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- 17 February 1994 [shall come into force on 19 February 1994];
- 6 November 1996 [shall come into force on 5 December 1996];
- 6 December 1996 [shall come into force on 7 December 1996];
- 6 April 2000 [shall come into force on 4 May 2000];
- 16 November 2000 [shall come into force on 20 December 2000];
- 9 May 2002 [shall come into force on 23 May 2002];
- 11 November 2004 [shall come into force on 26 November 2004];
- 26 April 2007 [shall come into force on 25 May 2007];
- 6 March 2008 [shall come into force on 14 March 2008];
- 2 October 2008 [shall come into force on 1 November 2008];
- 13 December 2012 [shall come into force on 11 January 2013];
- 14 February 2013 [shall come into force on 27 February 2013];
- 12 September 2013 [shall come into force on 1 January 2014];
- 19 December 2019 [shall come into force on 22 February 2020];
- 11 June 2020 [shall come into force on 1 January 2021];
- 17 June 2020 [shall come into force on 15 January 2021];
- 17 December 2020 [shall come into force on 12 January 2021];
- 30 March 2022 (Constitutional Court Judgment) [shall come into force on 4 April 2022];
- 20 October 2022 [shall come into force on 14 November 2022];
- 3 November 2022 (Constitutional Court Judgment) [shall come into force on 7 November 2022].

If a whole or part of a section has been amended, the date of the amending law appears in square brackets at the end of the section. If a whole section, paragraph or clause has been deleted, the date of the deletion appears in square brackets beside the deleted section, paragraph or clause.

The *Saeima*<sup>1</sup> has adopted and  
the President has proclaimed the following law:

## **Law on the Election of Local Government Councils**

[17 June 2020]

### **Chapter 1 General Provisions**

#### **Section 1.**

(1) A local government council (hereinafter – the council) shall be elected for a period of four years in equal, direct elections, and by secret ballot based on proportional representation. The regular elections of the council shall take place on the first Saturday of June.

(2) If the *Saeima* has adopted a law regarding dismissal of the council, the council shall be elected for the following terms:

1) for the remainder of the term of office of the dismissed council if more than 24 months remain until the regular council elections;

2) for the remainder of the term of office of the dismissed council and the term specified in Paragraph one of this Section if less than 24 months, but more than nine months, remain until the regular council elections.

(3) If the *Saeima* has adopted a law regarding dismissal of the council and less than nine months remain until the regular council elections, no new council elections shall take place and a temporary administration shall operate until the regular council elections.

[6 November 1996; 6 December 1996; 6 April 2000; 11 November 2004; 6 March 2008; 2 October 2008; 19 December 2019; 17 June 2020]

<sup>1</sup>The Parliament of the Republic of Latvia

## **Section 2.**

(1) The number of councillors to be elected to the municipality council shall be determined in accordance with the number of inhabitants registered in the Register of Natural Persons in the administrative territory of the relevant local government on the day when the elections are announced:

up to 30 000 inhabitants – 15 councillors;

from 30 001 to 60 000 inhabitants – 19 councillors;

more than 60 000 inhabitants – 23 councillors.

(2) The number of councillors to be elected to the city council, except for Rīga City Council, shall be determined in accordance with the number of inhabitants registered in the Register of Natural Persons in the administrative territory of the relevant local government on the day when the elections are announced:

up to 50 000 inhabitants – 13 councillors;

more than 50 000 inhabitants – 15 councillors.

(3) There are 60 councillors in the composition of the Rīga City Council.

*[2 October 2008; 14 February 2013; 17 June 2020; 17 December 2020 / Amendment regarding the replacement of the words “Population Register” with the words “Register of Natural Persons” shall come into force on 28 June 2021. See Paragraph 17 of Transitional Provisions]*

**Section 3.** The administrative territory of each local government shall form a separate electoral district.

*[2 October 2008; 17 June 2020]*

**Section 4.** The council elections shall be announced by the Central Election Commission not later than three months before the election day.

*[2 October 2008]*

## **Chapter 2 Voting Rights**

**Section 5.** (1) In the Republic of Latvia the following persons have the right to elect the council:

1) a citizen of Latvia;

2) a citizen of the European Union who is not a Latvian citizen but who has been registered in the Register of Natural Persons.

(2) Such person has the right to vote who has reached 18 years of age on the election day, is registered in the electoral register and has been registered at his or her place of residence in the administrative territory of the relevant local government for at least 90 days before the election day, or such person who owns immovable property which is registered in the administrative territory of the relevant local government in accordance with the procedures specified by law and to whom any of the restrictions referred to in Section 6 of this Law (hereinafter – the voter) does not apply.

*[11 November 2004; 2 October 2008; 17 December 2020 / Amendment regarding the replacement of the words “Population Register” with the words “Register of Natural Persons” shall come into force on 28 June 2021. See Paragraph 17 of Transitional Provisions]*

**Section 6.** In the Republic of Latvia the following persons have no right to elect the council:

1) *[11 June 2020];*

2) *[20 October 2022];*

3) persons who do not have the right to vote in the Member State of the European Union of which they are citizens.

[11 November 2004; 2 October 2008; 11 June 2020; Constitutional Court judgment of 3 November 2022; 20 October 2022]

### **Section 7.**

[11 November 2004]

**Section 8.** (1) In the Republic of Latvia the following persons have the right to stand as candidates in council elections:

1) a citizen of Latvia;

2) a citizen of the European Union who is not a Latvian citizen but who has been registered in the Register of Natural Persons.

(2) A person who has reached 18 years of age on the election day, is registered in the electoral register, to whom none of the restrictions referred to in Section 9 of this Law applies and who on the day of submission of the list of candidates complies with at least one of the following conditions has the right to stand as a candidate:

1) he or she has been registered without interruption at a place of residence in the administrative territory of the relevant local government for at least the last 10 months;

2) he or she has been working in the administrative territory of the relevant local government (as an employee or as a self-employed person according to the law On State Social Insurance) for at least the last four months;

3) he or she owns immovable property which is registered in the administrative territory of the relevant local government in accordance with the procedures specified by law.

(3) According to the provisions of this Law, a candidate may stand as a candidate only for one council in the Republic of Latvia. If extraordinary elections take place in one of the local governments, a councillor of another local government may be nominated as a councillor candidate to the council, however, in case of election, he or she shall lose the mandate of the councillor of the local government in which he or she was a councillor at the time of submitting the list of candidates.

(4) If the European Parliament and council elections take place at the same time, a candidate may stand as a candidate only in one elections.

[11 November 2004; 2 October 2008; 19 December 2019; 17 December 2020 / Amendment regarding the replacement of the words "Population Register" with the words "Register of Natural Persons" shall come into force on 28 June 2021. See Paragraphs 17 and 18 of Transitional Provisions]

### **Section 9.**

(1) The following persons shall not be nominated as candidates in the council elections and shall not be elected to the council:

1) who are serving a sentence in places of deprivation of liberty;

2) upon whom the court has established trusteeship in accordance with the procedures laid down in law;

3) who have been convicted of a serious or especially serious crime, except for the persons who have been exonerated or whose criminal record has been extinguished or set aside;

4) who at the time of committing the offence provided for in the Criminal Law were in a state of mental incapacity, a state of diminished mental capacity, or also after committing a criminal offence have become ill with a mental illness which has deprived them of the capacity to understand their actions or to control them and on whom a compulsory measure of medical nature in relation thereto has been imposed which has not been revoked;

5) who after 13 January 1991 have worked in the CPSU (LCP), the International Front of the Working People of the Latvian SSR, the United Work Collective Council, the Organisation of War and Labour Veterans or the All-Latvia Salvation of Society Committee or its regional Committees;

6) who are or have been in staff positions in the State security services, intelligence or counter-intelligence services of the USSR, the Latvian SSR or of foreign states;

7) [9 May 2022];

8) who have been punished with a prohibition to stand as candidates in the *Saeima*, European Parliament, local government council elections, except for the persons who have been exonerated or whose criminal record has been extinguished or set aside.

(2) A citizen of the European Union who has been deprived of the right to be nominated as a candidate and to be elected by a court judgment in the European Union Member State of which he or she is a citizen may not be nominated as a candidate in council elections or elected to a council in the Republic of Latvia.

[6 November 1996; 6 April 2000; 9 May 2002; 11 November 2004; 26 April 2007; 2 October 2008; 11 June 2020; 17 June 2020; 20 October 2022]

**Section 10.** (1) The President, members of the *Saeima*, members of the Cabinet, prosecutors, judges, the Auditor General, members of the Council of the State Audit Office, and soldiers may be nominated as councillor candidates to the council, however, in case of election, they shall lose their mandate of a member of the *Saeima* and the position held, whereas soldiers shall be retired from the military service.

(2) [26 April 2007]

(3) If an elected councillor of the council is a member of the European Parliament, he or she shall lose his or her status of the member of the European Parliament from the day of the first session of the newly elected council. The election commission of the relevant local government shall notify the Central Election Commission of the election of a member of the European Parliament in the composition of a council within one working day. The Central Election Commission shall notify the European Parliament of losing the status of a member of the European Parliament within three working days after receiving the notification of the election commission of the relevant local government of the election of the member of the European Parliament in the composition of the council.

(4) The restrictions referred to in Paragraph one of this Section shall also apply to citizens of the European Union who are not Latvian citizens.

[11 November 2004; 26 April 2007; 2 October 2008; 13 December 2012; 17 June 2020]

### **Chapter 3** **Election Commissions**

**Section 11.** The council elections shall be conducted and the procedures thereof shall be supervised by the Central Election Commission in accordance with the procedures specified by law.

[2 October 2008]

#### **Section 12.**

The council elections shall be prepared and held by the local government election commissions and polling station commissions established in accordance with the procedures specified by law.

[2 October 2008; 17 June 2020]

#### **Section 13.**

[6 November 1996]

#### **Section 14.**

[6 November 1996]

## **Chapter 4**

### **Submission of Lists of Candidates**

**Section 15.** (1) Lists of councillor candidates to the local government council may be submitted by:

- 1) a registered political party;
- 2) a registered alliance of registered political parties;
- 3) two or more registered political parties who have not joined in a registered alliance of registered political parties.

(2) [17 June 2020]

(3) [17 June 2020]

(4) Lists of candidates shall be submitted starting from the 80<sup>th</sup> day before the election day but no later than 60 days before the election day. Lists of candidates shall be submitted to the relevant local government election commission.

(5) A name, surname, personal identity number of each candidate shall be specified in the list of candidates.

(6) The number of candidates nominated in the list may exceed the number of councillors to be elected in the relevant council by three candidates. A person may permit his or her nomination as a candidate only in one list of candidates. If a candidate is nominated in more than one list, he or she shall be deleted from all the lists.

(7) A list of candidates and documents to be appended thereto shall be prepared by using the application software of the Central Election Commission. A list of candidates, data on councillor candidates and a pre-election programme shall be submitted in writing and electronically.

[2 October 2008; 17 June 2020; 17 December 2020]

### **Section 16.**

(1) [17 June 2020]

(2) [17 June 2020]

(3) [17 June 2020]

(4) The list of candidates of a political party or alliance of political parties to be submitted shall be signed by a person authorised by the decision-making body of the relevant political party or alliance of political parties. If the list of candidates is submitted by two or more political parties, it shall be signed by persons authorised by all the decision-making bodies of the relevant political parties.

[2 October 2008; 17 June 2020]

### **Section 17.**

(1) The following documents shall be appended to the list of candidates:

1) a statement signed by the candidate included in the list of candidates that he or she agrees to stand as a candidate in the relevant council elections and agrees to the processing of his or her personal data which is to be carried out in accordance with the requirements of this Law;

2) a declaration signed by the candidate included in the list of candidates that he or she conforms to the requirements of Section 8 of this Law and the restrictions referred to in Section 9 of this Law do not apply to him or her;

3) the following information signed by every candidate included in the list:

a) given name, surname, year, day and month of birth, gender, nationality (optional) of the candidate;

b) personal identity number;

c) citizenship (nationality) of another state, if any;

d) the registered place of residence in Latvia (a city or a municipality);

e) places of employment and positions held (including positions in political parties, religious organisations, trade unions, associations and foundations) or – if there is no place of employment – occupation, status;

f) which educational institutions he or she has graduated (which year, what speciality or programme);

g) self-assessment of the Latvian language proficiency;

h) whether he or she has or has not collaborated with the State security services, intelligence or counter-intelligence services of the USSR or Latvian SSR as a non-staff employee of these services, an agent, a resident or safehouse keeper;

i) [11 November 2004];

j) if the candidate is a citizen of another European Union Member State – a confirmation of the candidate that he or she has not been deprived of the right to stand as a candidate and be elected by a court judgment in the European Union Member State of his or her citizenship;

4) a pre-election programme signed by all the candidates included in the list of candidates, the size of which may not exceed 4000 characters.

(2) If a person who has not been registered without interruption at the place of residence in the administrative territory of the relevant local government for at least the last 10 months before the day of submission of the list of candidates is nominated as a candidate, yet the person owns immovable property registered in this territory in accordance with the procedures specified by law, a true copy of the Land Register deed certified by a notary or a statement from the Land Registry Office regarding the ownership of the immovable property shall also be appended to the list of candidates.

(3) If a person who has not been registered without interruption at the place of residence in the administrative territory of the relevant local government for at least the last 10 months before the day of submission of the list of candidates is nominated as a candidate, yet the person has been employed in this territory (as an employee or as a self-employed person according to the law On State Social Insurance) for at least the last four months before the day of submission of the list of candidates, a statement from the employer or the State Revenue Service respectively shall also be appended to the list of candidates.

(4) [9 May 2002]

(5) If a person who on the day of submission of the list holds any position referred to in Section 10 of this Law is nominated as a candidate, a notification signed by the relevant person indicating that, in the event of being elected, he or she will terminate performance of his or her duties in the relevant position (service) within one month shall be appended to the list of candidates.

(6) If the name of the list of candidates is identical to the name of a registered political party or a registered alliance of registered political parties, an authorisation from the decision-making body of such political party or alliance of political parties shall be appended to the list of candidates entitling the submitters of the list to submit the list of candidates for the elections of the relevant council.

(7) If a combined list of candidates has been submitted by several political parties which have not united into a registered alliance of political parties, authorisation from all decision-making bodies of the relevant political parties shall be appended to the list of candidates.

(8) [11 June 2020]

[6 November 1996; 6 December 1996; 6 April 2000; 9 May 2002; 11 November 2004; 2 October 2008; 11 June 2020; 17 June 2020]

**Section 18.** (1) The election commissions shall only accept such lists of candidates the submitters of which have paid a security deposit for the relevant list into a special deposit account of the council election commission. The security deposit for the list of candidates in the council elections shall be 15 euros for each councillor to be elected.

(2) [17 June 2020]

(3) The bank issues the payers of the security deposit with a document which indicates who has deposited the money, the name of the list of candidates for which the security deposit was paid and the date when the security deposit was paid. The paid security deposit gives the right to submit a list of candidates of one name for one council elections. If at least one candidate is elected from the list of candidates of such a name in the relevant council elections, the security deposit shall be returned to the payers; if no one is elected, the election commission shall transfer the security deposit in the budget of the relevant local government.

[6 November 1996; 11 November 2004; 2 October 2008; 12 September 2013; 17 June 2020]

### **Section 19.**

(1) [17 June 2020]

(2) If a list of candidates is submitted by a political party, two or several political parties or an alliance of political parties, they shall specify three persons in the authorisation of the decision-making bodies thereof one of whom has the right, without special authorisation, to submit a list of candidates for the elections of the relevant council, to be present at the meetings of the election commission of the relevant local government and also at the meetings of the polling station commissions established in the administrative territory of such local government.

[2 October 2008; 17 June 2020]

**Section 20.** (1) The election commission shall, within one day, verify a list of candidates and take one of the following decisions:

1) to accept a list of candidates and documents appended thereto;

2) to refuse a list of candidates and documents appended thereto if it determines the non-conformity of the list of candidates and documents appended thereto with the requirements of Chapter 4 of this Law.

(2) The election commission shall specify in a decision of refusal what deficiencies are to be eliminated in the list of candidates and documents appended thereto in order to decide on the acceptance of such a list and the documents appended thereto.

(3) A list of candidates which has not been accepted by the election commission may be submitted repeatedly if the time period for submitting the lists of candidates specified in the law has not expired. The day when the election commission has accepted a list of candidates shall be considered as the day of submission of the list of candidates.

(4) The election commission shall verify whether the nominated candidates conform to the requirements of Section 8, Paragraphs one and two and Section 9 of this Law.

[26 April 2007]

### **Section 21.**

(1) [17 June 2020]

(2) The name of a list of candidates shall correspond to:

1) the name of the relevant political party if the list of candidates is submitted by a political party;

2) the name of the relevant alliance of political parties if the list of candidates is submitted by an alliance of political parties;

3) all names of the relevant political parties if the list of candidates is submitted by two or several political parties.

[6 November 1996; 2 October 2008; 17 June 2020]

**Section 22.** (1) The lists of candidates that have been submitted in accordance with the requirements of this Law shall be registered in the election commission of the relevant local government.

(2) Registered lists of candidates cannot be withdrawn and amendments to them may be made in one of the following ways only by the commission that has registered the relevant list:

1) by deleting the nominated candidate if:

a) the candidate does not conform to the requirements of Section 8, Paragraphs one and two of this Law;

b) the restrictions specified in Section 9 of this Law apply to the candidate;

c) the same person is nominated in lists of candidates of different names or in the list of candidates also for elections of another local government council (Section 15);

d) [17 June 2020];

e) the candidate has deceased;

f) the candidate is a member of the European Parliament and has not submitted documents to the election commission which approve the fact of resignation of the mandate of the member of the European Parliament (laying down the mandate);

2) by making corrections of a technical nature.

(3) A candidate shall be deleted on the basis of the statement issued by the relevant institution or a court judgment. The fact that the candidate:

1) does not conform to the requirements of Section 8, Paragraph one of this Law – shall be certified by the statement of the Office of Citizenship and Migration Affairs;

1<sup>1</sup>) has not reached 18 years of age on the election day – shall be certified by the statement of the Office of Citizenship and Migration Affairs;

1<sup>2</sup>) is not registered in the electoral register – shall be certified by the statement of the Office of Citizenship and Migration Affairs;

2) has not been registered without interruption at the place of residence in the administrative territory of the relevant local government for at least the last 10 months before the day of submission of the list of candidates – shall be certified by the statement of the Office of Citizenship and Migration Affairs;

2<sup>1</sup>) has been included in the list of candidates for another council elections – shall be certified by the statement of the Office of Citizenship and Migration Affairs;

2<sup>2</sup>) has been recognised as not having the capacity to act in accordance with the procedures provided for by law – shall be certified by the statement of the Office of Citizenship and Migration Affairs;

3) is serving a sentence in a place of deprivation of liberty – shall be confirmed by the statement of the Information Centre of the Ministry of the Interior;

4) has been sentenced for a serious or especially serious crime and the criminal record has not been extinguished or set aside – shall be certified by the statement of the Information Centre of the Ministry of the Interior;

5) at the time of committing the crime provided for in the Criminal Law was in a state of mental incapacity, a state of diminished mental capacity or also after committing the criminal offence has become ill with a mental illness which has removed his or her ability to understand his or her actions or to control them – shall be certified by the statement of the Information Centre of the Ministry of the Interior;

6) is or has been in a staff position in the State security services, intelligence or counter-intelligence services of the USSR, the Latvian SSR, or of foreign states – shall be certified by the judgment of the relevant court;

7) after 13 January 1991 has worked in the CPSU(LCP), the International Front of the Working People of the Latvian SSR, the United Work Collective Council, the Organisation of War and Labour Veterans, the All-Latvia Salvation of Society Committee or its regional committees – shall be certified by the judgment of the relevant court;

8) [9 May 2002];

9) has deceased – shall be certified by the statement of the Office of Citizenship and Migration Affairs.

(4) The institutions referred to in Paragraph three of this Section shall provide the information at the disposal thereof in writing to the election commission free of charge within five days after receipt of a request.

(5) If information that a nominated candidate does not have the right to stand as a candidate in the council elections is received by the election commission later than on the 20<sup>th</sup> day before the elections and it is impossible to produce new ballot papers of the relevant list of candidates, voters shall be issued with ballot papers of the relevant list of candidates with the given name and surname of this candidate. In counting the votes and calculation of election results the votes cast for the relevant person shall not be counted.

[6 November 1996; 6 December 1996; 6 April 2000; 16 November 2000; 9 May 2002; 11 November 2004; 2 October 2008; 17 June 2020]

**Section 22.<sup>1</sup>** (1) A decision of the local government election commission on the acceptance of a list of candidates or on refusal to accept a list of candidates, and also a decision thereof on the deletion of a nominated candidate from a registered list of candidates may be contested to the Central Election Commission within three working days from the day of taking the relevant decision.

(2) The Central Election Commission shall examine a complaint and take a decision within three days from the day of receipt of the complaint. A decision of the Central Election Commission may be appealed to the court within three working days after the day of taking thereof.

(3) In order to enforce a court judgment by which a decision of the local government election commission on the acceptance of a list of candidates or on refusal to accept a list of candidates, or on the deletion of the nominated candidate from the registered list of candidates is repealed, the local government election commission shall:

1) accept the list of candidates or refuse to accept the relevant list of candidates;

2) renew a nominated candidate in the registered list of candidates or delete him or her therefrom.

[26 April 2007; 2 October 2008; 17 June 2020]

### **Section 23.**

(1) The registered lists of candidates shall be published on the website of the Central Election Commission and in the official gazette *Latvijas Vēstnesis*, and also displayed in all polling stations established in the administrative territory of the relevant local government.

(2) [11 June 2020]

(3) Lists of candidates shall be displayed not later than five days before the election day, and the given name, surname, date of birth, registered place of residence in Latvia (city or municipality), education, principal place of employment and position held, citizenship (nationality) of another state, if any, of each candidate shall be specified therein.

(4) Pre-election programmes shall be displayed in a place visible for the voters. The information stipulated by this law regarding each candidate shall be available in each polling station, except for his or her personal identity number or voter code.

[6 November 1996; 6 December 1996; 6 April 2000; 16 November 2000; 11 November 2004; 2 October 2008; 13 December 2012; 14 February 2013; 11 June 2020; 17 December 2020]

### **Section 24.<sup>1</sup>**

(1) If until the time period specified in Section 15 of this Law no list of candidates for the elections of the relevant local government council is registered, only one list of candidates is registered or the number of registered candidates is less than the number of councillors to be elected to the relevant local government, the Central Election Commission shall, within three days, take a decision to extend the time period for the submission of lists of candidates by 10 days. A decision of the Central Election Commission shall be published in the official

gazette *Latvijas Vēstnesis* and displayed in a place visible for the voters at the building of the relevant local government council. If the number of candidates is less than the number of councillors to be elected even after extension of the time period, the Central Election Commission shall, within two weeks, announce repeated elections of the relevant council in accordance with the procedures specified by this Law.

(2) [11 November 2004]

(3) If even then the required number of candidates is not nominated, a temporary administration shall be established in the relevant administrative territory in accordance with the procedures specified by law.

(4) The local government election commission shall ensure the printing of the lists of candidates on separate forms – ballot papers. The following information shall be provided on a ballot paper:

- 1) the name of the council where elections take place;
- 1<sup>1</sup>) the number of the list of candidates;
- 2) the name of the list of candidates;
- 3) the number of order, given name and surname of the nominated candidates.

(5) Opposite the surname of each candidate on the ballot paper there is a space for the voter to make a mark.

(6) The local government election commission shall, not later than five days before the election day, send ballot envelopes and ballot papers to all polling station commissions. Ballot papers shall be sent in such an amount that each voter may receive one ballot paper for each list of candidates registered in the relevant electoral district. Production and distribution of ballot envelopes to the local government election commissions shall be ensured by the Central Election Commission in accordance with the procedures specified thereby.

(7) The election commission shall number the lists of candidates, determining their numbers by drawing lots. The lottery shall take place in the sequence of registration of the lists. Ballot papers for issuance thereof to voters shall be arranged in the order determined by drawing lots.

(8) The ballot papers, envelopes, electoral rolls, ballot boxes, and other election materials starting from the first day of elections until transfer thereof to the city or municipality election commission shall be kept in the building where the polling station is located in accordance with the procedures laid down by the Central Election Commission, ensuring the physical and technical security of the relevant premises.

[6 November 1996; 6 December 1996; 6 April 2000; 11 November 2004; 2 October 2008; 13 December 2012; 14 February 2013; 11 June 2020; 17 June 2020]

## **Chapter 5**

### **Election Procedures**

#### **Section 25.**

(1) On the election day the elections shall take place from 7.00 in the morning till 8.00 in the evening.

(2) At 7.00 in the morning a chairperson of the polling station commission or the secretary shall, in the presence of the commission, ascertain that the ballot boxes, allotted for depositing ballot papers, are empty. After this the ballot boxes shall be sealed.

(3) The polling station commission shall ensure the verification of the following at the entrance to the polling premises:

- 1) whether the citizens who arrived are voters;
- 2) whether the voter presents a valid personal identification document.

(4) [11 November 2004]

[6 November 1996; 6 December 1996; 6 April 2000; 16 November 2000; 11 November 2004; 11 June 2020]

## **Section 26**

(1) If the voter is unable to vote on the election day, he or she may cast the vote in advance. The opening hours of the polling stations on the days of advance voting shall be: on Monday from 16.00 to 20.00; on Thursday from 9.00 to 16.00; on Friday from 13.00 to 20.00. During this time the polling station commission shall work in a composition of not less than four persons. The notification regarding the location of the polling station (stations) and working hours thereof shall be displayed at the local government building as well as in all polling stations established in the administrative territory of the relevant local government.

(2) Voters voting before the general election day shall place the ballot envelope in a separate sealed ballot box. The polling station commission shall make a notation in the electoral roll that a voter has voted in advance.

*[11 November 2004; 11 June 2020; 17 June 2020]*

## **Section 27.**

Except for the cases provided for in Section 33 of this Law, a voter may only vote in person.

*[6 November 1996; 11 November 2004]*

## **Section 28.**

(1) Voting in the elections shall be by secret ballot. The voter shall vote, by presenting a valid personal identification document, in any polling station of his or her choice in the same electoral district in the electoral roll of which he or she is registered. Each voter may vote only once.

(2) In the polling premises, a member of the polling station commission, having previously ascertained that the information on the person is included in the electoral register and that there is no notation regarding participation of this person in the relevant elections, shall enter the given name, surname, and personal identity number of the voter in the electoral roll and shall make a notation in the electoral register regarding the participation of the voter in the elections. The voter shall sign the electoral roll.

(2<sup>1</sup>) If there is a notation in the electoral register regarding the participation of the voter in the elections, however, he or she denies that, the polling station commission shall contact the polling station commission in which the voter, according to the information in the electoral register, has voted and shall clarify whether the signature of the voter is in the electoral roll of the polling station. If the absence of the signature is confirmed, the voter may vote. If there is a signature, the voter shall be refused the possibility to vote.

(3) The ballot papers of all lists of candidates nominated in the electoral district and a special ballot envelope which is sealed with a seal of the relevant polling station commission shall be issued for each voter. The voter shall place in this envelope the ballot paper that conforms to the list of candidates for which he or she votes. The issuing of separate ballot papers is prohibited.

(4) *[6 December 1996]*

(5) Members of the election commission are prohibited from campaigning for or against candidates or lists of candidates.

*[6 November 1996; 6 December 1996; 11 November 2004; 11 June 2020]*

## **Section 29**

(1) A separate room or booth shall be installed in the polling premises where the voter alone shall place in the ballot envelope one ballot paper and seal the envelope. On the ballot paper opposite the surnames of the candidates the voter may, at his or her discretion, make a “+” mark, not make a mark or strike out the given name and surname of the candidate.

(2) A voter shall make a “+” mark opposite the surname of a candidate if he or she especially supports the election of such a candidate. If the voter does not support any of the candidates included in the ballot paper, he or she shall strike out the given name and surname of such a candidate. If only a given name or a surname is struck out, it shall be considered that a voter

does not support such a candidate. A voter may also place an unchanged ballot paper (without marks) into the ballot envelope.

(3) A voter shall insert the sealed envelope into the sealed ballot box in the presence of a member of the election commission.

(4) [6 December 1996]

(5) If the voter has damaged the paper or the ballot envelope prior to placing the ballot paper in the envelope and sealing it, he or she shall be issued with a new ballot envelope or new ballot papers of all lists of candidates nominated in the electoral district.

[6 November 1996; 6 December 1996; 11 November 2004]

### **Section 30.**

[6 November 1996]

### **Section 31.**

[6 November 1996]

### **Section 32.**

(1) If certain voters who are located in the territory of the electoral district in the electoral roll of which they are registered are unable to come to the polling premises due to their state of health, the polling station commission shall, on the basis of a written submission from such voters or their authorised person which shall be registered in a special log, organise voting at the location of such voters, ensuring a secret ballot. Authorised observers (Section 35, Paragraph two) are entitled to observe such voting.

(2) Voting at the location of voters shall be organised also for the carers of the persons referred to in Paragraph one of this Section if they have submitted in good time a written submission regarding voting at their location.

(3) Voting of other voters outside the polling premises is not permissible.

(4) [20 October 2022]

(5) On the election day the polling station commission shall continue to accept written submissions regarding voting at the location of voters. Submissions accepted after 12.00 noon shall be satisfied by the polling station commission if it is possible to arrive at the location of voters until 8.00 in the evening.

(6) Voters who in accordance with Paragraphs one and two of this Section vote at their location shall be entered in a separate electoral roll and the sealed envelopes shall be inserted in a separate sealed box.

(7) Information on the ballot envelopes issued for voting at the location of voters and spare ballot envelopes, including damaged ballot envelopes, shall be entered in the election procedure report.

(8) For voters who are subject to arrest as the security measure or who are serving a sentence related to deprivation of liberty, or who are at a place of temporary detention, voting is organised at the location of such persons in accordance with the procedures laid down in Paragraph one of this Section.

(9) The polling station commission shall be contacted if it is not possible to ascertain at the location of a voter that the information on the person is included in the electoral register and that there is no notation regarding the participation of this person in the relevant elections. If it is not possible, the voting shall take place by using registration envelopes in accordance with the procedures laid down in Section 36.<sup>1</sup> of this Law.

[6 April 2000; 11 November 2004; 11 June 2020; Constitutional Court judgment of 30 March 2022; 20 October 2022]

### **Section 32.<sup>1</sup>**

(1) For the voters referred to in Section 32 of this Law who are located in the Republic of Latvia outside the territory of the electoral district in the electoral roll of which they are registered, voting shall be organised in accordance with the procedures laid down in this Section.

(2) A written submission for regarding voting at the location of the voter shall be submitted in accordance with the following procedures:

1) a voter on whom arrest has been imposed as a security measure or who is serving a custodial sentence – to the administration of the relevant prison not later than eight days before the election;

2) a voter who, due to his or her state of health, is in an inpatient medical treatment institution, social care centre, or other institution – to the administration of the relevant institution not later than eight days before the election. The administration of the relevant institution shall hand over the received submission to the local government election commission of the location of the voter;

3) a voter who is unable to come to the polling premises due to his or her state of health and is not in the institution referred to in Clause 2 of this Paragraph, and also the caretaker of such voter – to the local government election commission of the location not later than five days before the election.

(3) If physical disabilities prevent the voter from submitting a submission to vote at the location of the voter, the submission may be submitted by the family member of the voter or another person whom the voter trusts.

(4) Upon receipt of a submission to vote at the location of the voter, the administration of the prison shall verify in the electoral register whether the person has the right to participate in the relevant council election. If there is no information in the electoral register which confirms that the person has the right to participate in the relevant council election, the administration of the prison shall not accept the submission of the person. The administration of the prison shall hand over the list of accepted submissions indicating the given names, surnames, and personal identity numbers of the voters to the local government election commission of the location not later than on the fifth day before the election. The administrations of other institutions shall hand over the received submissions to the local government election commission of the location not later than on the fifth day before the election.

(5) The local government election commission of the location shall organise voting not later than three days before the election. Voters shall vote by using registration envelopes on which the local government in the council elections of which the voter is voting shall be indicated in addition to the information referred to in Section 36.<sup>1</sup>, Paragraph two. Voters shall be entered in separate electoral rolls according to their electoral district. The registration envelopes shall be thrown in a common sealed ballot box.

(6) The local government election commission shall deliver the sealed ballot boxes with registration envelopes to the Central Electoral Commission which shall open the boxes, sort the registration envelopes, throw them in sealed ballot boxes corresponding to the indicated local government, and hand over the boxes to the relevant local government election commission. Observers authorised for this purpose are entitled to observe this process in accordance with that specified in Section 35, Paragraph two of this Law.

(7) The local government election commission shall hand over the ballot box received from the Central Election Commission to the commission that will count the votes received from other electoral districts and postal voting.

(8) If the voter referred to in Paragraph one of this Section arrives at a polling station on the election day or on any of the advance voting days, he or she may vote in accordance with the procedures laid down in Sections 25, 26, 27, 28, 29, 33, 35, and 36 of this Law. The Central Election Commission shall determine the procedures by which the polling station commission informs the election commission or the polling station commission for postal voting that the relevant voter has voted at the polling station.

(9) In an extraordinary council election, for the voters referred to in Section 32 of this Law who are located in the Republic of Latvia outside the territory of the electoral district in the electoral roll of which they are registered, postal voting shall be organised in accordance with the procedures laid down in a separate law.

[20 October 2022]

### **Section 33.**

If a physical disability prevents a voter from voting himself or herself, then in the presence of the voter and in conformity with the voter's oral specifications, marks shall be made on the election ballot by the voter's family member or any other person that the voter trusts. The person who makes the marks may not be a member of the relevant polling station commission.

[6 November 1996]

### **Section 33.<sup>1</sup>**

(1) A voter who resides in a foreign country may participate in the elections by postal voting. The voter may apply for postal voting 70 days before the election day but not later than 42 days before the election day.

(2) The application for postal voting shall be submitted by a voter:

1) by using the free electronic service available on the service portal of the State administration [www.latvija.lv](http://www.latvija.lv) or on the official website of the Office of Citizenship and Migration Affairs;

2) by sending it to the official electronic address of the Central Election Commission;

3) at any diplomatic or consular mission of the Republic of Latvia specified by the Central Election Commission by arriving in person or sending an application by post. The diplomatic or consular mission of the Republic of Latvia shall send the application of the voter to the Central Election Commission;

4) in writing to the Central Election Commission.

(3) A voter shall indicate his or her given name, surname, personal identity number, and electronic mail address in the application for postal voting. The electronic mail address shall not be indicated in the application submitted by using the official electronic address.

(4) Upon receipt of an application for postal voting, the Central Election Commission shall:

1) verify whether the electoral register contains information which certifies that the person has the right to participate in the relevant council elections;

2) include information in the electoral register on the electronic mail address of the voter whereto the address of the website where the voting materials are available shall be sent;

3) not later than 20 days before the election day, send to the electronic mail address of the voter included in the electoral register the address of the website where the voting materials are available. If the application is received by using the official electronic address, the abovementioned address of the website shall be sent to the official electronic address of the voter.

(5) The Central Election Commission shall examine such applications for postal voting which have been received thereby not later than 30 days before the election day.

(6) If there is no information in the electoral register which confirms that the person has the right to participate in the relevant council elections, the voter has missed the term referred to in Paragraph one of this Section, or the application for postal voting has been received after the term referred to in Paragraph five of this Section, the Central Election Commission shall take a reasoned decision on refusal to send voting materials.

[17 December 2020]

### **Section 33.<sup>2</sup>**

(1) A voter shall print out voting materials and select a ballot paper which corresponds to the list of candidates for which he or she will vote and, if he or she wishes, shall make the marks

referred to in Section 29 of this Law in the ballot paper, shall place the ballot paper in a postal envelope (hereinafter – the postal ballot envelope) and seal the envelope.

(2) A voter shall place the sealed postal ballot envelope in the registration envelope. The voter shall also place a statement bearing a handwritten signature that he or she is voting in person and shall indicate his or her given name, surname, and personal identity number in the registration envelope. The voter shall note on the registration envelope that it contains a postal ballot envelope and shall indicate his or her given name, surname, and sequence number under which he or she is registered in the electoral roll. The voter shall send the registration envelope to the election commission of the relevant local government.

(3) The registration envelopes shall be registered and kept unopened by the local government election commission until the commencement of the counting of votes in accordance with the procedures laid down by the Central Election Commission.

(4) If a voter arrives at a polling station on the election day or on any of the advance voting days and denies having voted by post, he or she may vote in accordance with the procedures laid down in Section 25, 26, 27, 28, 29, 33, 35, or 36 of this Law. The Central Election Commission shall determine the procedures by which the polling station commission informs the election commission or the polling station commission for postal voting that the relevant voter has voted at the polling station.

[17 December 2020]

**Section 34.** (1) During the elections, order in the polling premises shall be supervised by the chairperson of the election commission. He or she shall ascertain that restrictions of election freedoms and disturbances to order, as well as campaigning, do not occur in the polling premises and closer than 50 metres from the entrance to the building where the polling station is located.

(2) A chairperson of the polling station commission shall be responsible for supervision and keeping of election documents, materials and property given to the relevant polling station commission.

[11 November 2004; 2 October 2008]

### **Section 35.**

(1) Starting with the opening of a polling station, the secretary of the polling station commission or – in his or her absence – another member of the commission authorised by the chairperson of the polling station commission shall write up the election procedure report in accordance with the procedures specified by the Central Electoral Commission.

(2) Without disturbing the work of the polling station commission, the election procedures may be observed by no more than two authorised observers from each political party or alliance of political parties that has submitted a list of candidates for the respective council elections, and also members of the Central Election Commission and election commission of the relevant local government and persons authorised by these commissions, mass media representatives. A councillor candidate of the relevant council may not act as an authorised observer.

(3) A voter may submit a complaint regarding the election procedures to the chairperson of the election commission and it shall be registered in the election procedure report. Any complaint regarding the election procedures shall be examined without delay and a reply shall be given to the submitter of the complaint, but the content of the complaint shall be recorded in the election procedure report.

[11 November 2004; 2 October 2008; 17 June 2020]

### **Section 36.**

On the election day after 8.00 in the evening ballot papers may be placed only by those voters who were in the polling premises before 8.00 in the evening. After this, the polling premises shall be closed, the votes shall be counted and the election results shall be calculated.

[6 April 2000; 11 June 2020]

**Chapter 5.<sup>1</sup>**  
**VOTING BY USING REGISTRATION ENVELOPES**  
[11 June 2020]

**Section 36.<sup>1</sup>**

(1) If it is not possible to ascertain that the information on the person is included in the electoral register and that there is no notation already regarding the participation of this person in the relevant elections, voting shall take place by using registration envelopes, and the voters shall be entered in a separate electoral roll.

(2) A voter shall, on his or her own, carry out the activities specified in Section 29 of this Law, place the sealed ballot envelope in the registration envelope on which the given name, surname, and personal identity number of the voter shall be indicated. The registration envelope shall be sealed and handed over to the polling station commission which shall stamp it with the seal of the relevant polling station commission and throw it in a sealed ballot box.

[11 June 2020]

**Section 36.<sup>2</sup>**

(1) When it is possible to ascertain that the information on the person is included in the electoral register and that no notation has already been made there regarding the participation of the person in the relevant elections, the polling station commission shall, without interfering with the voting process, verify this information in accordance with the separate electoral rolls, shall make a notation in the electoral register regarding the participation of the voter in the elections, and shall mark in the electoral rolls whether the vote of the person is countable.

(2) When a polling station commission opens ballot boxes once the elections are over, it shall sort the registration envelopes into two groups – valid and invalid envelopes. The registration envelope shall be invalid if:

- 1) the given name, surname, and personal identity number of the voter has not been indicated on it;
- 2) it has not been stamped with the seal of the relevant polling station commission;
- 3) the relevant person cannot be found in the electoral register;
- 4) the relevant person has the right to vote in another electoral district;
- 5) according to the information in the electoral register, the relevant person has already voted.

(3) The invalid registration envelopes shall be counted and packaged unopened. The polling station commission shall open the valid registration envelopes and count the votes as specified in Section 38, Paragraph five of this Law.

[11 June 2020]

**Section 36.<sup>3</sup>**

If, after the entering of information referred to in Section 38, Paragraph three of this Law in the vote counting report, packaging of the materials and ballot envelopes not used in the counting of the votes, and prior to the opening of the ballot boxes, there remains a significant number of voters not verified as regards whether the information on the person has been included in the electoral register and whether no notation has already been made there regarding the participation of this person in the relevant elections, the polling station commission may announce a break with the permission of the election commission of the relevant city or municipality. If a break is announced, the electoral rolls shall be packaged or placed in a separate sealed box before that. The relevant city or municipality election commission may determine another place where to resume the counting of the votes and to invite additional specialists from among the voters to ensure the counting of votes.

[11 June 2020]

## **Chapter 6** **Counting of Votes and Calculation of Election Results**

### **Section 37.**

(1) The counting of votes shall commence immediately after the closing of the polling station. Counting is done by the polling station commission in an open meeting.

(2) Without disturbing the work of the commission, the meeting may be concurrently attended by no more than two authorised observers from each political party or alliance of political parties that has submitted a list of candidates for the respective council elections, and also members of the Central Election Commission and election commission of the relevant local government and persons authorised by these commissions, mass media representatives. After completion of the counting of votes, the abovementioned persons have the right to familiarize with the vote counting report.

(3) Submitters of the lists of candidates as well as nominated candidates may, within three working days after signing of the report, contest it to the Central Election Commission. The Central Election Commission shall examine a complaint and take a decision within three days from the day of receipt of the complaint.

(4) A decision of the Central Election Commission regarding the contested vote counting report may be appealed to the court within three working days after the day of taking thereof.

[26 April 2007; 2 October 2008; 17 June 2020]

### **Section 37.<sup>1</sup>**

If a court, when examining an application, determines that such violations of law have been committed which have affected the distribution of the seats of councillors of the relevant council among political parties and alliances of political parties, it shall revoke a decision on the approval of the results of the relevant polling station and take one of the following rulings:

- 1) to assign the local government election commission to re-count the votes;
- 2) to assign the Central Election Commission to announce repeated voting;
- 3) another ruling.

[2 October 2008; 17 June 2020]

### **Section 38.**

(1) Immediately after the closing of the polling station, the polling station commission shall, in accordance with the procedures specified by the Central Election Commission, seal the ballot boxes, close the electoral rolls and prepare the premises for the counting of votes. Election materials not used in voting shall be packed or placed in a manner that does not hinder the counting of votes.

(2) The polling station commission shall prepare a vote counting report regarding the counting of votes in two copies.

(3) Prior to the opening of ballot boxes, the polling station commission shall enter in the vote counting report information on the received, used, and spare ballot envelopes, the number of voters at the polling station and at the location of voters. Sealed ballot envelopes which have not been used in voting shall be cancelled.

(4) The ballot boxes shall be opened after entering the information referred to in Paragraph two of this Section in the vote counting report and the packaging of materials and ballot envelopes not used in the counting of votes. The ballot boxes shall be opened one by one and the ballot envelopes shall be counted.

(5) Ballot envelopes taken out of each ballot box, without opening them, shall be sorted into valid and invalid ballot envelopes.

(6) Torn ballot envelopes and such ballot envelopes which are not stamped with the seal of the relevant election commission shall be deemed to be invalid, except for the postal ballot envelopes sent in accordance with the procedures laid down in Section 33.<sup>2</sup> of this Law.

(7) Invalid ballot envelopes shall be counted and packaged unopened, specifying that the pack contains invalid ballot envelopes and the number thereof. The total number of invalid ballot envelopes shall be entered in the vote counting report.

(8) The number of valid ballot envelopes taken out of each ballot box shall be equal to or less than the relevant number of voters.

(9) If a ballot box contains ballot papers which are not inserted in ballot envelopes, they shall be cancelled and packaged in accordance with the procedures specified by the Central Election Commission.

[11 November 2004; 11 June 2020; 20 October 2022]

### **Section 38.<sup>1</sup>**

(1) Votes received from other electoral districts and votes received by postal voting shall be counted in an open meeting by the local government election commission or the polling station commission for postal voting established thereby.

(2) Without disturbing the work of the commission which is counting the votes received by postal voting and from other electoral districts, the meeting may be concurrently attended by not more than two authorised observers from each political party or alliance of political parties which has submitted a list of candidates for the relevant council elections, and also representatives of the Central Election Commission and mass media. Members of the election commission of the relevant local government and persons authorised by these commissions may also be present at the meeting of the polling station commission for postal voting. After completion of the counting of votes, the abovementioned persons have the right to familiarize with the vote counting report.

(3) Prior to the commencement of the counting of votes, registration envelopes shall be sorted into valid and invalid registration envelopes without opening them.

(4) Such registration envelopes received by postal voting shall be deemed to be invalid which:

1) have been sent by voters who have not applied for postal voting;

2) have been sent by persons who are not registered in the electoral roll in the relevant electoral district;

3) have been sent by voters who have already voted in the relevant council elections on the election day or on any of the advance voting days at the polling station;

4) do not bear the given name, surname, and sequential number of the voter with which he or she has been registered in the electoral roll;

5) have been received after the commencement of the counting of votes;

6) have been sent from the Republic of Latvia;

7) have been received from voters who have sent several registration envelopes.

(4<sup>1</sup>) Such registration envelopes received from other electoral districts shall be deemed to be invalid:

1) which do not allow identification of the voter;

2) which are not stamped with the seal of the local government election commission of the location;

3) if the relevant person is not registered in the electoral roll in the relevant electoral district;

4) if, according to the information in the electoral register, the relevant person has already voted.

(5) Valid registration envelopes shall be placed together and a notation shall be made in the electoral roll that a valid registration envelope has been received. The total number of valid registration envelopes shall be recorded in the election procedure log. Invalid registration

envelopes shall not be opened but the total number thereof shall be recorded in the election procedure log.

(6) In opening a valid registration envelope, it shall be verified whether it contains only one ballot (for votes received by postal voting – postal ballot) envelope. If there are several such envelopes in the registration envelope, all of them shall be deemed invalid. A postal ballot envelope shall be deemed invalid if the registration envelope does not contain a signed statement that the voter has voted in person.

(7) [20 October 2022]

(8) The valid and invalid registration envelopes shall be registered and kept in accordance with the procedures laid down by the Central Election Commission.

(9) The general procedures provided for in this Chapter shall be applied to the counting of votes received by post and from other electoral districts and the calculation of election results.

[17 December 2020; 20 October 2022]

### **Section 39.**

(1) Subsequent to the counting of the valid ballot envelopes, they shall be opened and their content shall be concurrently determined:

- 1) the envelope contains one ballot paper of the relevant district;
- 2) the envelope contains more than one ballot paper;
- 3) the envelope contains a ballot paper of another district;
- 4) the envelope contains a torn ballot paper;
- 5) there is no ballot paper in the envelope.

(2) Envelopes which contained one ballot paper of the relevant district do not have to be kept after ballot papers are taken out. Ballot papers from these envelopes shall be placed together for counting.

(3) Empty ballot envelopes, and also the ballot envelopes which contained more than one ballot paper or a torn ballot paper, or a ballot paper of another district shall, together with their contents, be placed separately.

[11 November 2004]

### **Section 40.**

(1) When all the valid ballot envelopes are opened, the polling station commission shall decide on the validity of those ballot papers which were in the ballot envelopes with several ballot papers, torn ballot papers and ballot papers of another district.

(2) If a ballot envelope contains several absolutely identical ballot papers, one of them shall be deemed to be valid and added to the valid ballot papers for counting, but others shall be deemed to be invalid.

(3) Envelopes containing torn ballot papers as well as empty ballot envelopes shall be deemed to be ballot envelopes without valid ballot papers.

(4) If a ballot envelope contains more than one ballot paper and these ballot papers are not identical as concerns their content (also as concerns the marks made), it shall be deemed to be an envelope without a valid ballot paper.

(5) The polling station commission shall resolve the differences of opinion regarding the validity of ballot papers by majority vote. In the event of a tied vote, the chairperson of the commission shall cast the deciding vote.

(6) Valid ballot papers, in accordance with the procedures specified by the Central Election Commission, shall be grouped according to the names of the lists of candidates. Afterwards the votes cast for each list of candidates shall be counted.

(7) The number of votes cast for each list of candidates shall be entered in the vote counting report. Information on the number of votes cast for each list of candidates shall be provided in accordance with the procedures specified by the Central Election Commission.

[11 November 2004]

### **Section 40.<sup>1</sup>**

(1) After counting the votes cast for each list of candidates, the polling station commission shall print out and sign the part of the vote counting report which shall include at least the information on the number of voters, registration of ballot envelopes, the number and content of the ballot envelopes found in ballot boxes, and also the number of valid ballot papers cast for each list of candidates.

(2) [11 June 2020]

(3) [11 June 2020]

(4) [11 June 2020]

[11 November 2004; 2 October 2008; 11 June 2020]

### **Section 40.<sup>2</sup>**

(1) The number of votes received for each candidate shall be determined in the following way:

1) divide the ballot papers of each list into two groups – changed and unchanged ballot papers. Changed ballot papers shall be considered to be those on which the voter, opposite the surname of a candidate in the place provided therefor, has made a “+” mark or has struck out the given name or surname of a candidate. Other ballot papers shall be considered to be unchanged;

2) in relation to each candidate, count the changed ballot papers in which:

a) opposite his or her surname in the place provided therefor a “+” mark has been made;

b) his or her given name or surname has been struck out;

c) marks have not been made.

(2) The results of the counting of votes shall be recorded by the polling station commission in the vote counting report.

(3) The polling station commission shall resolve the differences of opinion regarding the marks made by voters on ballot papers by majority vote. In the event of a tied vote, the chairperson of the polling station commission shall cast the deciding vote.

[11 November 2004; 11 June 2020]

### **Section 40.<sup>3</sup>**

After the counting of votes and the completion of the vote counting report, all valid ballot papers given as well as the invalid ballot papers together with ballot envelopes, unused sealed and invalid ballot envelopes and one copy of the vote counting report of the polling station commission shall be packaged and sealed. The authorised observers present also have the right to seal this package with their seals or sign on it regarding which a reference shall be made in the election procedure report. Unused unsealed ballot envelopes shall be packaged separately. Afterwards the polling station commission shall send the election materials to the local government election commission in accordance with the procedures laid down by the Central Election Commission.

[11 November 2004; 2 October 2008; 17 June 2020]

### **Section 41.**

(1) The election results of the local government election commission shall be calculated according to the reports which they have received from the polling station commissions.

(2) The lists of candidates which have received less than five per cent of the total votes given in the elections of this local government shall not participate in distribution of seats of councillors. The number of valid ballot envelopes shall be deemed to be the total number of votes given (the total number of voters who participated in the elections).

(3) In order to distribute the seats of the councillors among lists of candidates, the following procedures shall be applied:

1) the number of valid ballot papers given for each list of candidates shall be determined;  
2) the number of ballot papers given for each list of candidates shall be then sequentially divided by 1, 3, 5, 7 and so on until the number of divisions is the same as the number of candidates nominated in the list of candidates;

3) all the acquired divisions regarding all lists of candidates shall be numbered in common descending order;

4) seats of councillors shall sequentially be received by those lists of candidates which conform to the largest divisions.

(4) If a division, the sequence number of which complies with the number of councillors to be elected, is equal to one or several subsequent divisions, a seat of the councillor shall be received by a list which has acquired more votes.

(5) If such lists of candidates have acquired equal number of votes, a seat of the councillor shall be received by the list of candidates that has been registered first.

(6) In each list of candidates, the nominated candidates shall be listed according to the number of votes received. The number of votes cast for a candidate shall be equal to the number of votes which were cast for the list of candidates in which this candidate was included, minus the number of ballot papers in which the given name or surname of this candidate was struck out, plus the number of those ballot papers in which voters made a “+” mark opposite the surname of this candidate. If two or more candidates of the same list of candidates have received an equal number of votes, they shall be mutually listed according to the sequence provided for by the submitters of the list of candidates.

(7) Those candidates shall be elected who have received the largest number of votes, but the remainder shall be recorded as candidates in such sequence as they were listed according to the number of votes which were cast for them.

[6 November 1996; 6 December 1996; 6 April 2000; 11 November 2004; 26 April 2007; 2 October 2008; 17 June 2020]

#### **Section 42.**

[6 December 1996]

#### **Section 43.**

(1) If the elected councillor has deceased, resigned or has lost or laid down his or her mandate due to other reasons, the next candidate from the same list of candidates from which the previous councillor was elected shall come in his or her place.

(2) If any of the list of candidates lacks candidates due to the reasons provided for in Paragraph one of this Section, then the Central Election Commission shall, in accordance with the procedures specified in Section 41, Paragraph two of this Law, determine from which list of candidates the next councillor shall be taken.

[6 November 1996; 2 October 2008]

#### **Section 44.**

(1) Election results shall be approved by the election commission of the relevant local government by the decision thereof. The local government election commission shall send it together with the minutes of the meetings of the election commission to the Central Election Commission. Other election materials shall be stored in accordance with the procedures specified by the Central Election Commission.

(2) All submitters of the lists of candidates, within three days after elections, have the right to familiarise with the electoral rolls, but within three days after announcement of the election results – with minutes of meetings of the election commission.

(3) Election results of the city council shall be sent for publication in the official gazette *Latvijas Vēstnesis* and on the website of the Central Election Commission not later than within seven days after the elections.

(4) Election results of the municipality council shall, not later than within three days after the elections, be displayed in a visible place at the information centre of the municipality council and rural territory or town administration, and also shall be sent for publication on the website of the Central Election Commission. Election results of the municipality council shall, within three days after the elections, be also sent for publication in the newspaper published by the local government, but, if there is none – in another local newspaper.

[6 November 1996; 6 December 1996; 6 April 2000; 2 October 2008; 14 February 2013; 17 June 2020; 17 December 2020]

#### **Section 45.**

(1) A chairperson of the local government election commission shall, not earlier than 10 days and not later than 20 days after announcement of the election results, invite the newly elected councillors to the first meeting of the council.

(2) In order to enforce a court judgment by which a decision of the election commission regarding approval of the election results is left unchanged, a chairperson of the local government election commission shall invite the newly elected councillors to the first meeting of the council within 10 days after proclamation of the court judgment.

[26 April 2007; 2 October 2008; 17 June 2020]

### **Chapter 6.<sup>1</sup>**

#### **Contestation of Election Results**

[26 April 2007]

#### **Section 45.<sup>1</sup>**

Submitters of the lists of candidates as well as the nominated candidates have the right to contest a decision of the election commission regarding approval of election results within three working days after the day of taking thereof to the Central Election Commission. The Central Election Commission shall take a decision within three days.

**Section 45.<sup>2</sup>** A decision of the Central Election Commission may be appealed to the court within three working days after the day of taking thereof.

#### **Section 45.<sup>3</sup>**

If a court, when examining a complaint, determines that such violations of law have been committed in the organisation of elections or counting of votes and calculation of election results which have affected the distribution of the seats of councillors of the relevant council among political parties and alliances of political parties, it shall revoke a decision on the approval of the election results of the relevant local government and take one of the following rulings:

- 1) to assign the Central Election Commission to ensure the re-counting of votes;
- 2) to assign the Central Election Commission to announce repeated voting;
- 3) to assign the Central Election Commission to announce repeated elections.

[2 October 2008; 17 June 2020]

#### **Section 45.<sup>4</sup>**

(1) If a court judgment has come into effect by which the decision of the election commission of the relevant local government on the approval of election results of the council is revoked and a decision on the announcement of repeated elections is taken, the Central Election

Commission shall, in accordance with the procedures specified by law, announce repeated elections of the relevant council.

(2) The work of the council shall be ensured by the present council from the day of submission of application until the day when a decision regarding approval of the results of repeated elections comes into effect.

[2 October 2008; 17 June 2020]

## **Chapter 6.<sup>2</sup>** **Organisation of Repeated Voting**

[26 April 2007]

### **Section 45.<sup>5</sup>**

(1) If a judgment has come into effect by which a decision of the relevant polling station regarding approval of results or a decision of the relevant local government election commission on the approval of election results of the council is revoked, and a decision on the announcement of repeated voting is taken, the Central Election Commission shall, within five days after coming into effect of the judgment, announce repeated voting.

(2) A repeated voting shall be held not later than three months after the announcement thereof. The exact date shall be determined by the Central Election Commission.

(3) The work of the council shall be ensured by the present council from the day of submission of application until the day of coming into force of the results of repeated voting.

[2 October 2008; 17 June 2020]

### **Section 45.<sup>6</sup>**

Persons who had the right to participate in the relevant council elections the result of which was revoked in accordance with Section 37.<sup>1</sup> or Section 45.<sup>3</sup>, Paragraph one of this Law have the right to participate in repeated voting. If repeated voting has been announced in separate polling stations, the right to participate shall be held by the persons who participated in the relevant council elections in these polling stations.

[2 October 2008; 11 June 2020]

### **Section 45.<sup>7</sup>**

Only those candidates who had been registered in the relevant council elections the result of which was revoked in accordance with Section 37.<sup>1</sup> or Section 45.<sup>3</sup>, Paragraph one of this Law have the right to stand as candidates in repeated voting.

[2 October 2008]

### **Section 45.<sup>8</sup>**

Repeated voting shall be prepared and held by the local government election commissions and polling station commissions.

[2 October 2008; 17 June 2020]

### **Section 45.<sup>9</sup>**

(1) The local government election commission shall multiply the lists of candidates printed for the relevant elections.

(2) The local government election commission shall, not later than five days before the day of repeated voting, send ballot envelopes and ballot papers to all polling station commissions. If repeated voting is announced in separate polling stations, ballot envelopes and ballot papers shall be sent to the relevant polling station commissions. Production of ballot envelopes and distribution thereof to the local government election commission shall be ensured by the Central Election Commission.

[2 October 2008; 17 June 2020]

**Section 45.<sup>10</sup>** Repeated voting, counting of votes and calculation of results shall be performed in accordance with the procedures specified in Chapters 5 and 6 of this Law.

## **Chapter 7 Final Provisions**

**Section 46.**  
[26 April 2007]

**Section 47.**  
Persons who hinder voters from participating in elections or performing campaigning by violence, fraud, threats, bribery or in other illegal ways, or have counterfeited election documents, or deliberately have counted votes incorrectly, or have failed to observe voting secret, or have otherwise violated this law shall be held liable in accordance with the law.

**Section 47.<sup>1</sup>**  
(1) After having received a criminal conviction regarding violations of election rights, the local government election commission shall, within five days in accordance with the procedures laid down by the Central Election Commission, assess whether there has been any impact on the distribution of seats in the relevant elections and shall take one of the following decisions:  
1) not to re-distribute the seats among the candidates registered for the relevant elections;  
2) to re-distribute the seats among the candidates registered for the relevant elections.  
(2) A decision of the local government election commission referred to in Paragraph one of this Section may be contested to the Central Election Commission within 10 days after the day of taking thereof. The Central Election Commission shall take a decision within three days.  
(3) A decision of the Central Election Commission referred to in Paragraph two of this Section may be appealed to the court within three working days after the day of taking thereof.  
[26 April 2007; 2 October 2008; 17 June 2020]

**Section 48.**  
Councillor candidates to the council who have deliberately provided false information regarding them in the declaration referred to in Section 17, Paragraph one, Clause 2 of this Law shall be held criminally liable in accordance with Section 272 of the Criminal Law, but in case of election the councillor mandate shall also be cancelled for the relevant councillor.  
[11 November 2004; 2 October 2008]

**Section 49.** (1) The State and local government institutions and capital companies have the obligation to ensure the election commissions with premises necessary for work thereof free of charge.  
(2) The State and local government institutions and capital companies have the obligation to ensure political parties and alliances of political parties with premises for the organisation of pre-election measures for charge in such amount which covers the actual expenses for the use of such premises.  
[6 November 1996; 26 April 2007; 2 October 2008; 17 June 2020]

**Section 50.**  
[13 December 2012]

**Section 51.** (1) [17 June 2020]  
(2) [17 June 2020]

(3) Political parties, alliances thereof are prohibited from organising, forming, and establishing such contractual relations which after election determine or may determine financial or other property commitments for a councillor in respect of the relevant contracting party or a third person.

*[11 November 2004; 26 April 2007; 2 October 2008; 17 June 2020]*

**Section 52** (1) An application shall be submitted to the Administrative District Court in the case referred to in Section 22.<sup>1</sup>, Paragraph two of this Law, but in the case referred to in Section 37, Paragraph four, Section 45.<sup>2</sup>, Paragraph one and Section 47.<sup>1</sup>, Paragraph three of this Law – to the Administrative Regional Court.

(2) Court shall examine the case as the court of first instance. The case shall be examined in the composition of three judges.

(3) The court shall examine the case and take a ruling:

1) in the cases referred to in Section 22.<sup>1</sup>, Paragraph two, Section 37, Paragraph four and Section 45.<sup>2</sup>, Paragraph one of this Law – within seven days after the day of receipt of the application;

2) in the case referred to in Section 47.<sup>1</sup>, Paragraph three of this Law – within 30 days after the day of receipt of the application.

(4) An applicant shall specify the justification for the application. The burden of proof shall lie with the participants to the administrative proceedings.

(5) If the law prescribes the time period for execution of any procedural actions, however, the conditions of Paragraph three of this Section would not be observed in executing the respective procedural action within this time period, the judge (court) shall determine a time period appropriate for execution of the relevant procedural action.

(6) A ruling of the court as well as other decisions which are taken when performing procedural actions for examination of the submitted application or action brought shall not be subject to appeal.

*[26 April 2007]*

### **Transitional Provisions**

1. *[6 November 1996]*

2. *[6 November 1996]*

3. Examination on whether a person who is nominated as a councillor candidate has not violated the requirements of Section 9, Clause 6 of this Law shall be performed in accordance with the procedures specified in the law on the preservation and use of the documents of the State Security Committee of the Former USSR and the establishing the fact of collaboration.

*[17 February 1994; 6 December 1996]*

4. *[6 November 1996]*

5. *[6 April 2000]*

6. *[17 June 2020]*

7. *[17 June 2020]*

8. Regional local government councils elected on 29 May 1994 shall continue to fulfil the functions provided for in laws and Cabinet regulations until a regional local government is

reorganised in accordance with the procedures specified in laws, but not later than until 31 December 1997.  
[6 December 1996]

9. The Cabinet shall, by 1 July 1997, submit draft laws to the *Saeima* regarding reorganisation of a regional local government.  
[6 December 1996]

10. The Cabinet shall, by 31 December 2004, submit draft laws to the *Saeima* regarding amendments necessary in the relevant laws in order to ensure the fulfilment of provisions of Section 51 of this Law.  
[11 November 2004]

11. From the day when an application regarding contestation of a decision of the relevant municipality election commission of 2009 regarding election results until the day when a decision regarding approval of the results of repeated elections comes into effect, the work of a town, municipality or rural territory local government shall, after 1 July 2009, be ensured by the present town council, municipality council or rural territory council in accordance with the laws and regulations governing the operation of the municipality local government.  
[2 October 2008]

12. From the day when an application regarding contestation of a decision of the relevant polling station commission of 2009 regarding approval of election results or a decision of the relevant municipality election commission regarding approval of election results of the municipality council until the day when the results of repeated voting come into effect, the work of a town, municipality or rural territory local government shall, after 1 July 2009, be ensured by the present town council, municipality council or rural territory council in accordance with the laws and regulations governing the operation of the municipality local government.  
[2 October 2008]

13. Amendments to Section 2, Paragraph one of this Law regarding the replacement of the number “13” with the number “9” shall be applicable upon determining the number of councillors to be elected in local government elections that will take place after the entry into force of this Law.  
[14 February 2013]

14. Amendments to Section 2, Paragraph one of this Law regarding the number of councillors in the municipality council by determining the number of councillors to be elected in local government elections shall be applicable from the local government elections of 2021.  
[17 June 2020]

15. From the day when an application regarding contestation or appeal of a decision of the relevant local government election commission regarding the approval of election results of 2021 until the day when the decision on the approval of the results of repeated elections comes into effect, the work of a local government shall, after 1 July 2021, be ensured by the present city council or municipality council in accordance with the laws and regulations governing the operation of a local government.  
[17 June 2020]

16. From the day when an application regarding contestation or appeal of a decision of the relevant polling station commission regarding the approval of election results or a decision of the relevant local government election commission on the approval of the election results of the

municipality council of 2021 until the day when the decision on the approval of the results of repeated elections comes into effect, the work of a local government shall, after 1 July 2021, be ensured by the present city council or municipality council in accordance with the laws and regulations governing the operation of a local government.

[17 June 2020]

17. Amendments to this Law which provide for the replacement of the words “in the Population Register” with the words “in the Register of Natural Persons” throughout the Law shall enter into force concurrently with the Law on the Register of Natural Persons.

[17 December 2020]

18. With regard to the local government elections of 2021, the condition of Section 8, Paragraph two, Clause 1 of this Law shall be applicable in such a way that on the day of submitting the list of candidates the person has been registered without interruption in the place of residence in the administrative territory of the relevant local government at least since 26 June 2020, whereas the condition of Clause 2 – in such a way that the person is employed in the administrative territory of the relevant local government (in the status of an employee or a self-employed person in accordance with the law On State Social Insurance) at least since 26 December 2020. Section 17, Paragraphs two and three, Section 20, Paragraph one, Clause 2, Section 20, Paragraph four, Section 22, Paragraph two, Clause 1, Sub-clause “a”, and Paragraph three, Clause 2 of this Law and other norms of this Law shall be applicable in compliance with the provisions laid down in this transitional provision.

[17 December 2020]

#### **Informative Reference to European Union Directive**

[11 November 2004]

The Law contains legal norms arising from the Council Directive 94/80/EC of 19 December 1994 laying down detailed arrangements for the exercise of the right to vote and to stand as a candidate in municipal elections by citizens of the Union residing in a Member State of which they are not nationals.

The Law shall come into force on the day of its proclamation.

The Law has been adopted by the *Saeima* on 13 January 1994.

President

G. ULMANIS

Rīga, 25 January 1994