

Modified by amendments adopted till 17 May 2018

As in force on 13 June 2018

The Saeima has adopted and the President  
of State has proclaimed the following law:

## **Law on City and Municipality Election Commissions and Polling Station Commissions**

### **Chapter I GENERAL PROVISIONS**

#### **Article 1**

(1) For the preparation of the Saeima elections, the European Parliament elections, national referendums and elections of city or municipality councils (hereafter — councils), a city election commission and a municipality election commission (hereafter - election commission) consisting of seven to fifteen members shall be established from among the voters in each city and municipality. The number of members for each election commission shall be determined by the relevant council.

(2) For the organisation of elections or national referendums in cities and municipalities, polling station commissions consisting of five to seven members shall be established within the deadlines set by the Central Election Commission.

(3) The number and location of polling stations shall be approved by the Central Election Commission on a proposal from city or municipality councils. A council shall display announcement of the location of the polling stations at the council's information point, but the Central Election Commission shall publish the list of polling stations in the official publication "Latvijas Vēstnesis".

(4) In cities and municipalities where there is only one polling station, a polling station commission shall not be established, and its duties shall be performed by the election commission of the respective city or municipality. In cities and municipalities where there are two polling stations, duties of one polling station commission shall be performed by the respective election commission, but the second polling station commission shall be established in accordance with the procedure set by the Central election Commission. In cities and municipalities where there are three or more polling stations, polling station commissions shall be established in accordance with the procedure set by the Central election Commission, and the relevant election commission do not perform duties of any polling station commission.

(5) For holding the Saeima elections or national referendums in foreign countries, the Central Election Commission on a proposal from the Ministry of Foreign Affairs, may establish polling stations in the consular offices of the Republic of Latvia or in other premises suitable for this purpose. On a proposal from a ship owner, the Central Election Commission may establish polling stations on ships sailing under the Latvian flag and registered with the Republic of Latvia, provided that compliance with the provisions of the Saeima Election Law can be ensured in such cases.

(6) An election commission can establish a polling station commission or several polling station commissions for organising voting at the voters' place of residence in accordance with the procedure set by the Central election Commission.

## **Article 2**

(1) The election commission shall function as independent local government body throughout the term of office of the relevant council. The mandate of the commission shall expire on the day when the newly elected council has established a new election commission.

(2) The composition of the election commission may be changed in accordance with the procedure laid down in this law.

(3) The polling station commissions shall function in accordance with the procedure set by the Central Election Commission.

## **Article 3**

(1) The activities of election commissions and polling station commissions in preparing and holding the Saeima elections, the European Parliament elections and national referendums shall be financed from the state budget in accordance with the procedure set by the Central Election Commission.

(2) The work of election commissions and polling station commissions in preparing and holding council elections shall be financed from the budgets of the respective city or municipality.

(2<sup>1</sup>) If the Saeima elections, the European Parliament elections or a national referendum is held simultaneously with the regular council elections, the remuneration of election commissions, polling station commissions and the persons invited in the procedure set by the Central Election Commission shall be financed from the state budget in the procedure set by the Central Election Commission, but all the expenses of the purchase of the goods and services necessary to ensure the work of an election commission and the expenses of premise maintenance shall be financed from the budgets of the respective city or municipality.

(3) *(Deleted by the 19.06.1998 law)*

(4) *(Deleted by the 19.06.1998 law)*

(5) Material assets required for organising elections (voting) shall become the property of the local government. Premises needed for organising elections (voting) that are owned (possessed) by national or local government shall be assigned free of charge.

## **Article 4**

- (1) Each election commission shall have its own stamp bearing the small supplemented coat of arms of the state and the name of the relevant commission.
- (2) Samples of polling station commission stamps and their use shall be regulated by the Central Election Commission.

## **Chapter II**

### **FORMATION OF ELECTION COMMISSIONS AND POLLING STATION COMMISSIONS AND REPLACEMENT OF THEIR MEMBERS**

## **Article 5**

- (1) The chairperson and other members of the election commission of a city or municipality shall be elected by the respective city council or municipality council within three months after the relevant council has been elected or within one month after the relevant council has been formed.
- (2) The polling station commission shall be established by the relevant city or municipality election commission in accordance with the procedure set by the Central Election Commission.
- (3) For holding the Saeima elections or national referendums abroad, the Central Election Commission shall appoint polling station commissions from among Latvian citizens as recommended by relevant consular offices. If polling stations are established on ships, the Central Election Commission shall appoint polling station commissions from among Latvian citizens as recommended by the ship owner.
- (4) In cases referred to in paragraph 3 of this Article, the Central Election Commission shall agree with the relevant consular office or the ship owner upon the number of the commission members; however, there shall be not less than three and not more than seven members in each polling station commission.
- (5) For holding the European Parliament elections the Ministry of Foreign Affairs shall appoint a polling station commission for postal voting consisting of seven members.

## **Article 6**

- (1) Election commissions and polling station commissions shall consist of Latvian citizens who know the Latvian language and who have at least a general secondary education.
- (2) Members of the Saeima, members of a relevant city council or municipality council may not be members of election commissions or polling station commissions.
- (3) A person who has been nominated as a candidate for elections or a person who has submitted a list of candidates may not be a member of a polling station commission.
- (4) The same person may not be a member of several commissions except as provided in paragraph 4 of Article 1.

(5) Chairpersons, secretaries and members of city and municipality election commissions and polling station commissions shall not be regarded as state officials in the context of the law "On Prevention of Conflict of Interest in Activities of Public Officials".

#### **Article 7**

(1) Permanently functioning central governing bodies of registered political parties or their associations, as well as any member of the relevant council or not less than 10 Latvian citizens eligible to vote (hereafter — a group of voters), shall have the right to nominate their representatives to the election commissions.

(2) The number of election commission candidates nominated by any political party or association of political parties, as well as any council member or a group of voters, may not exceed the number of members to be elected to the relevant election commission.

#### **Article 8**

(1) The nomination form shall include the election commission candidate's full name, personal identity number, permanent address, workplace and profession (occupation) and information about his/her previous experience in the preparation and holding of elections. Each candidate's written statement shall be attached to the nomination form certifying his/her agreement to the nomination and the processing of his/her personal data that must be performed in accordance with the requirements of this law.

(2) If an election commission candidate is nominated by a group of voters, each voter shall sign the nomination form and shall indicate his/her full name, personal identity number and permanent address.

(3) If an election commission candidate is nominated by a political party or an association of political parties, an excerpt from the relevant decision of its permanently functioning central governing body must be attached to the nomination form.

#### **Article 9**

The deadline for submitting nomination forms for election commission candidates shall be determined by the relevant council. A city council shall publish the respective notice in the official publication "Latvijas Vēstnesis", but a municipality council shall display such a notice near the council's building and buildings of the town or rural territory administration.

#### **Article 10**

(1) The council shall verify whether the election commission candidate meet the requirements laid down in this law (Article 6).

(2) A separate vote shall be taken for each election commission candidate. Those candidates who have received the majority of votes and not less than the qualifying number of votes required for passing a decision shall be deemed elected.

(3) The names of those candidates who have received the requisite number of votes but who are not included in the election commission shall be put on the candidate list.

(4) The council shall issue to election commission and polling station commission members the certificates in the Central Election Commission approved standard form.

(5) The councils shall notify the Central Election Commission about the formation of an election commission and its membership within five days after the election commission has been elected. The notification should contain information that has been provided in the nomination form on each member of the commission (Article 8, paragraph 1).

#### **Article 11**

(1) An election commission member may resign from the commission by submitting a notice to the relevant city or municipality council.

(2) If an election commission member fails to fulfil his/her duties or is negligent in fulfilling them, if the member violates the rules or if it is revealed that he/she is ineligible to be elected according to Article 6 of this law, the election commission member may be recalled upon the request of the Central Election Commission, the relevant election commission or its chairperson.

(3) The decision about recalling an election commission member shall be taken by the council, which has established the relevant commission. If the proposal to recall an election commission member has been received after elections or after a national referendum has been announced, the chairperson of the respective council shall convene a council meeting within three days.

(4) If an election commission member has resigned from the commission or has been recalled, the council shall decide about inviting of the commission member candidate or announcing a term for the nomination of new election commission candidates. If an election commission member has suspended his/her work in the commission, the council shall decide about his/her substitution by an election commission member candidate.

### **Chapter III ORGANISATION OF WORK OF ELECTION COMMISSIONS AND POLLING STATION COMMISSIONS**

#### **Article 12**

(1) *(Deleted by the 17.05.2018 law)*

(2) At its first meeting, the election commission shall elect from among its members the secretary of the commission.

#### **Article 13**

Election commissions and polling station commissions shall commence and terminate the preparation and holding of elections or national referendums in accordance with the procedure set by the Central Election Commission.

#### **Article 14**

(1) The chairperson of the election commission and the chairperson of the polling station commission shall administrate the work and convene the meetings of the respective commission.

(2) In the chairperson's absence, his/her duties shall be performed by the secretary of the commission, and in such a case the commission shall appoint a commission member to perform the duties of the secretary.

### **Article 15**

(1) The meetings of election commissions and polling station commissions shall be open to the public.

(2) Journalists, persons authorised by registered political parties or by their associations and any of the submitters of a list of candidates may be present at commission meetings if they do not disturb the work of the commission. Voters may be present at election commission meetings if they have been granted permission by the chairperson of the respective commission.

(3) Members of the Central Election Commission or persons authorised by this Commission have the right to participate in election commission meetings.

(4) Members of the Central Election Commission and members of the respective city or municipality election commission, as well as persons authorised by these commissions, have the right to participate in polling station commission meetings.

### **Article 16**

Election commissions and polling station commissions shall take decisions by a show of hands. It is regarded that a decision has been taken when a majority of the total number of commission members vote for it. In the case of a tie vote, the chairperson has the deciding vote. Any commission member who disagrees with the decision has the right to attach to the minutes a written statement explaining his/her individual opinion.

### **Article 17**

(1) Minutes of election commission meetings and polling station commission meetings shall be taken, and they shall be signed by commissions' chairpersons and secretaries. Decisions of the commission shall be recorded in the minutes.

(2) Documents (complaints, statements, references, standard forms of ballot papers, etc.) concerning matters discussed are to be attached to the minutes in the order the matters were discussed. The minutes of the meetings shall be arranged in a chronological file.

(3) A separate file shall be opened for each list of candidates submitted for council elections. The file should contain the list of candidates, documents concerning the list in general (bank receipt, authorisations of submitters) followed by all the documents concerning each candidate (statements, declarations, etc.) in the sequence their names are put on the list.

(4) The above-mentioned documents must be transferred to the local government's records department, where they are processed and deposited in the archives for permanent storage.

## **Article 18**

(1) The chairperson of the election commission and the chairperson of the polling station commission shall:

- 1) represent the commission in state and local government institutions and in relations with natural persons and legal entities;
- 2) receive voters interested in the activities of the relevant commission;
- 3) manage the financial and material resources allocated to the relevant commission;
- 4) report to the higher level election commission and the respective local government on his/her work;
- 5) perform other duties related to elections or national referendums.

(2) The chairperson of the election commission and the chairperson of the polling station commission shall be responsible for the work of the relevant commission as a whole but especially for an accurate tallying of votes and the preservation of material resources at the disposal of the commission.

## **Article 19**

(1) The secretary of the election commission and the secretary of the polling station commission shall take the minutes of commission meetings and process other documents of the commission.

(2) In the absence of the secretary, his/her duties shall be fulfilled by any commission member as agreed by the commission.

(3) The secretary shall be responsible for the correct filing and keeping of documents before they are transferred to the local government's records department.

## **Article 20**

(1) Election commission members shall have the right to initiate discussion of issues at commission meetings, to participate in the discussion of the issues and, if so requested by the chairperson of the election commission, to check the work of a polling station commission.

(2) If an election commission member is nominated as a candidate for elections or if he/she is a submitter of a list of candidates, his/her work in the commission shall be suspended, i.e., he/she shall have no right to participate in the work of the election commission as of the date the candidate list was submitted.

(3) For infractions related to the work of the election commission or the polling station commission, a member shall be held liable in conformity with the law.

## **Article 21**

(1) While fulfilling their duties related to elections, chairpersons, secretaries and other members of election commissions and polling station commissions must be excused from their full-time employment duties, but their positions must be retained for them.

(2) Chairpersons, secretaries and other members of election commissions and polling station commissions shall receive remuneration for the time period while they fulfil their duties in the commission.

(3) The amount of remuneration of chairpersons, secretaries and members of election commissions and polling station commissions for the preparation of the Saeima elections, the European Parliament elections and national referendums shall be determined by the Central Election Commission in accordance with the regulations of the Cabinet of Ministers; for council elections, the rates shall be approved by the relevant council.

(3<sup>1</sup>) If the Saeima elections, the European Parliament elections or a national referendum is held simultaneously with the regular council elections, the amount of remuneration of chairpersons, secretaries and members of election commissions and polling station commissions for the preparation of the council elections shall be determined by the Central Election Commission in accordance with the regulations of the Cabinet of Ministers.

(3<sup>2</sup>) The regulations of the Cabinet of Ministers on the amount of remuneration of chairpersons, secretaries and members of election commissions and polling station commissions specified in Paragraph 3 of this Article, the Cabinet of Ministers shall revise every four years in the previous calendar year before the Saeima elections, having regard to the amount of the average monthly wage in the state in the year before last, which is published in the official statistical report of the Central Statistical Bureau, and the national economic development.

(4) The means needed by members of election commissions and polling station commissions to ensure the continuous work during the voting and vote counting shall be included in the election commission estimates of projected expenses in accordance with the procedure set by the Central Election Commission. Election commission and polling station commission members shall receive compensation for their meals in the amount set by the Cabinet of Ministers.

## **Article 22**

(1) In order to ensure the integrity of the voting process and of vote counting, the election commissions may invite civil servants and experts from among voters. The chairperson of the relevant election commission shall sign a contract with the invited person in which the person's rights and obligations, as well as the amount of remuneration allowed by the allocated budget, shall be stipulated.

(2) When necessary, the persons specified in Paragraph 1 of this Article may be called upon to perform the task of a member of the polling station commission, excluding participation in the adoption of the commission decision as well as deputising for the chairperson or secretary of the commission. The amount of remuneration of these persons is equivalent to the amount of remuneration of members of polling station commissions prescribed by Paragraph 3 and 3<sup>1</sup> of Article 21, and meal compensation shall be paid for members of polling station commissions in the amount set by the Cabinet of Ministers.

## **Chapter IV COMPETENCE OF ELECTION COMMISSIONS**

### **Article 23**

(1) City and municipality election commissions shall ensure the preparation and holding of the Saeima elections, the European Parliament elections, elections of relevant councils and, in cases provided for by law, national referendums.

(2) An election commission, being subject to public law, shall be allowed to engage only in such activities as are prescribed by relevant laws and regulations.

(3) Election commissions shall perform the duties set by:

1) this law;

2) The Saeima Election Law;

2<sup>1</sup>) the Law on Elections to the European Parliament;

3) the City Council and Municipality Council Election Law;

4) the Law on National Referendums and Legislative Initiatives;

5) *(deleted by the 19.06.1998 law)*;

6) instructions issued by the Central Election Commission.

(4) Decisions and orders issued by the Central Election Commission are binding on election commissions.

### **Article 24**

In preparing the Saeima elections and the European Parliament elections, the election commissions shall:

1) consider issues related to the preparation and holding of elections in the relevant administrative territory;

2) check that election premises in all polling stations are arranged in accordance with the requirements set by law;

3) render assistance to polling station commissions by providing them with transport, communications and other technical equipment, as well as security guards;

4) deliver the lists of nominated candidates, ballot papers, envelopes and other election materials to polling station commissions;

5) *(deleted by the 29.01.2004 law)*;

- 6) check election results in specific polling stations on the basis of received complaints or on its own initiative;
- 7) inform voters about the voting procedure;
- 8) review complaints or submissions concerning the decisions and work of the relevant election commission (polling station commission);
- 8<sup>1</sup>) after the elections are over, in accordance with the procedure set by the Central Election Commissions, receive vote-counting minutes and other materials from polling station commissions, check the polling station commissions' minutes and deliver them to the Central Election Commission;
- 8<sup>2</sup>) present to the Central Election Commission a financial report on a standardised form.
- 9) fulfil other duties related to respective elections.

(2) *Deleted by the 13.11.2008 law.*

## **Article 25**

(1) In accordance with the City Council and Municipality Council Election Law and in accordance with the procedure set by the Central Election Commission, city and municipality election commissions shall:

- 1) receive, register and publish lists of council member candidates according to the procedure laid down in regulations;
- 2) approve the content of ballot papers, ensure printing and delivery of the ballot papers to polling station commissions;
- 3) appoint the polling station where voters may cast their votes before the general election day;
- 4) supervise the work of polling station commissions and render them assistance by providing them with transport, communications, other technical equipment, as well as security guards;
- 5) check the election results in specific polling stations on the basis of received complaints or on their own initiative;
- 6) inform voters about the voting procedure;
- 7) review complaints or submissions pertaining to elections;
- 8) be entitled to review any issue related to the preparation and conduct of elections;
- 9) after the elections are over, receive vote-counting minutes and other materials from polling station commissions, check these minutes, and tally election results in the relevant city or municipality;

- 10) approve election results, determine which candidates have been elected and publish the election results according to the procedure laid down in regulations;
- 11) send their decision about the approval of election results together with the election commission's minutes to the Central Election Commission;
- 12) perform other duties related to council elections;
- 13) perform other duties related to council elections.

(2) *(Deleted by the 13.11.2008 law)*

#### **Article 26**

(1) If, in accordance with the Law on National Referendums and Legislative Initiatives, not less than 10,000 Latvian citizens eligible to vote have initiated a fully elaborated draft law or a draft amendment to the Constitution, or if the President of the State has suspended the proclamation of a law, the city and municipality election commissions in accordance with the procedure set by the Central Election Commission shall:

- 1) ensure the possibility for voters to sign signatures sheets and shall send these sheets to the Central Election Commission;
- 2) present to the Central Election Commission a financial report on a standardised form;
- 3) perform other duties related to national referendums and legislative initiatives.

#### **Article 27**

*(Deleted by the 19.06.1998 law)*

### **Chapter V FUNCTIONS OF POLLING STATION COMMISSIONS**

#### **Article 28**

(1) While preparing elections or a national referendum, polling station commission shall:

- 1) ensure that the voting premises are equipped with all the things needed for voting by secret ballot;
- 2) in compliance with the law, ensure that voters may acquaint themselves with the lists of candidates, samples of ballot papers and other election papers that are provided by law;
- 3) ensure that ballot papers are preserved until election (national referendum) day.

#### **Article 29**

In compliance with the law and in accordance with the procedure set by the Central Election Commission, polling station commissions shall ensure free and unhindered voting on election

(national referendum) day and shall examine the complaints and protests submitted by voters.

### **Article 30**

Polling station commissions shall keep minutes of the election (voting at a national referendum) course, recording all incidents and hindrances, as well as complaints or protests made by voters and commission decisions taken thereon.

### **Article 31**

After the closing of polling stations, polling station commissions shall ensure vote counting and shall deliver the vote-counting minutes, together with other materials, to the relevant city or municipality election commission in accordance with the procedure set by the Central Election Commission.

## **Chapter VI**

### **CONTESTING AND APPEALING OF DECISIONS MADE BY ELECTION COMMISSION OR POLLING STATION COMMISSION**

### **Article 32**

The decision of an election commission or a polling station commission can be contested in the Central Election Commission in accordance with the procedure laid down by the law. The decision of the Central Election Commission regarding the decision of an election commission or a polling station commission can be appealed to a court in accordance with the procedure laid down by the law.

### **Article 33**

The following persons have the right to contest and appeal the decisions specified in Article 32 of this Law:

- 1) during elections — submitters of lists of candidates and nominated candidates;
- 2) during a national referendum on a draft law or a proposed amendment to the Constitution — a person who has submitted to the Central Election Commission a fully elaborated draft law or a draft amendment to the Constitution signed by not less than 10,000 Latvian citizens who are eligible to vote;
- 3) during a national referendum on the dissolution of the Saeima — not less than one-third of the Saeima members;
- 4) *(Deleted by the 19.06.1998 law)*

### **Article 34**

*(Deleted by the 29.01.2004 law)*

## **TRANSITIONAL PROVISION**

Persons who are members of a city, district, county or *pagasts* election commission formed after the local elections of 2005 may be elected to a municipality election commission that shall be formed for the council elections of 6 June 2009.

This law was adopted by the Saeima on 10 May 1995.

The President of the State, G. ULMANIS  
Riga, 19 May 1995