavlja rezultate glasovanja in razglasi, kateri člani občinskega

appointed by the municipal electoral commission.

The municipal electoral commission shall be appointed for a period of four years, while electoral committees shall be appointed for each election.

If the office of a member of the municipal electoral commission ceases in the period after the calling of elections, his or her office shall be extended until the end of the elections.

Article 39

The municipal electoral commission shall have a secretary whom it appoints on the proposal of the municipal administration.

Article 40

The National Electoral Commission shall:

1. ensure uniform application of the provisions of the Act governing elections to the National Assembly in the part in which they also apply to local elections and relate to electoral procedures;
2. provide technical instructions to municipal electoral commissions concerning the implementation of the provisions of the Act governing elections to the National Assembly in the part in which they also apply to local elections and relate to electoral procedures;
3. prescribe the forms for implementing this Act;
4. determine uniform standards for election materials and other material conditions for the conduct of election activities.

Article 41

The municipal electoral commission shall:

1. ensure the legality of elections to the municipal council;
2. confirm individual candidacies or lists of candidates, and compose a list of candidates and lists of candidates;
3. determine polling stations;
4. appoint electoral committees;
5. determine the results of the voting and declare which members of the

sveta so izvoljeni ter daje poročila o izidu volitev;

6. opravlja in vodi neposredno tehnično delo v zvezi z volitvami;
7. opravlja druge naloge, ki jih določa ta zakon.

42. člen (črtan)

43. člen

Volilni odbor na volišču:

1. vodi glasovanje na volišču;
2. ugotavlja izid glasovanja na volišču.

44. člen

Državni in občinski organi so dolžni pomagati volilnim organom pri njihovem delu ter jim na njihovo zahtevo dati podatke, ki jih potrebujejo pri svojem delu.

45. člen

Glede oblikovanja in načina dela volilnih organov, ki s tem zakonom niso urejena, veljajo določbe zakona o volitvah v državni zbor.

45.a člen

Volilni organi za lokalne volitve so samostojni in neodvisni organi občin. Funkcija članov volilnih organov je častna.

Člani volilnih organov imajo zaradi dela v volilnih organih ob vsakih splošnih volitvah, ki obsegajo redne in predčasne volitve v občinski svet, nadomestne volitve v občinski svet, če v občini niso oblikovane volilne enote, in redne ter nadomestne volitve župana v prvem in drugem krogu, pravico do enkratnega nadomestila, in sicer:

municipal council have been elected, and issue a report on the results of the elections;

6. carry out and directly conduct technical work relating to elections;
7. perform other tasks determined by this Act.

Article 42 (Deleted)

Article 43

Electoral committees at polling stations shall:

1. conduct voting at the polling station;
2. determine the results of the voting at the polling station.

Article 44

National and municipal bodies shall be responsible for assisting electoral bodies in their work and for providing the information needed in their work on request.

Article 45

The provisions of the National Assembly Elections Act shall apply to the formation and manner of work of electoral bodies not governed by this Act.

Article 45a

Electoral bodies for local elections shall be autonomous and independent bodies of municipalities. The office of members of electoral bodies shall be performed on an honorary basis.

For their work in electoral bodies at each general election, which includes regular and early elections to the municipal council, by-elections to the municipal council if no constituencies are formed in the municipality, and regular and by-elections for mayor in the first and second rounds, members of electoral bodies shall have the right to one-

- predsednik in tajnik občinske volilne komisije v znesku, ki je enak 50 % osnovne mesečne plače za poklicno opravljanje funkcije župana v občini;
- namestnik predsednika občinske volilne komisije in namestnik tajnika v znesku, ki je enak 80% nadomestila predsednika občinske volilne komisije;
- člani občinske volilne komisije in njihovi namestniki v znesku, ki je enak 20% nadomestila predsednika občinske volilne komisije.

Pravico do ustreznega nadomestila imajo tudi predsednik, namestnik predsednika, člani, tajnik in namestnik tajnika posebne volilne komisije iz tretjega odstavka 33. člena tega zakona v višini 50% nadomestila, določenega v prejšnjem odstavku.

Ob vsakih drugih volitvah, razen volitvah iz drugega odstavka tega člena, so člani volilnih organov, ki sodelujejo na volitvah, upravičeni do ustreznega nadomestila, ki ga glede na obseg volilnih opravil, ob upoštevanju določbe drugega odstavka tega člena, določi komisija za mandatna vprašanja, volitve in imenovanja občinskega sveta najpozneje deset dni po razpisu volitev. Merila za določitev višine nadomestila iz tega odstavka se določijo z aktom občinskega sveta.

Predsednik in člani volilnih odborov ter njihovi namestniki, ki vodijo glasovanje na volišču na dan glasovanja, določenega z aktom o razpisu volitev, imajo za svoje delo na volitvah pravico do nadomestila v višini, kot je določena za volilne odbore za volitve in referendumne na državni ravni.

Nadomestila, ki jih določa ta člen, se izplačajo na podlagi akta o imenovanju volilnega organa.

7. Predstavniki in zaupniki kandidatov in list kandidatov

46. člen

time compensation, namely:

- for the chairman and secretary of the municipal electoral commission, an amount equal to 50% of the basic monthly salary for the professional performance of the office of mayor of the municipality;
- for the substitute chairman and substitute secretary of the municipal electoral commission, an amount equal to 80% of the compensation of the chairman of the municipal electoral commission;
- for the members of the municipal electoral commission and their substitutes, an amount equal to 20% of the compensation of the chairman of the municipal electoral commission.

The chairman, substitute chairman, members, secretary and substitute secretary of the special electoral commission referred to in paragraph three of Article 33 of this Act shall also be entitled to appropriate compensation in the amount of 50% of the compensation referred to in the preceding paragraph.

With regard to any other election, with the exception of the elections referred to in paragraph two of this Article, members of electoral bodies who participate in elections shall be entitled to appropriate compensation determined, depending on the scope of the election activities, by the commission for public office, elections and appointments of the municipal council no later than ten days after the calling of elections. The criteria for determining the amount of compensation referred to in this paragraph shall be determined by an act of the municipal council.

The chairman and members of electoral committees and their substitutes who conduct voting at polling stations on the day of voting specified in the act on the calling of elections shall be entitled to compensation for their work in elections in the amount determined for electoral committees in elections and referenda at the state level.

The compensations determined by this Article shall be paid on the basis of the act on the appointment of the electoral body.

7. Representatives and trustees of candidates and lists of candidates

Article 46

Pri delu občinske volilne komisije so lahko navzoči predstavniki kandidatov in list kandidatov.

Pri delu volilnih odborov so lahko navzoči zaupniki kandidatov in list kandidatov.

Predstavniki in zaupniki kandidatov in list kandidatov lahko opozorijo predsednika volilnega organa na nepravilnosti.

47. člen

Predstavnika kandidata oziroma liste kandidatov določi predlagatelj kandidata oziroma liste ob predložitvi kandidature oziroma liste kandidatov občinski volilni komisiji.

Imena zaupnika kandidata oziroma liste kandidatov sporoči predstavnik kandidata oziroma liste občinski volilni komisiji najkasneje pet dni pred dnem glasovanja.

Predstavnik oziroma zaupnik kandidata oziroma liste kandidatov ne sme biti kandidat.

Zaupnik kandidata oziroma liste kandidatov je lahko samo oseba, ki je vpisana v evidenco volilne pravice in ima volilno pravico v občini.

8. Kandidiranje

a) Kandidiranje za večinske volitve

48. člen

Kandidate za člane občinskega sveta, ki se volijo po večinskem načelu, določijo politične stranke v občini in volivci v volilni enoti.

Representatives of candidates and of lists of candidates may be present at the work of the municipal electoral commission.

Trustees of candidates and of lists of candidates may be present at the work of electoral committees.

Representatives and trustees of candidates or of lists of candidates may inform the chairman of the electoral body of any irregularities.

Article 47

Upon the submission of a candidacy or list of candidates to the municipal electoral commission, the proposer of the candidate or list of candidates shall appoint the representative of the candidate or list of candidates.

The representative of the candidate or list of candidates shall report the names of the trustee of the candidate or list of candidates to the municipal electoral commission no later than five days before the election day.

The representative or the trustee of a candidate or list of candidates may not be a candidate.

The trustee of a candidate or list of candidates may only be a person whose right to vote is registered and has the right to vote in the municipality.

8. Standing for election

a) Standing for election for majority elections

Article 48

Candidates for members of a municipal council elected according to the principle of majority shall be nominated by the political

49. člen

Kandidate za člane občinskega sveta, predstavnike italijanske oziroma madžarske narodne skupnosti, določijo volivci – pripadniki narodne skupnosti v občini s podpisi najmanj 15 volivcev.

Kandidate za člane občinskega sveta – predstavnike romske skupnosti določijo volivci – pripadniki romske skupnosti v občini, s podpisi najmanj 15 volivcev ali organ društvene organizacije Romov v občini.

50. člen

Vsaka politična stranka v občini lahko določi kandidate za člane občinskega sveta v vsaki volilni enoti. V posamezni volilni enoti lahko določi največ toliko kandidatov, kolikor članov občinskega sveta se voli v volilni enoti.

51. člen

Politična stranka določi kandidate po postopku, določenem z njenimi pravili. Pri določanju kandidatov smejo sodelovati samo člani stranke, ki imajo volilno pravico in stalno prebivališče v občini. Kandidate določijo s tajnim glasovanjem.

52. člen (črtan)

53. člen

Volivci določajo kandidate s podpisovanjem.

parties in the municipality and by voters in the constituency.

Article 49

Candidates for members of a municipal council who are representatives of the Italian or Hungarian national communities shall be nominated if they are supported by voters who are members of such community in the municipality by the signatures of at least 15 voters.

Candidates for members of a municipal council who are representatives of the Roma community shall be nominated if they are supported by voters who are members of the Roma community in the municipality by the signatures of at least 15 voters or by a body of the Roma community organisation in the municipality.

Article 50

Each political party in a municipality may nominate candidates for members of the municipal council in each constituency. In each constituency, it may nominate as many candidates as there are members of the municipal council to be elected in the constituency.

Article 51

Political parties shall nominate candidates in accordance with the procedure determined by their rules. Only members of the party who have the right to vote and permanent residence in the constituency may participate in the nomination of candidates. Candidates shall be determined by secret ballot.

Article 52 (Deleted)

Article 53

Voters shall support the nomination of candidates by signature.

54. člen

Kandidate za člane občinskega sveta v posamezni volilni enoti lahko določi s podpisovanjem skupina volivcev, ki imajo v volilni enoti stalno prebivališče, če so volivci državljani druge države članice EU, ki nimajo prijavljenega stalnega prebivališča v Republiki Sloveniji, pa začasno prebivališče. Potrebno število podpisov je najmanj 1 % od števila volivcev v volilni enoti na dan razpisa volitev, vendar ne manj kot 30 in ne več kot 1000.

Če se v času do razpisa rednih volitev spremeni območje občine, če se območje občine razdeli na več volilnih enot ali pa se spremeni območje volilnih enot, ugotovi v skladu s prejšnjim odstavkom potrebno število podpisov občinska volilna komisija.

55. člen

Vsaka skupina volivcev iz prejšnjega člena lahko v posamezni volilni enoti določi največ toliko kandidatov, kolikor članov občinskega sveta se voli v volilni enoti.

56. člen (črtan)

57. člen (črtan)

58. člen (črtan)

59. člen (črtan)

Article 54

Candidates for members of a municipal council in an individual constituency shall be nominated if it is supported by signature of a group of voters who have permanent residence or, as regards citizens of another EU Member State who do not have a registered permanent residence in the Republic of Slovenia, temporary residence in the constituency. The required number of signatures shall be at least 1% of the number of voters in the constituency on the day of the calling of elections, but not less than 30 and not more than 1000.

If, in the period preceding the calling of regular elections, the area of the municipality is changed, if the area of the municipality is divided into several constituencies, or if the area of constituencies is changed, the required number of signatures shall be established in accordance with the preceding paragraph by the municipal electoral commission.

Article 55

Each group of voters referred to in the preceding Article may determine in a constituency as many candidates as there are members of the municipal council to be elected in the constituency.

Article 56 (Deleted)

Article 57 (Deleted)

Article 58 (Deleted)

Article 59 (Deleted)

**60. člen
(črtan)**

**Article 60
(Deleted)**

**61. člen
(črtan)**

**Article 61
(Deleted)**

**62. člen
(črtan)**

**Article 62
(Deleted)**

**63. člen
(črtan)**

**Article 63
(Deleted)**

**64. člen
(črtan)**

**Article 64
(Deleted)**

b) Kandidiranje za proporcionalne volitve

b) Standing for election for proportional elections

65. člen

Article 65

Liste kandidatov za člane občinskega sveta, ki se volijo po proporcionalnem načelu, določijo politične stranke v občini in volivci v volilni enoti.

Lists of candidates for members of a municipal council to be elected under the principle of proportionality shall be determined by political parties in the municipality and by voters in the constituency.

66. člen

Article 66

Na listi kandidatov je lahko največ toliko kandidatov, kolikor članov občinskega sveta se voli v volilni enoti.

Each list of candidates may have only as many candidates as there are members of the municipal council to be elected in the constituency.

67. člen

Article 67

Vsaka politična stranka v občini lahko določi po eno listo

Each political party in the municipality may determine one list of

kandidatov v vsaki volilni enoti.

Politična stranka določi listo oziroma liste kandidatov po pravilih, ki so določena v 51. členu tega zakona.

68. člen

Listo kandidatov v volilni enoti lahko določi s podpisovanjem skupina volivcev, ki imajo v volilni enoti stalno prebivališče, če so volivci državljani druge države članice EU, ki nimajo prijavljenega stalnega prebivališča v Republiki Sloveniji, pa začasno prebivališče. Potrebno število podpisov je najmanj 1 % od števila volivcev v volilni enoti na dan razpisa volitev, vendar ne manj kot 30 in ne več kot 1000.

V primeru spremembe območja občine ali volilnih enot do razpisa volitev se uporablja določba drugega odstavka 54. člena tega zakona.

Vsaka skupina volivcev lahko določi le eno listo kandidatov.

c) Skupne določbe o kandidiranju

68. a člen

Kandidat mora imeti v volilni enoti, v kateri kandidira za člana občinskega sveta, stalno prebivališče, če je kandidat državljan druge države članice EU, ki nima prijavljenega stalnega prebivališča v Republiki Sloveniji, pa začasno prebivališče.

69. člen

Vsakdo lahko kandidira samo v eni volilni enoti in samo na eni listi kandidatov.

candidates in each constituency.

Political parties shall determine the list or lists of candidates in accordance with the rules determined by Article 51 of this Act.

Article 68

A list of candidates in a constituency shall be nominated if it is supported by signature of a group of voters who have permanent residence or, with regard to citizens of another EU Member State who do not have a registered permanent residence in the Republic of Slovenia, temporary residence in the constituency. The required number of signatures shall be at least 1% of the number of voters in the constituency on the day of the calling of elections, but not less than 30 and not more than 1000.

If the area of the municipality or of the constituencies is changed before the calling of elections, the provision of paragraph two of Article 54 of this Act shall apply.

Each group of voters shall support the nomination of only one list of candidates.

c) Joint provisions on candidacies

Article 68a

A candidate must have permanent residence or, if the candidate is a citizen of another EU Member State and does not have a registered permanent residence in the Republic of Slovenia, temporary residence in the constituency in which they are to stand for election.

Article 69

Each person may stand in only one constituency and on only one list of candidates.

70. člen

Za vsako kandidaturo je potrebno pisno soglasje kandidata. Soglasje kandidata je nepreklicno.

70.a člen

Politična stranka ali volivci, ki v volilni enoti določijo več kot enega kandidata za člana občinskega sveta, morajo določiti kandidate oziroma kandidatne liste tako, da pripada vsakemu od obeh spolov najmanj 40% kandidatur oziroma mest na kandidatni listi ter svoje kandidate oziroma kandidate na prvi polovici kandidatne liste razporediti izmenično po spolu.

Določba prvega odstavka tega člena ne velja za kandidatne liste, na katerih so uvrščeni trije kandidati oziroma kandidatke, pri čemer mora biti na kandidatni listi, na katero so uvrščeni trije kandidati oziroma kandidatke, najmanj en predstavnik vsakega od spolov.

71. člen

Vsak volivec lahko da podporo s podpisom samo enemu predlogu kandidatov, ki se volijo po večinskem načelu, ali samo eni listi kandidatov.

72. člen

Kandidatura oziroma lista kandidatov mora vsebovati oznako volilne enote, ime predlagatelja, ime liste kandidatov, osebne podatke kandidatov: ime, priimek, rojstni podatki, stopnja izobrazbe, naziv izobrazbe, strokovni ali znanstveni naslov in delo, ki ga opravlja, naslov stalnega prebivališča oziroma začasnega prebivališča, če je državljan druge države članice EU in nima prijavljenega stalnega prebivališča v Republiki Sloveniji, ime in priimek ter naslov stalnega prebivališča predstavnika kandidature oziroma liste kandidatov, če je državljan druge države članice EU, ki nima prijavljenega stalnega prebivališča v Republiki Sloveniji, pa naslov začasnega prebivališča. Kandidaturi oziroma listi

Article 70

The written consent of the candidate is required for each candidacy. The consent of the candidate shall be irrevocable.

Article 70a

A political party or voters who nominate more than one candidate for member of the municipal council in the constituency must determine the candidates or candidate lists in a manner such that each gender comprises at least 40% of the candidacies or positions on the candidate list, and distribute their candidates or the candidates in the first half of the list of candidates alternately by gender.

The provision of paragraph one of this Article shall not apply to lists of candidates with only three candidates, whereby lists containing three candidates must include at least one representative of each gender.

Article 71

Each voter may support by their signature only one proposal of candidates to be elected according to the majority principle, or only one list of candidates.

Article 72

A candidacy or a list of candidates must include the designation of the constituency, the name of the proposer, the name of the list of candidates, the personal data of the candidates: name, surname, birth data, level of education, title of education, professional or scientific title and current employment, address of permanent or temporary residence if he or she is a citizen of another EU Member State and does not have a registered permanent residence in the Republic of Slovenia, the name and surname and address of permanent residence of the representative of the candidate or list of candidates or, with regard to a citizen of another EU Member State who does not have a registered permanent residence

kandidatov morajo biti priložena pisna soglasja kandidatov in s tem zakonom določeno najmanjše število podpisov volivcev na predpisanih obrazcih.

Kandidaturi oziroma listi kandidatov, ki jo vloži politična stranka, morajo biti priložena tudi pravila politične stranke o določanju kandidatov oziroma list kandidatov in zapisnik o določitvi kandidatov oziroma list kandidatov.

73. člen

Če je predlagatelj kandidature oziroma liste kandidatov skupina volivcev, se kot ime predlagatelja navede ime in priimek enega izmed teh volivcev z dodatkom »in skupina volivcev«. Ime predlagatelja se šteje tudi za ime liste, če volivci niso določili drugega imena liste.

9. Potrjevanje kandidatur oziroma list kandidatov

74. člen

Kandidature oziroma liste kandidatov se predložijo občinski volilni komisiji najpozneje trideset dni pred dnem glasovanja do 19. ure.

Glede postopka potrjevanja kandidatur oziroma list kandidatov, določanja seznamov potrjenih kandidatur oziroma list kandidatov in njihove objave se smiselno uporabljajo določbe zakona o volitvah v državni zbor.

10. Glasovanje na voliščih

75. člen

Glede organizacije in dela na voliščih ter glasovanja se

in the Republic of Slovenia, his or her address of temporary residence. The written consent of candidates and the minimum number of voters' signatures on the prescribed forms stipulated in this Act must be enclosed with the candidacy or list of candidates.

The rules of the political party regarding the determination of candidates or lists of candidates and the minutes on the determination of candidates or lists of candidates must be enclosed with candidacies or lists of candidates submitted by political parties.

Article 73

If the proposer of a candidate or list of candidates is a group of voters, then the name and surname of one of these voters and the additional phrase "and a group of voters" shall be stated as the name of the proposer. The name of the proposer shall also be considered the name of the list if the voters have not determined another name for the list.

9. Confirmation of candidacies or lists of candidates

Article 74

Candidacies or lists of candidates shall be submitted to the municipal electoral commission no later than thirty days before the election day by 7 p.m.

The provisions of the National Assembly Elections Act shall apply *mutatis mutandis* regarding the procedures for confirming candidacies or lists of candidates and for determining lists of confirmed candidacies or lists of candidates and their publication.

10. Voting at polling stations

Article 75

Unless otherwise stipulated by this Act, the provisions of the

smiselno uporabljajo določbe zakona o volitvah v državni zbor, kolikor ni s tem zakonom drugače določeno.

76. člen

Volišča določi občinska volilna komisija.

77. člen

Občinska volilna komisija obvesti volivce o dnevu glasovanja in o volišču, kjer so vpisani v volilni imenik.

78. člen

Volivci, ki so na dan glasovanja odsotni, lahko glasujejo pred tem dnevom, vendar ne prej kot pet dni in ne kasneje kot dva dni pred dnevom glasovanja, na posebnem volišču na sedežu občinske volilne komisije.

79. člen (črtan)

80. člen

Za lokalne volitve ne veljajo določbe zakona o volitvah v državni zbor, ki se nanašajo na glasovanje po pošti v tujini in na glasovanje pri diplomatsko konzularnih predstavništvih Republike Slovenije ter na glasovanje na volišču zunaj kraja stalnega prebivanja.

81. člen

Volivci, ki se zaradi bolezni ne morejo osebno zglasiti na volišču, kjer so vpisani v volilni imenik, lahko glasujejo pred volilnim

National Assembly Elections Act shall apply *mutatis mutandis* to the organisation of and work at polling stations and voting.

Article 76

Municipal electoral commissions shall determine the polling stations.

Article 77

The municipal electoral commission shall inform voters of the election day and of the polling stations where they are enrolled in the electoral register.

Article 78

Voters who will be absent on the election day may vote prior to that day, but no earlier than five days and no later than two days prior to the election day, at a special polling station at the seat of the municipal electoral commission.

Article 79 (Deleted)

Article 80

The provisions of the National Assembly Elections Act relating to voting by post from abroad and to voting at diplomatic or consular representative office of the Republic of Slovenia, as well as to voting at polling stations outside one's place of permanent residence shall not apply to local elections.

Article 81

Voters who cannot go in person to the polling station where they are enrolled in the electoral register for reason of illness may vote in

odborom na svojem domu, če to sporočijo občinski volilni komisiji najkasneje tri dni pred dnem glasovanja.

82. člen

Glasovnica za večinske volitve vsebuje:

- oznako občine in oznako volilne enote,
- zaporedne številke ter priimke in imena kandidatov po seznamu ter ime predlagatelja,
- navodilo o načinu glasovanja.

Volivec glasuje tako, da na glasovnici obkroži zaporedno številko pred imeni kandidatov, za katere glasuje. Volivec lahko glasuje za največ toliko kandidatov, kolikor se voli članov občinskega sveta v občini oziroma v volilni enoti.

83. člen

Glasovnica za proporcionalne volitve, pri katerih se glasuje o listah kandidatov, vsebuje:

- oznako občine in oznako volilne enote,
- zaporedne številke in imena list kandidatov po vrstnem redu iz seznama list kandidatov, pri vsaki listi pa prostor za vpis preferenčnega glasu za posameznega kandidata na listi,
- navodilo o načinu glasovanja.

Volivec glasuje tako, da obkroži zaporedno številko liste kandidatov, za katero glasuje. Če želi dati posameznemu kandidatu z liste preferenčni glas, pa vpiše v za to določen prostor pri listi zaporedno številko kandidata z liste, ki mu daje preferenčni glas.

11. Ugotavljanje volilnih izidov

84. člen

Glede ugotavljanja izida glasovanja na volišču in glede

their homes before an electoral committee if they notify the municipal electoral commission thereof no later than three days prior to the election day.

Article 82

Ballot papers for majority elections shall contain:

- the mark of the municipality and the mark of the constituency,
- the order and names and surnames of the candidates by list and name of the proposer,
- the voting instructions.

Voters shall vote by circling the serial number before the name of the candidate on the ballot paper for whom they are voting. Voters may vote for as many candidates as there are members of the municipal council to be elected in the municipality or constituency.

Article 83

Ballot papers for proportional elections where lists of candidates are being voted on shall contain:

- the mark of the municipality and the mark of the constituency,
- the serial numbers and names of the lists of candidates in the order from the list of lists of candidates, and for each list also a space to write in a preferential vote for an individual candidate on the list,
- the voting instructions.

Voters shall vote by circling the serial number of the list of candidates for which they are voting. If they wish to give an individual candidate from the list a preferential vote, they shall write in the space set aside for this purpose for the list the serial number of the candidate from the list to whom they give a preferential vote.

11. Determination of election results

Article 84

Unless otherwise provided by this Act, the provisions of the

ugotavljanja volilnih izidov v volilni enoti in v občini se smiselno uporabljajo določbe zakona o volitvah v državni zbor, kolikor ni s tem zakonom drugače določeno.

85. člen

Pri ugotavljanju volilnega izida večinskih volitev občinska volilna komisija ugotovi, koliko glasov so dobili posamezni kandidati in kateri kandidati so izvoljeni.

86. člen

Pri ugotavljanju volilnega izida proporcionalnih volitev, pri katerih se glasuje o listah kandidatov, občinska volilna komisija ugotovi, koliko glasov je dobila posamezna lista kandidatov, koliko mandatov pripada posamezni listi in kateri kandidati s posameznih list kandidatov so izvoljeni.

87. člen

Kadar se pri proporcionalnih volitvah delijo mandati v volilni enoti in na ravni občine, občinska volilna komisija ugotovi, koliko mandatov se dodeli istoimenskim listam kandidatov na ravni občine in kateri kandidati so izvoljeni.

88. člen

Izid glasovanja po pošti ugotavlja občinska volilna komisija, pri čemer upošteva glasovnice, ki so prispele po pošti do 12. ure na dan po dnevu glasovanja.

Ovojnice z glasovnicami morajo imeti poštni žig z datumom ali pa morajo biti ovojnica priložene listine, iz katerih je razviden datum njihove oddaje na pošto.

Glasovnice, ki so prispele po pošti, in katerih ovojnice niso

National Assembly Elections Act shall apply *mutatis mutandis* to the determination of the results of voting at polling stations and to the determination of election results in constituencies and in municipalities.

Article 85

In determining the election results of majority elections, the municipal electoral commission shall determine how many votes individual candidates have received and which candidates have been elected.

Article 86

In determining the results of proportional elections where voting is on lists of candidates, the municipal electoral commission shall determine the number of votes received by individual lists of candidates, how many seats each list should be allocated and which candidates from individual lists have been elected.

Article 87

In proportional elections, whenever seats are distributed in constituencies and at the level of the municipality, the municipal electoral commission shall determine the number of seats to be allocated to lists of candidates having the same name at the level of the municipality, and which candidates have been elected.

Article 88

The results of postal voting shall be determined by the municipal electoral commission, whereby it shall take into account ballot papers that arrived by post by noon of the day following the election day.

Envelopes with ballot papers must bear a postal stamp indicating the date or be accompanied by documents proving the date of their delivery to the post office.

Ballot papers received by post in envelopes that do not comply

opremljene na način, določen v prejšnjem odstavku, so neveljavne.

89. člen

Volilni odbor na volišču pošlje zapisnik o svojem delu in drugi volilni material občinski volilni komisiji najpozneje naslednji dan po dnevu glasovanja do 12. ure.

Volilna komisija volilne enote pošlje zapisnik o svojem delu in drug volilni material občinski volilni komisiji najpozneje četrty dan po dnevu glasovanja. **(črtan)**.

90. člen

Občinska volilna komisija sestavi poročilo o izidu volitev v občini in ga pošlje županu najpozneje šesti dan po dnevu glasovanja. Občinska volilna komisija pošlje poročilo o izidu volitev v občini tudi Državni volilni komisiji ter predstavnikom kandidatur oziroma list kandidatov.

Izid volitev v občini objavi občinska volilna komisija v občinskem uradnem glasilu.

91. člen

Občinska volilna komisija izda izvoljenim kandidatom za člane občinskega sveta potrdilo o izvolitvi.

12. Naknadne in ponovne volitve

92. člen

Naknadne volitve se opravijo, če v volilni enoti ali na posameznem volišču ni bilo izvedeno glasovanje na dan, ki je določen za glasovanje.

with the manner determined in the preceding paragraph shall be invalid.

Article 89

The electoral committee at the polling station shall send the minutes on its work and other election materials to the municipal electoral commission no later than by noon of the day following the election day.

The constituency electoral commission shall send the minutes on its work and other election materials to the municipal electoral commission within four days of the election day. **(Deleted)**.

Article 90

The municipal electoral commission shall draw up a report on the results of the election in the municipality and shall send it to the mayor within six days of the election day. The municipal electoral commission shall send the report on the results of the election in the municipality also to the National Electoral Commission and to representatives of the candidacies or lists of candidates.

The municipal electoral commission shall publish the results of the election in the municipality in the official journal of the municipality.

Article 91

The municipal electoral commission shall issue confirmations of election to the candidates elected as members of the municipal council.

12. Subsequent and repeated elections

Article 92

Subsequent elections shall be held if voting in a constituency or at an individual polling station was not carried out on the date determined for voting.

Naknadne volitve razpiše občinska volilna komisija. Naknadne volitve se morajo opraviti najkasneje v 30 dneh od dneva, ki je bil določen za glasovanje na splošnih oziroma nadomestnih volitvah.

93. člen

Ponovne volitve se opravijo, če občinska volilna komisija zaradi nepravilnosti, ki so ali bi lahko bistveno vplivale na izid volitev, razveljavi glasovanje na volišču in odredi ponovne volitve.

94. člen

Ponovne volitve se opravijo tudi v primeru, če občinski svet ne potrdi mandata člana občinskega sveta oziroma če sodišče na podlagi pritožbe razveljavi potrditev mandata člana občinskega sveta in občinska volilna komisija ugotovi, da je zaradi tega potrebno opraviti ponovne volitve.

95. člen

Ponovne volitve razpiše občinska volilna komisija.

Ponovne volitve na podlagi obstoječih kandidatur se opravijo najkasneje v 15 dneh od dneva razpisa ponovnih volitev.

Ponovne volitve na podlagi novih kandidatur se opravijo najkasneje v dveh mesecih od dneva razpisa ponovnih volitev.

13. Varstvo volilne pravice

96. člen

Subsequent elections shall be called by the municipal electoral commission. Subsequent elections must be held within 30 days of the day determined for voting in general elections or by-elections.

Article 93

Repeated elections shall be held if the municipal electoral commission, due to irregularities that did or could have significantly affected the results of the election, annuls the voting at a polling station and decrees that a repeated election shall be held.

Article 94

Repeated elections shall also be held in instances where the municipal council fails to confirm the election of a member of the municipal council or if a court, on the basis of a complaint, annuls the confirmation of the office of a member of the municipal council and if the municipal electoral commission establishes that a repeated election should be held for this reason.

Article 95

Repeated elections shall be called by the municipal electoral commission.

Repeated elections on the basis of existing candidacies shall be held no later than within 15 days of the day repeated elections are called.

Repeated elections on the basis of new candidacies shall be held within two months of the day repeated elections are called.

13. Protection of the right to vote

Article 96

Zaradi nepravilnosti v postopku kandidiranja ima vsak kandidat oziroma predstavnik kandidature ali liste kandidatov pravico vložiti ugovor pri občinski volilni komisiji. Ugovor se lahko vloži do roka, določenega za predložitev liste kandidatov.

Občinska volilna komisija odloči o ugovoru v postopku potrjevanja kandidatur oziroma list kandidatov. O ugovoru mora odločiti najpozneje v 48 urah od izteka roka za predložitev kandidatur oziroma list kandidatov.

96.a člen

Občinska volilna komisija v celoti ali deloma odpravi odločbo s katero je v postopku potrjevanja list kandidatov potrdila listo kandidatov, če sama, do roka za objavo potrjenih list kandidatov, ali na podlagi ugovora predstavnika katerekoli liste kandidatov ugotovi, da je lista kandidatov sestavljena v nasprotju s tem zakonom. Ugovor predstavnika liste kandidatov mora biti podan najpozneje v 48 urah po dnevu objave seznama list kandidatov.

Občinska volilna komisija odloči o ugovoru najpozneje v 24 urah po prejemu ugovora.

Zoper odločitev občinske volilne komisije iz drugega odstavka tega člena je dovoljena pritožba iz 97. člena tega zakona.

97. člen

Zoper odločbo občinske volilne komisije, s katero se zavrne kandidatura oziroma lista kandidatov ali ugovor iz 96. in 96.a člena tega zakona, lahko vsak kandidat ali predstavnik kandidature oziroma liste kandidatov vloži pritožbo na sodišče, pristojno za upravne spore v 48 urah po prejemu odločbe.

Sodišče mora odločiti o pritožbi najpozneje v 48 urah po

Due to irregularities in the process of standing for election, each candidate or representative of a candidate or list of candidates shall have the right to lodge a complaint with the municipal electoral commission. A complaint may be lodged within the time limit determined for the submission of a list of candidates.

The municipal electoral commission shall decide on complaints regarding the procedure for confirming candidacies or lists of candidates. It must decide on a complaint within 48 hours of the expiry of the time limit for the submission of candidacies or lists of candidates.

Article 96a

The municipal electoral commission shall annul, in part or entirely, the decision whereby it confirmed a list of candidates in the procedure for confirming the lists of candidates if it ascertains, by the date determined for the publication of confirmed lists of candidates or on the basis of a complaint by a representative of a list of candidates, that the list of candidates has been composed in contravention of this Act. A complaint by a representative of a list of candidates must be lodged within 48 hours of the day of publication of the lists of candidates.

The municipal electoral commission shall decide on a complaint within 24 hours of receipt of thereof.

An appeal may be filed under Article 97 of this Act against the decision of the municipal electoral commission referred to in paragraph two of this Article.

Article 97

Each candidate or representative of a candidate or list of candidates may file an appeal with the court competent for administrative disputes against the decision of the municipal electoral commission rejecting the candidacy or list of candidates or the complaint referred to in Articles 96 and 96a of this Act within 48 hours of receipt of the decision.

The court must reach a decision on the appeal within 48 hours

prejemu pritožbe.

98. člen

Zaradi nepravilnosti pri delu volilnega odbora ima vsak kandidat, predstavnik kandidature oziroma liste kandidatov in vsak volivec pravico vložiti ugovor pri občinski volilni komisiji.

Ugovor se lahko vloži najpozneje naslednji dan po dnevu glasovanja. Občinska volilna komisija mora odločiti o ugovoru najpozneje četrty dan od dneva glasovanja.

99. člen

Če občinska volilna komisija ugotovi takšne nepravilnosti pri glasovanju na volišču oziroma pri delu volilnega odbora, ki so ali bi lahko bistveno vplivale na izid volitev, razveljavi glasovanje na volišču ter odredi ponovne volitve v obsegu, v katerem je bilo glasovanje razveljavljeno.

Če občinska volilna komisija ugotovi takšne nepravilnosti pri delu volilne komisije volilne enote, ki so ali bi lahko bistveno vplivale na izid volitev, sama ugotovi izid volitev v volilni enoti. **(črtan)**.

100. člen

Zoper odločitev občinske volilne komisije, ki lahko vpliva na potrditev mandatov, ima vsak kandidat in predstavnik kandidature oziroma liste kandidatov pravico vložiti pritožbo na občinski svet, razen v primeru nadomestnih volitev iz 30. člena tega zakona, kjer ima pravico do pritožbe samo predstavnik liste kandidatov. Pritožbo lahko vloži do začetka prve seje občinskega sveta. Pritožbo, ki se nanaša na nadomestne, naknadne ali ponovne volitve, pa lahko vloži najpozneje v 15 dneh od dneva teh volitev.

of receipt of the appeal.

Article 98

Each candidate, representative of a candidate or list of candidates, and voter shall have the right to lodge a complaint with the municipal electoral commission due to irregularities in the work of election committees.

A complaint may be lodged no later than the day after the election day. The municipal electoral commission must reach a decision on the complaint within four days of the election day.

Article 99

If the municipal electoral commission ascertains such irregularities in voting at polling stations or in the work of electoral committees that did or could have significantly affected the results of the election, it shall annul the voting at the polling station and decree that a repeated election shall be held to the extent to which the voting was annulled.

If the municipal electoral commission ascertains such irregularities in the work of the constituency electoral commission that did or could have significantly affected the results of the election, it shall determine the results of the election in the constituency by itself. **(Deleted)**.

Article 100

Each candidate and representative of a candidate or list of candidates shall have the right to file an appeal with the municipal council against a decision of the municipal electoral commission that could affect the confirmation of office, except in the case of the by-elections referred to in Article 30 of this Act, where only the representative of a list of candidates shall have the right to appeal. An appeal may be filed up to the start of the first session of the municipal council. Appeals concerning by-elections, subsequent elections or repeated elections may be filed at

Občinski svet odloči o pritožbi ob potrditvi mandatov članov občinskega sveta.

101. člen

Če občinski svet pritožbi ne ugotovi, pritožnik lahko v osmih dneh od dneva prejema obvestila, vloži pritožbo na sodišče, pristojno za upravne spore.

Sodišče odloči o pritožbi v 30 dneh od dneva vložitve pritožbe.

102. člen

V primerih iz prejšnjega člena in 97. člena tega zakona sodišče odloča v senatu treh sodnikov.

Sodišče odloča ob primerni uporabi določb zakona o upravnih sporih.

III. VOLITVE ŽUPANOV

103. člen

Pravico voliti župana ima vsak volivec, ki ima volilno pravico pri volitvah v občinski svet.

Pravico biti voljen za župana ima oseba iz prvega odstavka 5. člena tega zakona.

104. člen

Redne volitve županov se opravijo hkrati z rednimi volitvami v občinske svete.

the latest within 15 days of the day of such election.

The municipal council shall decide on the appeal upon confirming the office of members of the municipal council.

Article 101

If the municipal council does not grant the appeal, the appellant may, within eight days of receipt of notification, file an appeal with the court competent for administrative disputes.

The court shall rule on the appeal within 30 days of the filing of the appeal.

Article 102

In the cases referred to in the preceding Article and Article 97 of this Act, the court shall decide in a panel of three judges.

The court shall decide on the basis of the appropriate application of the provisions of the Administrative Dispute Act.

III. ELECTION OF MAYORS

Article 103

Every voter who has the right to vote in elections to the municipal council shall have the right to vote for mayor.

Persons referred to in paragraph one of Article 5 of this Act shall have the right to stand for election as mayor.

Article 104

Regular elections of mayors shall be held at the same time as regular elections to the municipal council.

Redne volitve županov razpiše predsednik Državnega zbora Republike Slovenije.

105. člen

Nadomestne volitve župana se opravijo, če županu preneha mandat pred potekom mandatne dobe.

Nadomestne volitve župana razpiše občinska volilna komisija.

106. člen

Glede določanja kandidatov za župana veljajo smiselno določbe tega zakona o kandidiranju za večinske volitve v občinski svet. Kadar določa kandidata za župana skupina volivcev, je potrebno število podpisov najmanj 2% od števila volivcev v občini, ki so glasovali v prvem krogu na zadnjih rednih volitvah za župana, vendar ne manj kot 15 in ne več kot 2500.

107. člen

Za župana je izvoljen kandidat, ki je dobil večino veljavnih glasov.

Če noben kandidat ni dobil večine glasov, se opravi drugi krog volitev med kandidatom, ki sta dobila največ glasov. Če je več kandidatov dobilo enako najvišje število glasov ali če je dvoje ali več kandidatov dobilo enako drugo najvišje število glasov, se izbira kandidatov za drugi krog volitev določi z žrebom. Na glasovnici sta kandidata navedena po vrstnem redu glede na število dobljenih glasov v prvem krogu volitev. Če je število dobljenih glasov enako, se vrstni red določi z žrebom.

Drugi krog rednih volitev razpiše Državna volilna komisija, drugi krog vseh ostalih volitev pa občinska volilna komisija. Drugi krog volitev se opravi 14 dni po prvem krogu volitev.

Regular elections of mayors shall be called by the President of the National Assembly of the Republic of Slovenia.

Article 105

A by-election for mayor shall be held if a mayor's office ceases before the expiry of his or her term of office.

A by-election for mayor shall be called by the municipal electoral commission.

Article 106

As regards the nomination of candidates for mayor, the provisions of this Act applying to standing for election for majority elections to a municipal council shall apply *mutatis mutandis*. When a candidate for mayor is nominated by a group of voters, the required number of signatures shall be at least 2% of the number of voters in the municipality who voted in the first round in the last regular election for mayor, but not less than 15 and not more than 2500.

Article 107

The candidate who receives a majority of valid votes cast shall be elected mayor.

If no candidate receives a majority of votes, a second round of elections shall be held between the two candidates receiving the most votes. If multiple candidates receive the same highest number of votes, or if two or more candidates receive the same second-highest number of votes, the candidates for the second round of elections shall be decided by drawing lots. The ballot paper shall list the candidates in the order of the number of votes received in the first round of elections. If the number of votes received is equal, the order shall be determined by drawing lots.

The second round of regular elections shall be called by the National Electoral Commission, while the second round of all other elections shall be called by the municipal electoral commission. The

108. člen

Glede vprašanj, ki v tem oddelku niso posebej urejena, se smiselno uporabljajo določbe tega zakona o volitvah v občinske svete.

IV. VOLITVE V SVETE KRAJEVNIH, VAŠKIH IN ČETRTRNIH SKUPNOSTI

109. člen

Za volitve članov svetov četrtnih skupnosti se smiselno uporabljajo določbe tega zakona, ki veljajo za volitve v občinski svet.

Za volitve članov svetov krajevnih skupnosti in članov svetov vaških skupnosti kot delov občine se smiselno uporabljajo določbe tega zakona, ki veljajo za večinske volitve v občinski svet.

Ne glede na 54. člen tega zakona kandidate za člane sveta krajevne, vaške oziroma četrtne skupnosti lahko določi s podpisovanjem skupina najmanj desetih volivcev. Podpisi se dajejo na seznamu, ki vsebuje osebne podatke podpisnikov: ime in priimek, rojstni datum in naslov stalnega prebivališča, če so podpisniki državljani druge države članice EU, pa naslov začasnega prebivališča, če nimajo prijavljenega stalnega prebivališča v Republiki Sloveniji. Podatke v seznamu podpisnikov overi občinska volilna komisija.

Politična stranka določi kandidate za člane sveta krajevne, vaške oziroma četrtne skupnosti po postopku, določenem v 51. členu tega zakona. Pri določanju kandidatov morajo sodelovati člani stranke, ki imajo volilno pravico in stalno prebivališče v občini.

second round of elections shall be held 14 days after the first round of elections.

Article 108

The provisions of the Act governing elections to municipal councils shall apply *mutatis mutandis* to issues not specifically governed by this section.

IV. ELECTIONS TO THE COUNCILS OF LOCAL, VILLAGE AND DISTRICT COMMUNITIES

Article 109

The provisions of this Act that apply to elections to municipal councils shall apply *mutatis mutandis* to the election of members of the councils of urban communities.

The provisions of this Act that apply to majority elections to municipal councils shall apply *mutatis mutandis* to the election of members of the councils of local communities and of members of the councils of village communities as part of municipalities.

Notwithstanding Article 54 of this Act, candidates for members of the council of local, village or district communities may be nominated by signature by a group of at least ten voters. Signatures shall be submitted on a list containing the personal data of the signatories: name and surname, birth date and address of permanent residence or, if the signatories are citizens of another EU Member State, address of temporary residence if they do not have a registered permanent residence in the Republic of Slovenia. The data on the list of signatories shall be certified by the municipal electoral commission.

A political party shall nominate candidates for members of the councils of local, village or district communities in accordance with the procedure laid down in Article 51 of this Act. Only members of the party who have the right to vote and permanent residence in the municipality shall participate in the nomination of candidates.

Volilne enote določi organ lokalne skupnosti, ki je z zakonom pristojen za določitev števila članov organa ožjega dela skupnosti.

Volilne enote se določijo tako, da je zagotovljena zastopanost prebivalcev posameznih naselij oziroma delov krajevne, vaške ali četrtne skupnosti v svetu te skupnosti.

Volilno pravico imajo državljani Republike Slovenije s stalnim prebivališčem v krajevni, vaški oziroma četrtni skupnosti.

Volilno pravico imajo tudi državljani druge države članice EU, ki imajo potrdilo o prijavi stalnega prebivanja in prijavljeno stalno prebivališče v krajevni, vaški oziroma četrtni skupnosti, če nimajo prijavljenega stalnega prebivališča v Republiki Sloveniji, pa potrdilo o prijavi prebivanja in prijavljeno začasno prebivališče v krajevni, vaški oziroma četrtni skupnosti.

Volilno pravico imajo tudi tujci, ki imajo dovoljenje za stalno prebivanje in prijavljeno stalno prebivališče v krajevni, vaški oziroma četrtni skupnosti.

110. člen

Redne volitve v svete krajevnih, vaških in četrtnih skupnosti se opravijo istočasno kot redne volitve v občinske svete.

Nadomestne volitve v svete krajevnih in vaških skupnosti se opravijo, ko preneha mandat najmanj tretjini članov sveta.

111. člen

Volitve v svete krajevnih, vaških in četrtnih skupnosti razpiše župan.

Če se krajevna, vaška ali četrtna skupnost ustanovi po

Constituencies shall be determined by the local community body empowered by an Act to determine the number of members of the body of the narrower part of the community.

Constituencies shall be determined in such a manner so as to ensure the representation of the residents of individual settlements or parts of the local, village or district community in the council of this community.

Citizens of the Republic of Slovenia with permanent residence in the local, village or district community shall have the right to vote.

Citizens of another EU Member State who have a certificate of registration of permanent residence and registered permanent residence in the local, village or district community or, if they do not have a registered permanent residence in the Republic of Slovenia, a certificate of registration of residence and registered temporary residence in the local, village or district community shall also have the right to vote.

Aliens with a permanent residence permit and registered permanent residence in the district, village or urban community shall also have the right to vote.

Article 110

Regular elections to the councils of local, village and district communities shall be held at the same time as regular elections to municipal councils.

By-elections to the councils of local, village and district communities shall be held after the cessation of the office of at least a third of the members thereof.

Article 111

Elections to the councils of local, village or district communities shall be called by the mayor.

If a local, village or district community is established after

opravljenih rednih volitev, se prve volitve v svet krajevne, vaške ali četrtne skupnosti opravijo po določbah tega zakona o predčasnih volitvah v občinski svet.

112. člen

Volitve v svete krajevnih, vaških in četrtnih skupnosti vodi in izvaja občinska volilna komisija.

113. člen (črtan)

114. člen

Glede vprašanj, ki v tem oddelku niso posebej urejena, se smiselno uporabljajo določbe tega zakona o volitvah v občinske svete.

III.a KAZENSKA DOLOČBA

114.a člen

Z globo 600 eurov se kaznuje za prekršek:

1. posameznik, ki v določenem roku ne obvesti pristojne volilne komisije o sorodstvenem ali drugem razmerju s kandidatom (peti odstavek 37. člena),
2. posameznik, ki poda lažno pisno izjavo o tem, da s kandidatom ni v sorodstvenem ali drugem razmerju (sedmi odstavek 37. člena).

Naloge prekrškovnega organa opravlja inšpektorat, pristojen za notranje zadeve. Pristojna občinska volilna komisija, ki ugotovi kršitve, mora prekrškovnemu organu podati predlog za uvedbo postopka o prekršku.

IV. PREHODNE IN KONČNE DOLOČBE

regular elections have been held, the first elections to the council of the local, village or district community shall be held in accordance with the provisions of this Act on early elections to the municipal council.

Article 112

Elections to the councils of local, village and district communities shall be held and carried out by the municipal electoral commission.

Article 113 (Deleted)

Article 114

The provisions of the Act governing elections to municipal councils shall apply *mutatis mutandis* to issues not specifically governed by this section.

III.a PENALTY PROVISION

Article 114.a

A fine of EUR 600 shall be imposed for a minor offence on:

1. individuals who fail to inform the competent electoral commission of a family or other relationship with a candidate (paragraph five of Article 37),
2. individuals who deliver a false statement as to not being in a family or other relationship with a candidate (paragraph seven of Article 37).

The tasks of a minor offence body shall be performed by the inspectorate competent for internal affairs. The competent municipal electoral commission that establishes violations must submit a proposal to initiate minor offence proceedings to the minor offence body.

IV. TRANSITIONAL AND FINAL PROVISIONS

115. člen

Referendumi o oblikovanju novih občin se izvedejo do konca maja 1994.

Na podlagi izvedenih referendumov se z zakonom ustanovijo nove občine do konca julija 1994.

Volitve v občinske svete in volitve županov ter konstituiranje občinskih svetov v novih občinah se opravi najpozneje do 31. 12. 1994.

116. člen

Število članov prvega občinskega sveta se določi v zakonu o ustanovitvi občin.

Število članov občinskega sveta se določi glede na število prebivalcev v občini, tako da občinski svet šteje naslednje število članov:

7 do 11 članov v občini z do 3.000 prebivalcev,
12 do 15 članov v občini z do 5.000 prebivalcev,
16 do 19 članov v občini z do 10.000 prebivalcev,
20 do 23 članov v občini z do 15.000 prebivalcev,
24 do 27 članov v občini z do 20.000 prebivalcev,
28 do 31 članov v občini z do 30.000 prebivalcev,
32 do 35 članov v občini s preko 30.000 prebivalcev,
36 do 45 članov v občini s preko 100.000 prebivalcev.

V narodnostno mešanih občinah imata narodni skupnosti v občinskih svetih desetino skupnega števila članov občinskega sveta oziroma najmanj enega.

117. člen

Občinske skupščine na predlog izvršnih svetov v petih dneh po uveljavitvi zakona o ustanovitvi občin sprejmejo odloke o določitvi volilnih enot in imenujejo občinske volilne komisije. Če tega ne storijo, sprejmejo

Article 115

Referendums on forming new municipalities shall be held by the end of May 1994.

On the basis of the referendums held, the new municipalities shall be established by an Act by the end of July 1994.

Elections to municipal councils, elections of mayors and the formation of municipal councils in the new municipalities shall be held no later than 31 December 1994.

Article 116

The number of members of the first municipal councils shall be determined in the Act on the establishment of municipalities.

The number of members of municipal councils shall be determined with regard to the number of residents in the municipality such that the number of members of a municipal council is as follows:
7 to 11 members in a municipality with up to 3,000 residents,
12 to 15 members in a municipality with up to 5,000 residents,
16 to 19 members in a municipality with up to 10,000 residents,
20 to 23 members in a municipality with up to 15,000 residents,
24 to 27 members in a municipality with up to 20,000 residents,
28 to 31 members in a municipality with up to 30,000 residents,
32 to 35 members in a municipality with over 30,000 residents,
36 to 45 members in a municipality with over 100,000 residents.

In municipalities of mixed nationality, the national communities shall have one tenth of the number of members of the municipal council, but at least one.

Article 117

On the proposal of executive councils, municipal councils shall, within five days of the entry into force of the Act on the establishment of municipalities, adopt decrees on the determination of constituencies and

odloke o določitvi volilnih enot volilne komisije referendumskih območij, ki tudi opravijo naloge občinskih volilnih komisij. V tem primeru republiška volilna komisija lahko po potrebi spremeni sestavo volilnih komisij referendumskih območij.

118. člen

Prvo sejo na prvih volitvah izvoljenega občinskega sveta skliče predsednik občinske volilne komisije najpozneje v 20 dneh po njegovi izvolitvi.

119. člen

Prve redne volitve županov se opravijo hkrati s prvimi rednimi volitvami v občinske svete.

120. člen

Prve volitve v svete krajevnih, vaških in četrtnih skupnosti se opravijo v enem letu po uveljavitvi statuta občine.

121. člen

Z dnem uveljavitve tega zakona nehajo veljati določbe zakona o volitvah v skupščine (Uradni list SRS, št. 42/89 in 5/90 ter Uradni list RS, št. 10/90 in 45/90), ki se nanašajo na nadomestne volitve delegatov zborov skupščin občin in posebnih družbenopolitičnih skupnosti.

122. člen

Ta zakon začne veljati petnajsti dan po objavi v Uradnem listu

appoint municipal electoral commissions. If they fail to do so, the decrees on the determination of constituencies shall be adopted by the electoral commissions of the referendum territories, which shall also perform the tasks of municipal electoral commissions. In such cases, the National Electoral Commission may, if necessary, change the composition of the electoral commissions of the referendum territories.

Article 118

The first session of the municipal council elected at the first elections shall be called by the chairman of the municipal electoral commission within 20 days of the election of the council.

Article 119

The first regular elections of mayors shall be held at the same time as the first regular elections to the municipal council.

Article 120

The first elections to the councils of local, village and district communities shall be held within one year of the entry into force of the statutes of the municipality.

Article 121

On the day this Act enters into force, the provisions of the Assemblies Elections Act (Official Gazette of the Socialist Republic of Slovenia [*Uradni list SRS*], Nos 42/89 and 5/90 and Official Gazette of the Republic of Slovenia [*Uradni list RS*], Nos 10/90 and 45/90) which concern by-elections for delegates of the conference of municipal assemblies and special socio-political communities shall cease to be in force.

Article 122

This Act shall enter into force on the fifteenth day following its

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publication in the Official Gazette of the Republic of Slovenia.