

REPUBLIC OF LITHUANIA
LAW ON PRESIDENTIAL ELECTIONS

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CHAPTER ONE
GENERAL PROVISIONS

Article 1. The Basis for Election of the President of the Republic of Lithuania

The citizens of the Republic of Lithuania shall elect the President of the Republic of Lithuania (President) for a five-year term on the basis of universal, equal and direct suffrage and by secret ballot.

Article 2. The Right to Candidacy for President

1. Any person who is a citizen of the Republic of Lithuania by birth, who has lived in Lithuania for at least the past three years, provided s/he has reached the age of 40 prior to the election day, and is eligible for election as member of the Seimas of the Republic of Lithuania (hereinafter: 'Seimas member') may be elected President (President).

2. A person who has grossly violated the Constitution of the Republic of Lithuania (hereinafter: 'the Constitution') or broken the oath and who has been removed from office or her/his mandate of Seimas member has been revoked by the Seimas in accordance with impeachment proceedings, may not be elected President.

3. The same person may be elected President for not more than two consecutive terms.

Article 3. Information about Relations with Foreign Special Services (Structures)

1. After the Central Election Commission of the Republic of Lithuania (hereinafter: 'the Central Election Commission, CEC') has adopted a decision to issue an individual who is self-nominated or is nominated as a candidate for President with forms for the collection of voter signatures, s/he must, before s/he is registered as a candidate for President, submit to the CEC the information about her/his work with the NKVD, NKGB, MGB, KGB of the USSR or the former Soviet republics as well as with other corresponding services (structures) of other foreign states, studying at schools of the said services (structures) or about collaboration with the said services (structures). An individual who is self-nominated or is nominated as a candidate for President shall enter this information into a questionnaire. It must specify the name and subordination of the service (structure), individual's position, rank and functions, time and place of work or studies, awards. The CEC shall set out the format of a questionnaire. Data contained

in the questionnaire shall be available to the public. If an individual who is self-nominated or is nominated as a candidate for President indicates in a questionnaire the information specified in the present paragraph of this Article, the CEC must make public such questionnaire within 24 hours from the date of its submission.

2. If an individual who is self-nominated or is nominated as a candidate for President has not submitted to the CEC a filled-in questionnaire prior to registration as a candidate for President, the CEC shall make public this fact not later than within 24 hours from the date of her/his registration as a candidate for President.

3. A candidate for President must announce in her/his every video or audio election campaign material about her/his work, studying or collaboration with the services (structures) specified in paragraph 1 of this Article.

4. If the CEC receives written information that the data provided in a questionnaire are wrongful, concealed or that a filled-in questionnaire has not been submitted, as well as that an individual who is self-nominated or is nominated as a candidate for President or a candidate for President worked, studied in the services (structures) specified in paragraph 1 of this Article or collaborated with them and establishes that the related data are not included in a questionnaire, it must within 48 hours notify an individual who is self-nominated or is nominated as a candidate for President or a candidate for President about the received information and offer him to provide explanations.

5. If an individual who is self-nominated or is nominated as a candidate for President or a candidate for President agrees to the information received by the CEC, s/he must immediately enter additionally this information on her/his questionnaire and, in the event a questionnaire has not been filled in, s/he must fill it in and enter the indicated information thereon. The CEC must, not later than within 24 hours, make public this information.

6. If an individual who is self-nominated or is nominated as a candidate for President or a candidate for President does not agree to the information received by the CEC, does not arrive at the CEC when invited or refuses to provide explanations regarding the received information, the CEC may, when necessary, approach the people who provided the said information as well as other institutions or organisations, requesting to provide additional data or documents.

7. Having considered the received information, the CEC must take one of the following decisions:

1) to declare the received information groundless;

2) to appeal to the Supreme Administrative Court of Lithuania with an application to establish a fact that an individual who is self-nominated or is nominated as a candidate for President or a candidate for President has included in a questionnaire the wrongful data about her/his work, studying in the services (structures) specified in paragraph 1 of this Article or collaboration with them, or has concealed these data.

8. In all cases the CEC must, not later than within 5 working days of receipt of the information, take a decision and to make it public within 24 hours from its adoption.

9. The Supreme Administrative Court of Lithuania shall consider the application of the CEC within 72 hours and take a decision. This decision shall become effective from the moment of its announcement.

10. The CEC shall within 24 hours make public the effective decision of the Supreme Administrative Court of Lithuania.

11. If the CEC receives the information specified in paragraph 1 of this Article later than 12 days left before the election, a candidate for President shall not be notified about this information, and the CEC shall not consider it.

12. The CEC may make public the fact established by the Supreme Administrative Court of Lithuania not later than 72 hours left before the beginning of voting.

Article 4. Universal Suffrage

1. Citizens of the Republic of Lithuania who are 18 years of age or older on election day shall have the right to vote for the President.

Citizens of the Republic of Lithuania who have been declared legally incapable by the court shall not participate in the election.

2. Any direct or indirect abridgement of the right of citizens of the Republic of Lithuania to vote on the grounds of their sex race nationality language descent, social status, religion, convictions, or views shall be prohibited.

Article 5. Equal Suffrage

Every citizen of the Republic of Lithuania who has the right to vote for the President shall have one vote in the election.

Article 6. Direct Election of the President

Voters shall elect the President without mediators.

Article 7. Secret Ballot

Voters shall vote in person and by secret ballot. It shall be prohibited to control the will of voters in an election.

Article 8. Prohibition to Bribe Voters and people Eligible to Vote

1. During the political campaign of presidential election, i.e. from the announcement of a date of presidential election until the end of the period of election campaign as set out by this Law as well as on election day it shall be prohibited to directly or indirectly buy votes, to induce by offering gifts or other rewards a voter or a person eligible to vote to attend or not to attend presidential election and (or) to vote for or against one or another person to be nominated, a candidate for President, as well as to promise to reward voters for voting after the election with the purpose to affect the will of citizens regarding particular candidates for President and thus hinder citizens from implementing their right to elect President.

2. Production or distribution free of charge to voters of the printed matter (a programme, biography of a person to be nominated as a candidate, a candidate, or other leaflets, calendars, postcards, stickers of information character) and things of minor significance (the price of which does not exceed LTL 5) marked with the symbols of the candidate or the nominating party, declared with the CEC in accordance with the procedure laid down by the CEC and intended for propagating a person to be nominated as a candidate, a nominating political party (hereinafter: 'a party') shall not be considered as bribery of voters.

3. Municipal Election Commissions (hereinafter: 'MEC') shall, in accordance with the procedure laid down by the CEC, examine the facts of bribery of voters or people eligible to vote, while the CEC shall evaluate such facts.

The CEC shall announce the established facts of bribery on its website together with a pledge of the candidate for President, who has violated this Article, to adhere to the prohibition to bribe voters or people eligible to vote.

After the recognition of the facts of bribery as a grave violation of this Law, the consequences defined in this Law and other laws shall arise.

Article 9. Openness of Preparation and Holding of an Election

1. State institutions and election Commissions shall publicly prepare and conduct an election of the President. Public notice must be given of the events (meetings, sessions) related to the organisation of election at least 12 hours prior to the commencement of the event (meeting, session).

2. The election Commissions shall inform the citizens about their work; the formation of election precincts (precincts); the composition of election Commissions, their location and working hours; the voter lists; the results of candidate registration to the post of the President; and the voting and election results.

3. The mass media shall inform the public about the organisation and the course of presidential election.

4. Representatives of all mass media shall have the right to unrestricted participation in all events organised by the election Commissions, attendance of all election Commission sessions as well as the acquisition of information from the election Commissions concerning the organisation and the course of presidential election.

Article 10. Expenditure Related to the Preparation and Conduct of an Election

Expenses related to the preparation and execution of an election of the President shall be covered by the State and local authorities. The expenditure of election Commissions related to the organisation and conduct of an election shall be covered and the work of the members of election Commissions and the service staff shall be paid from the state budget. Maintenance of premises of the offices of MECs and polling stations, expenditures related to acquisition and keeping of the equipment of polling stations shall be paid from the local authority funds. If the

municipality fails to provide adequate premises and supplies for the polling stations, state funds shall be used for this purpose by the decision of the CEC. In this event the actual expenses relating to polling stations and their equipment shall, within two months after the election, be exempted by the CEC from the local authority without suit.

Expenses related to giving a ride to polling stations to vote where this is organised in accordance with the procedure laid down by the CEC shall be paid from the state and municipal budgets.

SECTION II ORGANISATION OF AN ELECTION

Article 11. Formation of Election Precincts

1. With a view of making it more convenient for voters to reach a polling station and with account of the number of voters, the territories of municipalities shall be divided into election precincts (precincts).

2. The division of the territory of a municipality into precincts shall be approved and changed by the CEC on the recommendation of the director of the municipal administration. The list of the approved precincts and the amendments thereof shall be published by the CEC on its website.

3. No more than 5,000 voters must reside within the territory of a precinct.

4. The boundaries of a precinct shall be adjusted and the address of a polling station shall be changed when necessary, but no later than 100 days before an election. While recommending to approve the division of the territory of a municipality into precincts, the municipal administration director shall specify a proposed name of a precinct, the addresses which are within the precinct, the number of voters in the precinct which is being formed, the address and telephone number of a polling station. The recommendation on changes in the division of the territory of a municipality into precincts shall specify the proposed changes. No later than 100 prior to an election the director of the municipal administration shall also inform the CEC about new addresses, changed addresses or addresses which are no longer existent as well as approve the addresses and telephone numbers of polling stations. The director of the municipal administration shall submit the proposals and recommendations provided for in paragraph 2 of this Article and in this paragraph to the CEC in accordance with the procedure laid down by the CEC.

5. When an early election of the President under Article 87 of the Constitution or an election of the President under Article 89(1) of the Constitution is held within two months from the announcement of the election date, the CEC may change the boundaries of precincts and the addresses of polling stations not later than 50 days before an election. If the said election is held earlier than within two months from the announcement of the election date, the boundaries of precincts shall not be altered.

Article 12. Election Commissions

1. Elections of the President shall be organised and conducted by:

- 1) the CEC;
- 2) municipal election commissions (MECs); and
- 3) Precinct election commissions (PECs).

2. Members of election Commissions may not be candidates for President or proxies of such candidates.

3. A citizen of the Republic of Lithuania who is of good repute, has the right to be elected as Seimas member (not taking into consideration the minimum age limit set for a candidate for Seimas member, but not younger than 18 years of age on the election day), has the higher education and has not been removed during the last three years from an election Commission for the violations of election laws or the Law on Referendum may be nominated to an election Commission. The requirement to have the higher education shall not apply to a member of PEC, the chairperson of PEC who has the experience of serving as an election Commission member or chairperson; the said requirement shall not apply to a member or chairperson of a MEC who has the experience of serving as a member or chairperson of the MEC. The CEC shall, in accordance with the CEC procedure, organise trainings for election Commission members and chairpersons.

4. A person shall not be considered of good repute if:

1) s/he has been found guilty, by an effective judgment of conviction, of a criminal act and her/his prior conviction has not expired yet or has not been expunged;

2) s/he has been dismissed from the appointive or elective office because s/he broke the oath or promise, degraded the name of the officer and less than three years have elapsed since the date of the dismissal or entry into force of a decision to revoke the mandate;

3) s/he has been dismissed from work, from the office or has lost the right to engage in the relevant activity for non-compliance with the requirement of good repute set out in laws and for breach of ethics laid down in legal acts, and less than three years have elapsed since the dismissal from work, from the office or loss of the right to engage in the relevant activity;

4) s/he is a member of an organisation which is prohibited in accordance with the procedure laid down by laws.

Article 13. Formation of Municipal Election commissions

1. The CEC shall, for the period of an election, form MECs no later than 74 days in advance of an election.

2. MECs shall comprise:

1) a person nominated by the Minister of Justice, having a higher education degree in law, who resides or works in the territory of that municipality;

2) people nominated by the Lithuanian Lawyers' Association, having a higher education degree in law, who reside or work in the territory of that municipality;

3) one career civil servant who works in the administration of that municipality and who is nominated by the director of the administration of that municipality;

4) people nominated by parties which have received the mandates of the Seimas members in the multi-member constituency.

3. The Minister of Justice, the Lithuanian Lawyers' Association and the directors of the municipal administrations may nominate more candidates.

4. Parties which have received the mandates of the Seimas members in the multi-member constituency according to the list (joint list) of candidates shall each have the right to nominate one representative to MECs from each list of candidates nominated in this constituency. If the nominees meet the requirements of this Law, the CEC may not reject the said candidates. In the event that candidates for membership have not been nominated, the CEC may additionally appoint MEC members among of those candidates nominated by the Minister of Justice, the Lithuanian Lawyers' Association or the director of municipal administration.

5. In all cases, at least three MEC members must be the people nominated by the Minister of Justice, the Lithuania's Lawyers' Association and the director of the administration. If these people make up together less than three MEC members, the commission shall be enlarged from other people nominated by the Minister of Justice or the Lithuanian Lawyers' Association, or the director of municipal administration.

6. If an election to the office of President and to the Seimas or to municipal councils, or to the European Parliament, or a referendum are concurrently held on the same day, the same PECs or referendum commissions shall be formed. The CEC shall form a single – municipal electoral, constituency electoral or referendum – commission on a separate electoral or referendum territory and shall define its functions in organising and carrying out other elections or referendum.

7. The CEC shall appoint the chairperson of a MEC from the commission members. A person who has got experience of working as the chairperson or member of the CEC or a MEC, or a constituency election Commission or who has got experience of working as the chairperson of a PEC shall be appointed as the chairperson of a MEC.

8. During its first session, the MEC shall elect its deputy chairperson and the secretary.

9. When an early election of the President under Article 87 of the Constitution or an election of the President under Article 89(1) of the Constitution is held within two months from the announcement of the election date, the CEC shall, not later than 50 days prior to the election, set up MECs. If the said election is held earlier than within two months from the announcement of the election date, such 50-day time limit shall be reduced by the number of days lacking to constitute a two-month time limit.

Article 14. Powers of Municipal Election commissions

The MEC shall:

- 1) in accordance with the procedure established by the CEC, inform the voters residing within the municipality about the boundaries of precincts, offices of the election Commissions, working hours and polling stations;
- 2) supervise the implementation of this Law within the municipality;
- 3) form PECs;
- 4) within the limits approved by the CEC, approve estimated expenses of PECs and control the use of funds assigned;
- 5) register election observers and issue certificates to them;
- 6) make up a list of health care (except out-patient), social care institutions, military units, arrest houses, remand prisons (detention facilities) and penitentiary institutions situated in the territory of a municipality, and together with the head of the post office take care of the organisation of postal voting in those places, as well as organise early voting;
- 7) draw up a vote counting protocol, establish voting results and transfer them for approval to the CEC;
- 8) consider complaints against decisions and actions of the PECs and adopt decisions concerning them; and
- 9) in accordance with the procedure laid down by the CEC, conduct monitoring of political advertising at the territory of a municipality during the election campaign and submit the monitoring data to the CEC;
- 10) exercise other powers provided for in this Law.

Article 15. Formation of Precinct election commissions

1. No later than 65 days prior to an election, the MEC shall set the number of PEC members for each polling station that must be a multiple of the number of the parties having the right to nominate candidates to election Commissions. If the number of nominated candidates is insufficient or there is a vacancy in the PEC, the director of the administration of the municipality where the precinct is formed may nominate the lacking candidates.

2. The following shall have the right to propose an equal number of candidates to a PEC:

1) each party or coalition of the parties which obtained the seats of Seimas member in a multi-member constituency during the last election to the Seimas. If a party obtained the seats of the Seimas members within a coalition, it may nominate candidates together with the members of the coalition;

2) a party or a coalition of the parties which obtained the seats from the list of nominated candidates (joint list) in the election to a municipal council. If a party obtained the seats within a coalition, it may nominate candidates together with the members of the coalition.

3. If a party may nominate candidates on the basis of the results of both the parliamentary and municipal election, it may nominate candidates on the basis of the results of only one of these elections by its choice. If one of the parties which have participated in an election coalition

does not nominate candidates or refuses to nominate them, or chooses to nominate candidates according to the results of the election other than those for which the coalition was formed, other parties which participated in the coalition have the right to nominate candidates in its absence.

4. Parties submit their lists of MEC nominees no later than 48 days prior to an election.

5. PECs shall, for the period of an election, be formed by MECs no later than 45 days before an election. If a candidate nominated by the party meets the requirements of this Law, the MEC may not turn him down.

6. If no candidates have been nominated or the nominated candidates do not meet the requirements of this Law, or they have been nominated after the set time limit, a MEC may decrease the earlier fixed number of PEC members or address the director of the municipal administration to nominate the lacking PEC members. People proposed by the director of the municipal administration may not be members of parties or become one prior to the expiration of the powers of the PEC member. If at the session where a PEC member is appointed at least three MEC members object to the appointment of the person nominated by the director of the municipal administration, that person may not be appointed a PEC member.

7. PECs chairpersons shall be appointed from among the PEC members by MECs. A person who has got the experience of serving as the chairperson or a member of an election Commission or a person who has the higher education shall be appointed as PEC chairperson.

8. During its first session the PEC shall elect its deputy chairperson and a secretary.

9. When an early election of the President under Article 87 of the Constitution or an election of the President under Article 89(1) of the Constitution is held within two months from the announcement of the election date, MECs shall, not later than 45 days before an election, establish the number of members of each PEC. Parties shall submit to MECs the lists of candidates for PEC members no later than 42 days prior to the election. PECs shall be set up not later than 40 days left to the election. An PEC member who does not give a written pledge longer than seven days after the appointment or who gives a written pledge with the reservation, shall lose her/his powers in the PEC. If an early election of the President under Article 87 of the Constitution or an election of the President under Article 89(1) of the Constitution is held earlier than within two months from the announcement of the election date, 40-day, 42-day and 45-day time limits specified in this paragraph shall be reduced by the number of days lacking to constitute a two-month time limit.

Article 16. Powers of Precinct election commissions

The PEC shall:

1) receive Voter list for Precinct from the MEC, provide voters, election representatives for the access to such voter lists, issue voter cards to voters or distribute them in some other manner, inform the MEC about inaccuracies found in the Voter list for Precinct and transmit these data electronically according to the procedure laid down by the CEC;

- 2) consider complaints concerning errors in the Voter list for Precinct;
- 3) in accordance with the procedure laid down by the CEC, supervise the postal voting at the territory of the precinct and monitor the provision of opportunities for postal voting in all health care (except out-patient), social care institutions, military units, arrest houses, remand prisons (detention facilities) and penitentiary institutions, situated within the territory of the precinct as well as organise voting at home;
- 4) together with a representative of the municipal administration, take care of the arrangement of polling stations, polling booths and ballot boxes in due time pursuant to the requirements laid down in this Law;
- 5) organise voting in the polling station on election day;
- 6) count votes, draw up a vote counting protocol of the precinct (PEC results protocol) and transmit the data of the protocol electronically in accordance with the procedure laid down by the CEC;
- 7) consider complaints of the voters and observers of its precinct on issues concerning the preparation of an election, organising of voting, vote counting, drawing-up of PEC results protocol and shall take decisions related thereto;
- 8) exercise other powers provided for in this Law.

Article 17. Written Pledge of Election Commission Members and Organisation of Election Commission Work

1. A member, chairperson of an election Commission shall start holding the position in the election Commission upon having given a written pledge.

2. The CEC shall establish the procedure for giving a written pledge by members, chairpersons of the MECs and the PECs. The texts of a written pledge of a member, chairperson of an election Commission shall read as follows:

1) "I, (name, surname), swear to be faithful to the Republic of Lithuania, adhere to its Constitution and laws, conscientiously and honestly perform my duties in the election Commission and refrain from actions violating laws and human rights."

So help me God.”;

2) "I, (name, surname), swear to be faithful to the Republic of Lithuania, adhere to its Constitution and laws, conscientiously and honestly perform my duties in the election Commission and refrain from actions violating laws and human rights."

3. Having given a written pledge, a person shall sign the text of the pledge.

The pledge shall be effective for the whole duration of the appointment to the election Commission. The text of a written pledge may not be altered. It shall be prohibited to hold the position in the election Commission without giving a written pledge.

4. Written pledges of election Commission members, chairpersons shall be stored by the election Commission which has appointed them.

5. When appointing an election Commission member, the CEC or a MEC shall set a time limit for giving a written pledge. The person who has not given a written pledge within 15 days after her/his appointment or who has given a written pledge with a reservation, shall be removed from her/his position in the election Commission.

6. Sessions of election Commissions shall be valid if attended by at least three-fifths of the commission members. Decisions of commissions shall be adopted by open vote of the majority of the commission members present in the meeting. In the event of a tie, the commission chairperson shall have a casting vote. Commission members who do not agree with the decision shall be entitled to express a dissenting opinion in writing. A dissenting opinion shall be attached to the session minutes and shall form an integral part of the minutes.

7. After the end of the election, the powers of the chairpersons and members of MECs and PECs shall be terminated. The decision to terminate the powers of the commission members, chairperson shall be taken by the election Commission which appointed the commission members, chairperson when this commission, its chairperson have fulfilled all the tasks assigned to them under this Law.

8. The chairperson, a member of an election Commission who has given a written pledge shall be prohibited to participate in any form of election campaign and attempts to influence the voter's will in any other way. The individual who has violated this requirement or a written pledge of an election Commission member must be dismissed from the commission and may be prosecuted under laws.

Article 18. Complaints against Decisions of Election Commissions Adopted before the Beginning of Voting

1. All parties which have nominated presidential candidates as well as proxies of candidates may appeal against the decisions of election Commissions according to the following procedure:

- 1) decisions of PECs – to the MEC;
- 2) decisions of MECs – to the CEC;
- 3) decisions of the CEC – to the Supreme Administrative Court of Lithuania.

2. Complaints must be considered within 48 hours from their submission. The decision of the Supreme Administrative Court of Lithuania shall become effective from its announcement.

Article 19. Complaints against Decisions of Election Commissions Taken after the End of Voting

1. All parties which have nominated presidential candidates as well as the proxies of the candidates may appeal to the MEC against decisions of PECs concerning the drawing-up of PEC results protocols not later than within 24 hours of the adoption of the decisions. These complaints must be considered within 24 hours from their submission.

2. When considering a complaint against the a PEC decision concerning the drawing-up of PEC results protocols, the MEC may recount the ballots presented by the PEC, provided that at least three-fifths of the MEC members are present. Upon establishing an arithmetic mistake, incorrectly calculated valid or invalid ballots, the MEC may amend the entries in the PEC results protocols. The MEC shall have no right to invalidate the PEC results protocols.

3. The CEC decisions, with the exception of the decision to declare the results of the election of the President invalid, may be appealed to the Supreme Administrative Court of Lithuania not later than within two days of adoption of the decision and must be considered not later than within 48 hours. Rest days and public holidays shall also be included in this time limit. A decision of the Supreme Administrative Court of Lithuania shall become effective from the moment of its announcement and is binding for the CEC.

4. While considering an appeal against the MEC decision concerning the drawing-up of PEC results protocols, the CEC may re-count the ballots presented by the MEC. Having established an arithmetic mistake or incorrectly calculated ballots, it may amend the entries in the results protocols of the MEC and PEC. The CEC shall have no right to invalidate the MEC results protocols.

Article 20. Assistance for Election Commissions and Use of State Budget Funds to Conduct an Election

1. State and municipal institutions and agencies must assist election Commissions in exercising their powers and provide information necessary for their performance.

2. State and municipal institutions and agencies must, within three days, consider requests submitted to them by election Commissions and give them justified responses.

3. For carrying out an auxiliary work the CEC may recruit employees under the employment contract. Employment contracts shall be signed by the CEC Chairperson or authorised people. The Government shall, taking into account CEC recommendations, set the procedure for paying the employed staff for work and the amount of such payment.

4. State and municipal institutions and agencies must provide to election Commissions suitable premises for organisation and conduct of an election, equipment, computer hardware and the internet access. Polling stations and access to them must be suitable for voters with disabilities and older voters.

5. The CEC shall transfer the state budget funds allocated to MECs for organisation of an election to the bank account for each MEC.

6. The CEC Chairperson shall sign an agreement with the MEC chairperson on the use of state budget funds.

This agreement shall indicate:

1) the amount of state budget funds transferred to the MEC and the programme of the CEC under which these funds are allocated;

- 2) the targeted purpose of the use of state budget funds for organisation of an election;
- 3) planned detailed distribution of state budget funds according to the economic purpose of expenditure, and the calculation of remuneration costs (attached to the agreement);
- 4) the procedure for counting to the CEC for the use of state budget funds (indicating the economic purpose of expenditure) and submitting of counting documents justifying the use of the funds;
- 5) other provisions which help the CEC to ensure lawfulness, cost-effectiveness, efficiency and productiveness of implementation of the programmes and the use of state budget funds for organisation of an election.

7. The CEC shall transfer the state budget funds for organisation of an election to the accounts indicated in paragraph 5 of this Article in accordance with the estimates of MECs, approved by the CEC.

8. The MEC chairperson shall be responsible for state budget funds allocated for the MEC for organisation of an election and shall account to the CEC for this.

9. The CEC shall examine the report on the use of the state budget funds for the organisation of an election and the documents justifying the expenditure, presented by the MEC chairperson. Having established violations of financing, use of funds or accounting, the CEC shall initiate full recovery of damages from the guilty people.

10. The MEC chairperson shall be liable for the damages inflicted during the period of validity of the agreement on the use of state budget funds for organisation of an election even after the expiration of such an agreement.

Article 21. Remuneration of Election Commission Members

1. Chairpersons, deputy chairpersons, members and secretaries of election Commissions shall be paid salaries for their work in election Commissions in accordance with the rates submitted by the CEC and approved by the Government.

2. Chairpersons, deputy chairpersons, members and secretaries of election Commissions shall be paid for their work in election Commissions against actual time sheets, within the limits allocated to an appropriate election Commission for remuneration. The CEC shall establish the procedure for filling in time sheets in election Commissions. The chairperson of an appropriate election Commission shall be responsible for the accuracy of the time sheets. Limitation on the working time defined in the Labour Code of the Republic of Lithuania shall not be applied to work in election Commissions.

3. The procedure for imposing incentive measures to chairpersons, deputy chairpersons and members of election Commissions shall be approved by the Government on the recommendation of the CEC.

Article 22. Changing the Composition of Election Commissions

1. The chairperson or a member of a MEC, PEC may be dismissed from her/his post in the commission by the election Commission which approved the composition or by the CEC.

2. The election Commission may consider only a justified proposal of a party to recall the member of the election Commission whom the party proposed.

3. When necessary, a new chairperson or member of the election Commission may be appointed in accordance with the procedure established by this Law even upon the expiration of the time limits set in Article 13(1) and Article 15(5) of this Law.

CHAPTER THREE

VOTER LISTS AND VOTER CARDS

Article 23. Voter lists

1. In order to organise and hold an election the following voter lists shall be compiled:

- 1) the voter list of the Republic of Lithuania (National Voter List);
- 2) voter lists of municipalities; and
- 3) Voter list for Precincts.

2. Voter lists shall be drawn up twice – preliminary and final. These lists may be used only for organisation and holding of an election.

3. The procedure for compiling voter lists must be such that every citizen of the Republic of Lithuania who is entitled to vote shall be entered on voter lists. No one may be entered on a voter list more than once.

4. The National Voter List and voter lists of municipalities shall be drawn up and kept electronically by the CEC in cooperation with the management body of the Residents' Register of the Republic of Lithuania. Voter list for Precincts shall be printed. The procedure, form, method of compiling voter lists and the procedure of their use shall be laid down by the CEC.

When drawing up voter lists, the following personal data shall be used:

1) in the National voter list: name, surname, personal number, date of birth, number of the personal document confirming the citizenship, the address of the place of residence;

2) in the municipal voter list: name, surname, personal number, date of birth, address of the place of residence;

3) in the Voter list for Precinct: name, surname and address of the place of residence. The home address of a voter who has expressed disagreement about her/his home address appearing in Voter list for Precinct shall be indicated only in the annex to Voter list for Precinct and in the Voter card.

5. Every voter shall have the right to express disagreement about her/his home address being made public in Voter list for Precinct. The CEC shall, together with the management body of the Residents' Register, take the necessary measures to enable a voter to express disagreement about her/his home address being made public in Voter list for Precinct.

Article 24. General Procedure for Entering Citizens on the Voter list of the Republic of Lithuania

1. All citizens of the Republic of Lithuania who have the right to vote shall be entered on the National Voter List according to the data of issuance of the document (passport or identity card) confirming the citizenship and according to the Residents' Register. Voter lists compiled according to these data shall be preliminary.

2. Compiling, checking and keeping of voter lists shall be organised by the CEC on the basis of the information from by state and municipal institutions and agencies as well as election Commissions.

3. The following people shall be removed from the National Voter List:

- 1) a deceased citizen of the Republic of Lithuania;
- 2) a person who has lost the citizenship of the Republic of Lithuania; and
- 3) a citizen who has been declared legally incapable by the court.

4. Preliminary voter lists with changes done therein and acknowledged in the procedure established by the CEC shall be, not later than 7 days prior to an election, approved as final voter lists. Changes in final voter lists may be made only subject to the consent of the CEC. After the election the electronic National Voter List shall be stored and used pursuant to the time limits and the procedure laid down by the CEC.

Article 25. Voter lists of Municipalities

The voter list of a municipality shall be provided in the electronic information carrier by the CEC according to the National Voter List and the place of residence of a voter (the last known place of residence of a voter) indicated therein and shall be delivered to the MEC at least 39 days before an election. Voter lists of voters residing abroad shall also be drawn up and delivered to diplomatic missions and consular posts of the Republic of Lithuania. Also, lists of voters whose exact address of the place of residence is unknown shall be drawn up.

Article 26. Voter list for Precincts

A Voter list for Precinct shall be drawn up by the MEC according to the voter list of a municipality and the voter's home address indicated therein and shall be delivered to the PEC at least 26 days before an election. Also, lists of citizens whose place of residence is unknown shall be drawn up. Voters, ship's crew members and passengers who are unable to return to Lithuania during the period of Postal voting or to be present on the election day, shall, according to the procedure established by the CEC, be entered on a Voter list for Precinct on the territory whereof the ship's registration harbour administration is located.

Article 27. Public Announcement of, and Access to, Voter lists

1. A PEC, a diplomatic mission and a consular post shall, at least 25 days prior to an election, provide access for the voters to Voter list for Precinct. In an annex to the Voter list for Precinct voters shall only have access to their own data specified. It shall be prohibited to make

copies of Voter list for Precinct or duplicate or distribute such lists in any other manner. A notice must be posted at the entrance to the PEC office indicating working hours and telephone numbers by which the voters may check whether their names have been entered on the voter list. Upon the expiry of the time limit for delivering voter cards as provided for by this Law, the working hours of the PEC, its telephone numbers must be on display in stairwell entrances of multi-apartment residential buildings. The time and place for the voters to exercise their right to have access to voter lists shall be on display in a diplomatic mission and a consular post, at the entrance to the premises of an election Commission.

2. The National Voter List and voter lists of municipalities shall not be made public, however, information about the entry of the voter's name on the voter list may be provided by telephone to the voter concerned.

Article 28. Voter card

1. A Voter card shall be a document giving information to a voter about an election, and is an invitation to participate in an election. Voter cards together with other information about an election shall be delivered to voters by or such delivery shall be organised by election Commissions. A voter personally or at her/his request – any other person may print or fill her/his Voter card in accordance with the data of the National Voter List received in accordance with the CEC procedure. The voter shall sign her/his Voter card personally, except for the cases where s/he cannot sign it because of her/his physical disability, sickness or any other reason, while the Voter card is signed by any other person chosen by the voter, indicating her/his name, surname and personal number. PECs shall distribute Voter card forms which may be filled by the voter. A Voter card shall be mandatory only in the cases where a voter votes not on election day at a place other than a polling station.

2. A Voter card shall specify:

- 1) the voter's name and surname;
- 2) the voter's home address;
- 3) the name and number of the MEC where the precinct is allocated;
- 4) the name, number of a precinct on the voter list of which the voter has been entered, as well as the address of a polling station;
- 5) the successive number of the voter on Voter list for Precinct; and
- 6) election date, polling time at the polling station; invitation to attend an election and other information relevant to the voter or the organisation of an election.

3. If a voter applies for a Voter card in case the Voter card has been lost or has not been received, a Voter card must be issued to the voter as soon as her/his data, which must be entered on the card, are established.

Article 29. Delivery of Voter cards

1. The delivery of Voter cards to voters shall be organised by a PEC.

2. Articles 58, 61, 62 and 63 of this Law shall lay down the procedure for delivering voter cards to voters in health care (except out-patient), social care institutions, military units, arrest houses, remand prisons (detention facilities) and penitentiary institutions, and to voters who have gone abroad.

3. The delivery of a Voter card shall be marked in the preliminary Voter list for Precinct. The voter shall be personally handed a Voter card or through any other person living together with the voter. If it is impossible to deliver a Voter card because a voter or any other person living together with the voter is not at home, the Voter card shall be returned to the PEC, this fact shall be marked in the preliminary voter list and a general invitation to go to the polls shall be left for the voter. This invitation may be put into a mailbox or handed to the voter's neighbour who knows the voter and undertakes to give it to the voter. The delivery of Voter cards to voters must be finished at least 8 days before an election. If an election to the Seimas or to the European Parliament, or to municipal councils, or a referendum, or a run-off voting is scheduled for the same date as a presidential election, only one Voter card shall be handed.

4. The voter who has not received a Voter card in due time or who has received a Voter card with incorrect data, must forthwith inform the PEC in the territory of which s/he resides, and to produce her/his passport or other document confirming her/his identity to this PEC. If the voter has been entered on the voter list of this precinct, the PEC must fill out a new Voter card and issue it to the voter immediately. If the voter has not been entered on the voter list of this precinct, but the voter's home address according to the data of the Residents' Register is within the territory of this precinct or the voter produces other evidences that s/he resides within the territory of this precinct, the PEC shall provide an application form, as prescribed by the CEC, to be filled out by the voter in order to be entered on the voter list of this precinct (or a PEC member may fill out this application form; this application form may also be submitted electronically by the voter in accordance with the CEC procedure) and shall immediately inform the MEC about this. The PEC must take care of entering, in compliance with the above-mentioned application, the voter on the voter list of this precinct. A Voter card shall be written out and delivered to the voter as soon as the voter list is updated.

5. A MEC may, in accordance with the CEC procedure, issue a Voter card to the voter whose name is entered on the voter list of a different municipality if the said voter is not able to return to her/his permanent place of residence to collect or obtain the Voter card in other manner.

Article 30. Updating Voter lists before Drawing up Final Voter lists

1. Preliminary voter lists shall be updated when transferring a voter from one voter list of a municipality or a precinct into another, when removing a voter from or entering the voter to the National Voter List.

2. The voter shall be transferred from one voter list into another if it becomes clear that the address of her/his place of residence in the preliminary voter list is incorrect or it has changed after the voter list was compiled.

3. Transferring of a voter from the voter list of one precinct into another within the same municipality is the responsibility of the MEC which shall notify the CEC about the changes made in the Voter list for Precinct. Transferring of a voter from the voter list of one municipality into the voter list of another municipality shall be executed by the CEC on the request of the MEC and the changes made shall be delivered to the MECs. Only the CEC may enter a voter on or strike him from the National Voter List in the cases provided for in Article 24 of this Law.

Article 31. Entry on Voter lists of Citizens of Lithuania who are Staying Abroad

1. Citizens of the Republic of Lithuania staying in other states shall be entered on the voter list of the municipality of the city of Vilnius.

2. A diplomatic mission and a consular post of the Republic of Lithuania shall, at least 15 days before an election, submit electronically to the CEC in accordance with the CEC procedure the voter list compiled in the diplomatic mission and the consular post as well as information regarding its updating. This voter list may be supplemented with the voters who will be unable to return to Lithuania during the period of postal voting or to be present on the election day and who shall vote in a diplomatic mission or a consular post.

Article 32. Entering on Voter lists of Voters who are in Military Units, on Ships, Arrest Houses, Remand Prisons (Detention Facilities) and Penitentiary Institutions

1. Voters on mandatory military service shall be entered on the voter lists of that precinct within the territory of which they had permanently resided before they were called for the mandatory military service. Voters performing the active military service, civil service or working under employment contracts in international military operations abroad shall be entered on the Voter list for Precinct at the territory of which they have declared their place of residence.

2. Voters who are aboard a ship and who will be unable to return to Lithuania during the period of early voting or to be present on the election day, shall be entered on the additional Voter list for that Precinct to which the ship's crew is assigned.

3. Voters who are in arrest houses, remand prisons (detention facilities) or penal institutions shall be entered on the Voter list for Precinct in the territory of which they have declared their place of residence. If such a person has not declared her/his place of residence s/he, at her/his written request, shall be entered on the Voter list for Precinct within the territory of which an arrest house, remand prison (detention facilities) or penal institution is situated. A person who declared her/his place of residence before s/he was placed in an arrest house, remand prison (detention facilities) or penal institution may not be entered on the Voter list for Precinct within the territory of which the arrest house, remand prison (detention facilities) or penal institution is situated.

Article 33. Updating Final Voter lists and on Polling Day

1. If following the approval of the final voter lists, but no later than until 6pm on election day, a PEC is addressed by a voter who has not been entered on the voter list of that precinct and submits the passport or identity card of the citizen of the Republic of Lithuania and the document about the declared place of residence (the place of residence must be allocated to the territory of this precinct), the PEC shall enter the voter on the Additional Voter list for Precinct and allow her/him to vote according to the CEC procedure, and immediately communicate the voter's name, surname, personal number, the number of her/his passport or identity card and her/his address to the MEC. The MEC shall check whether the voter has been entered on the voter list of municipality and take measures to ensure that the voter would not be able to vote twice or the ballots filled by thus voter would be counted only once. If the voter has voted twice, only the vote which was put in the ballot box at the polling station shall be counted. The other vote of the voter, received by post or cast according to the Additional Voter list for Precinct, shall not be counted.

2. On election day a voter who has not yet voted, may, in accordance with the CEC procedure, vote in another precinct of her/his single-member constituency, provided that all the precincts of this constituency are connected through electronic communication channels to the electronic voter list and the PECs can confirm that the voter has not voted in any of the precincts, and the PEC where the voter is entered confirms that an entry has been made in the voter list of this precinct regarding the arrival of the voter to vote at another precinct and the voter's vote, if received by post, will not be counted.

Article 34. Complaints about Voter lists

1. A voter or a representative of the party may lodge complaints with the PEC no later than 7 days before an election about the errors made in the voter lists due to which the voter has not been entered on the voter list in accordance with the procedure laid down by this Law or has been entered on several voter lists. The PEC must investigate the complaint and adopt a decision thereon either immediately or within 2 days of the receipt thereof, if more than 10 days left until election day.

2. A PEC decision may be within 3 days appealed against to an appropriate regional court. The court shall consider the appeal within 3 days. The decision of the court shall be final.

3. Complaints and comments shall not be considered after the expiration of the term set for filing comments or complaints.

4. PECs shall report to the MEC about the received complaints and changes made in the voter lists by the court's decision; the MEC shall report the above mentioned information to the CEC as soon as possible but no later than within 12 hours.

CHAPTER FOUR

NOMINATION OF CANDIDATES FOR PRESIDENT OF THE REPUBLIC

Article 35. Nomination of a Person to be a Candidate for President

1. Individual people may nominate themselves to be candidates for President.
2. The parties which are registered in accordance with the procedure laid down by law and meet the requirements for the number of party members may nominate or support individuals to be candidates for President.
3. Nomination of people to be candidates for President shall begin not more than 80 nor less than 65 days prior to election day.
4. When an early election of the President under Article 87 of the Constitution or an election of the President under Article 89(1) of the Constitution is held within two months from the announcement of the election, the nomination of candidates for President shall commence on the next day after the entry into force of an appropriate Seimas or Government resolution concerning the announcement of an election, and shall end not later than 45 days before election day. If such election is held earlier than within two months from the announcement thereof, the said 45-day limit shall be reduced by the number of days lacking to constitute a two-month limit.

Article 36. Declaration about Individual's Participation in an Election as a Candidate for President

1. An individual who is self-nominated to be a candidate for President must apply a written declaration about this to the CEC.
2. If an individual is nominated by parties to be a candidate for President, such decision shall also be produced in writing. An individual who has been nominated or self-nominated to be a candidate for President must arrive and submit to the CEC a document confirming the citizenship of the Republic of Lithuania and a document confirming the payment of a deposit amounting to 5 most recently published average monthly earnings in the whole economy (hereinafter: "AME"). After the election the election deposit shall be refunded to the individual who paid it, provided that this candidate has received more than 7 percent of votes cast by the voters who participated in the elections.
3. An individual who has been nominated or self-nominated to be a candidate for President must:
 - 1) inform the CEC in writing whether s/he is or has been and when a citizen of any other state (states);
 - 2) submit to the CEC a document confirming the citizenship of any other state (states);
 - 3) submit a document issued by the competent authorities of the Republic of Lithuania, another state (other states), attesting to the renouncement of the citizenship another state (other states) of or the loss thereof;

4) inform the CEC in writing whether s/he agrees that the CEC would receive from the competent authorities of the Republic of Lithuania and foreign countries the data about the citizenship of any other state (states) s/he has or has had, and the renouncement or loss thereof.

4. An individual who has been nominated or self-nominated to be a candidate for President must submit to the CEC a pledge in the set-out format to adhere to the prohibition to bribe voters or people entitled to vote.

5. If an individual does not agree that the CEC would receive the data specified in subparagraph 4 of paragraph 3 of this Article or does not submit to the CEC a pledge to adhere to the prohibition to bribe voters and people who are entitled to vote as provided for in paragraph 4 of this Article, the CEC shall not register individual's nomination to be a candidate for President, and if s/he has been registered as a candidate for President, shall repeal such registration.

6. The CEC shall, not later than within three calendar days after the receipt of the declaration, ascertain whether there are any reasons specified in Article 78 of the Constitution preventing the individual's nomination as a candidate for President, whether s/he has fulfilled the requirements specified in paragraphs 3 and 4 of this Article and whether s/he has been registered as an independent participant of political campaign, and shall adopt a grounded decision on whether or not to issue forms for the collection of voter signatures to the individual, with the name and surname of the candidate for President indicated thereon. Refusal to issue the forms for the collection of voter signatures may be appealed against to the Supreme Administrative Court of Lithuania not later than within three days of the adoption of the decision and the said Court must investigate such appeal not later than within 72 hours of receipt of the complaint. Rest days and public holidays shall be included in this time limit. The decision of the Supreme Administrative Court of Lithuania shall become effective from its announcement.

7. A candidate for President shall have the right to withdraw in writing her/his application not later than 15 days before an election. In this case the CEC may take a decision concerning registration of a candidate for President only if the candidate for President attends a meeting of the CEC and if not less than 13 days are left before election day.

Article 37. Collecting of Voter Signatures

1. At least 20,000 voter signatures as prescribed in Article 79 of the Constitution must be collected on the form for the collection of signatures, which shall contain the following text:

"I, as a citizen of the Republic of Lithuania, confirm my support for the application of
.....(the person's name and surname)
to participate in the election of (day, month, year) as a candidate for President.

Serial No Individual's Surname, Name

Series and No of the Document Confirming Citizenship of Lithuania

Date of Birth Permanent Place of Residence

Signature and Date"

2. The name and surname of the individual who has collected the signatures shall be indicated at the bottom of the form for the collection of voter signatures as well as the series and number of the document confirming her/his citizenship of the Republic of Lithuania, her/his permanent place of residence and signature.

3. All information on forms for the collection of voter signatures shall be filled out and signed by the voters themselves. If a voter cannot fill out and sign the form because of her/his physical handicaps, illness or due to any other reason, another individual shall do this upon her/his request. Such fact must be indicated by an appropriate inscription on the form for the collection of signatures of voters and certified by the signature of the person who collects voters' signatures. The said person must verify the identity of the individual signing the form as well as the accuracy of the data entered. A voter may support each candidate for President only once.

4. Forms for the collection of voter signatures shall be issued by the CEC directly to individuals who have announced in writing their participation as candidates in an election of the President and, upon the request of these individuals - to people indicated by them.

5. Voters may support electronically a candidate for President in accordance with the procedure laid down by the CEC.

Article 38. Registration of Candidates for President

1. At least 45 days prior to an election, individuals who have been nominated or self-nominated to be candidates for President must submit forms for the collection of voter's signatures to the CEC. Also, each individual who has been nominated or self-nominated to be a candidate for President must present the extracts containing the basic data from the income tax return and the assets declaration approved by the State Tax Inspectorate, as well as a declaration of private interests; these documents may also be submitted electronically in accordance with the CEC procedure.

2. Individuals who have been nominated or self-nominated to be candidates for President may submit a certificate of their health condition to the CEC. The CEC shall announce such certificates through mass media.

3. The CEC shall, not later than within 10 days of the receipt of the forms for the collection of voter signatures, shall check whether they have been completed correctly. If it is discovered that a citizen has signed for the same candidate more than once, none of her/his signatures shall be counted. Moreover, the signatures and data obtained or filled out in violation of Article 37(3) of this Law shall not be counted.

4. If, after the signatures which are not to be counted are cast off, an individual who has been nominated or self-nominated to be a candidate for President is supported by at least 20,000 voters, the CEC must register the individual as a candidate for President not later than within 24 hours. Refusal of the CEC to register an individual as a candidate for President may be appealed to the Supreme Administrative Court of Lithuania not later than within 3 calendar days,

and the said Court must investigate the appeal within 72 hours. Rest days and public holidays shall be included in this time limit. The decision of the Supreme Administrative Court of Lithuania shall become effective from its announcement.

5. Individuals who have been nominated or self-nominated to be candidates for President shall acquire the status of a candidate for President upon their registration as candidates for President with the CEC, and the publication of a list of the individuals registered as candidates for President on its website.

6. The CEC shall officially announce the list of all individuals who have been registered as candidates for President no later than 30 days prior to election day and shall issue them a certificate of candidacy within 24 hours of the publication of the above-mentioned list.

7. When early presidential elections under Article 87 of the Constitution or presidential elections under Article 89(1) of the Constitution are held within two months from the announcement thereof, individuals who have been nominated or self-nominated to be candidates for President must submit to the CEC the forms for the collection of signatures, specified in Article 37 of this Law, not later than 40 days left before an election.

8. Where early presidential elections under Article 87 of the Constitution or presidential elections under Article 89(1) of the Constitution are held earlier than within two months from the announcement thereof, 30-day and 40-day time limits, specified in paragraphs 6 and 7 of this Article, shall be reduced by the number of days lacking to constitute a two-month time limit.

9. Where early presidential elections under Article 87 of the Constitution or presidential elections under Article 89(1) of the Constitution are held earlier than within two months from the announcement thereof, they may not be held earlier than within 45 days from the announcement of the election date.

Article 39. Proxies of a Candidate for President

1. An individual who has been registered as a candidate for President shall have the right to have her/his own proxies. Candidates for President shall submit their list of proxies to the CEC which shall, not later than within 24 hours, issue proxy certificates (indicating the name and surname of the candidate) to the Candidate proxies.

2. On the instruction of a candidate for President, a candidate proxy shall have the right to represent the candidate in meetings with voters and in the mass media, to raise funds for financing the elections, and to carry out other instructions of the candidate for President if they do not contradict laws.

3. Candidates for President may at any time recall their proxies. Upon receiving such a request from a candidate for President, the CEC shall adopt a decision concerning the recall of a proxy and shall announce this decision publicly.

Article 40. Observers of Election of the President

1. Parties which nominate individuals to be candidates for President, candidates for President and their proxies shall enjoy the right to appoint not more than two election observers (hereinafter - observers) in each polling station. An observer shall be a person bearing the certificate of the CEC-established format. An observer shall have the right to observe elections conducted within the territory of the municipality or the precinct which is indicated in her/his certificate. The certificate of observer shall be issued by:

1) the CEC - to observe an election on the entire territory of the Republic of Lithuania, in the diplomatic missions and consular posts of the Republic of Lithuania or only at the territories of the concrete municipalities or precincts on the recommendation of the Minister of Foreign Affairs, the President or a person authorised by her/him, or at the request of the people representing international institutions, as well as at its own discretion;

2) a MEC – to observe an election in the entire territory of corresponding municipality, in one or several precincts - to citizens of the Republic of Lithuania who are above 18 years of age, nominated by the candidate for President or by the local branch of the party which has nominated an individual to be a candidate for President (nomination must indicate the surname, name of the individual, personal number, name of the precinct (districts)).

2. The observer's certificate shall be issued by the chairperson of the election Commission on behalf of the commission or by any other member of the commission on the instruction of the commission chairperson. It shall be prohibited to refuse to issue an observer's certificate or to delay issuance thereof. All refusals to issue an observer's certificate must be reported at the next election Commission session and an appropriate proxy of a candidate for President must be notified thereof.

3. An observer shall have the right to demand that the chairperson and members of an election Commission, as well as people who are in the polling station adhere to this Law and other laws of the Republic of Lithuania. Election Commissions must make arrangements to ensure that adequate conditions be provided in the polling station for an observer to monitor the compliance with this Law and other laws of the Republic of Lithuania. If an observer violates this Law or other laws of the Republic of Lithuania, the observer's certificate may be revoked on the decision of the MEC chairperson. The members of the election Commission, the CEC and an appropriate candidate proxy must be immediately notified in writing of the decision.

CHAPTER FIVE

PERFORMANCE GUARANTEES OF CANDIDATES FOR PRESIDENT OF THE REPUBLIC

Article 41. The Right of Candidates to Speak at Meetings or through Mass Media

1. After the official publication of the list of candidates, the candidates for President shall have the equal right to speak at voter meetings or at any other meetings, gatherings, or conferences, and to make use of state mass media and publicise their election programme.

2. Heads of state institutions and agencies must assist the candidates for President to organise meetings with voters and to obtain necessary information, with the exception of confidential information.

Article 42. The Right of Candidates to be Relieved from Official Duties

1. After the announcement of a list of candidates for President by the CEC, the candidates for President shall, at their written request, be relieved from work or the official duties, but for not longer than 30 days. A request to be relieved from work or the official duties shall be submitted to the person who has the right to grant leave.

2. The provisions of paragraph 1 of this Article shall not apply to a candidate for President who is the President or a member of the Seimas. The procedure for relieving a candidate for President who is a member of the Government from the performance of official duties shall be laid down in the Law on Government.

Article 43. Immunity of a Candidate for President

1. After the announcement of a list of candidates for President by the CEC and until the oath of the President, a candidate for President may not be found criminally liable, arrested, her/his freedom may not be restricted in any other way without the consent of the CEC.

2. The provisions of paragraph 1 of this Article shall not apply to a candidate for President who performs the duties of the Seimas member, the member of the Government or the President. An issue of the immunity of such people shall be resolved in accordance with the procedure laid down by the Constitution and laws.

Article 44. Liability for Violation of this Law

People who by force, threat, deception, bribery or otherwise prevent voters from implementing the right to elect or to be elected to the office of President, to organise and carry out election campaign, who have violated the procedure of election campaign, announced or otherwise disseminated fraudulent data about a candidate to the office of President or prevented a candidate from meeting with voters, or who have otherwise violated this Law, as well as the members of election Commissions or other officers who have falsified, damaged, destroyed, stolen or hidden election documents, made an incorrect vote count, violated the secrecy of voting or otherwise violated this Law, shall be held liable under law.

CHAPTER SIX

ELECTION CAMPAIGNING

Article 45. Basic Principles of Election Campaign

1. The provisions of this Law regulating the election campaign shall apply after the announcement of an election date. Election campaign expenses and political advertising expenses must be declared in the manner prescribed by the law and must not exceed the maximum permissible amount of political campaign expenses fixed by the law.

2. Election campaign may be conducted in any form or manner, provided it does not violate the Constitution and laws, conflict with the morals, justice or societal cohesion, contravene fair and respectable elections.

3. Requirements for labelling of the political campaign shall be laid down by the law; the procedure for labelling the political campaign shall be laid down by the CEC.

4. Outdoor political advertising shall be communicated in compliance with the rules of communication of outdoor political advertising approved by the CEC.

Article 46. Conditions and Procedure of Election Campaign

1. After the announcement of a list of candidates for President by the CEC, the candidates for President shall be provided with equal opportunities to participate free of charge in special programmes which are designated for election campaign and produced by the Lithuanian National Radio and Television. Rules governing such broadcasts shall be approved by, actual coverage and duration of broadcasts of the Lithuanian National Radio and Television shall be fixed by the CEC after consultation with the head of the Lithuanian National Radio and Television.

2. Debates of candidates for President on the radio and on television shall be financed with funds of the state budget from the funds allocated for the CEC.

3. The CEC shall:

1) in accordance with the procedure laid down by the law, choose producers and broadcasters of debate programmes;

2) approve the rules on producing debates;

3) distribute the time of the programs in such a manner that the principle of the equality of candidates for President is respected.

4. Groups of candidates for President taking part in debates (consisting of two and more people) shall be set up by mutual agreement and in the event of failure to reach mutual agreement - by drawing lots.

5. All broadcasters shall enjoy the right to produce, on their own initiative, discussion programmes in compliance with the provisions of the Law on Funding of Political Campaign and Control Over Funding. Other terms and conditions provided for in this Article shall not apply to the said broadcasters.

6. Upon the demand of a candidate for President or the candidate proxy, mass media which has made public a compromising material about the said candidate for President must make public the countering opinion of the candidate for President or her/his proxy at least 5 days prior to the election day.

7. For the purpose of this Law, outdoor political advertising shall mean political advertising communicated to the public through audio or visual media. Political advertising

announced in public areas, buildings, vehicles shall also be regarded as outdoor political advertising.

8. It shall be prohibited to display outdoor political advertising:

1) on the buildings occupied by state administration, law-enforcement and other state and municipal institutions and agencies;

2) inside or outside the public transport vehicles belonging to state or municipal enterprises, with the exception of cases where advertising areas or video broadcast equipment belong or are transferred for use to third parties who may not be directly or indirectly influenced by the state or municipal enterprise;

3) in motorways and their sanitary protection areas, as well as in streets and along the side thereof, if it might block technical traffic regulation means and road signs, decrease visibility thereof, blind traffic participants, detract attention thereof, thus increasing the danger to traffic participants, and also it is prohibited to use advertising that imitates road signs;

4) on sculptures and monuments;

5) within 50 metres around the building which houses a polling station;

6) without the consent of the owner of the land, construction works or other structures on or in which it is being set up.

9. Outdoor political advertising in protected areas and immovable cultural properties, as well as on their territories shall be permitted only upon agreement with a state agency responsible for the protection of cultural properties and an agency authorised by the founder of the protected area.

10. A person who displayed outdoor political advertising shall have an obligation to remove outdoor political advertising before the beginning of the period established by the law when election campaigning is prohibited.

11. People who have violated the requirements of the procedure for installing and communicating outdoor political advertising shall be held liable under the law.

12. All disputes concerning the election campaigning shall be settled by the CEC.

Article 47. Ban to Take Advantage of Official Position for Election Campaigning

1. Anyone shall be prohibited from taking advantage of her/his official position in state or municipal institutions and agencies, as well as in the state or municipal mass media for any form of election campaigning or from instructing other people to do so or from trying to exert influence upon the will of voters in any other manner, taking advantage of her/his official position. State, municipal officers shall be prohibited from using their official position to create for themselves or others exceptional conditions of election campaigning. In the event the officer violates this Article, criminal or administrative action may be brought against this officer according to the law.

2. If a person is a candidate for President, s/he may use the state or municipal mass media only according to the procedure set out in Article 41 of this Law. If a candidate to the office of President due to the fulfilment of her/his duties has to release important news to the mass media, s/he may do so only at a press conference. The state or municipal mass media may publicise only a recording of such conference, which contains no election campaigning.

Article 48. Financing of Presidential Election Campaign

Funding of election of the President shall be regulated by the Law on Funding of Political Campaign and Control Over Funding.

Article 49. Prohibition of Election Campaigning on Polling Day

1. Campaigning, regardless of its methods, forms and measures, shall be prohibited during 30 hours before the beginning of voting and on election day until the end of voting, with the exception of permanent visual campaign material placed before the election silence period. During the election silence period no visual campaigning material (with the exception of those published by the CEC) may be displayed in a polling station or within 50 meters of the building housing a polling station as well as in a building in which postal voting is carried out in post offices specially designed for voting (hereinafter: 'special post offices') in accordance with the procedure laid down by Articles 61, 62 and 63 of this Law. If campaigning for elections to the Seimas, or to the European Parliament, or municipal councils, or campaigning regarding a referendum is conducted concurrently, election campaigning shall be prohibited during 30 hours before the beginning of voting and on election day until the end of voting, under the same conditions and in accordance with the same procedure as specified in this paragraph.

2. Information about the course of elections, their importance for the life of the country, the number of voters who have come to vote, the documents necessary to have when voting, invitation to come to vote or any other information which does not urge not to participate in elections, vote for or against a candidate for President shall not be regarded as election campaigning.

3. People who violate the paragraph 1 of this Article shall be held liable under law.

CHAPTER SEVEN

PREPARATORY ACTIVITIES RELATED TO ORGANISATION OF ELECTIONS

Article 50. Ballots

In elections of the President, each voter shall be presented with a ballot which shall contain the name and surname of each candidate for President. Candidates for President shall be listed in alphabetical order.

Article 51. Delivery of Ballots

1. MECs shall recount received ballots and postal vote envelopes and sign an acceptance report.

2. MECs shall deliver ballots to PECs at least 12 hours prior to the beginning of voting. PECs shall recount the ballots and sign an acceptance report.

3. MECs shall deliver ballots and postal vote envelopes to central post offices at least two days before the beginning of postal voting.

4. At diplomatic missions and consular posts of the Republic of Lithuania, voters must be provided with free access to ballots and postal vote envelopes at least 15 days before election day; on ships voters must be provided with free access to the text of ballots not less than 15 days prior to an election. On ships ballots shall be printed according to their description sent by a radiogram.

5. The CEC shall be responsible for printing, counting and delivery of ballots and envelopes within the fixed time limit.

CHAPTER EIGHT

VOTING

Article 52. Time and Place of Voting

Voting shall take place on election day from 7 a.m. to 8 p.m. in the polling station designated by the election Commission. Voters shall only vote in the precinct on the voter list of which their names have been entered. Votes received by post shall be valid only in the precinct on the voter list of which the name of the voter has been entered.

Article 53. Preparation of Polling Stations

1. A polling station must be completely prepared for elections not later than 12 hours before the beginning of voting. Moreover, all ballots received from the MEC shall be already counted and their acceptance report shall be signed by the PEC by the prescribed time. In the polling station there must be a ballot box, a secret voting booth (booths) in which a voter could fill out ballots in private. Election posters issued by the CEC must be displayed in the polling station. The text of this Law must be accessible in each polling station. The election campaign material, except the material issued by the CEC, must be removed from the polling station, passageways leading to or out of it (corridors) and within 50 metres of the building in which the polling station is situated. Working places for PEC members as well as places for observers must also be made ready. A polling station which is made ready shall be closed, sealed, left under the police guard and the PEC chairperson shall inform the MEC about this.

2. Other rules for arrangement of polling stations shall be established by the CEC.

Article 54. Beginning of Voting

On election day a polling station shall be opened only if at least 3/5 of PEC members are present. The PEC chairperson, together with the PEC members, shall make sure that a ballot box is empty and seal it up. Having checked that the polling station has been furnished without violating the established requirements, the PEC chairperson shall register the total number of the ballots received by the PEC into the PEC results protocol, distribute the ballots and voter lists

among the PEC members, register the number of ballots handed out to each PEC member into the PEC results protocol and open the polling station, thereby, proclaiming the commencement of election.

Article 55. Voter Identification

1. At the entrance to the polling station, a voter shall produce to a PEC member her/his passport or any other identification document; s/he may also produce the Voter card. In the polling stations which are connected electronically to the electronic voter list, the voter's arrival to vote shall be marked in the electronic voter list. Having established that the voter arrived to the polling station where her/his name has been entered into the voter list, a PEC member shall issue the voter an arrival card stamped with the seal of the polling station, and indicate the PEC member to be addressed for a ballot. It is not permitted to hand out several arrival cards to one voter or to hand out another voter's arrival card. If upon arriving at the polling station, the person does not have the required documents or it is not clear whether s/he has been entered on the voter list of this precinct, the PEC member shall not issue the arrival card to this person, shall issue the person a guest's card and refer to the PEC chairperson or deputy chairperson for clarifications.

2. The PEC member who is assigned to issue the ballots, having established, on the basis of the produced documents that the person who arrived to vote is indeed the citizen of the Republic of Lithuania who has been entered on the voter list, or provided that two voters entered on the voter list of that precinct witness to this fact in writing to the PEC chairperson, shall find the surname of the voter on the voter list and shall take the arrival card from the person. After the voter and the PEC member who issues ballots sign on the Voter list for Precinct, the voter shall be issued ballot. The arrival card shall not be returned to the voter.

3. It shall be prohibited to hand the voter the ballot of another person. The PEC member who violates this provision shall be liable under the law.

Article 56. Voting Procedure

1. Having been issued the ballot, a voter shall go into a voting booth and mark the ballot personally. Only one voter at a time may enter a voting booth and stay there, with the exception of the case referred to in paragraph 5 of this Article.

2. On a ballot a voter shall mark the name of that candidate for President whom s/he is voting for.

3. A voter shall personally put her/his ballot in the ballot box.

4. If a voter requests, spoiled ballots shall be exchanged for new ones by the decision of the PEC. The PEC chairperson shall cross the spoiled ballot with a fountain pen (ball-point pen) and shall sign it. The PEC secretary and one of the PEC members shall also sign the spoiled ballot. Spoiled ballots shall be kept separately.

5. Voters who because of physical handicaps, illness or any other reason cannot carry out the actions referred to in this Article may choose another person to mark the ballots for them.

This person must complete the ballot in the voter's presence under her/his instructions, preserve the secrecy of voting and put the ballot in the ballot box in the voter's presence. The PEC chairperson, PEC members, observers and representatives for elections shall be prohibited from carrying out voting-related actions for the person who cannot carry out these actions because of physical handicaps, illness or any other reason.

Article 57. Postal voting

1. Postal voting shall be made possible for voters who due to the health or age are in healthcare (except out-patient), social care institutions or carry out mandatory military service and, therefore, are unable to arrive at a polling station, or carry out active military service, civil service or work under employment contracts in international military operations abroad, or serve an arrest or custodial sentence, or are put in arrest houses, remand prisons (detention facilities). Postal voting shall be possible at special post offices during their working hours on the last Wednesday, Thursday or Friday prior to election day. In military units stationed abroad Postal voting shall be conducted in accordance with the procedure laid down by the CEC, on the recommendation of the Minister of National Defence. Expenses related to Postal voting shall be covered from the state budget.

2. The head of the post office shall be responsible for the organisation of Postal voting. The PEC chairperson on the territory whereof a post office is situated shall be responsible for organising the supervision of the post office work related to Postal voting. The PEC chairperson shall, together with the chairpersons of other PECs who have been given such assignment by the MEC, organise the participation of PEC members during voting in special post offices. Commanders of military units stationed abroad shall be responsible for organising Postal voting in those military units.

3. The head of the post office, with the consent of the MEC, shall appoint postal workers for the issue and collection of ballots and postal ballot envelopes during Postal voting, who are entrusted with the work with election documents. If the MEC requests so, the head of the post office must remove a postal worker from the work with election documents. Postal workers who are authorised to issue and accept election documents shall be issued by the MEC certificates in the prescribed form. A postal worker who does not hold such a certificate shall not have the right to issue and accept election documents. An election Commission member, observer, who has produced her/his certificate to the postal worker, a voter, who has produced her/his passport or any other document proving her/his identity, shall have the right to write down her/his remark in the said certificate. The head of the post office shall immediately notify the MEC about this fact.

4. The places referred to in Articles 61, 62 and 63 of this Law must have some premises (place) where a voter can, without interference and in secrecy, mark the ballot and put it in the ballot envelope. In these cases the voting procedure may be observed by observers who have electoral observer certificates permitting them to observe an election in any polling station.

5. The postal worker shall issue election documents to a voter in accordance with the procedure established by the CEC. Together with ballots, voters shall be given postal ballot envelopes. A covering envelope shall be addressed by the postal worker to the PEC which is indicated in the person's Voter card.

6. The voter shall vote in person and in secrecy:

- 1) mark the ballot;
- 2) put the marked ballot into the postal ballot envelope;
- 3) seal the postal ballot envelope;

7. The actions referred to in paragraph 6 of this Article shall be carried out by a voter personally. If because of the physical handicaps, an illness or any other reasons a voter is unable to carry out the said actions personally, at her/his request such actions shall be carried out by a person chosen by this voter. This person must mark the ballots in the voter's presence in compliance with her/his instructions and preserve the secrecy of voting.

8. The voter or, at her/his request, the assisting person shall put the postal ballot envelope together with the voter's Voter card in the covering envelope. The sealed covering envelope (with the voter's Voter card, the postal ballot envelope and the ballot in it) shall be handed by the voter to a postal worker. Having received the covering envelope handed by the voter, the postal worker shall stamp it with a special mark and give the voter a receipt confirming the acceptance of this envelope.

9. Postal workers shall be prohibited from carrying out for a voter the actions referred to in paragraphs 6 and 8 of this Article, accepting from the voter the covering envelope which is not sealed, issuing voters with election documents in other places and to other people than those provided for in Articles 61, 62 and 63 of this Law. Voters shall be prohibited from taking out postal ballots, covering envelopes or handing them to other people.

Article 58. Voting in Diplomatic Missions and Consular Posts of the Republic

1. Voters who have gone to foreign states shall be entitled to vote in diplomatic missions or consular posts of the Republic of Lithuania during their working hours. Not less than 4 hours must be allotted for voting during a working day of the said establishments. Voting shall end on election day at the Republic of Lithuania time.

2. Voting commissions set up by the diplomatic missions or consular posts of the Republic of Lithuania shall hand election documents to the voters who have notified the said establishments about their places of residence, or, at their request, deliver the documents by post and accept them.

3. Voters who have come for voting to a diplomatic mission or a consular post of the Republic of Lithuania shall be prohibited from taking the election documents out of the premises or giving them to another person.

Article 59. Voting on Ships

1. Voters (ship's crew and passengers) who are aboard a ship and who left from a port of the Republic of Lithuania not earlier than four days prior to election day but do not return until election day, or in the presence of other circumstances because of which they cannot vote in their precinct, by post, in a diplomatic mission or consular post of the Republic of Lithuania, shall have the right to vote on the ship.

2. On the recommendation of the Minister of Transport and Communications, the CEC shall draw up a list of ships which are sailing under the flag of the State of Lithuania, with no less than 5 crew members - voters, on which voting is organised and with which the radio communication is maintained during the voting. On the recommendation of the Minister of Transport and Communications, the CEC shall fix such time for voting on the ship that each voter who is aboard the ship shall be given the opportunity to vote.

3. Voter cards shall not be issued to the voters voting on ships.

Article 60. Organisation of Voting in Diplomatic Missions, Consular Posts and on Ships of the Republic of Lithuania

1. Voting commissions shall be set up in diplomatic missions, consular posts and on ships of the Republic of Lithuania in order to organise voting and count the cast votes.

2. Voting commissions shall be composed of a commission chairperson and at least two members. A voting commission shall be set up in a diplomatic mission or consular post of the Republic of Lithuania by its head from the employees of the diplomatic mission or consular post of the Republic of Lithuania, or from other citizens of the Republic of Lithuania residing in a foreign country. The procedure for giving written pledges of voting commission members shall be established by the CEC.

3. Voting commissions on ships shall be set up by ship captains – citizens of the Republic of Lithuania, taking into account the decision of a meeting of the ship's crew – citizens of the Republic of Lithuania.

4. The CEC shall establish the procedure for voting, vote counting and submitting records to the CEC as well as the procedure for issuing certificates to election observers.

5. On the recommendation of the Minister of Foreign Affairs, the CEC shall draw up a list of diplomatic missions and consular posts of the Republic of Lithuania in which voting will be conducted and shall set election days (no less than 10) for each diplomatic mission and consular post.

6. In diplomatic missions, consular posts of the Republic of Lithuania – their heads and on ships –their captains (citizens of the Republic of Lithuania) shall be responsible for organizing voting, submitting to the CEC the records and other documents designated by it. The Ministry of Foreign Affairs of the Republic of Lithuania shall guarantee safe electronic means by which the voting commissions will electronically transmit to the CEC the data of election documents in accordance with the procedure laid down by the CEC.

7. Voting shall not be organised on ships in which there are no conditions for organising the voting in accordance with the requirements of this Law.

8. Chairpersons and members of voting commissions shall be paid remunerations for their work in the voting commissions in accordance with the rates submitted by the CEC and approved by the Government.

Article 61. Voting in Health Care (Except Out-patient), Social Care Institutions

1. Voters who because of their health condition or age are in healthcare (except out-patient) facilities, social care institutions shall be entitled to vote in such institutions.

2. A MEC shall, not later than 15 days before election day and on the recommendation of the heads of institutions referred to in paragraph 1 of this Article, draw up a list of special post offices and, on the recommendation of the head of the post office, set such working hours of the post offices so as to make sure that election days in them are in compliance with Article 57(1) of this Law.

3. The heads of institutions referred to in paragraph 1 of this Article shall draw up lists of voters voting in special post offices. The following must be indicated in such list of voters voting in a special post office: the voter's name and surname, personal number, MEC (name and number), whether or not the voter has a Voter card. The head of an institution shall transfer the list of voters voting in a special post office to a MEC, receive Voter cards from it or print them on the basis of the data received electronically and ensure the delivery of Voter cards to voters, allocate premises suitable for voting, and be responsible for voters being notified about the working place and time of the special post office as well as facilitating the access of voters to the special post office.

4. Voters without movement disorders shall vote in accordance with the procedure laid down in Article 57(6) and (7) of this Law. Voters with movement disorders shall be visited by at least two PEC members, observers (should they wish so) and employees of special post offices.

5. If because of the physical handicaps, illness or any other reasons voters are unable to vote themselves, they may entrust other people to assist them. These people must mark the ballot in the voter's presence under her/his instructions and preserve the secrecy of voting.

6. PEC members, employees of a special post office and election observers shall be prohibited from carrying out the actions related to voting, as well as from accepting an unsealed covering envelope from the voter.

7. It shall be prohibited to exert influence upon the self-determination of a voter who is in a healthcare (except out-patient), social care institution, or to rush him to vote.

Article 62. Voting in Military Units

1. Voters performing the mandatory military service shall be entitled to vote in the military units where they serve. Voters performing the active military service, civil service or working under employment contracts in international military operations abroad shall be entitled

to vote in the military units stationed abroad and involved in those international military operations. The procedure for and the time of voting in military units stationed abroad shall be laid down by the CEC on the recommendation of the Minister of National Defence.

2. A MEC shall, not later than 15 days prior to election day and on the recommendation of the commanders of military units stationed within the territory of the Republic of Lithuania, draw up a list of special post offices and, on the recommendation of the head of the post office, set such working hours of the post offices that the days of voting in them would be in compliance with Article 57(1) of this Law.

3. The commanders of military units shall draw up lists of voters voting in special post offices. The following must be indicated in this list of voters voting in a special post office: the voter's name and surname, personal number, MEC (name and number), whether or not the voter has a Voter card. The commander of a military unit shall transfer the list of voters voting in a special post office to a MEC, receive Voter cards from it or print them on the basis of the data received electronically and ensure the delivery of Voter cards to voters, allocate premises suitable for voting, and be responsible for voters being notified about the working place and time of the special post office as well as facilitating the access of voters to the special post office. If it is impossible to set a special post office or to ensure that voters will be able to properly carry out actions related to voting, the commanders of military units (with the exception of the commanders of the military units stationed abroad) shall create conditions for voters to go to another special post office for voting or to travel on election day to a polling station on the voter list of which their names have been entered.

4. The provisions of Article 57 of this Law shall apply to voting in military units.

5. It shall be prohibited to exert influence upon self-determination of a voter voting in a military unit or to rush him to vote.

Article 63. Voting in Penitentiary Institutions

1. Voters who serve an arrest or custodial sentence shall be entitled to vote in an institution they serve a sentence.

2. A MEC shall, not later than 15 days prior to election day and on the recommendation of the heads of penitentiary institutions, draw up a list of special post offices and, on the recommendation of the head of the post office, set such working hours of the special post offices that the days of voting in them would be in compliance with Article 57(1) of this Law.

3. The heads of penitentiary institutions shall draw up a list of voters voting in special post offices. The following must be indicated in this list of voters voting in a special post office: the voter's name and surname, personal number, whether or not the voter has a Voter card. The head of a penitentiary institution shall transfer a list of voters voting in a special post office to a MEC, receive Voter cards from it or print them on the basis of the data received electronically and ensure the delivery of Voter cards to voters before the voting, allocate premises suitable for

voting, and be responsible for voters being notified about the working place and time of the special post office as well as facilitating the access of voters to the special post office.

4. The Article 57 of this Law shall apply to voting in penitentiary institutions.

5. This Article and Article 57 of this Law shall apply to voting in arrest houses, remand prisons (detention facilities).

6. It shall be prohibited to exert influence on determination of a voter voting in an arrest house, a remand prison (detention facilities) or a penitentiary institution, or to rush him to vote.

Article 64. Voting at Home and Early Voting

1. Disabled voters, voters with temporary working incapacity, voters aged 70 and over if because of the health condition they are unable to come to a post office to vote or to a polling station on election day and if they request in the form set by the CEC are enabled for voting at home. Election Commissions which make up and verify lists of voters voting at home shall be entitled to receive information concerning disabled people from the State Social Insurance Fund Board or its territorial departments, and information concerning people with temporary working incapacity – from healthcare establishments. Election Commissions must not disseminate this information and shall use it only for making up and verifying lists of voters voting at home.

2. Only those voters may vote in advance, who are unable to arrive at a polling station to vote on election day. A MEC shall organise early voting. Early voting must be conducted from 8.00 am to 8.00 pm on the Wednesday and Thursday preceding a election day, in the premises prepared beforehand and set up for voting, which are situated in the building in which a workplace of mayor (director of the administration) of that municipality is located. In order to issue and accept ballots and voting envelopes during early voting, the MEC chairperson shall appoint not less than 2 members of a MEC or PECs who cannot be proposed by the same political party. Early voting shall be supervised by the MEC chairperson or, on her/his instruction, a MEC member. The CEC chairperson, a member of this Commission authorised by the CEC chairperson or the MEC chairperson who has established, in accordance with the CEC procedure, the cases of bribery of voters, transportation of a voter to vote, encouragement to vote for a fee or other cases grossly violating the voter's rights, must suspend early voting until the violations will be removed and it will be possible to conduct an election freely and democratically in accordance with the requirements of this Law.

3. Voters' requests for voting at home shall be submitted to PECs. The acceptance of requests for voting at home from voters who reside within the territory of the respective particular precinct shall start with the issue of Voter cards to such voters and end on the last Wednesday before election day. The acceptance of requests for voting at home from voters who temporarily stay within the territory of the respective precinct and have not been entered on the voter list of this precinct shall end on the last Tuesday before election day. A voter who because of her/his physical handicaps, illness or any other reasons is unable to fill in a request for voting

at home or to hand it to a PEC, may authorise her/his family member, neighbour or a person who takes care of him to carry out the said actions for him. These people shall sign the voter's request and indicate their name, surname and personal number.

4. On the last Thursday before election day, a PEC shall compile and approve a list of voters voting at home. On the Wednesday preceding election day a MEC shall compile and approve a list of voters who reside or temporarily stay within the territory of a concrete precinct but have been entered on the voter list of another precinct and have not been entered on the voter list of this precinct when revising them.

5. On the Friday or Saturday preceding election day, from 8.00 am to 8.00 pm at least two members of a PEC shall deliver postal vote covering envelopes and ballots to the homes of the voters who have been entered on the list of voters voting at home. On the Thursday preceding election day at least two MEC members or, by order of the MEC chairperson, at least two PEC members shall deliver postal vote covering envelopes and ballots to the homes of the voters who have been entered on the municipal list of voters voting at home, but who have not been entered on the Voter list for Precinct within the territory of which they temporarily stay. Voting at home and early voting may be observed by election observers who have the certificate to observe elections in any polling station. After the voting is completed, the sealed covering envelopes shall be delivered to the MEC which will transfer them to polling stations together with election documents of voters who voted by post. Lists of voters who voted at home and in advance, ballots which were not used, shall be included into the records and preserved by the election Commissions which organised voting. After the end of elections such commissions shall transfer the said documents together with other elections documents to an appropriate MEC or the CEC.

6. A concrete schedule of election Commission members' coming to the homes of voters shall be approved by the PEC or MEC chairperson not later than, respectively, in the Wednesday or Thursday preceding the election day. This schedule shall be made public; its copy shall be posted on the billboard of PEC (MEC) on the day of approval of the schedule. Only the election Commission members and election observers proposed by different political parties may come together to the homes of the voters.

7. The Article 57(6) and (7) of this Law shall apply to voting at home and early voting.

8. The voter shall hand the sealed covering envelope (which contains the Voter card, the ballot envelope with the ballot in it) to a PEC (MEC) member. Having received the envelope from the voter, s/he shall give the voter a receipt confirming the acceptance of this envelope.

9. When a voter votes at home or carries out early voting, it shall be prohibited to exert influence on her/his determination and to hasten her/his voting. Commission members shall be prohibited from carrying out the actions for a voter, referred to in Article 57(6) and (7) of this Law, as well as from accepting an unsealed covering envelope from a voter. Voters shall be prohibited from taking out ballots or giving them to other people.

CHAPTER NINE

COUNTING OF VOTES AND ESTABLISHMENT OF ELECTION RESULTS

Article 65. Counting for Covering Envelopes and Ballots

1. The procedure for counting of covering envelopes and ballots in the Republic of Lithuania shall be laid down and such counting shall be managed by the CEC.

2. Counting of postal vote covering envelopes and ballots, their issuing and acceptance when voting in special post offices shall be managed by the heads of these post offices. They shall indicate established data in a log specially designated for this purpose. Counting of postal vote covering envelopes and ballots, used when voting in military units stationed abroad, their issuing and acceptance shall be managed by the commanders of those military units. They shall transfer to the CEC established data, unused postal vote covering envelopes, ballots and postal vote covering envelopes with ballots marked by voters. The CEC shall, not later than before election day, forward the received covering envelopes with ballots completed by voters to the PEC on the voter list of which the voter concerned has been entered.

3. One day before election day the post office head shall deliver unused postal vote covering envelopes and ballots, receipts confirming the acceptance of the envelopes and special stamps to the MEC.

4. The heads of the post offices or people authorised by them shall deliver postal vote covering envelopes containing ballots marked by voters to MECs on election day, but not later than by 11 am, and the MECs shall forward them to the respective PECs by the end of voting.

5. Covering envelopes, unused and spoiled ballots of voters who voted on the Thursday preceding election day shall be transferred to a MEC by the members of the election Commissions who went to the homes of the voters pursuant to the provisions of Article 64 of this Law. The MEC shall, not later than on the Friday preceding election day, deliver postal vote covering envelopes to the post office.

6. Covering envelopes, unused and spoiled ballots of voters who voted on the Friday or Saturday preceding election day shall be transferred to the PEC chairperson not later than 9.00 pm of the same day. Having checked the received election documents, the PEC shall decide whether or not voting at home has met the requirements of this Law.

7. Covering envelopes shall be stored together with ballots.

8. Before start to count the votes, covering envelopes of voters who voted by post shall be put together with covering envelopes of voters who voted at home, mixed and counted together according to Article 68 of this Law and in the same manner as the votes received by post.

Article 66. Counting for Ballots in Polling Stations

1. Upon the closing of a polling station the PEC chairperson, in the presence of at least 3/5 of the PEC members, shall close and seal the ballot-box slot, collect unused ballots from each PEC member, count them publicly, record the number of unused ballots in the PEC results

protocol, and verify, according to the signatures in the voter list, Voter cards, if all ballots have been issued lawfully.

2. The PEC shall count the unused and spoiled ballots publicly; cancel them by cutting off the upper right corner; put them into specially designated envelopes and seal these envelopes. The number of unused or spoiled ballots shall be entered in the PEC results protocol.

Article 67. Counting of Votes Cast at the Polling Station

1. The PEC, in the presence of at least 3/5 of its members, shall inspect the ballot box of the polling station whether or not the seals have been broken and whether or not there are other evidences which indicate that it could have been opened or that ballots could have been removed in any other way. The PEC, in the presence of at least 3/5 of its members, shall decide if the ballot box has been tampered with. If the PEC decides that the ballot box was tampered with, an act shall be drawn up about this and votes shall not be counted.

2. Upon the ascertainment that the ballot box was not tampered with and in the presence of at least 3/5 of the PEC members as well as observers, the ballot box shall be opened, all ballots shall be placed on tables (any other documents and writing materials must not be present on the tables) and the votes shall be counted.

3. Votes shall be counted in such a way that this procedure, marks made by voters in ballots could be observed by all people present during the count. The CEC shall issue the concrete procedure for counting votes.

4. The number of the voters of the precinct shall be established according to the Voter list for Precinct. The number of voters who have been issued ballots shall be determined according to the signatures of the voters confirming the receipt of the ballots. The number of voters who have voted at the polling station shall be determined according to the number of the ballots found in the ballot box of the polling station. The number of voters who have participated in the election shall be established according to the number of ballots found in the ballot box of the polling station and the number of ballots received by post.

5. If more ballots are found in the ballot box than those issued to the voters, the PEC shall take measures to clarify the reason.

6. The results of the vote counting shall be entered in the PEC results protocol.

Article 68. Keeping of the Records of Voters who Have Voted by Postal Envelopes and Counting of their Votes

1. After the counting the ballots from the ballot box, postal votes and votes cast by envelopes shall be counted in the following way:

1) the PEC chairperson presents unopened postal vote covering envelopes, i.e. the covering envelopes of voters of this precinct who voted at home, as well as the covering envelopes of voters who voted in advance and whose covering envelopes were received from the

MEC. The number of the said postal vote covering envelopes shall be announced and entered in the PEC results protocol.

2) covering envelopes are opened one at a time;

3) a Voter card is taken out of the covering envelope, the voter's surname and the number of the Voter card are read aloud, these data are checked against the Voter list for Precinct, and in the precincts which are connected to the electronic voter list - against the data of the said voter list. The ballot envelope shall be stamped with the PEC stamp. If the person indicated in Voter card in the covering envelope is not on the Voter list for Precinct or if the voter has already signed such voter list indicating that s/he has already voted in the polling station, or if it is indicated in the voter list that the consent was given for that person to vote in another polling station, or if another postal vote covering envelope has been received from the same voter, if there is no Voter card or there is more than one Voter card in the covering envelope, or if there is more than one ballot envelope in the covering envelope, such covering envelope shall be considered inappropriate. The seal shall not be affixed on the ballot envelope (envelopes) enclosed in the postal vote counting envelope which is recognised invalid, the ballot envelope shall be crossed through, left unopened, the word "Inappropriate for stamping" shall be written down on it and the reason for recognising the envelope as invalid shall be indicated. The content of the invalid envelopes shall not be taken into account in the PEC results protocol, however, the number of such envelopes shall be entered;

4) in the Voter list for Precinct, the words "balsavo paštu" (postal voting) or "BP" are written by the surname of the voter whose vote has been received by post and at home, while in the electronic Voter list in the polling stations connected to the electronic voter list it is indicated that a voter has voted;

5) the sealed ballot envelope is cast into the ballot box prepared and sealed according to the established requirements;

6) when all envelopes received by post and at home have been inspected, the ballot box is opened and the sealed ballot envelopes are opened. If there is more than one ballot in the ballot envelope, all the ballots in the envelope shall be considered invalid. The votes received by post shall be further counted according to the requirements of Article 72 of this Law.

2. If only one sealed ballot envelope is in the precinct (commission), it, in order to protect the secrecy of voting, shall not be opened and shall be handed over to the higher level MEC, which shall enter the results of the voting in its results protocol.

Article 69. PEC results protocols

1. A vote count protocol shall be drawn up in every polling station. It shall include:

1) the number of voters in the precinct;

2) the number of ballots received from the MEC;

- 3) the number of ballots issued to each PEC member, the number of ballots issued to voters, the number of voters' signatures, the number of spoiled ballots;
- 4) the number of unused ballots;
- 5) the number of voters who have voted at the polling station;
- 6) the time of the opening of the ballot box;
- 7) the number of invalid ballots found in the ballot box;
- 8) the number of valid ballots found in the ballot box;
- 9) the number of votes found in the ballot box which have been separately cast for each candidate for President;
- 10) the number of covering envelopes of voters who have voted at home, the number of covering envelopes of voters who have voted in advance (the envelopes being received from the MEC), the number of postal vote covering envelopes received by post, the total number of covering envelopes received, the number of sealed ballot envelopes, the number of envelopes recognised as inappropriate;
- 11) the number of invalid ballots received in covering envelopes;
- 12) the number of valid ballots received in covering envelopes;
- 13) the number of votes received in covering envelopes for each candidate for President;
- 14) the total number of voters who participated in the election in the precinct;
- 15) the total number of invalid votes in the precinct;
- 16) the total number of votes cast for each candidate for President.

2. If more ballots are found in the ballot box than it has been issued to voters, this shall be entered in the PEC results protocol, indicating the number of extra ballots which were found.

3. The PEC chairperson and members shall sign the PEC results protocol. After that the observers shall sign the protocol. Their remarks, the dissenting opinions of the PEC members shall be attached to the protocol and shall be an integral part thereof.

Article 70. Invalid Ballots

1. Invalid ballots shall be:

- 1) ballots in unofficial form;
- 2) ballots sealed with the seal of another PEC;
- 3) ballots in which voters marked more than one candidate for President.
- 4) ballots on which voters have not marked any of the candidates for President.

2. The decision to declare a ballot invalid shall be made by the PEC.

Article 71. Presentation of Vote Counting Documents to the MEC

1. The PEC shall put all ballots, including invalid and unused ballots, all covering envelopes, PEC results protocol, voter lists and other election documents into packages, label them and seal in accordance with the CEC procedure. Packages shall be delivered to the MEC within 12 hours after the closing of voting.

2. The CEC and the Ministry of the Interior must ensure the safety of transportation of the election documents and the people transporting them.

Article 72. Counting of Votes of the Precinct in the MEC

1. The MEC shall begin counting votes upon receiving all PEC results protocols and other election documents from all polling stations.

2. The MEC shall accept the election documents delivered by the PEC and shall check:

1) whether all documents (packages) which had to be submitted have been delivered;

2) sealing and labelling of the packages (whether the labels are full and correct);

3) whether all data have been entered in the PEC results protocol; if they do not contradict one another; if they correspond to the data available to the MEC (the number of ballots issued to the PEC, the number of voters, the number of covering envelopes received by post); if there are all necessary signatures; whether all dissenting opinions of the PEC members, remarks of observers are attached to the protocol in which they are specified; and

4) whether all remarks and complaints of voters have been considered in the PEC.

3. The MEC shall immediately report the data of the PEC results protocol, its comments concerning the documents submitted by the PEC to the CEC in the manner prescribed by it and shall ensure the safety of the submitted documents.

4. The packages sealed by the PECs, which contain ballots and other election documents, may be opened in the MEC only by the decision of the MEC.

5. Having established the lack of the documents submitted by the PEC, the MEC shall take appropriate measures and request the PEC chairperson to supply the missing documents.

6. The MEC shall count the votes in the following manner: shall sum up the data submitted by the PECs and shall add to them the votes cast by post, which have been counted in the MEC.

Article 73. Municipality results protocols of MECs

1. In accordance with PEC results protocols, ballots and other election documents, the MEC shall establish:

1) the number of voters who have participated in the election held in the municipality which is equal to the number of voters who have voted in the precincts of the municipality;

2) the number of invalid ballots in the municipality which is equal to the number of invalid ballots in the precincts;

3) the number of valid ballots in the municipality which is equal to the number of valid ballots in the precincts;

4) the number of votes cast for each candidate for President.

This number shall be equal to the sum of votes received in the precincts separately for each candidate for President.

2. The data referred to in paragraph 1 of this Article shall be entered in the results protocol of the MEC. MEC results protocols shall be signed by the MEC chairperson and members. An extract or a copy of the MEC results protocol shall be presented to the observers and MEC members at their request.

Article 74. Presentation of Vote Counting Documents of MECs to the CEC and Establishment of Results of Presidential Election

1. The CEC may begin to establish the election results after all MEC results protocols as well as other election documents have been received.

2. All documents (except financial documentation) received from the precincts, voter lists, the MEC results protocol, the minutes of the MEC for the whole period of its activities and other election documents shall be placed into special packages and sealed by the MEC. Packages shall be delivered to the CEC within the time limits fixed by the CEC.

3. In accordance with MEC results protocols and according to the results protocols received from the diplomatic missions and consular posts, the CEC shall establish:

- 1) the number of voters of the Republic of Lithuania;
- 2) the number of voters who have participated in the presidential election;
- 3) the number of invalid ballots;
- 4) the number of valid ballots; and
- 5) the number of votes cast for each candidate for President.

4. While investigating the complaints filed in accordance with the procedure established by this Law, the CEC may recount ballots and, upon the establishment of errors in counting, may correct entries in results protocols. The CEC may not consider invalid the results protocols of PECs and MECs due to the errors detected in the results protocols.

5. The CEC may declare the presidential election results null and void, if it has established that the severe violations of this Law committed after the announcement of a date of presidential election until the end of the period of election campaign as set in this Law, as well as in the course of voting or falsification of documents had an essential influence on the presidential election results. In this case a rerun presidential election shall be conducted in accordance with the procedure laid down in Article 77(6) of this Law.

6. A candidate for President shall be considered elected if during the first round of voting at least half of all the voters participated and s/he has received more than half of the votes cast. If less than half of all the voters participated in the election, a candidate for President shall be considered elected, if s/he has received the most, but no less than one-third of votes of all the voters.

7. If during the first voting round none of the candidates for President gets the required majority vote, run-off voting shall be conducted according to the procedure established by this Law within two weeks after election day between the two candidates who have received the most

votes in the first round. A date of run-off voting shall be announced by the CEC together with the final results of the first round. The candidate to the office of President who gets more votes during the run-off voting shall be considered elected.

8. If during the first voting round in the presidential election not more than two candidates took part and neither of them has received the necessary number of votes, a rerun presidential election shall be held not later than within three months after the election day.

Article 75. Participation of Observers in Vote Counting and the Establishment of Election Results

1. Observers of political parties which have nominated candidates for President, observers appointed by candidates for President and representatives of the mass media may participate in the votes count in PECs and MECs as well as during the establishment of election results in the CEC.

2. The observers shall have the right to make remarks and claims to the election Commissions concerning the violations of this and other laws of the Republic of Lithuania, but they must not hinder the work of the election Commissions. Observers shall have the right to make written protests which must be attached to the protocols or decisions and, together with other election documents, must be delivered to the higher-level election Commission.

Article 76. Proclamation of Election Results

1. The final results of the presidential election shall be proclaimed by the CEC on the seventh day following the election day.

2. The results of the rerun election of the President shall be proclaimed by the CEC within seven days of the day of the run-off voting.

Article 77. Inquiry Concerning the Violation of this Law

1. Not later than within 3 days from the official proclamation of the election results, the Seimas may appeal to the Constitutional Court with the inquiry whether or not this Law has been violated during the election of President.

2. The Constitutional Court shall investigate and evaluate only the decision of the CEC or its refusal to investigate complaints concerning the violations of this Law in the cases when the decisions have been adopted or other actions of the CEC have been performed after the finishing of voting during the election of President.

3. This inquiry referred to in paragraph 1 of this Article shall be investigated by the Constitutional Court not later than within 72 hours of its submission to the Constitutional Court. Rest days and public holidays shall be included in this time limit.

4. Based on the findings of the Constitutional Court, the Seimas shall adopt the final decision concerning the violation of this Law.

5. If the Constitutional Court makes a conclusion that the CEC has severely violated this Law or has falsified election documents and this has had an essential influence on the establishment of the election results, the Seimas may pass one of the following resolutions:

1) to declare the presidential election results invalid - when, from the results protocols, it is impossible to establish real election results; or

2) to establish real final presidential election results according to the results protocols confirmed by the election Commissions, provided that the decisions of the election Commissions concerning confirmation of these protocols have not been appealed against in the Supreme Administrative Court of Lithuania, and the Supreme Administrative Court of Lithuania has not reversed the decisions of the election Commissions concerning confirmation or non-confirmation of these records.

6. Upon declaration of the results of the presidential election invalid, the rerun election of President shall, not later than within three months of the presidential election day, be held in accordance with the procedure laid down by this Law.

Article 78. Archiving the Documents of Presidential Elections

The CEC shall, not later than within three months of the proclamation of the final results of the presidential election, prepare and publish a book about the results of the presidential election and shall within four months transfer the results protocols of the PECs and MECs, nomination documents (except the forms for the collection of voters' signatures), minutes of the sessions and the decisions of the CEC and a set of sample presidential election documents to the State Archives for permanent keeping. After that the CEC may, in a prescribed manner, decide to destroy the presidential election documents which are not subject to archiving.

PRESIDENT OF THE REPUBLIC

DALIA GRYBAUSKAITĖ