

**Version valid from 20 June 2015**

**REPUBLIC OF LITHUANIA**  
**LAW**  
**ON ELECTIONS TO THE SEIMAS**

9 July 1992 No I-2721

Vilnius

(As last amended on 16 June 2015 – No XII-1795)

**CHAPTER I**  
**GENERAL PROVISIONS**

**Article 1. The Principles of Elections of Seimas Members**

Members of the Seimas of the Republic of Lithuania (hereinafter - the Seimas) shall be elected for a term of four years in single-member constituencies and the multi-member constituency by universal and equal suffrage, in a secret ballot, during direct, mixed-system elections.

**Article 2. Universal Suffrage**

1. Citizens of the Republic of Lithuania who, on the election day, are 18 years of age shall have the right to vote. Citizens who have been declared legally incompetent by the court shall not participate in elections.

2. Any citizen of the Republic of Lithuania who is not under allegiance to a foreign state and is at least 25 years of age on the election day, and who permanently resides in Lithuania may stand for election as a member of the Seimas. A citizen of the Republic of Lithuania shall be considered to be a permanent resident of the Republic of Lithuania, whose data about a place of residence are entered into the Residents' Register of the Republic of Lithuania, or a citizen who, under the Civil Code, is recognised as having a permanent place of residence in the Republic of Lithuania.

3. Persons who, with 65 days remaining before elections, have not yet served their sentence imposed by the court, as well as persons who have been declared legally incompetent and incapable by the court may not stand for election as members of the Seimas.

4. Judges during their term of office, persons who on the election day are in the active or alternative military service, also servicemen of professional military service who, with 65 days remaining before elections, have not retired from the service, or officials of statutory institutions and establishments, or persons, who may not participate in activities of political parties according to special laws or statutes, may not stand for election as members of the Seimas.

5. A person who has been removed from office or his mandate of Seimas member has been revoked by the Seimas in accordance with impeachment proceedings may not be elected Seimas member, provided that less than four years have elapsed from the entry into force of the decision to remove from office or to revoke the mandate of Seimas member.

6. Other direct or indirect abridgements of suffrage of the citizens of the Republic of Lithuania on the grounds of their origin, political convictions, social or property status, nationality, sex, education, language, religion, or the type or character of their occupation shall be prohibited.

### **Article 3. Equal Suffrage**

Every citizen of the Republic of Lithuania who has the right to vote shall have one vote in a single-member constituency and one vote in the multi-member constituency, and these votes shall have the same value as the votes of any other citizen who has the right to vote. Every voter shall have an equal right to express his opinion about the candidates who are on the list of candidates for which he votes in the multi-member constituency, and this opinion shall have the same value as the opinion of any other voter who has voted for this list.

### **Article 4. Direct Elections**

There shall be no voting by proxy in the elections of the Seimas members.

### **Article 5. Secret Ballot**

1. Voters shall vote in person and by secret ballot. It shall be prohibited for a person to vote instead of another person or to vote by proxy. A voter who because of his physical disability cannot cast a ballot himself, may vote with the assistance of another person whom he trusts as laid down in Paragraph 6 of Article 66 of this Law. If the secret of another person's voting has come to the knowledge of anyone, it shall be prohibited to disclose it.

2. It shall be prohibited to control the will of the voters during the elections. It shall be prohibited during the polls to influence the will of an elector to vote for or against any candidate or a list of candidates. A voter must have adequate conditions to mark his ballot in privacy and

without interference. It shall be prohibited to handle the ballot in such a way that the secret of voting might be disclosed.

#### **Article 5<sup>1</sup>. Prohibition to Bribe Voters and Persons Eligible to Vote**

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

2. Production or distribution free of charge of printed matter (a programme, biography of a political party or candidate, or a person to be nominated, or other leaflets, calendars, postcards, stickers of information character) and pins intended for propagating a political party or candidate, or a person to be nominated shall not be considered as bribery of voters.

3. Electoral committees shall, in the manner prescribed by the Central Electoral Commission, examine and evaluate the facts of bribery of voters or persons eligible to vote. The Central Electoral Commission shall announce the established facts of bribery on its website together with a pledge of the candidate who has violated this Article to adhere to the prohibition to bribe voters and persons eligible to vote. After the recognition of the facts of bribery of voters and persons entitled to vote as a grave violation of this Law, the consequences defined in this Law and other laws shall arise.

#### **Article 6. Announcement of the Date of Elections to the Seimas**

1. Regular elections to the Seimas shall be announced by the President of the Republic, and early elections to the Seimas may be announced by the Seimas or the President of the Republic.

2. Regular elections to the Seimas shall be held on the second Sunday of October, in the year of the expiration of the powers of the Seimas members. The said elections shall be announced by the President of Republic not later than six months prior to the expiration of the powers of the Seimas members. If, with four months remaining before the expiration of the powers of the Seimas members, the President of the Republic has not yet announced the date of regular elections to the Seimas, the Central Electoral Commission shall hold regular elections to the Seimas on the aforementioned date.

3. If regular elections to the Seimas must be held in time of war, the Seimas or the President of the Republic shall take a decision to prolong the powers of the Seimas. In this event, elections must be called not later than within three months after the end of war.

4. Early elections to the Seimas may be held by the decision of the Seimas adopted by at least three-fifths majority vote of all the Seimas members, or announced by the President of the Republic in the cases referred to in Paragraph 2 of Article 58 of the Constitution. The elections to the new Seimas must be held within three months from the adoption of the decision on the early elections. The election day to the new Seimas shall be indicated in the decree of the President of the Republic on the regular elections to the Seimas, and in the resolution of the Seimas or decree of the President of the Republic on the early elections to the Seimas. Regular elections to the Seimas, which follow early elections to the Seimas, shall be held on the date referred to in paragraph 2 of this Article.

5. The day when ballots are cast in the multi-member constituency and in the first election round in one-member constituencies shall be considered as an election day to a new Seimas. The day of the run-off voting shall be also considered an election day. Voting by post and in other ways provided for in this Law shall be carried out before an election day or shall be completed on an election day as laid down by this Law. The time limit which starts on the election day and may become effective only after the election results have been announced shall start from the day of announcement of the final election results.

**Version valid from 1 September 2015:**

5. The day when ballots are cast in the multi-member constituency and in the first election round in one-member constituencies shall be considered as an election day to a new Seimas. The day of the run-off voting shall also be considered an election day. Voting by post and in other ways provided for in this Law shall be carried out before an election day or shall be completed on an election day as laid down by this Law. The time limit which starts on the election day and may become effective only after the election results have been announced shall start from the day of proclamation of the final election results.

6. The date of by-election or rerun elections in a one-member constituency shall be announced by the Central Electoral Commission in the cases set out by this Law within 15 days after the day when the grounds for holding of such elections occur, unless otherwise provided for by this Law.

**Article 7. Openness of Preparation and Holding of Elections**

1. Public notice about a forthcoming meeting of the electoral committee shall be put on the notice board placed in the premises where the electoral committee has its offices, and the

members of this electoral committee shall be personally notified about the forthcoming meeting at least 24 hours before the start of the meeting.

2. Meetings and voting of electoral committees shall be open and may be observed by representatives and observers of political parties (hereinafter - parties), candidates for Seimas member upon presenting certificates of the established form or credentials with the seal of the organisations which have authorised them; representatives of the mass media, upon presenting their authority or service cards. A candidate for Seimas member may participate in the meeting of an electoral committee if: a decision concerning his personal activities or circumstances directly related to his person is being adopted or if he has been invited to participate in the meeting by the chairman of the electoral committee.

3. Persons present in the conference room may, from their seats, record, write down in shorthand or take down everything that is said at the meeting, photograph, film or make video recordings. Taking photographs, filming, and video recording which requires walking about the hall or using special lighting equipment, as well as live radio or television broadcasting of meetings shall be subject to the permission of the electoral committee chairman.

4. Electoral committees may not hold closed meetings. The Central Electoral Commission may prohibit anyone from entering the workroom of the service staff of electoral committees, document safe-keeping premises if it is necessary to guarantee undisturbed working conditions of the staff and to protect election documents.

5. If there are reasons to believe that during a meeting a threat to the security of an electoral committee or its participants may arise, the chairman of the committee may instruct the police to check the documents and belongings of the persons entering the conference room or carry out their personal search.

6. The electoral committee may remove from the meeting hall persons who interfere with the work of the committee.

### **Article 8. Expenditure Related to the Preparation and Conduct of Elections**

Expenditure related to the preparation and conduct of elections shall be covered from the state and municipal budgets. The expenditure of electoral committees related to the organisation and conduct of elections and the work of the members of electoral committees and the service staff shall be covered from the state budget. Maintenance of the office space of constituency electoral committees and polling district committees, expenditure of purchasing and keeping of the equipment of polling stations shall be covered from municipal budgets. Transportation of voters to polling districts for voting, where such transportation is organised in accordance with the procedure laid down by the Central Electoral Commission, shall be covered from the state

and municipal budgets. If the municipality fails to provide suitable premises and supplies for the office of the polling district and the polling station, by the decision of the Central Electoral Commission, state funds shall be used for this purpose. In such a case, the actual expenses for the polling station and its supplies shall be recovered without suit by the Central Electoral Commission from the municipality.

## **CHAPTER II**

### **CONSTITUENCIES AND POLLING DISTRICTS**

#### **Article 9. Formation of Constituencies**

1. For the organisation and conduct of elections, the territory of the Republic of Lithuania shall be divided into 71 single-member constituencies, taking into consideration the number of inhabitants in the constituency, the division of the territory of the Republic of Lithuania into single-member constituencies during previous elections to the Seimas, and the administrative-territorial division of the Republic of Lithuania. A constituency shall be formed from polling districts which have common boundaries. The number of voters in constituencies must be from 0.8 to 1.2 of the average number of voters in all single-member constituencies. The Central Electoral Commission, no later than 95 days before the election, shall establish, and no later than 90 days before the election, shall announce on its website the list of polling districts forming a constituency, the addresses and telephone numbers of their polling stations, the number of voters in the constituency, and the addresses and telephone numbers of constituency electoral committees.

2. One multi-member constituency shall also be formed where all citizens of the Republic of Lithuania eligible to vote shall cast their votes. 70 Seimas members shall be elected in this constituency according to the proportional system of elections.

#### **Article 10. Formation of Polling Districts**

1. With a view of making it more convenient for a voter to reach a polling station and with account of the number of voters, the territories of cities and regions shall be divided into polling districts.

2. The division of the territory of a town or region into polling districts, which shall be permanent during elections and referenda, shall be changed, where necessary, by the Central Electoral Commission on the recommendation of the mayor. The Central Electoral Commission shall publish a list of approved polling districts and changes made therein on its website.

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

4. The boundaries of a polling district and the address of the polling station shall be changed, where necessary, but no later than 100 days prior to the election. In his recommendation to approve the division of the territory of the municipality into polling districts, the mayor shall specify the proposed name of the polling district, the addresses belonging to the polling district, the number of voters in the district, the address and telephone number of the polling station. The recommendation on changes in the division of the municipality into polling districts shall specify the changes it is proposing. These changes must be submitted to the Central Electoral Commission at least 110 days prior to the election. In the event when it is impossible to hold polls at the polling stations established earlier, the Central Electoral Commission, on the recommendation of the constituency electoral committee, may change the address of the polling station within a shorter time limit than the one specified in this Article.

### **CHAPTER III ORGANISATION OF ELECTIONS**

#### **Article 11. Electoral Committees**

1. Elections to the Seimas shall be organised and conducted by:

- 1) the Central Electoral Commission;
- 2) constituency electoral committees; and
- 3) polling district committees.

2. A citizen of the Republic of Lithuania may be nominated to the electoral committee provided he is eligible to stand in election as a member of the Seimas (without taking into consideration the minimum age limit set for a Seimas candidate, but who is not younger than 18 years of age on the election day), has higher education and has not been dismissed, in the course of the last three elections to the Seimas, the office to the President of the Republic, municipal councils or referenda, from the an electoral or referendum committee due to violations of the Law on Elections to the Seimas, the Law on Presidential Elections, the Law on Elections to Municipal Councils or the Law on the Referendum. The requirements to have higher education shall not apply to a member of a polling district committee as well as to a chairman of a polling district committee having the experience of impeccable work as a member or chairman of an electoral committee, and to a member or chairman of a constituency electoral committee having the experience of impeccable work as a member or chairman of a constituency electoral committee.

3. The same person cannot concurrently be: a member of the electoral committee and a candidate for Seimas member; a candidate for Seimas member and a representative for the

election; a representative for the election and a member of the electoral committee; a candidate for Seimas member and an election observer; a member of the electoral committee and an election observer. If a member of the electoral committee seeks to stand in election as a member of the Seimas, at least ten days in advance of giving his consent to stand for election as a member of the Seimas or before he starts collecting the signatures, he must resign from the post of a member of the electoral committee. If a member of the electoral committee fails to do so he shall be dismissed from the electoral committee for the violation of this Law and shall be not registered as a candidate for Seimas member or his name shall be struck off the list of candidates.

**Article 12. Repealed on 20 June 2002**

**Article 13. Repealed on 20 June 2002**

**Article 14. Repealed on 20 June 2002**

**Article 15. Formation of Constituency Electoral Committees**

1. The Central Electoral Committee shall for the period of elections form constituency electoral committees no later than 74 days in advance of the elections.

2. Constituency electoral committees shall be composed of:

1) a person nominated by the Minister of Justice, having a university law degree, who resides or works in the territory of the municipality the whole or a part whereof has been designated to this constituency;

2) a person nominated by the Lithuanian Lawyers' Association, having a university law degree, who resides or works in the territory of the municipality the whole or a part whereof has been designated to this constituency;

3) a career public servant nominated by the mayor and employed in the administration of the municipality the whole or a part whereof has been designated to this constituency;

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

3. The Minister of Justice, the Lithuanian Lawyers' Society and the mayor may nominate more candidates. If the territory of a constituency is made up of territories of several municipalities, the committee must include career public servants employed in the administration of all of these municipalities, nominated by the mayors of these municipalities.

4. Parties which have received the mandates of the Seimas members in the multi-member constituency according to the list (joint list) of candidates shall each have the right to nominate

one representative to constituency electoral committees from one list of candidates nominated in this constituency. If the representatives meet the requirements of this Law, the Central Electoral Commission may not turn down said candidacies. If candidates have not been nominated, the Central Electoral Commission may, instead of them, additionally appoint as members of the Committee persons nominated by the Minister of Justice, the Lithuanian Lawyers' Society or a mayor.

5. In all cases, no less than 3 committee members must be persons who have been appointed to constituency electoral committees from among the candidates nominated by the Minister of Justice, the Lithuanian Lawyers' Society or a mayor. If the number of such persons is less, additional members to the committee shall be appointed from among the candidates nominated by the Minister of Justice, the Lithuanian Lawyers' Society or a mayor.

6. If elections to the Seimas or elections of the President of the Republic, or elections to the European Parliament, or elections to municipal councils, or a referendum is concurrently held on the same day, the same polling district committees or referendum committees shall be formed. The Central Electoral Commission shall form a single – municipal election, constituency or referendum – committee in a separate electoral, referendum territory and shall define its functions in organising and conducting other elections or a referendum.

7. The Central Electoral Commission shall appoint a chairman of a constituency electoral committee from the members of the committee. A person having the experience of working as a chairman or member of the Central Electoral Commission or a constituency electoral committee or a municipal electoral commission, the experience of working as a chairman of polling district committee shall be appointed as chairman of a constituency electoral committee.

8. During its first meeting, the constituency electoral committee shall elect the deputy chairman and the secretary of the committee.

#### **Article 16. Powers of the Constituency Electoral Committee**

The constituency electoral committee shall:

- 1) inform, in the manner established by the Central Electoral Commission, the voters who reside in the constituency about the boundaries of the polling districts, their offices, their working hours and polling stations;
- 2) supervise the implementation of this Law in the constituency;
- 3) form polling district committees;
- 4) without exceeding the constituency electoral committee's estimate approved by the Central Electoral Commission, approve the estimate of expenditure of polling district committees and control how these funds, provided for in the estimates, are used;

- 5) register election observers and issue certificates to them;
- 6) monitor voting by post in the territory of the constituency
- 7) make up a list of healthcare (with the exception of outpatient health care institutions), social care and guardianship institutions, military units, arrest houses, remand prisons (detention facilities) and penal institutions situated in the territory of the constituency, and together with the head of the post office make arrangements to organise voting by post in those institutions as well as organise early voting;
- 8) draw up the vote counting record of the constituency;
- 9) monitor political advertising within a constituency during the election campaign and submit monitoring data to the Central Electoral Commission in a manner prescribed by it;
- 10) consider complaints against decisions and actions of the polling committees and adopt decisions, repeal decisions which contravene the requirements of laws and other legal acts;
- 11) exercise other powers provided for in this Law.

#### **Article 17. Formation of Polling District Committees**

1. No later than 65 days prior to the election, the constituency electoral committee shall determine the number of the members of each polling district committee that must be a multiple of the number of the parties (their coalitions) which have the right to nominate candidates to electoral committees. If the number of the nominated candidates is insufficient or if there is a vacancy in the committee, the mayor of the municipality in the territory whereof the polling district is formed may nominate the needed candidates.

2. An equal number of candidates to the polling district committee may be nominated by:

1) each party or a coalition of parties which received mandates of the Seimas members in the multi-member constituency during the last election. If a party received mandates of the Seimas members while in a coalition, the candidates may be nominated together with the parties in this coalition;

2) a party or a coalition of parties which during the last election to the council of the municipality to the territory whereof the polling district belongs received mandates of the municipal council members according to the list of the nominated candidates.

3. If a party may nominate candidates in accordance with the results of both the elections to the Seimas and municipal elections it shall nominate its candidates only according to the results of one of said elections, whichever it chooses. If one of the parties which took part in an election coalition fails to nominate candidates or refuses to nominate them, or if it chooses to nominate candidates according to the results of another election when the coalition was formed,

the other parties in this coalition have the right to nominate candidates without the participation of said party.

4. A party shall submit its list of candidates for the members of polling district committees to the constituency polling district committee no later than 48 days prior to the election.

5. Polling district committees for the period of the election shall be formed by constituency electoral committees no later than 45 days before the elections. If the candidate nominated by the party meets the requirements of this Law the constituency electoral committee may not turn him down.

6. If no candidates have been nominated or the nominated candidates do not meet the requirements of this Law, or if they have been nominated after the expiration of the prescribed time limit, constituency electoral committees may reduce the number of members of the polling district committee established earlier or may ask the mayor to nominate the lacking number of candidates to the polling district committees. The candidates nominated by the mayor may not be party members or become party members until the expiration of the term of office of an electoral committee member. If during a meeting of a constituency electoral committee which appoints a member of the polling district committee nominated by the mayor no less than three members of the constituency electoral committee object to the appointment of the candidate, this candidate may not be appointed a member of the committee. A polling district committee must be made up of at least 5 members.

7. Chairmen of polling district committees shall be appointed from among the members of the committees by constituency electoral committees. A person having the experience of working as a chairman or member of an electoral committee or a person having higher education shall be appointed as chairman of a polling district committee.

8. During its first meeting the polling district committee shall elect the deputy chairman and the secretary of the committee.

### **Article 18. Powers of the Polling District Committee**

The polling district committee shall:

- 1) receive electoral rolls from the constituency electoral committee, provide conditions for voters, representatives of parties at the elections to familiarise themselves with said lists, hand or deliver in some other way poll cards to voters, inform the constituency electoral committee about inaccuracies noticed in the electoral roll of a polling district;
- 2) investigate complaints about the errors made in electoral rolls;

3) in the manner prescribed by the Central Electoral Commission, monitor postal voting conducted in the territory of a polling district in order to create conditions for voting by post in all healthcare (except outpatient healthcare institutions), social care and guardianship institutions, military units, arrest houses, remand prisons (detention facilities) and penal institutions situated in the territory of the polling district, as well as organise voting at home;

4) together with a representative of the municipality administration make arrangements in accordance with the requirements set forth in this Law about a timely preparation of the polling station, voting booths and ballot boxes;

5) organise voting in the polling district on the election day;

6) count votes and draw up the vote counting record of the polling district and transmit the data of this counting record via electronic means of communication in accordance with the procedure laid down by the Central Electoral Commission;

7) consider the complaints of the voters and observers of their electoral district on issues concerning preparation of the elections, organisation of polls, vote counting, drawing up a vote counting record, and adopt decisions related to them; and

8) exercise other powers provided for in this Law.

### **Article 19. A Written Pledge of Electoral Committee Members**

1. A member of an electoral committee, its chairman shall take office upon having given a written pledge.

2. The Central Electoral Commission shall establish the procedure for giving a written pledge for members and chairmen of constituency and polling district committees. When giving a written pledge, a person shall have the right to choose one of the following texts of a written pledge, established in this paragraph, and to give a written pledge pursuant to the chosen text. The following texts of a written text of a member of an electoral committee shall read as follows:

1) “I, (first name, name), swear to be faithful to the Republic of Lithuania, observe its Constitution and laws, in good faith and conscientiously perform my duties in the electoral committee and refrain from actions violating laws and the human rights.

So help me God.”

2) “I, (first name, name), swear to be faithful to the Republic of Lithuania, observe its Constitution and laws, in good faith and conscientiously perform my duties in the electoral committee and refrain from actions violating laws and the human rights.”

3. The person who has given the written pledge shall sign the text of the pledge. The text of the written pledge may not be altered. The written pledge shall be effective for the whole duration of the appointment to work in the electoral committee.

4. The written pledges of the members and chairmen of the electoral committees shall remain in the custody of the electoral committees which have appointed them.

5. When appointing an electoral committee member, the electoral committee shall fix the date by which he must give a written pledge. The person who has not given a written pledge for more than 15 days after his appointment may not commence performing his duties in the electoral committee.

#### **Article 20. Organisation of the Work of Electoral Committees**

1. Meetings of electoral committees shall be valid provided that at least three-fifths of the members of the committee are in attendance. Decisions of the committees shall be adopted by open vote of the majority of the committee members participating at the meeting. In the event of a tie vote, the committee chairman shall have the casting vote. Committee members who do not agree with the decision shall have the right to give a separate opinion in writing, which shall then be appended to the minutes of the meeting and shall be its constituent part.

2. After the close of elections, the powers of the chairmen and members of constituency electoral committees and of polling district committees shall be suspended. The decision to suspend the powers shall be adopted by the electoral committee which appointed the committee members, provided this committee and its chairman have fulfilled all the tasks assigned to him under law.

3. The chairman or a member of an electoral committee who has given a written pledge shall be prohibited from any form of election campaign or to influence the voters' will in any other way. Individuals who violate this requirement, the written pledge of a member of the electoral committee must be dismissed from the committee and may be held liable in the manner established by law.

#### **Article 21. Appeals against Decisions of Electoral Committees Adopted before Closing of the Polls**

1. A party which has nominated a candidate for Seimas member, a person running for election to the Seimas, a representative for elections, and an election observer may appeal the decision of the electoral committee which was adopted before closing of the polls or against any other act of the committee:

1) an appeal against a polling district committee decision shall be lodged with the constituency electoral committee;

2) an appeal against the decision of a constituency electoral committee decision shall be lodged with the Central Electoral Commission;

3) an appeal against the Central Electoral Commission decision shall be lodged with the Supreme Administrative Court of Lithuania.

2. A voter, a representative for the election who does not agree with the decision of the polling district committee which has been adopted in reply to his appeal about the errors made in the electoral roll which did not let him exercise his right to vote (he has been incorrectly entered on the electoral roll or his name has been struck off the electoral roll or when the data in the list about the voter has been inaccurate), may lodge an appeal against the decision of the polling district committee to the administrative court of an appropriate county.

3. Decisions of the Central Electoral Commission or its other acts may be appealed to the Supreme Administrative Court of Lithuania within five days after adoption of a decision but no later than before the closing of the polls. Appeals must be investigated within 48 hours of lodging them. Days off shall also be included in this period. The decision of the Tribunal shall become effective from its pronouncement.

4. Appeals lodged not in the manner established by this Article shall not be examined and shall be forwarded to the electoral committee which must examine them. The polling district committee, the constituency electoral committee may not forward to the Central Electoral Commission appeals for investigation which fall within their respective competence and have not been investigated.

## **Article 22. Assistance for Electoral Committees and Allocation of State Budget Funds to Constituency Electoral Committees to Organise Elections**

1. State and municipal institutions and establishments, their officers and staff, enterprises and their employees must assist electoral committees in exercising their powers and must provide documents necessary for performing functions of the committees.

2. State and municipal institutions and establishments, their officers and staff, enterprises and their employees must consider, within three days, requests submitted to them by electoral committees and give the electoral committee reasoned responses.

3. Chairman of a constituency electoral committee shall enjoy the right to conclude employment contracts with employees needed to carry out auxiliary works related organization of elections. Such employment contracts shall be concluded by the chairman of a constituency electoral committee in the name of the Central Electoral Commission, under the authorization. The Government shall, on the recommendation of the Central Electoral Commission, approve the procedure for paying the employed staff for work in electoral committees and the amount of such payment.

4. State and municipal institutions and establishments, their officers and staff, enterprises and their employees must provide to electoral committees suitable premises, equipment, computer hardware and internet connection for the preparation and conduct of elections. Suitability of polling stations provided for elections and their installation for needs of voters with mobility and (or) vision impairment and older voters must be evaluated by municipal institutions responsible for adjusting public buildings for special needs.

5. The state budget funds allocated for constituency electoral committees to organize elections shall be transferred by the Central Electoral Commission to a bank account opened by the Central Electoral Commission for each constituency electoral committee.

6. The Chairman of the Central Electoral Commission shall sign with the chairman of a constituency electoral committee an agreement on the use of state budget funds to organise elections, indicating:

1) the sum of the state budget funds transferred to the constituency electoral committee as well as the programme of the Central Electoral Commission under which the funds are being allocated;

2) the target purpose of the use of the state budget funds;

3) planned, detailed distribution of the budget funds according to economic purpose of expenses and calculation of remuneration-related expenses (appended to the agreement);

4) the procedure of reporting to the Central Electoral Commission for organisation of elections;

5) the procedure for reporting to the Central Electoral Commission for the use of the state budget funds (including the economic purpose of the expenses) and the submission of accounting documents supporting the use of the funds;

6) other provisions helping the Central Electoral Commission to ensure the legality, cost-effectiveness, effectiveness and efficiency of the implementation of the programmes and the use of the allocated appropriations.

7. The Central Electoral Commission shall transfer state budget funds to organise elections to the accounts referred to in paragraph 5 according to the estimates of constituency electoral committees approved by the Central Electoral Commission.

8. The chairman of a constituency electoral committee shall control the use of the state budget funds allocated for the constituency electoral committee to organize elections and shall account to the Central Electoral Committee for their use.

9. The Central Electoral Commission shall verify a report submitted by the chairman of the constituency electoral committee on the use of the state budget funds to organise elections as well as the documents substantiating such costs. After finding the financing, spending or

accounting irregularities, the Central Electoral Committee shall initiate the recovery of all damages from those responsible.

10. The damage incurred during the period of validity of an agreement on the use of state budget funds to organise elections, the chairman of the constituency electoral committee shall be also responsible after the expiration of the said agreement.

### **Article 23. Remuneration of Electoral Committee Members**

1. For their work in electoral committees, the chairmen, their deputies, secretaries and members of the committees shall be remunerated at the rates submitted by the Central Electoral Commission and approved by the Government.

2. The members, chairmen, deputy chairmen and secretaries of electoral committees shall be paid for work in such committees according to the data of the time sheets without exceeding the appropriations earmarked for a respective electoral committee for remuneration. The procedure for filling time sheets at the electoral committees shall be laid down by the Central Electoral Commission. The chairman of a respective electoral committee shall be responsible for the accuracy of the data provided in the time sheets. Working time limits provided for in the Labour Code of the Republic of Lithuania shall not apply to work at electoral committees.

3. The description of the procedure for imposing incentive measures to the chairmen, their deputies, secretaries and members of the electoral committees shall be approved by the Government on the recommendation of the Central Electoral Commission.

### **Article 24. Changing of the Composition of Electoral Committees**

1. The chairman or a member of an electoral committee may be removed from his office in the committee by the electoral committee which approved the composition of said committee, or the Central Electoral Commission.

2. The electoral committee may consider only a reasoned proposal of a party or a coalition to recall a member of the electoral committee whom it has nominated.

3. A new chairman or a member of the electoral committee shall be appointed, as necessary, in accordance with the procedure established by this Law, even after the expiration of the time period specified in paragraph 1 of Article 15, and paragraph 5 of Article 17.

## **CHAPTER IV**

### **ELECTORAL ROLLS AND POLL CARDS**

#### **Article 25. Electoral rolls**

1. For the organisation and conduct of elections, the following electoral rolls shall be compiled:

- 1) the electoral roll of the Republic of Lithuania;
- 2) single -member constituency electoral rolls; and
- 3) polling district electoral rolls.

2. Electoral rolls shall be drawn up two times - preliminary and final. These lists may be used only for the organisation and conduct of elections.

3. The procedure for compiling electoral rolls must be such that every citizen of the Republic of Lithuania who is eligible to vote is entered on electoral rolls. No one may be entered on an electoral roll more than once.

4. Repealed

5. The electoral roll of the Republic of Lithuania and single-member constituency electoral rolls which are compiled and kept by the keeper of the Residents' Register shall be drawn up in the electronic information media. Electoral rolls of polling districts shall be printed. The procedure and form of drawing-up of electoral rolls, the method of drawing up and the manner of their use shall be determined by the Central Electoral Commission. The following data shall be used when drawing up electoral rolls:

1) in the electoral roll of the Republic of Lithuania: name, surname, personal number, date of birth, number of the personal document confirming the citizenship, the address of the place of residence and the grounds for and the date of the entry of the said address into the Residents' Register;

2) in the single-member constituency electoral roll: name, surname, personal number, date of birth, the address of the place of residence and the grounds for and the date of the entry into the Residents' Register;

3) in the polling district electoral roll: name, surname and the address of the place of residence. The addresses of the voters who have refused to consent that their addresses of the place of residence would be announced in the polling district electoral roll, shall be indicated in the annex to the printed polling district electoral roll, and in the poll card.

6. Each voter shall have the right to refuse to consent that the address of his place of residence would be publicly announced in the polling district electoral roll. The Central Electoral Commission shall, in conjunction with the keeper of the Residents' Register, create conditions for a voter to exercise his right not to consent that the address of his place of residence would be announced in the polling district electoral roll.

## **Article 26. General Procedure for Registering Citizens in Electoral rolls**

1. All citizens of the Republic of Lithuania who have the right to vote shall be entered on the electoral roll of the Republic of Lithuania according to the data of issuance of the document (passport or identity card) certifying citizenship, and according to the Residents' Register of the Republic of Lithuania. State and municipal institutions and establishments which issue documents certifying citizenship of the Republic of Lithuania, keep information related to the statement of citizens' residence, register citizens' death and loss of citizenship shall also be responsible for a timely and proper updating of the Residents' Register of the Republic of Lithuania. Electoral rolls compiled according to the data of the Residents' Register of the Republic of Lithuania shall be preliminary lists.

2. Compiling, updating and keeping of electoral rolls shall be organised by the Central Electoral Commission on the basis of the information furnished by central and local government institutions and constituency electoral committees.

3. The following persons shall be removed from the electoral roll of the Republic of Lithuania:

- a diseased citizen of the Republic of Lithuania;
- a person who has lost the citizenship of the Republic of Lithuania; and
- a citizen who has been declared legally incompetent by the court.

4. At least seven days in advance of the election, updated preliminary electoral rolls acknowledged in the manner established by the Central Electoral Commission shall be approved as final electoral rolls. Changes in final electoral rolls may be made only subject to the consent of the Central Electoral Commission.

#### **Article 27. Electoral rolls of One-Member Constituencies**

The electoral roll of a constituency in the magnetic media shall be made by the Central Electoral Commission according to the electoral roll of the Republic of Lithuania and the place of residence of a voter indicated therein (the most recent known place of residence), and shall be delivered to the constituency electoral committee at least 39 days before the election. Electoral rolls of voters residing abroad shall be also drawn up and shall be delivered to diplomatic missions and consular posts of the Republic of Lithuania. A list of citizens whose place of residence is unknown shall be also compiled.

#### **Article 28. Electoral rolls of Polling Districts**

The electoral roll of a polling district shall be drawn up by the constituency electoral committee according to the electoral roll of the constituency and the place of residence indicated therein, and shall be delivered to the polling district committee at least 26 days prior to the

election. A list of citizens whose place of residence is not specifically known shall be also compiled. Voters, ship crew members and passengers who are unable to return to Lithuania during the period of voting by post or on the election day, shall, according to the procedure established by the Central Electoral Commission, be entered on the electoral roll of the polling district in the territory where the ship's registration harbour or the administration of the ship's owner is located.

#### **Article 29. Public Announcement of Electoral Rolls and Access to Electoral Rolls**

1. At least 25 days before the elections, an electoral committee of a polling district, a diplomatic mission shall provide conditions for the voters to have access to electoral rolls of the polling district. Only the data which concern a particular voter and which are contained in the annexes to the electoral roll of the polling district shall be provided to such voter. It shall be prohibited to make copies of the electoral rolls of the polling districts or to copy or disseminate such rolls in any other way. The business hours of electoral committee members as well as the telephone numbers for electors to make inquiries about whether they are entered on the electoral roll must be on display at the entrance to the premises of the electoral committee. Following expiration of the time period for delivering poll cards, as prescribed by this Law, the business hours of the electoral committee of the polling district, its telephones must be on display in stairwell entrances of multi-family apartment houses. The time and place for the voters to exercise their right to have access to electoral rolls shall be on display in a diplomatic mission, at the entrance to the premises of the electoral committee of the polling district.

2. The electoral roll of the Republic of Lithuania and electoral rolls of single-member constituencies shall not be announced publicly, however, the information about the entry of a voter on the electoral roll may be provided to the voter by telephone.

#### **Article 30. Poll Card**

1. A poll card shall be an information certificate about elections, designated for a voter; a nominal invitation to go to the polls. Electoral committees shall deliver to voters poll cards together with other information about elections or shall organise such delivery. A voter himself, or at his request – any other person, may print or write out his poll card in accordance with the data of the electoral roll of the Republic of Lithuania received electronically pursuant to the procedure established by the Central Electoral Commission (by the internet or the short message service). In this event, the voter himself shall sign his poll card, except for the cases when because of the physical handicaps he himself cannot sign it and it is signed by another person chosen by the voter, indicating his name, surname and personal number. Forms of poll cards

which a voter may fill in himself shall be distributed by electoral committees. A poll card shall be obligatory only in the cases when a voter votes not in a polling district not an election day.

2. A poll card shall indicate:

- 1) the voter's name and surname;
- 2) the voter's home residence;
- 3) the name, number of a polling district on the electoral roll of which the voter has been entered, as well as the address of a polling station;
- 4) the name and number of a single-member constituency to the territory of which the polling district is assigned;
- 5) the number of the voter in the electoral roll of the polling district;
- 6) the election date, the voting time at the polling station of the polling district, the invitation to go to the polls, other information relevant for the voter or when organising the elections.

3. If a voter requests to issue him with a poll card in place of the lost one or of a poll card he has not received, a poll card must be issued to the voter immediately right after the establishment of the data on the voter which must be entered on the poll card.

### **Article 31. Delivery of Poll Cards**

1. The delivery of poll cards to voters shall be organised by a polling district committee.
2. Articles 70, 71, 72, and 73 of this Law shall lay down the procedure for delivering poll cards to voters who are in healthcare institutions (except outpatient healthcare institutions), social care and guardianship institutions, military units, arrest houses, remand prisons (detention facilities) and penal institutions, as well as to those gone abroad.
3. The delivery of a poll card shall be noted in the preliminary electoral roll of a polling district. A poll card shall be either delivered to the voter, who is entitled to vote at home, personally or to another person residing with such a voter. If the poll card cannot be delivered because the voter or the person residing with him is not at home, the poll card shall be returned to the polling district committee, this fact shall be noted in the preliminary electoral roll and a general invitation to go to the polls shall be left for the voter. This invitation may be put into a mailbox or handed to the voter's neighbour who knows the voter and undertakes to give it to the voter. The delivery of poll cards to voters must be finished at least eight days before elections. If elections of the President of the Republic or elections to the European Parliament, or elections to municipal councils, or a referendum is concurrently held during the same period, or run-off voting is carried out, only one poll card shall handed.

4. The voter who has not received a poll card in due time or who has received a poll card with incorrect data, must forthwith inform the polling district committee within the territory of which he resides, and produce his passport or other document confirming his identity to the electoral committee. If the voter is entered on the electoral roll of this polling district, the polling district committee must write out a new poll card for the voter and issue it to him immediately. If the voter is not entered on the electoral roll of this polling district, but the address of his residence according to the data of the Residents' Register falls within the territory of this polling district or if the voter produces other evidence testifying that he resides within the territory of this polling district, the polling district committee shall ask him to fill out an application form established by the Central Electoral Commission for entering the voter on the electoral roll of this polling district (or this application form may be filled out by a member of the polling district committee, or the voter may submit this application electronically in accordance with the procedure laid down by the Central Electoral Commission). The polling district committee shall forthwith notify about it the constituency electoral committee which must cause to have the voter entered on the basis of this application on the electoral roll of that polling district. The poll card shall be issued and delivered to the voter following the updating of the electoral rolls.

### **Article 32. Updating of Electoral rolls before Drawing up Final Lists**

1. Preliminary electoral rolls shall be updated when transferring a voter from one electoral roll of a constituency or a polling district into another, when removing a voter from or registering him in the electoral roll of the Republic of Lithuania.

2. A voter shall be transferred from one electoral roll into another if it transpires that the address of his place of residence in the preliminary list is incorrect or it has changed after said list was made.

3. Transferring of a voter from the electoral roll of one polling district into another in the same constituency shall be the responsibility of the constituency electoral committee which shall notify the Central Electoral Commission about the changes made in electoral rolls of polling districts. Transferring of a voter from the electoral roll of one constituency into another shall be the responsibility of the Central Electoral Commission on the recommendation of the constituency electoral committee and the Central Electoral Commission shall notify constituency electoral committees about the changes made. A voter may be entered on or removed from the electoral roll of the Republic of Lithuania only by the Central Electoral Commission in cases specified in Article 26 of this Law.

**Article 33. Registration of Citizens of the Republic of Lithuania Who Are Staying Abroad in Electoral rolls**

1. Citizens of the Republic of Lithuania who are staying in other states shall be entered on the electoral roll of the single-member constituency in the territory whereof the Seimas of the Republic of Lithuania is situated.

2. A diplomatic mission of the Republic of Lithuania shall, at least 15 days before the election to the Seimas, submit to the Central Electoral Commission the electoral roll compiled in the diplomatic mission, as well as a report about its updating. Added to this list may be the voters who, during the period of voting by post or on the election day, are not able to return to Lithuania and are voting in the diplomatic mission.

**Article 34. Entering on Electoral Rolls of Voters who are in Military Units, on Ships, in Arrest Houses, Remand Prisons (Detention Facilities) and Penal Institutions**

1. Voters performing the mandatory military service shall be entered on the electoral rolls of the polling district on whose territory they permanently resided before they were summoned for the mandatory military service.

2. Voters performing the active military service, civil service or working under the employment contract in international military operations abroad shall be entered on the electoral rolls of the polling district on whose territory they declared their place of residence.

3. The voters who are aboard a ship and who will be unable to return to Lithuania during the period of voting by post or to be present on the election day, shall be entered on the additional electoral roll of the polling district on whose electoral roll the ship's crew is entered.

4. Voters who are in arrest houses, remand prisons (detention facilities) or penal institutions shall be entered on the electoral rolls of the polling district within territory of which they have declared their place of residence. If such a person has not declared a place of residence and upon his written request, he shall be entered on the electoral roll of the polling district within the territory of which the penal institution, arrest house or remand prison (detention facility) is situated. A person who declared his place of residence before he has been put into a penal institution, arrest house or remand prison (detention facility), may not be entered on the electoral roll of the polling district within the territory of which the penal institution, arrest house or remand prison (detention facility) is situated.

**Article 35. Updating Electoral rolls upon Compiling Final Electoral Rolls as well as on the Election Day**

1. If following the approval of the final electoral rolls, but no later than until 6pm on polling day, a district electoral commission is addressed by a voter who has not been entered on the electoral roll of that polling district and submits the passport of the citizen of the Republic of Lithuania with the address of the place of his residence indicated in it or the passport or the identity card and the document certifying the declared place of residence (the place of residence must be assigned the territory of this polling district), the district electoral commission shall enter the voter on the additional electoral roll of the polling district and allow him to vote according to the procedure established by the Central Electoral Commission, and immediately communicate the voter's name, surname, personal number, the number of his passport or identity card as well as his address to the constituency electoral commission. The constituency electoral commission shall check whether the voter has been entered on the electoral roll of the constituency and take measures to ensure that the voter would not be able to vote twice or the ballot papers filled by him would be counted only once. If the voter has voted twice, only the vote which was put in the ballot box of the polling district shall be counted. The other vote of the voter, received by post or cast according to the additional electoral roll of the polling district shall not be counted.

2. On polling day a voter who has not yet voted may, in accordance with the procedure laid down by the Central Electoral Commission, vote in another polling district of his single-member constituency, provided that all the polling districts of this constituency are connected through electronic means of communication to the electronic electoral roll and the district electoral commissions can confirm that the voter has not voted in any of the polling districts, and the electoral commission of the polling district on whose electoral roll the said voter is entered confirms that an entry has been made in the electoral roll of this polling district regarding the arrival of the said voter to vote at another polling district and the voter's vote, if received by post, will not be counted.

### **Article 36. Complaints about Electoral Rolls**

1. A voter or a representative of the party may lodge complaints with the electoral committee of the polling district no later than seven days before the election about the errors made in electoral rolls due to which the voter has not been entered on the electoral roll in the manner prescribed by this Law or has been entered on several electoral rolls. The electoral committee of the polling district must investigate the complaint and adopt a decision thereon either immediately or within two days of the receipt thereof, if more than ten days are left until the election day.

2. The decision of the electoral committee of a polling district may be within three days appealed against to the administrative tribunal of an appropriate county, which shall investigate the complaint within three days. The decision of the tribunal shall be final.

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

4. Electoral committees of polling districts shall report to the constituency electoral committee about the received complaints and changes made in the electoral rolls by the court's decision, and the electoral committee of the constituency shall report to the Central Electoral Commission as soon as possible but no later than within 12 hours.

## **CHAPTER V**

### **NOMINATION OF CANDIDATES FOR SEIMAS MEMBER**

#### **Article 37. Nomination of Candidates for Seimas Member**

1. Candidates for Seimas member may be nominated:

1) in single-member constituencies and the multi-member constituency – by the party which is registered pursuant to the Law of the Republic of Lithuania on Political Parties (hereinafter: ‘the Law on Political Parties’) not later than 185 days prior to an election, meets the requirements regarding the number of party members as laid down in the Law on Political Parties and does not have the legal status of the party in respect of which the liquidation has been initiated or the legal status of the party placed under liquidation;

2) in a single-member constituency - by every citizen of the Republic of Lithuania who qualifies to be elected as a Seimas member, may nominate himself for the Seimas member, provided his candidature is supported by signatures of no less than 1,000 voters of that constituency.

2. In the multi-member constituency parties shall nominate their candidates by presenting a list of candidates in which candidates are recorded in the succession established by the party. Unless the statutes of a party provide otherwise, candidates in single-member constituency and the list of the candidates, recorded in succession, in the multi-member constituency must be approved at the congress or conference of the party. The list of candidates (joint list) must not include less than 25 and more than 141 candidates.

#### **Article 38. Application Documents for the Nomination of Candidates**

1. Parties must file with the Central Electoral Commission the following application documents:

- 1) an application for the participation in the election;
  - 2) copies of their registration papers; the programme and the election programme of the party may be submitted as well;
  - 3) the list of candidates nominated in the multi-member constituency;
  - 4) the list of candidates nominated in single-member constituencies;
  - 5) an obligation signed by each nominated candidate to terminate, if elected, his employment or any other activities incompatible with the status of Seimas member, the consent to be nominated by this party in a specific constituency, a questionnaire for a candidate for Seimas member filled in by the candidate himself, as well as the extracts containing the basic data from the income tax return and the assets declaration submitted to the State Tax Inspectorate, approved by that Tax Inspectorate to which the return and declaration have been submitted, as well as a declaration of private interests and a pledge of the form set by the Central Electoral Commission to comply with the prohibition to bribe voters and persons eligible to vote. The party may submit photographs and autobiography of each candidate;
  - 6) an authorisation for a representative for elections to represent it in the Central Electoral Commission; the party shall also have the right to grant authorisation to represent it and the candidates nominated by it in the electoral committees of constituencies;
  - 7) the document certifying that a party or a person nominated in a single-member constituency has paid the election deposit;
  - 8) if the party nominated candidates or candidates' lists during the last elections to the Seimas, the European Parliament or municipal councils, it shall have the right to submit a copy of the relevant report on the funding of political campaign;
  - 9) repealed.
2. The person who decides to nominate himself for the candidates for Seimas member, must submit to the electoral committee of the constituency the following documents:
- 1) application concerning his nominating himself for the candidate for Seimas member in this constituency;
  - 2) a signed obligation to terminate, upon his election, his employment or any other activities incompatible with the status of Seimas member, a questionnaire for a candidate for Seimas member filled in by the candidate himself, as well as the extracts containing the principal data from the income tax return and the assets declaration submitted to the State Tax Inspectorate, approved by that Tax Inspectorate to which the return and declaration have been submitted as well as a declaration of private interests and a pledge of the form set by the Central Electoral Commission to comply with the prohibition to bribe voters and persons eligible to vote. He may submit his photographs, autobiography;

3) a document certifying that a person who decided to nominate himself as a candidate for Seimas member has paid the election deposit. An authorisation by a candidate to represent him in the Central Electoral Commission and the electoral committee of that constituency may also be submitted.

3. The constituency electoral committee shall, within three days, issue to the citizen, who has decided to nominate himself as candidate for Seimas member, individual forms designated for the collection of voter signatures in order to collect signatures of voters of that constituency who support his self-nomination. The citizen who has decided to nominate himself as candidate for Seimas member shall either himself collect voter signatures or charge other persons having the right to vote to perform the task. The person who collected the signatures shall put his signature at the end of the voter signatures collection form and shall be responsible for the collection of signatures according to the procedure laid down in this Law. In the form for the collection of signatures the citizen who supports the person's self-nomination must himself fill in the following data: name, first name, number of the passport or the identity card, date of birth, address of the permanent place of residence, and sign it. Where a citizen who supports the candidate's self-nomination is unable, due to some physical disability or for some other reasons, to personally write down the required data in the form for signature collection, he may request any other citizen with the right to vote, except for the person collecting the signatures, to do this for him. In such an event a statement of the form prescribed by the Central Electoral Commission shall be drawn up and attached to the form for the collection of signatures. A citizen who supports the person's self-nomination as candidate and has no physical disabilities which would preclude him from filling in his data must himself write down the data in the form for the collection of signatures. It shall be prohibited to bribe voters who supported self-nomination, to give or promise to give remuneration for supporting the candidate's self-nomination also to demand under threat that the person put his signature or in any other way violate the principle of voluntariness. The candidate must return the forms for the collection of signatures to the constituency electoral committee not later than 40 days before the election. Upon receiving the forms for the collection of signatures, the constituency electoral committee shall verify them within seven days. The constituency electoral committee shall count the number of signatures of the constituency voters who supported the citizen's self-nomination. The following signatures shall not be counted: the signatures of persons with no right to vote, of voters who are not entered on the electoral roll of the constituency; of persons who failed to record all the data prescribed by this Law; if incorrect data are recorded; all signatures of the citizen who has signed for the self-nomination of the person several times. If it is established that the citizens' signatures have been forged, that the principle of voluntariness or other requirements of this Law have been

violated during signature collection, the constituency electoral committee shall recommend the Central Electoral Commission not to register the person as a candidate for Seimas member. If it turn out, upon deducting the invalid signatures, that the number of signatures established in this Law has been collected in the forms for the collection of signatures, the constituency electoral committee shall recommend to the Central Electoral Commission to register the person as a candidate for Seimas member.

4. In the Seimas member's questionnaire a citizen who has nominated himself or has been nominated as a candidate for Seimas member must fill in the following data himself: name, first name, number of the passport or the identity card, personal code, date of birth, address of the permanent place of residence, whether or not he has an unserved term of the court-imposed sentence, whether or not he is in the active or alternative national defence service, whether or not he is an officer, non-commissioned officer or re-enlistee of the national defence system, police and the internal affairs service, who has not retired from service, as well as an officer of other military-type or security service, who is on the payroll. Other questions, additionally established by the Central Electoral Commission, may also be included in the Seimas member's questionnaire, to which the person is not bound to give answers. A candidate for Seimas member must also inform in writing the Central Electoral Commission whether or not he is or was and when a citizen of any other state (other states), and if such is the case, he must present a document confirming the citizenship of any other state (other states), and at the request of the Central Electoral Commission – a document issued by competent institutions of the Republic of Lithuania, any other state (other states), pertaining to the renunciation or the loss of the citizenship of any other state (other states), as well as a written consent of an appropriate form and content so that the Central Electoral Commission might obtain the information from the competent institutions of the Republic of Lithuania, any other state (other states), concerning the candidate's for Seimas member citizenship of any other state (other states) which he has or had, and the renunciation of loss thereof.

5. The filing of application documents shall commence 65 days before and shall end at 5:00 p.m. 34 days before the election day. The documents filed after the deadline for filing the application documents may not be recognised as application documents.

6. Application documents may be submitted electronically. Voters may also, in accordance with the procedure laid down by the Central Electoral Commission, support electronically with their signatures a candidate who has nominated himself.

### **Article 39. Registration of Candidates for Seimas Member**

1. Upon the commencement of filing of the lists of candidates, at the request of the Central Electoral Commission the Ministry of Justice shall, within one day, confirm officially which parties have been registered, the number of members of which parties meets the requirements of the Law on Political Parties, and which parties have the legal status of the party in respect of which the liquidation has been initiated or the legal status of the party placed under liquidation.

2. Upon receiving the application documents of a party, the Central Electoral Commission must not later than on the next working day apply to the Ministry of Justice for the confirmation of the fact of the registration of the party and the validity of the submitted statutes. The Ministry of Justice must give a written reply within two days and present to the Central Electoral Commission a copy of the valid statutes.

3. While checking the application documents filled in by a candidate for Seimas member, the Central Electoral Commission shall determine whether or not the candidate meets the requirements of Article 2 of this Law. When necessary, it may appeal to the Ministries of Foreign Affairs, the Interior, Justice or other competent institutions of the Republic of Lithuania or foreign states to furnish the data important for registering the candidate. Such request of the Central Electoral Commission must be considered as a matter of great urgency, and a written reply must be given within five days, but not later than 32 days before the election.

4. After the Central Electoral Commission has checked out and established that all application documents, specified in this Law, have been submitted and that they meet the requirements of this Law and a party which nominated a candidate or a person who nominated himself as a candidate or a candidate nominated by a party in a single-member constituency has been registered as independent participants of political campaign, it must adopt a decision concerning the registration of a candidate or refusal to register the said candidate within ten days following the submitting of the application documents, but not less than 31 days prior to the election.

5. If not all application documents, specified in this Law, have been submitted or there are any faults in them, the Central Electoral Commission must immediately inform the appropriate representative for elections about such fact.

6. If following the registration of a candidate for Seimas member, the Central Electoral Commission establishes that the candidate does not meet the requirements laid down in Article 2 of this Law, or if the candidate refuses to give a written consent referred to in paragraph 4 of Article 38 of this Law or to submit a pledge to adhere to the prohibition to bribe voters and persons eligible to vote, as indicated in subparagraph 5 of paragraph 1 of Article 38 and subparagraph 2 of paragraph 2 of Article 38 of this Law, or he submits an inaccurate consent or

pledge, or fails to submit it within the time limit set by the Central Electoral Commission, or if a candidate has failed to meet the requirements set out in paragraph 3 of Article 98 of this Law (has not provided the information specified in this Law or has provided the erroneous information), or if a political party, a candidate has grossly violated paragraph 1 of Article 5<sup>1</sup> of this Law, or if a party which has nominated a candidate or a candidate himself has lost the status of an independent participant of political campaign, the Central Electoral Commission shall cancel the registration of such candidate for Seimas member, revoke the announcement of a joint list of candidates of an appropriate political party or the coalition of parties, provided that not less than 15 days are left until the election.

#### **Article 40. A Representative for the Election**

1. The party, the citizen who has nominated himself and has been registered as a candidate for Seimas member shall authorise a representative for the election to represent them on all issues in the Central Electoral Commission or the constituency electoral committee. In meetings of an electoral committee he shall have the right of deliberative vote and the right to express a separate opinion on all issues under consideration. The representative for elections shall have all the rights of the election observer in the territory of the constituency in the electoral committee whereof he is authorised to represent. Authorisation by parties to represent them in electoral committees may be filed with the Central Electoral Commission the following day after the formation of an appropriate electoral committee. If the candidature of the representative for elections meets the requirements of this Law, the Central Electoral Commission shall, within three days, register the authorisation given to him and shall issue the certificate of a representative for the election. The authorisation for a representative for the election shall expire after the lapse of 20 days following the announcement of the final election results. The powers of a representative for the election in an appropriate electoral committee shall also lapse 20 days following the lodging of the application documents, provided that the party, political organisation does not have a candidate (candidates) in the territory of that constituency.

#### **Version valid from 1 September 2015:**

1. The party, the citizen who has nominated himself and has been registered as a candidate for Seimas member shall authorise a representative for the election to represent them on all issues in the Central Electoral Commission or the constituency electoral committee. He shall participate in an advisory capacity at meetings of an electoral committee, having the right to express a separate opinion on all issues under consideration. Upon the announcement of the date of elections to the Seimas, authorisation by parties to represent them in electoral committees may

be filed with the Central Electoral Commission the following day after the formation of an appropriate electoral committee. If the candidature of the representative for elections meets the requirements of this Law, the Central Electoral Commission shall, not later than within three days, register the authorisation given to him and shall issue the certificate of a representative for the election. The authorisation for a representative for the election shall expire after the lapse of 20 days following the proclamation of the final results of the election. The authorisation of a representative for the election in an appropriate electoral committee shall also lapse 20 days following the lodging of the application documents, if that the party, political organisation does not have a candidate (candidates) in the territory of that constituency.

2. Until the election day, the party, the citizen who has nominated himself as a candidate may revoke an authorisation at any time and authorise another person to be a representative for the election. In this case a representative for the election must be registered, a certificate must be issued to him, and the registration of the previous representative for the election must be terminated within three days.

#### **Article 41. Election Deposit**

1. The election deposit for one candidate for Seimas member to be registered in a single-member constituency shall be equal to one most recently announced average monthly wage of the national economy (AMW). When registering one new candidate in a single-member constituency instead of the candidate whose application documents have been revoked or who has revoked the documents himself, the required deposit shall be in the amount of one AMW.

2. The election deposit for registration of one list of candidates for Seimas member in the multi-member constituency shall be in the amount of ten AMWs. When changing the place of one candidate on the list or entering a new candidate on the list, the deposit shall be in the amount of one AMW. When joining the candidates' lists, the deposit shall be in the amount of 0.3 AMW for each list which is being joined.

3. Election deposits for registration of the list of candidates shall be doubled for the party which at the last elections to the Seimas or municipal councils nominated candidates or the list (lists) of candidates and did not furnish the report on the funding of the respective political campaign and the set of the previous calendar year's financial statements of the political party in compliance with the Law of the Republic of Lithuania on Funding of, and Control Over Funding of, Political Parties and Political Campaigns

4. When application documents are submitted behind time or the announcement of a joint list of candidates of a political party or the coalition of parties is revoked, or the registration of a candidate is cancelled, or a person is not registered as a candidate for Seimas member on the

grounds specified in paragraph 6 of Article 39 of this Law, the election deposit shall not be refunded.

5. Upon the expiry of the period of political campaign, the Central Electoral Commission shall, within 40 days, refund the election deposit to the party or the person who has furnished it, if the relevant report on the funding of political campaign has been submitted.

6. The non-refundable deposits shall be transferred to the State budget.

**Article 42. Prohibition for One Person to be a Candidate in Several Constituencies or Several Lists of Candidates**

1. Each candidate for Seimas member may be entered in the list of candidates nominated by only one party in the multi-member constituency.

2. The person who is entered in a list of candidates in the multi-member constituency shall have the right to be at the same time nominated as a candidate for Seimas member in one single-member constituency as well.

3. If a person has given his consent to be entered in the list of candidates nominated by more than one party in the multi-member constituency, or if he has given his consent to be nominated (or has nominated himself) in more than one single-member constituency, he shall be struck off all the lists of candidates in the multi-member constituency and of all single-member constituencies.

**Article 43. Joining the Lists of Candidates**

Before the deadline for filing application documents several parties may join the lists of candidates nominated by them. In order to do so, they must submit a statement to the Central Electoral Commission concerning the joining of the lists of candidates, indicating the name of the coalition. The joint list in which the candidates are entered in a newly established succession, as well as the document confirming that the election deposit for the joining of the lists of candidates has been furnished shall be submitted as well. Only those persons can be put down on the joint list who are on the lists which are being joined together. The name of the coalition must include the word “coalition” and may not contain any references to the names of the parties which do not form this coalition. The joint list shall be regarded as one list. The same party may not participate in more than one coalition.

**Article 44. The Right to Withdraw or Supplement Electoral Application Documents**

1. A party or election coalition, as well as a person who has been nominated or who has nominated himself as a candidate for Seimas member in single-member constituency or is

registered in the list of a political organisation, may at any time, but no later than 28 days before the election, declare their application documents fully or partially withdrawn. A party or election coalition shall notify the Central Electoral Commission thereof by a statement, the citizen - by a notarised statement and the relevant representatives for elections in the Central Electoral Commission shall be notified thereof. If application documents are withdrawn, the election deposit may be refunded only after the election, provided it becomes refundable as stipulated in Article 41 of this Law. It shall be allowed to additionally submit, before the deadline for the filing of application documents set in paragraph 5 of a 38 of this Law, new application documents when altering the sequence of candidates on a list of candidates or when nominating new candidates in single-member constituencies.

2. If the application documents are withdrawn by a party that has formed a coalition, the candidates nominated by it shall be struck off the joint list of candidates, and, if the name of the coalition contains a reference to its name, the name of the coalition shall be changed. In such case it is necessary to notify in writing the representatives for elections of the coalition partners in the Central Electoral Commission. If, upon withdrawal of the electoral application documents, the candidates of only one party remain on the coalition's joint list of candidates, they will participate in the election only as the nominees of that party.

3. If, upon withdrawal of application documents or annulment of the candidates' registration, there are less than 20 candidates left on the list of candidates, the registration of all the candidates of this list shall be annulled.

#### **Article 45. Announcement of the Names of Candidates and Lists of Candidates**

With not less than 30 days prior to the election, the Central Electoral Commission shall announce on its website the lists of candidates of parties and coalitions which participate in the election, election numbers assigned to the lists of candidates by drawing lots, election numbers assigned to the candidates on the above-mentioned lists as well as the candidates nominated in single-member constituencies. The Central Electoral Commission shall hand over to the representative for elections the certificates of candidates for Seimas member with the election numbers assigned to the candidates. At the moment of its assignment the candidate's election number coincides with the candidate's successive number on the list of nominated candidates (joint list). The election number assigned to a candidate cannot not be changed until the announcement of the election results.

#### **Version valid from 1 September 2015:**

#### **Article 45. Announcement of the Names of Candidates and Lists of Candidates**

With not less than 30 days prior to the election, the Central Electoral Commission shall announce on its website the lists of candidates of parties and coalitions which participate in the election, election numbers assigned to the lists of candidates by drawing lots, election numbers assigned to the candidates on the above-mentioned lists as well as the candidates nominated in single-member constituencies. The Central Electoral Commission shall hand over to the representative for elections the certificates of candidates for Seimas member with the election numbers assigned to the candidates. At the moment of its assignment the candidate's election number coincides with the candidate's successive number on the list of nominated candidates (joint list). The election number assigned to a candidate cannot not be changed until the proclamation of the final election results.

## **CHAPTER VI**

### **GUARANTIES OF THE ACTIVITIES OF THE CANDIDATES FOR SEIMAS MEMBER**

#### **Article 46. The Right of a Candidate for Seimas Member to Speak at Meetings, to Use the Mass Media**

1. After the announcement of the names of candidates and lists of candidates by the Central Electoral Commission, the candidates for Seimas member in constituencies shall have equal rights to speak at voters' meetings or any other meetings, gatherings, conferences as well as through the state mass media, and to announce their respective election programmes.

2. Heads of state and municipal institutions and establishments, also municipality mayors or persons authorised by them must help candidates for Seimas member to organise meetings with voters, to obtain necessary information, with the exception of the information which is considered confidential according to laws of the Republic of Lithuania and the resolutions of the Government.

#### **Article 47. Liability for the Violation of this Law**

Persons who by force, threat, deception, bribery or otherwise prevent voters from implementing the right to vote or to be elected to the Seimas, to organise and carry out election campaign, who have violated the procedure of election campaign, announced or otherwise disseminated fraudulent data about a candidate for Seimas member or prevented a candidate from meeting with voters, or who have otherwise violated this Law, as well as the members of electoral committees or other officers who have falsified, damaged, destroyed, stolen or hidden

election documents, made an incorrect vote count, violated the secrecy of voting or otherwise violated this Law, shall be held liable under laws of the Republic of Lithuania.

**Article 48. The Right of a Candidate for Seimas Member to be Relieved from Work or the Official Duties**

1. After the announcement of the names of candidates and lists of candidates by the Central Electoral Commission, a candidate for Seimas member shall, upon his written request, be relieved from work or the official duties during the election campaign, but for not longer than 30 days. A request to be relieved from work or the official duties shall be submitted to the person who has the right to grant leave.

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

**Article 49. The Immunity of a Candidate for Seimas Member**

1. After the announcement of the names of candidates and lists of candidates by the Central Electoral Commission as well as until the first meeting of a newly elected Seimas (after the rerun elections or by-election □ until the oath of a Seimas member), a candidate for Seimas member may not be held criminally liable, arrested, his freedom may not be restricted in any other way without the consent of the Central Electoral Commission..

2. The provisions of paragraph 1 of this Article shall not apply to candidates for Seimas member who perform the duties of the Seimas member, the member of the Government or the judge. The matter of the immunity of such persons shall be resolved in accordance with the procedure laid down by the Constitution and laws.

**CHAPTER VII  
ELECTION CAMPAIGN**

**Article 50. Basic Principles of Election campaign**

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

2. Election campaign may be conducted in various forms and manners, provided they do not violate the Constitution and the laws, conflict with the morals, justice or society's cohesiveness, contravene fair and respectable elections.

3. Requirements for the marking of political campaign shall be laid down in laws; the procedure for marking the political campaign shall be laid down by the Central Electoral Commission.

### **Article 51. Conditions and Procedure of Election Campaign**

1. After the announcement of the names of candidates and lists of candidates by the Central Electoral Commission, the candidates shall be granted the right to use the Lithuanian national radio and television free of charge. The rules for preparing programs for election campaign shall be approved and the actual duration and time of the Lithuanian national radio and television programs shall be established by the Central Electoral Commission after consultation with the head of the Lithuanian national radio and television. The Central Electoral Commission shall also distribute the time of the programs in such a manner that the following principles of equality are preserved: among the lists of candidates in the multi-member constituency; among single-member constituencies; among candidates in a single-member constituency.

2. Discussions of candidates over the radio and television shall be financed with funds of the state budget from the appropriations allocated for the Central Electoral Commission.

3. The Central Electoral Commission shall:

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

2) approve rules on producing discussions.

4. Groups of independent participants of political campaign taking part in discussions (consisting of two and more persons) shall be set up by mutual agreement and in the event of failure to reach mutual agreement - by drawing lots.

5. All broadcasters shall enjoy the right to produce, on their own initiative, discussion programmes in compliance with the provisions of paragraph 2 of Article 18 of the Law on Funding of Political Parties and Political Campaigns, and Control of Funding. Other terms and conditions provided for in this Article shall not apply to the said broadcasters.

6. The lists of candidates and their election programmes shall be published by the Central Electoral Commission within 20 days after its submission.

7. The election programmes of candidates who stand for election in a single-member constituency shall be published by the electoral committee of that constituency no later than 15

days prior to the election. The procedure for publishing election programmes shall be established by the Central Electoral Commission.

8. Under this Law outdoor political advertising shall be political advertising communicated to the public by video or audio means. Outdoor political advertising shall also be political advertising which is announced in public areas, buildings, vehicles.

9. It shall be prohibited to install and communicate outdoor political advertising:

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

2) inside or outside the vehicles belonging to state or municipal enterprises;

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

4) on sculptures and monuments;

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

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

7) in the places which are not provide for in accordance with the procedure laid down by paragraph 10 of this Article.

10. Outdoor political advertising on/in protected territories and immovable cultural properties, as well as their territories shall be permitted only upon the co-ordination with a state agency responsible for the protection of cultural properties and an agency authorised by the founder of the protected territory.

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

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

13. All disputes concerning the election campaign shall be settled by the Central Electoral Commission in compliance with this Law.

## **Article 52. Releasing the Material Compromising a Candidate for Seimas Member and the Candidate's Countering Opinion**

1. If, after the announcement of the names of candidates and lists of candidates by the Central Electoral Commission, the mass media release the material compromising a candidate

for Seimas member (such data may be released not later than: in a means of the mass media which is issued more frequently than three times a week - five days before the election, in other means of the mass media - ten days before the election, but in any case the material compromising a candidate may be released not later than in the last but one issue of a means of the mass media before the election), it must provide the candidate with a possibility to express a countering opinion which consists of a short exposition of the released compromising material and the candidate's answer. The extent of the countering opinion usually may not exceed the volume of the compromising material by more than three times. The means of the mass media must publicise the candidate's countering opinion within seven days after it has been expressed, but not later than two days before the prohibition of election campaign becomes effective. If the means of the mass media itself cannot publicise the candidate's countering opinion during the period of time set by the Law, it must with its own funds publicise the candidate's countering opinion in another means of the mass media.

2. The material which is aimed at influencing voters not to vote for an individual candidate and which contains information negatively describing the candidate shall be considered as material compromising the candidate. An opinion about the candidate announced in the mass media (unlike hard news, criteria of truth shall not apply to an opinion), including a negative opinion, shall not be considered as compromising material and shall not entitle the candidate to demand announcing a countering opinion. The candidate may be refused publicising of a countering opinion also in cases when: the released material does not concern him personally; the released material about him is not compromising; the compromising material about the candidate is released by him or by another candidate who is nominated on the same list of candidates or is nominated by the same party; the material contains no information describing the candidate; the candidate has already exercised the right to a countering opinion.

3. If the candidate has duly furnished the countering opinion to the means of the mass media, but it has not been announced, by the decision of the Central Electoral Commission the candidate's countering opinion shall be broadcast on the Lithuanian national radio or television and shall be paid for at the rates of advertisement fees. In this event, the means of the mass media must pay the Central Electoral Commission double the amount of the broadcast costs.

4. If the compromising material about the candidate was released during the period of time when its release is not permitted under this Law, by the decision of the Central Electoral Commission the candidate's countering opinion shall be broadcast on the Lithuanian national radio or television and shall be paid for at the rates of advertisement fees. In this event the means of the mass media must pay the Central Electoral Commission three times the amount of the broadcast costs.

5. In all cases a countering opinion shall not be announced during the period when election campaign is prohibited. Announcement of a countering opinion shall not exempt the means of the mass media from liability under the laws of the Republic of Lithuania.

6. When the candidate's countering opinion is made public on the decision of the Central Electoral Commission, the costs thereof set by this Law shall be recovered without suit from that means of the mass media which has released the material compromising the candidate during the period when such release is not permitted or which has not announced the candidate's countering opinion.

**Article 53. Releasing the Material Compromising a Party which has Nominated a List of Candidates and the Countering Opinion**

1. If, after the announcement of the names of candidates and lists of candidates by the Central Electoral Commission, the mass media release the material compromising a party which has nominated a list of candidates (such data may be released not later than: in a means of the mass media which is issued more frequently than three times a week - five days before the election, in other means of the mass media - ten days before the election, but in any case the material compromising the party which has nominated a list of candidates may be released not later than in the last but one issue of a means of the mass media before the election), it must provide the party with a possibility to express a countering opinion. The countering opinion shall consist of a short exposition of the released compromising material and the party's reply. The extent of the countering opinion usually may not exceed the volume of the compromising material more than three times. The means of the mass media must announce the countering opinion within seven days after it has been expressed, but not later than two days before the prohibition of election campaign becomes effective. If the means of the mass media itself cannot announce the countering opinion during the period of time set by this Law, it must make arrangements to publicise the countering opinion with its own funds in another means of the mass media.

2. The material which is aimed at influencing voters not to vote for the candidates nominated by a specific party and which contains information negatively describing the party (its branch or division) shall be considered as material compromising the party. An opinion about the party announced in the mass media (unlike hard news, criteria of truth shall not apply to an opinion), including a negative opinion, shall not be considered as compromising material and shall not grant the party the right to demand announcement of a countering opinion. The demand to announce a countering opinion may also be rejected in cases when: the released material does not concern the party; the released material is not compromising; the compromising material

about the party is released by a candidate nominated by the party; the material contains no information characterising the party; the party has already exercised the right to a countering opinion.

3. The party shall give its countering opinion to the means of the mass media through its representative for elections at the Central Electoral Commission or through its representative for the elections at the constituency electoral committee. In the event the representative for elections has given the countering opinion to the means of the mass media by the due date, but it has not been made public, the countering opinion shall be broadcast, on the decision of the Central Electoral Commission, on the Lithuanian national radio or television and shall be paid for at the rates of advertisement fees. In this event, the means of the mass media must pay the Central Electoral Commission double the amount of the broadcast costs.

4. If the compromising material was released during the time period when its release is not permitted under this Law, by the decision of the Central Electoral Commission the candidate's countering opinion shall be broadcast on the Lithuanian national radio or television and shall be paid for at the rates of advertisement fees. In this event the means of the mass media must pay the Central Electoral Commission three times the amount of the broadcast costs.

5. In any case a countering opinion shall not be announced during the period when election campaign is prohibited. Announcement of a countering opinion shall not exempt the means of the mass media from liability under the laws of the Republic of Lithuania.

6. When the countering opinion is released on the decision of the Central Electoral Commission, the costs thereof set by this Law shall be recovered without suit from that means of the mass media which has released the compromising material during the period when such release is not permitted or has not announced the candidate's countering opinion.

#### **Article 54. Prohibition to Take Advantage of one's Official Position to Conduct Election Campaign**

1. Anyone shall be prohibited from taking advantage of his official position in state or municipal institutions, establishments or organisations, as well as in the state or municipal mass media for any form of election campaign or from instructing other persons to do so or from trying to exert influence upon the will of voters in any other manner, taking advantage of his official position. State or municipal officials, public servants shall be prohibited from taking advantage of their official position in order to provide exclusive conditions for campaigning for themselves or for the party. A person who violates the provisions of this Article may be held administratively or criminally liable in accordance with the procedure laid down by law.

2. If a person is a candidate for Seimas member, he can use the state or mass media only according to the procedure set forth in Article 51 of this Law. If the fulfilment of their duties requires to release important news to the mass media, they can do so only at a press conference. State or municipal mass media or programmes of the mass media financed from the state or municipal funds may broadcast only a recording of the conference or a portion thereof which contains no elements of election campaign.

**Article 55. Financing of Political Campaigns of Elections to the Seimas**

Financing of political campaigns of elections to the Seimas shall be regulated by the Law on Financing of Political Parties and Political Campaigns, as well as Control over such Financing.

**Article 56. Prohibition of Election Campaign on Election Day**

Election campaign, irrespective of its methods, forms and measures, shall be prohibited 30 hours before the beginning of an election and on the election day until the closing of the polls, with the exception of permanent visual election campaign material, provided that it was displayed at least 48 hours prior to the beginning of the election. During the period when election campaign is prohibited no visual election campaign material (with the exception of those issued by the Central Electoral Commission) may be displayed in a polling station or within 50 meters around the building in which a polling station is situated. If election campaign of elections of the President of the Republic, or elections to the European Parliament, or elections to municipal councils, or election campaign with respect to a referendum is carried out concurrently at the same time, election campaign shall be prohibited 30 hours remaining to the beginning of an election and on the election day until the closing of polls in accordance with the same procedure and under the same conditions as those specified in this paragraph.

**CHAPTER VIII**

**PREPARATORY ACTIVITIES OF THE ORGANISATION OF ELECTIONS**

**Article 57. Establishment of Election Document Specimens**

The Central Electoral Commission shall establish specimens and forms of poll cards, ballot papers, posters of a candidate in a single-member constituency and lists of candidates in the multi-member constituency with the data about a candidate (candidates), ballot paper

envelopes and return envelopes, other documents, blanks, questionnaires, official envelopes, packages, seals used in elections, as well as the specimens for filling them out.

### **Article 58. Ballot Papers**

1. During the election to the Seimas, each voter shall be presented with two ballot papers: one for voting for a candidate in a certain single-member constituency, and the other for voting for a list of candidates in the multi-member constituency. Instructions for the voter regarding the procedure for filling out the ballot paper must be printed on the ballot-paper which must also contain a special space designated for indicating the voter's will.

2. The names of all candidates for Seimas member shall be placed on the ballot paper of single-member constituencies in alphabetic order on the same space and in the same type (types). Such ballot papers shall indicate the first name and name of each of the candidates for Seimas member, as well as the name of the party which has nominated him or it shall indicate "Nominated himself".

3. A ballot paper of the multi-member constituency shall contain all the lists of candidates arranged according to the assigned election numbers in an increasing order on the same space and in the same type (types). The type shall be chosen of such size which would best fit to fill the space designated for inscription. A ballot paper shall contain the name of the party, coalition (indicated in its application documents). The name and surname of the head of the party shall be written down in brackets under the name of the party, and the names of the parties comprising the coalition shall be written down in brackets under the name of the coalition. At the party's request, a black-and-white image of the emblem (sign) of this party, registered in the manner prescribed by law, may be placed by the name of the party. In such case, a sample of this emblem (sign) shall be submitted to the Central Electoral Commission together with the application documents. All the lists of the parties, coalitions (candidates' names and surnames) shall be distributed to voters in the manner prescribed by the Central Electoral Commission and located in each voting booth.

4. The second part of the ballot paper of the multi-member constituency shall contain five designated spaces where the voter shall record the election numbers of the chosen candidates.

5. Aboard the ship ballot papers shall be printed in accordance with the description transmitted in a radiogram by the Central Electoral Commission. Aboard the ship the names of the candidates shall not be indicated on the ballot paper of the multi-member constituency and the place for expressing the voter's opinion of the candidates shall not be designated.

### **Article 59. Delivery of Ballot Papers**

1. Electoral committees of constituencies shall deliver ballot papers and postal voting envelopes to central post offices at least two days prior to the beginning of voting by post, ballot papers to polling stations - 12 hours preceding the opening of the polls.

2. At the diplomatic missions of the Republic of Lithuania, voters must be provided with free access to ballot papers and postal voting envelopes at least 20 days before the election. Aboard ships voters must be provided with free access to the text of ballot papers not less than 15 days prior to the election.

3. The Central Electoral Commission shall be responsible for the publishing of ballot papers and postal voting envelopes, as well as for the keeping of records and delivery thereof without violating the fixed dates.

### **Article 60. Preparation of Polling Stations**

1. A polling station of the polling district must be completely prepared for elections not later than 12 hours before the opening of the polls. The electoral committee must also have counted all ballot papers received from the constituency electoral committee and drawn up their acceptance report by the prescribed time. In the polling station of a polling district there must be a ballot box, secret voting booth (booths) in which a voter could fill ballot papers in private. The following material, issued by the Central Electoral Commission, must be displayed in the polling station: lists of candidates eligible in the multi-member constituency; election posters of candidates eligible in a single-member constituency. The text of this Law must be accessible in each polling district. The election campaign material, except for the material issued by the Central Electoral Commission, must be removed from the polling station, passageways leading to or out of it (corridors) and from the territory within 50 metres of the building in which the polling station is situated. Working places for the electoral committee members and places for election observers must be also organised. Upon completion of preparations the polling station shall be closed, sealed, left under the police protection and the chairman of the electoral committee of the polling district shall inform the constituency electoral committee thereof.

2. Other requirements for the preparation of polling stations shall be laid down by the Central Electoral Commission.

3. The chairman of the electoral committee of the polling district shall be responsible for fitting out the polling station by the due date and in an appropriate manner. If the municipality administration fails to allocate premises suitable for establishing a polling station or fails to ensure the provision of equipment necessary for voting, the chairman of the electoral committee of the polling district must forthwith notify the constituency electoral committee thereof and take

measure to find premises suitable for fitting out a polling station and to acquire the necessary equipment as prescribed in Article 8 of this Law.

### **Article 61. Election Observers**

1. Parties as well as candidates for Seimas member shall have the right to appoint not more than two election observers each in every polling district. An election observer shall be a person having a certificate in the form established by the Central Electoral Commission. He shall have the right to observe elections conducted in the territory of the constituency or polling district which is indicated in his certificate. The observer's certificate shall be issued by:

#### **Version valid from 20 June 2015:**

1. Parties as well as candidates for Seimas member shall have the right to appoint not more than two election observers each in every polling district. It shall be prohibited to appoint wardens and deputy wardens as election observers in those polling districts which are within the territory covered by their wards. An election observer shall be a person having a certificate in the form established by the Central Electoral Commission. He shall have the right to observe elections conducted in the territory of the constituency or polling district which is indicated in his certificate. The observer's certificate shall be issued by:

1) the Central Electoral Commission - to observe elections on the entire territory of the Republic of Lithuania, in the diplomatic missions and consular posts of the Republic of Lithuania or only in specific constituencies, polling districts upon the recommendation of the Minister of Foreign Affairs, the President of the Republic or a person authorised by him, or upon the request of the persons representing international institutions, as well as at its own discretion;

2) a constituency electoral committee - to observe elections in the entire territory of the constituency, in one or several polling districts to citizens of the Republic of Lithuania who are above 18 years of age upon the proposal of the candidate whose name is on the ballot paper of the multi-member constituency or of this constituency, or at the request of the local branch of the party; the name and first name of the person, his personal code, name of the polling district (districts) must be indicated in the certificate.

2. The observer's certificate shall be issued by the chairman of the electoral committee on behalf of the electoral committee or by any other member of the committee on the instruction of the committee chairman. It shall not be allowed to refuse to issue an observer's certificate or delay its issuance, if the person to whom it should be issued meets the requirements of this Law. All refusals to issue an observer's certificate must be reported at the next committee sitting and an appropriate representative for elections must be notified thereof.

3. An election observer shall have the right to demand that the chairman and members of an electoral committee, as well as persons who are in the polling station should adhere to this and other laws of the Republic of Lithuania. Electoral committees must make arrangements to ensure that an election observer be provided with proper conditions in the polling station of an polling district to monitor the observance of this Law. If an observer violates this or other laws himself, his observer's certificate may be revoked on the decision of the chairman of the constituency electoral committee. The members of the electoral committee, the Central Electoral Commission and an appropriate representative for elections shall be immediately notified of the decision.

## **CHAPTER IX**

### **POLLS**

#### **Article 62. Time and Place of the Polls**

The polls shall be held on the election day from 7:00 a.m. until 8:00 p.m. in the place designated by the electoral committee of the polling district. The voter shall vote in the polling district on the electoral roll of which he has been entered, unless this Law provides otherwise.

#### **Article 63. Prohibition to Carry out other Activities in the Polling Station**

It shall not be allowed to carry out any other activities in the polling station, except organisation of the election and voting. It shall also not be allowed to carry out any activities in the passageways leading to or out of the polling station (corridors) and at the entrance to the building where the polling station is situated.

#### **Article 64. Opening of the Polls**

On the election day, the polling station shall be opened only when at least 3/5 of the members of the electoral committee of the polling district are present. Prior to opening of the polling station for voters, only the electoral committee members, observers and the policeman on duty can be present in it. The chairman of the electoral committee, together with the members of the electoral committee, shall make sure that the ballot box is empty and shall seal it up. After the electoral committee of the polling district checks that the polling station has been furnished according to the established requirements, the chairman of the electoral committee of the polling district shall register the total amount of the ballot papers received by the electoral committee of the polling district from the constituency electoral committee into the vote counting record, affix the seal on ballot papers, distribute ballot papers and the electoral

roll among the members of the electoral committee, register the number of ballot papers issued to each member of the electoral committee into the vote counting record of the polling district, and open the polling station to the voters, thereby proclaiming the commencement of the elections.

### **Article 65. Determining Voter's Identity**

1. At the entrance to the polling station, a voter shall present his passport or other identity document to an electoral committee member of the polling district; he may also present a poll card. In the polling districts which are connected to the electronic electoral roll via electronic means of communication it shall be noted in the electronic electoral roll that a voter has arrived to vote. Upon having established that the voter has arrived at the polling district on the electoral roll of which he has been entered, the committee member shall hand the voter an arrival card stamped with the seal of the polling district and indicating which the voter was to come to the polling station to vote and shall show the committee member to be applied to for a ballot. It shall not be allowed to hand several arrival cards to one voter or to hand in to a voter another voter's arrival card. If upon arriving at the polling station, the person does not have the required documents or it is not clear whether he has been entered on the electoral roll of this polling district, the committee member shall not hand the arrival card to this person; instead, the person shall be handed a guest's card and shall be referred to the committee chairman or deputy chairman to clarify his voting status.

2. The committee member who is tasked with handing ballot papers, having established on the basis of the produced documents that the person who arrived to vote is indeed the citizen who has been entered on the electoral roll, or if two citizens of the Republic of Lithuania entered on the electoral roll of that polling district testify to this fact in writing to the electoral committee chairman, shall find the name of the voter on the electoral roll, and shall take the voter certificate and the arrival card from the person. After the voter and the committee member who hands ballot papers sign in the electoral roll of the polling district, the voter shall be handed ballot papers - one for a single-member constituency and the other for the multi-member constituency. The arrival card shall not be returned to the voter. In voting by post, early voting or voting at home an entry shall be made on the voter certificate concerning the issue of a ballot paper, and the voter certificate shall be returned to the voter.

3. It shall be prohibited to hand the voter the ballot paper (ballot papers) of another person, except for the case laid down in paragraph 5 of Article 66 of this Law. The member of an electoral committee who violates this provision shall be liable under the law of the Republic of Lithuania.

### **Article 66. Voting Procedure**

1. Having been handed ballot papers, the voter shall go into the polling booth and mark the ballot papers. It shall be prohibited to mark ballot papers outside the polling booth.

2. On a ballot paper of a single-member constituency, the voter shall mark the name of the candidate for Seimas member whom he is voting for.

3. On a ballot paper of the multi-member constituency the voter shall mark the list of candidates whom he is voting for and, expressing his opinion about the candidates on the list, shall enter the election numbers of the 5 chosen candidates in the designated spaces of the ballot paper. In this way preference votes are given for the candidates. If the election number of one and the same candidate is entered two or more times on the ballot paper, only one preference vote from the ballot paper shall be considered for the candidate. Where the marks on the ballot paper make it impossible to determine the voter's preferences regarding the election numbers of one or more candidates, it shall be considered that the voter has not expressed his preferences regarding the candidates.

4. The voter shall personally cast his marked ballot papers into the ballot box.

5. On request of the voter, spoiled ballot papers shall be exchanged for new ones. A spoiled ballot paper shall be crossed and signed by a member of the electoral committee who shall then hand a new ballot paper. Spoiled ballot papers shall be included into the accounting and kept separately.

6. If the voter who, because of his physical disability, is unable to carry out actions specified in this Article, the ballot papers shall, on his request, be marked by a person chosen by the abovementioned voter. Such person must mark the ballot papers in the presence of the voter and according to his instructions, keep the secrecy of voting and cast the ballot papers into the ballot box in the presence of the voter. Members of the electoral committees, election observers and representatives for elections shall be prohibited from carrying out voting-related actions for the disabled voter.

### **Article 67. Postal Voting**

1. Postal voting shall be possible for voters who are in institutions of healthcare (with the exception of outpatient healthcare institutions), social care or guardianship because of their health condition or age, or who perform mandatory military service and therefore are unable to come to a polling district to vote, or who perform active military service, civil service or work under the employment contract in international military operations abroad, or who serve arrest or imprisonment sentence, or are placed in arrest houses, remand prisons (detention facilities).

Postal voting shall be possible at post offices set specially for postal voting (hereinafter referred to as “special post offices”) during their business hours on a last Wednesday, Thursday or Friday before an election day. Postal voting in military units located abroad shall be conducted in accordance with the procedure laid down by the Central Electoral Commission on the recommendation of the Ministry of National Defence. Expenses related to postal voting shall be covered with the funds of the State Budget.

2. The head of the post office shall be responsible for the organisation of postal voting. The chairman of the electoral committee of the polling district within the territory of which a post office is situated, shall be responsible for the organisation of the supervision of the work of that post office during postal voting. He shall, in conjunction with the chairmen of other polling district committees whom the constituency electoral committee has assigned with such a task, organise members’ of electoral committees participation during voting in special post offices. Commanders of the military units located abroad shall be responsible for organisation of postal voting in those units.

3. The head of the post office, with the consent of the constituency electoral committee, shall appoint postal workers for the issue and collection of ballot papers and postal voting envelopes during postal voting, who are entrusted with work with the election documents. If the constituency electoral committee requests so, the head of the post office must remove a postal worker from the work with election documents. Postal workers who are authorised to issue and collect election papers shall be issued by the constituency electoral committee with the certificates of the established form. A postal worker who does not have such certificate shall not have the right to issue and collect election papers. An electoral committee member, election observer, who has produced his certificate to the postal worker, a voter, who has produced the poll card and the document proving his identity, shall have the right to write down his remark in the said certificate. The head of the post office shall immediately notify the constituency electoral committee about this remark.

4. In the sites specified in Articles 69, 70, 71, 72, and 73 of this Law there must be a room (a place) where the voter can, without interference and in secrecy, mark the ballot papers and put them into the postal voting envelopes. In these cases voting may be observed by election observers who have the election observer’s certificate permitting to observe elections in any polling district.

5. The postal worker shall issue election documents to a voter in accordance with the procedure established by the Central Electoral Commission. Together with ballot papers, voters shall be given postal voting envelopes. A return envelope shall be addressed by the postal worker to the polling district committee which is indicated in the poll card of the person. When voting

by post, during early voting or voting at home, a poll card shall be marked with the information about the handing of the ballot papers and the poll card shall be returned to the voter.

6. Voting in secrecy, the voter shall himself:

- 1) mark the ballot papers;
- 2) put the marked ballot papers into the ballot paper envelope;
- 3) seal the ballot paper envelope;
- 4) put the ballot paper envelope into the return envelope together with the poll card;
- 5) seal the return envelope.

7. The sealed return envelope (with the poll card, ballot paper envelope and ballot papers in it) the voter shall hand to a postal worker. Upon having received the envelope handed by the voter, the postal worker shall seal it with a special mark in the voter's presence and shall give the voter a receipt confirming the acceptance of this envelope.

8. Actions referred to in paragraphs 6 and 7 of this Article shall be carried out by a voter himself. If because of the physical disability a voter is unable to carry out the said actions himself, at his request such actions shall be carried out by a person he chooses. This person must mark the ballot papers in the presence of the voter according to his instructions and preserve the secrecy of voting.

8. 9. A postal worker shall be prohibited from carrying out for a voter the actions referred to in paragraphs 6 and 8 of this Article, as well as from accepting from the voter a return envelope which is not sealed. Voters shall be prohibited from taking out postal ballot papers, postal voting envelopes or handing them to other persons.

### **Article 67<sup>1</sup>. Voting at Home and Early Voting**

1. Only the following persons may vote at home: disabled voters, voters with temporary working incapacity, voters aged 70 and over if because of the health condition they are unable to come to a polling district to vote on an election day and if they have produced a voter's request, the form of which is set by the Central Electoral Commission, for voting at home. The electoral committees which draw up and revise rolls of voters voting at home shall have the right to receive the data on disabled person from the State Social Insurance Fund Board or its territorial offices, and the data on persons with temporary working incapacity – from healthcare institutions. The electoral committees may not disseminate these data and shall use them only for compilation and revision of rolls of voters voting at home.

2. Voters who are unable to come to a polling district to vote on an election day may vote early. Early voting shall be organised by a constituency electoral committee. Early voting must take place from 8 am to 8 pm on the Wednesday and Thursday preceding an election day in the

premises which are prepared in advance, suitable for voting and located in the building in which the workplace of the mayor (director of the administration) of the municipality in the territory of which a polling district is situated. If a constituency comprises the territories of several municipalities, early voting shall be organised in all those municipalities. For issuing and collecting ballot papers and postal voting envelopes during early voting the chairman of an electoral committee of a constituency shall appoint not less than two members of a constituency electoral committee or polling district committee who may not be proposed by the same political party. The chairman of a constituency electoral committee or by order of the said chairman – a member of the constituency committee shall supervise early voting. The chairman of the Central Electoral Commission, a member of this Commission authorized by its chairman or the chairman of a constituency electoral committee, upon having established in accordance with the procedure laid down by the Central Electoral Commission the cases of electoral bribery, giving somebody a ride to a voting place, encouraging to vote for consideration or other serious violations of electoral rights, must suspend early voting until the violations are eliminated and it is possible to freely and democratically hold the elections pursuant to the requirements of this Law.

3. When run-off or by-elections to the Seimas are held not in all single-member constituencies formed in the Republic of Lithuania, early voting shall be organized in these constituencies according to the procedure laid down in paragraph 2 of this Article. In other constituencies voters may vote early in central post offices of counties in accordance with the procedure laid down by the Central Electoral Commission.

4. Voters' requests for voting at home shall be submitted to polling district committees. The committees shall begin to accept requests of voters, residing within the territory of a concrete polling district, for voting at home by handing roll cards to such voters and end accepting the requests on the Wednesday preceding an election day. The committees shall end accepting requests of voters, who temporarily stay within the territory of a concrete polling district and have not been entered on the roll of voters of this polling district, for voting at home on the Tuesday preceding an election day. A voter, who because of his physical disability is unable to fill in a request for voting at home or to hand it to a polling district committee, may authorise his family member, neighbour or a person who takes care of him, or an electoral committee member to carry out the said actions for him. These persons shall sign the voter's request and indicate their name, surname and personal number.

5. On the Thursday preceding an election day a polling district committee shall draw up and approve a roll of voters voting at home who are entered on the electoral roll of that polling district. On the Wednesday preceding an election day a constituency electoral committee shall draw up and approve a roll of voters who reside or temporarily stay within the territory of a

concrete polling district but have been entered on the electoral roll of another polling district and have not been entered on the electoral roll of this polling district when revising them.

6. On the Friday or Saturday preceding an election day, from 8 am till 8 pm at least two members of a polling district committee shall deliver postal voting envelopes and ballot papers to the homes of the voters who have been entered on the roll of the polling district voters voting at home and who are the voters of this polling district. On the Thursday preceding an election day at least two members of a constituency electoral committee or, by order of its chairman, at least two members of a polling district committee shall deliver postal voting envelopes and ballot papers to the homes of the voters who have been entered on the roll of the constituency voters who vote at home, but who have not been entered on the electoral roll of the polling district within the territory of which they temporarily stay. Voting at home and early voting may be observed by election observers who have a certificate to observe elections in any polling district of this constituency. After the end of voting, sealed return envelopes shall be transferred to the constituency electoral committee which transfers them to polling districts together with election documents of the voters who have voted by post. The rolls of voter who have voted at home and early, ballot papers which have not been used shall be including into an accounting and stored by an electoral committee which has organised the voting, and after the end of elections they shall be transferred together with other election documents to an appropriate constituency committee or the Central Electoral Commission.

7. A concrete schedule of electoral committee members' coming to the homes of voters shall be approved by the chairman of a polling district committee or a constituency electoral committee not later than, respectively, on the Thursday or Wednesday preceding the noon of an election day. This schedule shall be public; its copy shall be posted up on the billboard of the polling district (constituency electoral) committee on the day of approval. Only the electoral committee members and election observers proposed by the different political parties may come together to the homes of the voters.

8. The provisions of paragraphs 6 and 7 of Article 67 of this Law shall apply to voting at home and early voting.

9. The sealed return envelope (with the poll card, ballot paper envelope and ballot papers in it) the voter shall hand to a member of the polling district (constituency electoral) committee. Upon having received the return envelope handed by the voter, the abovementioned committee member shall seal it with a special mark in the presence of the voter and give the voter a receipt confirming the acceptance of this envelope.

10. It shall be prohibited to exert influence on the determination of a voter who votes at home or to hasten his voting. Committee members and observers shall be prohibited from

carrying out the actions for a voter, referred to in paragraphs 6 and 7 of Article 67 of this Law, as well as from accepting an unsealed return envelope from a voter. Voters shall be prohibited from taking out ballot papers or giving them to other persons.

**Article 68. Organisation of Polls in Diplomatic Missions, Consular Posts and on Ships of the Republic of Lithuania**

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

2. Voting commissions shall consist of chairman and at least two members. They shall be set up in a diplomatic mission or consular post of the Republic of Lithuania by its head from the employees of the diplomatic mission or consular post of the Republic of Lithuania, or from other citizens of the Republic of Lithuania residing in a foreign country. The procedure for giving written pledges by commission members shall be laid down by the Central Electoral Commission.

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

4. The procedure for voting, vote counting and submitting of records to the Central Electoral Commission, as well as the procedure for handing certificates of election observers shall be laid down by the Central Electoral Commission.

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

6. In diplomatic missions, consular posts of the Republic of Lithuania their heads and on ship their captains – citizens of the Republic of Lithuania shall be responsible for organizing voting, submitting to the Central Electoral Commission the records and other documents defined by it.

7. Voting shall not be organised on the ships on which there are no conditions to organize voting pursuant to the requirements of this Law.

**Article 69. Polls Held on Ships**

1. Voters (ship’s crew and passengers) who are aboard a ship, if they left from a port of the Republic of Lithuania not later than four days prior to an election day and have not returned until the election day, or in the presence of other circumstances because of which they cannot

vote in their polling district, by post, in a diplomatic mission or consular post of the Republic of Lithuania, shall have the right to vote on the ship.

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

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

**Article 70. Polls in Diplomatic Missions and Consular Posts of the Republic of Lithuania**

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

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

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

**Article 71. Polls in Healthcare Facilities (Except Outpatient) as well as in Institutions of Social Guardianship and Care**

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

2. A constituency electoral committee shall, not later than 15 days prior to an election day and upon the recommendation of the heads of the institutions specified in paragraph 1 of this Article, draw up a list of special post offices and, upon the recommendation of the head of the post office, set such working hours of the post offices that the days of voting in them would be in compliance with paragraph 1 of Article 67 of this Law.

3. The heads of the institutions referred to in paragraph 1 of this Article shall draw up a list of voters voting in a special post office. The following must be indicated in such list: voter's name and surname, personal number, constituency (name and number), whether or not a voter has a poll card. The head of the institution shall transfer a list of voters voting in a special post office to a constituency electoral committee, receive poll cards from it or print them according to the date received via electronic means of communication and ensure the delivery of the cards to voters, allot the premises suitable for voting, and be responsible that the voters would be notified about the working place and time of a special post office, and that the conditions would be created for voters to reach it.

4. Voters who are able to move shall vote themselves in accordance with the procedure set forth in paragraphs 6 and 8 of Article 67 of this Law. Voters who are unable to move shall be visited by at least 2 polling district committee members, election observers (should they wish) and employees of special post offices.

5. If because of the disabilities a voter is unable to vote himself, he may entrust another person to vote for him. Such person must mark the ballot papers in the presence of the voter according to his instructions and preserve the secrecy of voting.

6. Committee members, employees of a special post office and election observers shall be prohibited from carrying out the actions related to voting, as well as from accepting from the voter a return envelope which is not sealed.

7. It shall be prohibited to exert influence upon a voter, his self-determination or to rush him to vote.

#### **Article 72. Polls in Military Units**

1. Voters performing mandatory military shall be entitled to vote in the military units where they serve. Voters who perform active military service, civil service or work under the employment contract in international military operations abroad, shall be entitled to vote in military units stationed abroad, which participate in those international military operations. The time and procedure for voting in military units stationed abroad shall be laid down by the Central Electoral Commission on the recommendation of the Minister of National Defence.

2. A constituency electoral committee shall, not later than 15 days prior to an election day and upon the recommendation of the commanders of military units stationed in the territory of the Republic of Lithuania, draw up a list of special post offices and, upon the recommendation of the head of the post office, set such working hours of the post offices that the days of voting in them would be in compliance with paragraph 1 of Article 67 of this Law.

3. The commanders of military units shall draw up a list of voters voting in a special post office. The following must be indicated in a list of voters voting in a special post office: voter's name and surname, personal number, constituency (name and number), whether or not a voter has a poll card. The commander of a military unit shall transfer a list of voters voting in a special post office to a constituency electoral committee, receive poll cards from it or print them according to the date received via electronic means of communication and ensure the delivery of the cards to voters, allot the premises suitable for voting, and be responsible that the voters would be notified about the working place and time of a special post office, and that the conditions would be created for voters to reach it. In it is impossible to set a special post office or to ensure that voters will be able to properly carry out actions related to voting, the commanders of military units (with the exception of the commanders of military units stationed abroad) shall create conditions for voters to go to another special post office for voting or on the election day to travel to a polling district on the electoral roll of which they have been entered.

4. The provisions of Article 67 of this Law shall apply to voting in military units.

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

### **Article 73. Polls in Penal Institutions**

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

2. A constituency electoral committee shall, not later than 15 days prior to an election day and upon the recommendation of the heads of penal institutions, draw up a list of special post offices and, upon the recommendation of the head of the post office, set such working hours of the post offices that the days of voting in them would be in compliance with paragraph 1 of Article 67 of this Law.

3. The heads of penal institutions shall draw up a list of voters voting in a special post office. The following must be indicated in such a list: voter's name and surname, personal number, constituency (name and number), whether or not a voter has a poll card. The head of a penal institution shall transfer a list of voters voting in a special post office to a constituency electoral committee, receive poll cards from it or print them according to the date received via electronic means of communication and ensure the delivery of the cards to voters before voting, allot the premises suitable for voting, and be responsible that the voters would be notified about the working place and time of a special post office, and that the conditions would be created for voters to reach it.

4. The provisions of Article 67 of this Law shall apply to voting in penal institutions.

5. The provisions of this Article and Article 67 of this Law shall apply to voting in arrest houses, remand prisons (detention facilities).

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

## **CHAPTER X COUNTING OF VOTES**

### **Article 74. Counting of Postal Voting Envelopes and Ballot Papers**

1. The procedure for counting postal voting envelopes and ballot papers in the Republic of Lithuania shall be laid down and this accounting shall be administered by the Central Electoral Commission.

2. Accounting of postal voting envelopes and ballot papers, their issuing and acceptance when voting shall be managed by the heads of the appropriate post offices. The head of the post office shall indicate accounting data in a journal specially designated for this purpose. Accounting of postal voting envelopes and ballot papers used when voting in military units stationed abroad, their issuing and acceptance shall be managed by the commanders of those military units. The commanders of the military units shall transfer to the Central Electoral Commission the accounting data on election documents, unused postal voting envelopes, ballot papers and postal voting envelopes with ballot papers filled in by voters. The Central Electoral Commission shall, not later than until an election day, transfer the received postal voting envelopes with ballot papers filled in by voters to an electoral committee of the polling district on the electoral roll of which a voter has been entered.

3. The post office head or a person authorised by him shall deliver unused postal voting envelopes, receipts confirming the acceptance of the envelopes, special marks and ballot papers to the constituency electoral committee one day prior to an election day.

4. The heads of post offices or persons authorised by them shall deliver postal voting envelopes containing ballot papers marked by voters to constituency electoral committees on the election day, but not later than until 11 am, and the constituency electoral committees shall deliver them to polling district committees before the closing of the polls.

5. Return envelopes, unused and damaged ballot papers of voters who voted on the Thursday preceding an election day, shall be transferred to a constituency electoral committee by the members of the electoral committees who went to the voters voting at home pursuant to the provisions of Article 67<sup>1</sup> of this Law. The constituency electoral committee shall not later than on the Friday preceding an election day transfer return envelopes to a post office.

6. Return envelopes, unused and damaged ballot papers of voters who voted on the Friday or Saturday preceding an election day, shall be transferred to the chairman of a polling district committee before 9 pm of the same day. Having checked the received election papers, the polling district committee shall decide whether or not voting at home has met the requirements of this Law.

7. Return envelopes shall be kept together with ballot papers.

8. Before starting to count the votes, return envelopes of voters who voted by post shall be put together with return envelopes of voters who voted at home, mixed and counted together according to Article 78 of this Law and in the same manner as the votes received by post.

#### **Article 75. Organisation of Work of a Polling District Electoral Committee Concerning Vote Counting**

1. The chairman of the polling district electoral committee shall organise and direct vote counting in the committee. His instructions when counting votes shall be mandatory and all persons present in the polling station must adhere to them. He must ensure that votes would be counted in accordance with the established procedure and shall have the right to warn any person present in the polling station if he hinders the committee in its work or does not perform his duties properly. The committee chairman shall publicly announce such a decision. The decision shall be entered into the vote counting record, and shall be signed by the committee chairman. The decision must be enforced without delay, and if necessary, the electoral committee may consider it only after the vote counting record has been signed.

2. The data which are entered into the record must be publicly announced in such a manner that all the persons participating in vote counting would hear them. If the validity of the ballot paper or the meaning of the marks in it raise doubts, the committee chairman shall present it to the committee members and shall announce voting concerning its evaluation (if there are several such ballot papers, he shall produce them one by one). The results of this voting shall be entered on the empty side of the ballot paper.

#### **Article 76. Keeping of Records of Ballot Papers in Polling Stations**

1. Upon closing the polling station, the chairman of the polling district electoral committee, in the presence of at least 3/5 of the members of the electoral committee, shall seal and stamp the ballot box slot.

2. Unused ballot papers shall be individually collected from each member of the polling district electoral committee, shall be counted publicly, the number of them shall be entered into the vote counting record. According to signatures in the electoral roll, arrival cards, ballot papers

which have been spoiled by voters and returned to be exchanged for blank ballot papers it shall be inspected if a committee member has handed all ballot papers lawfully.

3. The electoral committee shall count the unused and spoiled ballot papers publicly; annul them by cutting off the upper right corner; put them into the envelopes specially designated for this purpose and seal these envelopes. The number of unused or spoiled ballot papers shall be entered in the vote counting record.

**Article 77. Counting of Votes of the Voters who Have Voted in the Polling Station of the Polling District**

1. The polling district electoral committee, in the presence of at least  $\frac{3}{5}$  of its members, shall inspect the ballot box of the polling station whether the seals have not been broken and whether there are no other evidences which indicate that it could have been opened or that ballot papers could have been removed in any other way. The electoral committee, in the presence of at least  $\frac{3}{5}$  of its members, shall decide if the ballot box has been tampered with. If the committee decides that the ballot box was tampered with, an act shall be drawn up about this, the ballot box shall be packed up, the package shall be put under seal and votes shall not be counted. The ballot box shall be delivered to the constituency electoral committee. The decision concerning counting of votes of this ballot box shall be adopted by the constituency electoral committee.

2. Having ascertained that the ballot box has not been tampered with, in the presence of at least  $\frac{3}{5}$  of the members of the polling district committee as well as observers, it shall be opened, all ballot papers shall be placed on tables on which there are no other documents and writing materials (except black lead pencils), and the committee shall start counting votes. Ballot papers shall be sorted out according to constituencies (single-member and multi-member), then - into valid and invalid ballot papers. Valid ballot papers shall be divided into groups according to the marks made in them by voters. Each group of ballot papers must be recounted at least two times. For the second time ballot papers must be counted by other members of the committee. Ballot papers which do not hold necessary attributes (irregular ballot papers, unsealed or sealed with a seal of another electoral committee, etc.) must, if found, be separated from the rest of the ballot papers. The constituency electoral committee shall be immediately informed about such ballot papers and such fact must be entered into the vote counting record of the polling district. Counting results must be announced and entered into the record, counted ballot papers put into a special envelope (envelopes) which is sealed and safeguarded. After the electoral committee establishes how many votes have been cast by voters who voted in the polling station of the polling district for lists of candidates in the multi-member constituency and

for candidates in single-member constituencies, counting of votes received by post shall commence.

3. Ballot papers from the marking whereof it is possible to establish which list of candidates a voter voted for, but it is impossible to establish what kind of opinion he expressed regarding the candidates from the list he voted for, may not be declared invalid only because of this reason. If a voter has not indicated the election number of a candidate in the ballot paper, indicated a non-existing election number of a candidate, as well as when it is impossible to define voter's will from the inscription or inscriptions, preference vote or votes in the special space (spaces) of the second part of this ballot paper shall not be counted. If the election number of the same candidate is written down two or three times, only one vote shall be counted in accordance with this ballot paper.

4. A decision regarding the declaration of a ballot paper invalid or in the presence of dispute between committee members concerning the assessment of marks in the ballot paper shall be adopted by the electoral committee by way of voting. The result of such voting shall be indicated on the other side of the ballot paper.

5. Votes shall be counted in such a way that this procedure, marks of voters in the ballot papers may be observed by all the persons present during the counting of votes, and they would be able to make sure that votes are counted justly and fairly. The committee must recount the votes if at least one committee member or observer requests so before the signing of the vote counting record.

6. The Central Electoral Commission shall establish the concrete procedure for the counting of ballot papers and votes not later than 14 days before the election.

**Article 78. Keeping of the Records of Voters who Have Voted by Envelopes and the Counting of their Votes and Preference Votes for the Candidate**

1. After the counting of ballot papers found in the ballot box, ballot papers received by post shall be calculated in the following procedure:

1) the chairman of the polling district committee presents, unopened, all return envelopes received by post, i.e. postal voting envelopes of voters of this polling district who have voted at home and postal voting envelopes of voters who have voted early, received from the constituency electoral committee. The number of these return envelopes shall be announced and entered in the vote counting record;

2) return envelopes are opened one at a time;

3) a poll card is taken out of the return envelope, the voter's surname and the number of the poll card is read aloud, these data are checked against the electoral roll of the polling district,

and in the polling districts which are connected to the electronic electoral roll via electronic means of communication – also against the data of such roll. The ballot paper envelope shall be stamped with the seal of the polling district. If the person entered on the poll card enclosed in the return envelope is not on the electoral roll of this polling district; or if the voter has already signed the electoral roll indicating that he has already voted in the polling district; or if the electoral roll indicates that a consent is given for this person to vote in another polling district, or if another postal voting envelope has been received from the same voter; or if there is no or more than one poll card in the return envelope, or if there is more than one ballot paper envelope in the return envelope – such a postal voting envelope shall be recognised as inappropriate. The seal shall not be affixed on the ballot paper envelope (envelopes) enclosed in the return envelope which is recognised as inappropriate, the ballot paper envelope shall be crossed through, the word “Invalid” shall be written down on it and the reason for recognising the envelope as inappropriate shall be indicated. The ballot paper (ballot papers) enclosed in such a ballot paper envelope shall be invalid and the envelope shall not be opened. The content of the envelopes recognised as inappropriate shall not be taken into account in the vote counting record of the polling district, however, the number of these envelopes shall be entered;

4) in the electoral roll of the polling district, the words "voted by post" or “VBP” are written by the surname of the voter whose vote has been received by post and at home, while in the electronic roll in the polling districts connected to the electronic electoral roll it is indicated that a voter has voted;

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

6) when all postal voting envelopes have been inspected, the ballot box is opened and the sealed ballot paper envelopes are opened. If there is more than one ballot paper of the single-member and multi-member constituency in the postal voting envelope, all ballot papers in the envelope shall be recognised as invalid. Then the votes received by post shall be counted according to the requirements of Article 77.

2. If only one sealed ballot paper envelope for voting by post is in the polling district (committee), it, in order to protect the secrecy of voting, shall not be opened, and shall be handed over to the electoral committee, which has formed this committee, which shall enter the results of the voting in its vote counting record.

3. After votes cast in a polling station and by post for lists of candidates and candidates have been counted, all data have been entered into the vote counting record of a single-member constituency and the first part of the vote counting record of the multi-member constituency, the record and the first part of the record have been signed by the committee members, chairman and

observers and the polling district committee has announced to the constituency electoral committee that the votes for lists of candidates were counted, the polling district committee may commence counting votes cast for candidates (preference votes). The polling district committee may decide to count preference votes at once or, with the consent of the chairman of the constituency electoral committee, to count them at another time, but not later than within 24 hours. If it is decided to count preference votes at another time, the ballot papers to be counted shall, in a manner prescribed by the Central Electoral Commission, be transferred in a special envelope for safekeeping to the constituency electoral committee. In this case, the constituency electoral committee, after it has accepted election documents from the polling district committee, must adopt one of the following decisions on the counting of preference votes in the ballot papers transferred to it:

1) to return ballot papers and to instruct the polling district committee from which it has got the preference votes to count such votes;

2) to change the decision of the polling district committee from which the election documents have been received, regarding the counting of preference votes and to instruct the committee of another polling district to count preference votes or to count preference votes itself. In this case, the constituency electoral committee must set the place and time of counting preference votes.

4. If the committee counts preference votes next day or recounts ballot papers, it shall, in the presence of at least  $\frac{3}{5}$  of the members, check whether the special envelope (envelopes) has not been opened. If the polling district committee adopts a decision that the envelope has been tampered with or its contents have been changed, an act shall be drawn up concerning this fact, the envelope shall be packed, the package shall be sealed and the votes shall not be counted. The package shall be delivered to the constituency electoral committee. The Central Electoral Commission shall be immediately informed about this. A decision pertaining to the counting of the votes which are in the package shall be adopted by the constituency electoral committee. Upon having ascertained that the envelope has not been tampered with, counting of preference votes shall commence. Information on the time and place of the counting of preference votes as well as in the event when the constituency electoral committee decides to recount ballot papers, must, not later than one hour before the commencement of the counting, be announced on two notice boards: one installed in the building in which the headquarters of the constituency electoral committee is situated, and the other in the premises in which preference votes shall be counted. When counting preference votes, election observers may attend and a police officer must be on duty. All ballot papers shall be put on tables on which there are no other documents and writing materials (except black lead pencils), and the committee shall check if

there are all the ballot papers from which preference votes must be counted. The concrete procedure of preference votes counting shall be established by the Central Electoral Commission not later than seven days prior to elections. Votes must be counted in such a way that such procedure might be observed by all the persons present during the counting of votes and would be able to ascertain that votes are counted fairly and justly. Counted votes shall be recorded in the second part of the vote counting record of the multi-member constituency, ballot papers shall be packed, the package shall be sealed and transferred to the constituency electoral committee.

#### **Article 79. Vote Counting Records of the Polling District**

1. Two vote counting records shall be drawn up in every polling district: one of the single-member constituency and one of the multi-member constituency. The vote counting record of the multi-member constituency shall consist of two parts.

2. The vote counting record of the single-member constituency shall include the following:

- 1) the number of voters in the polling district;
- 2) the number of ballot papers of the single-member constituency received from the constituency electoral committee;
- 3) the number of ballot papers delivered to each member of the committee, the number of ballot papers delivered to voters, the number of voters' signatures, the number of arrival cards, and the number of unused and spoiled ballot papers;
- 4) the number of annulled ballot papers;
- 5) the number of voters who have voted in the polling station of the polling district;
- 6) the time of the opening of the ballot box;
- 7) the number of invalid ballot papers found in the ballot box;
- 8) the number of valid ballot papers found in the ballot box;
- 9) the number of votes found in the ballot box which have been separately cast for each candidate for Seimas member;
- 10) the number of postal voting envelopes of voters who have voted at home, the number of postal voting envelopes of voters who have voted early (the envelopes being received from constituency electoral committees), the number of postal voting envelopes received by post, the total number of return envelopes received by post, the number of sealed ballot paper envelopes, the number of envelopes recognised as inappropriate;
- 11) the number of invalid ballot papers received in postal voting envelopes (ballot papers which are in unsealed and unopened envelopes shall not be counted and shall not be indicated as invalid);

- 12) the number of valid ballot papers received in postal voting envelopes;
  - 13) the number of votes received in postal voting envelopes for each candidate for Seimas member;
  - 14) the total number of voters who participated in the elections in the polling district;
  - 15) the total number of invalid ballot papers in the polling district; and
  - 16) the total number of votes cast for each candidate for Seimas member.
3. The vote counting record of the multi-member constituency shall include the following:
- 1) the number of voters in the polling district;
  - 2) the number of ballot papers of the multi-member constituency received from the constituency electoral committee;
  - 3) the number of ballot papers delivered to each member of the committee, the number of ballot papers delivered to voters, the number of voters' signatures, the number of arrival cards, and the number of unused and spoiled ballot papers;
  - 4) the number of annulled ballot papers;
  - 5) the number of voters who have voted in the polling station of the polling district;
  - 6) the time of the opening of the ballot box;
  - 7) the number of invalid ballot papers found in the ballot box;
  - 8) the number of valid ballot papers found in the ballot box;
  - 9) the number of votes found in the ballot box which have been separately cast for the list of candidates nominated by each party (their coalition);
  - 10) the number of postal voting envelopes of voters who have voted at home, the number of postal voting envelopes of voters who have voted early (the envelopes being received from constituency electoral committees), the total number of return envelopes received by post, the total number of postal voting envelopes, the number of sealed ballot paper envelopes, the number of envelopes recognised as inappropriate;
  - 11) the number of invalid ballot papers received in postal voting envelopes;
  - 12) the number of valid ballot papers received in postal voting envelopes;
  - 13) the number of votes received in postal voting envelopes which have been cast for the list of candidates nominated by each party (their coalition);
  - 14) the total number of voters who have participated in the elections in the polling district;
  - 15) the total number of invalid ballot papers in the polling district; and
  - 16) the total number of votes cast for the list of candidates nominated by each party (their coalition).

4. The number of the voters of the polling district shall be established according to the electoral rolls of the polling district. The number of the voters who have been delivered the ballot papers, shall be established according to the voters' signatures proving that the ballot papers have been received. The number of the voters who have voted in the polling district shall be established according to the number of the ballot papers lawfully delivered to voters by the electoral committee of that polling district and found in the ballot box of the polling station. The total number of the voters who have participated in the election in the polling district shall be established by adding the number of the ballot papers found in the ballot boxes to the number of the ballot papers received by post and counted.

5. If more ballot papers are found in the ballot box than it has been delivered to voters, the committee shall take measures to discover the causes. This shall be entered in the vote counting record, indicating the number of extra ballot papers which were found.

6. After all data have been entered into the single-member constituency vote counting record of the polling district and the first part of the multi-member constituency vote counting record and all ballot papers have been put into sealed packages and the special envelope (envelopes), the vote counting records of the polling district shall be signed by the chairman and members of the polling district committee. After that the election observers shall sign the records. Remarks of the election observers, separate opinions of the members of the polling district committee shall be appended to the respective records and shall be an inseparable part thereof. Extracts or copies of the records shall be presented to election observers and electoral committee members at their request.

7. The second part of the multi-member constituency vote counting record shall contain the following information:

- 1) the number of counted ballot papers;
- 2) the number of ballot papers in which voters have not indicated preference votes;
- 3) the number of preference votes cast for each candidate;
- 4) the sum total of preference votes received by all candidates;
- 5) other vote counting data established by the Central Electoral Commission necessary when checking if the votes cast by the voters have been counted accurately.

8. After all data have been entered into the second part of the polling district vote counting record and all counted ballot papers have been put into sealed packages, this part of the polling district vote counting record shall be signed by the chairman and members of the polling district committee. After that the election observers shall sign the second part of the record. Remarks of the election observers, separate opinions of the members of the polling district committee shall be appended to the second part of the record and shall be an

inseparable part thereof. Extracts or copies of the second part of the record shall be presented to election observers and electoral committee members at their request. If the polling district committee or the constituency electoral committee establishes that the mistake has been made in the data recorded in the first part of the vote counting record, a record shall be drawn up to correct the mistake. The second part of the record and the ballot papers shall be returned to the constituency electoral committee. A decision concerning the mistake shall be adopted by the constituency electoral committee.

### **Article 80. Invalid Ballot Papers**

1. Invalid ballot papers shall be:

- 1) non-standard ballot papers;
- 2) ballot papers sealed with the seal of the electoral committee of the wrong polling district (ballot papers received by post - without the seal of the constituency electoral committee);
- 3) ballot papers of the wrong constituency;
- 4) in a single-member constituency, those ballot papers on which the voter has marked more than one candidate for Seimas member, or has not marked any candidate, or it is impossible to ascertain the voter's will from the mark made thereon; and
- 5) in the multi-member constituency, the ballot papers on which the voter has marked more than one list of candidates or has not marked any list of candidates, or it is impossible to ascertain the voter's will from the mark made thereon.

2. The decision to declare a ballot paper invalid or, in the event of dispute among the committee members as to the assessment of markings on the ballot paper, shall be made by the electoral committee by voting. The voting results shall be indicated on the other side of the ballot paper. If the polling district committee declares the ballot paper invalid in accordance with Subparagraphs 1, 2 or 3 of Paragraph 1 of this Article, it shall immediately inform the constituency electoral committee about this.

### **Article 81. The Presentation of Documents of the Polling District to the Constituency Electoral Committee**

1. The polling district committee shall put all ballot papers, as well as invalid and unused ballot papers, other election documents into packages, inventory them and affix the seal to them in the manner prescribed by the Central Electoral Commission. The packages shall be delivered together with the vote counting record and its annexes, electoral rolls, records of the polling district committee and financial documentation for the whole period of its work to the

constituency electoral committee within 12 hours of the closing of the polls, unless the Central Electoral Commission provides otherwise.

2. The Central Electoral Commission and the Ministry of the Interior must ensure the safety of transportation of the election documents and the persons transporting them.

**Article 82. The Counting of Votes in the Constituency Electoral Committee**

1. The constituency electoral committee shall accept the documents delivered by the polling district committee and shall check:

1) whether all required documents (packages and special envelopes with ballot papers) have been delivered;

2) sealing and descriptions of the packages (whether the description is full and correct);

3) whether all data have been entered in the vote counting records; if they do not contradict one another; if they correspond to the data available to the constituency electoral committee (the number of ballot papers issued to the polling district committee, the number of voters, the number of return envelopes, data on the votes cast by voters for lists of candidates, which are indicated in the first and second parts of the multi-member constituency vote counting record, etc.); if there are all necessary signatures; whether all separate opinions of the committee members, remarks of observers are attached to the record in which they are specified;

4) whether all remarks and complaints of voters have been considered in the polling district committee.

2. The constituency electoral committee shall immediately report the data of the vote counting record, its comments concerning the documents submitted by the polling district committee to the Central Electoral Commission in the manner prescribed by it, and shall ensure the safety of submitted documents.

3. The packages sealed by the polling district committees, which contain ballot papers or other election documents, may be opened in the constituency electoral committee only by decision of the constituency electoral committee. The constituency electoral committee may recount the ballot papers of the polling district committee or instruct the polling district committee from which it has received the ballot papers to recount the said ballot papers, or instruct another polling district committee to recount the ballot papers. When recounting ballot papers, electoral committees must act in compliance with paragraph 4 of Article 78 of this Law. The constituency electoral committee must, in the case specified in paragraphs 6 and 7 of this Article, adopt a decision to recount ballot papers of all or only some polling district electoral committees.

4. Upon establishing deficiencies of the documents submitted by the polling district electoral committee, the constituency electoral committee shall take measures to eliminate the deficiencies, request the chairman of the polling district electoral committee to submit the missing documents.

5. The constituency electoral committee shall count the votes in the following manner: it shall sum up the figures submitted by polling district electoral committees and shall add to them the votes cast by the voters by post or at home, which have been counted in the constituency electoral committee.

6. The constituency electoral committee must adopt a decision to recount ballot papers of all the polling districts of a single-member constituency when, prior to the signing of the vote counting record, this has been requested by at least one member of the committee, a representative of a party or a candidate, and when the difference between the votes for the candidates who came first or second in this single-member constituency in accordance with the preliminary election results, is less than 50.

7. The constituency electoral committee shall, in accordance with the procedure laid down by the Central Electoral Commission shall select by lot a polling district or polling districts, there – a list of candidates or lists of candidates for which votes have been cast and the preference votes received for the candidates of which must be recounted, and shall organize the recounting of the votes. After the recounting of the votes a vote counting record of the polling district shall be drawn up. If the recounting of the votes establishes that the vote counting results are other than those established by the polling district committee, all votes cast by the voters of that polling district shall be recounted.

### **Article 83. The Presentation of Vote Counting Documents of the Constituency to the Central Electoral Commission**

All documents (except financial documentation) received from polling districts, electoral rolls, the vote the counting record of the constituency, the records of the constituency electoral committee for the whole period of the activities and other election documents shall be put into special packages and sealed by the constituency electoral committee. The packages shall be delivered to the Central Electoral Commission within the time period established by the Central Electoral Commission.

### **Article 84. The Participation of Observers in the Counting of Votes and Establishment of Election Results**

1. The election observers and also representatives of the mass media may participate in the counting of votes in polling districts and constituencies, and also in the establishment of election results in constituencies.

2. The observers shall have the right to make remarks and claims to the electoral committees concerning the violations of this and other laws of the Republic of Lithuania, but they must not hinder the work of electoral committees. The observers shall have the right to make a written protest to the polling district committee, which is appended to the vote counting record of the polling district and delivered to the constituency electoral committee together with other election documents of the polling district. The protest of the election observer to the constituency electoral committee shall be appended to the constituency vote counting record. The protests shall be considered by that electoral committee to whom they have been filed.

#### **Article 85. Announcement of the Preliminary Election Results**

1. Preliminary election results may be announced only by the Central Electoral Commission. If the constituency electoral committee delivers the preliminary data of the election results in all polling districts, the Central Electoral Commission must immediately prepare a report to the mass media. This report shall be announced in the Internet in the first place.

2. The representatives of the mass media shall be prohibited from disseminating the information about the vote counting or election results by video or sound recording equipment, orally, in writing, or otherwise, until the report of the Central Electoral Commission.

#### **Article 86. Complaints against the Decisions of Electoral Committees which Have Been Adopted after Closing of the Polls**

1. Parties which have nominated a candidate for Seimas member, candidates for Seimas member, their representatives for elections, election observers may appeal against the decisions of polling district electoral committees concerning the drawing up of vote counting records to the constituency electoral committee not later than within 24 hours of their drawing up. These complaints must be investigated no later than within 24 hours.

2. Decisions of the constituency electoral committee concerning vote counting records may be appealed against to the Central Electoral Commission no later than within 72 hours following their drawing-up and must be considered before the proclamation of final election results.

#### **Version valid from 1 September 2015:**

2. Decisions of the constituency electoral committee concerning vote counting records may be appealed against to the Central Electoral Commission no later than within 72 hours

following their drawing-up and must be considered before the proclamation of final election results.

3. While investigating complaints against the decisions of polling district electoral committees concerning the drawing up of vote counting records, constituency electoral committees, in the presence of at least 3/5 of the committee members, may recount ballot papers which are presented by the polling district electoral committee, and, in the event of an arithmetical error in the records, incorrectly calculated valid and invalid ballot papers, the committees shall draw up an additional vote counting record of the polling district and attach it to the vote counting record of the polling district. The constituency electoral committee shall not have the right to nullify the vote counting records of the polling district electoral committee.

4. While investigating the complaint against the decision of the constituency electoral committee concerning the drawing up of the vote counting record of the constituency, the Central Electoral Commission may recount ballot papers which are presented by the constituency electoral committee, and, in the event of an arithmetical error in the record, incorrectly calculated valid or invalid ballot papers, shall draw up an additional vote counting record of the constituency, the polling district and attach it to the vote counting record of the constituency.

5. Parties, political organisations which have nominated candidates for Seimas member, as well as candidates for Seimas member, may appeal against the decisions of the Central Electoral Committee or against the refusal of the Central Electoral Commission to investigate complaints about the violations of the Law on Elections not later than within 24 hours after the official announcement of the election results, to the Seimas or the President of the Republic. In such cases, the Seimas or President of the Republic shall, not later than within 48 hours, appeal to the Constitutional Court with the inquiry concerning the violation of the Law in Elections to the Seimas.

**Version valid from 1 September 2015:**

5. Parties which have nominated candidates for Seimas member as well as candidates for Seimas member may appeal against the decisions of the Central Electoral Committee or against the refusal of the Central Electoral Commission to investigate complaints about the violations of the Law on Elections not later than within 24 hours after the announcement of the official final election results, to the Seimas or the President of the Republic. In such cases, the Seimas or President of the Republic shall, not later than within 48 hours, appeal to the Constitutional Court with the inquiry concerning the violation of the Law in Elections to the Seimas.

### **Article 87. Constituency Vote Counting Records**

1. In accordance with vote counting records of polling districts and where necessary - also in accordance with ballot papers and other election documents the constituency electoral committee shall establish and include in the constituency vote counting records the following:

- 1) the number of voters who have participated in the elections in the constituency;
- 2) the number of voters who have participated in the elections, by separately specifying those who have participated in the single-member constituency and in that part of the multi-member constituency which this single-member constituency constitutes;
- 3) the number of invalid ballot papers as well as the data established by the Central Electoral Commission which is necessary when checking if the votes cast by voters have been accurately counted, the final accounting results of ballot papers, return envelopes and ballot paper envelopes, blanks, seals used in elections;
- 4) the number of ballot papers valid and invalid in the constituency ;
- 5) the number of votes cast for each candidate for Seimas member in the single-member constituency;
- 6) the number of votes cast for each list of candidates in that part of the multi-member constituency which this single-member constituency constitutes;
- 7) the number of preference votes cast for each candidate in that part of the multi-member constituency which this single-member constituency constitutes.

2. The chairman and the members of the constituency electoral committee shall sign the constituency vote counting record after having considered the separate opinions of the members of the electoral committees of the polling districts, remarks of election observers and complaints of voters. An extract or a copy of the constituency vote counting record shall be presented to election observers and committee members at their request. The constituency electoral committee may recommend the Central Electoral Commission to declare the election in the constituency invalid.

## **CHAPTER XI**

### **ESTABLISHMENT AND ANNOUNCEMENT OF ELECTION RESULTS**

#### **Article 88. The Establishment of Election Results in Single-member Constituencies**

1. The election results shall be established by the Central Electoral Commission after having investigated all complaints and established all election results in this constituency, including of the votes cast by the voters who have voted on ships and abroad.

2. A candidate shall be considered elected in a single-member constituency, if the not less than 40 percent of the voters from the electoral roll of that constituency have participated in the elections, and the said candidate has received more than half of votes cast by the voters who have participated in the elections. If less than 40 percent of the voters from the electoral roll of that constituency have participated in the elections, the candidate who have received the majority, but not less than one-fifth of the votes of all the voters from the electoral roll of that constituency, shall be considered to have been elected.

3. If more than two candidates have participated in the elections and a Seimas member has not been elected pursuant to paragraph 2 of this Article, run-off voting shall be held after two weeks, in which two candidates who have received the majority of votes shall participate in the said poll. A date of the run-off voting shall be announced by the Central Electoral Commission together with the election results. A candidate who has received more votes, regardless of the number of voters who participated in the elections, shall be considered to have been elected at the run-off voting. In the event of a tie, a candidate who received more votes during the initial poll shall be elected Seimas member. If both candidates received an equal amount of votes during the initial poll, a candidate shall become Seimas member by drawing lots.

4. If one or two candidates participated in the elections and a Seimas member has not been elected pursuant to paragraph 2 of this Article, the elections shall be considered not to have been held and rerun elections shall be held.

### **Article 89. The Establishment of the Election Results in the Multi-member Constituency**

1. The elections shall be considered to have been held in the multi-member constituency if more than one fourth of all voters have participate in them.

2. The list candidates of the party may receive mandates of Seimas member (takes part in the distribution of mandates) only if not less than 5 percent of the voters participating in the elections voted for it. The joint list of candidates, drawn up in accordance with Article 43 of this Law, may receive mandates of Seimas member (takes part in the distribution of mandates) provided that not less than 7 percent of the voters who participated in the election have voted for it. If less than 60 percent of all voters who participated in the election have voted for the lists, taking part in the distribution of mandates, the list ( lists if an equal amount of votes has been cast for them), which has not taken part in the distribution of mandates up till then, for whom the majority of voters have voted shall acquire the right to take part in the distribution of mandates. The number of lists of candidates which have the right to participate in the distribution of mandates shall be further increased in the same manner until not less than 60 percent of all the

voters who participated in the election shall have voted for the lists of candidates participating in the distribution of mandates.

3. Mandates for lists of candidates shall be distributed according to the number of votes received by each of them, applying the method of quotas and remainders.

4. At first, the quota shall be counted, that is, how many votes are needed to receive 1 mandate. It shall be equal to the sum of votes, divided by 70, cast by voters for the lists participating in the distribution of mandates. If when dividing, a remainder is received, 1 shall be added to the quotient.

5. The amount of votes cast for each list shall be divided by the quota. The received integer quotient shall be the number of mandates for each list according to the quota and the remainders of this division shall be used to distribute the remaining mandates according to the remainders. Therefore, all names of the lists shall be written down in succession in which the first follows the last, according to the size of the remainders of the dividing received by the lists, beginning with the largest. If the remainders of two lists are equal, the first written down shall be the list which have received more votes of voters and if these numbers are also equal, the first written down shall be the list which has received more mandates in all single-member constituencies. If the number of mandates is also equal, the first written down shall be the list which possess the smaller election number. The mandates which have not been distributed when distributing by the method of quotas shall be distributed by one to the lists according to the succession, beginning with the list which was written down first.

6. If one of the lists received the larger number of mandates than there were candidates on the list, these mandates would be distributed to other lists, further continuing the dividing thereof by the method of remainders.

7. Candidates of the same list shall receive mandates in the numerical order established by the Central Electoral Commission, which has established the rating of candidates. Those candidates who are elected in single-member constituencies shall be omitted from the list.

8. If the party, coalition submits together with the application documents the request that the rating of their candidates should not be established, voters shall be notified about this in advance, indicating this in a ballot paper and the rating of candidates shall not be counted, and the registered sequence of candidates on the list shall be considered final.

#### **Article 90. Counting of the Rating of Candidates for Seimas Member and Establishment of the Final Order of Succession of the Lists**

1. The Central Electoral Commission shall calculate the rating of candidates for Seimas member and shall establish a final order succession of these lists in accordance with the opinion expressed by voters and preference votes cast.

2. At first, preference votes cast for each candidate in single-member constituencies shall be summed up and the sum total of all the preference votes for each candidate shall be calculated. In the event where the sum total of the candidate's preference votes is bigger than the number of Seimas members who are being elected in the multi-member constituency or such sum is equal to the said number, election rating of the candidate shall be equal to that sum; if it is smaller - election rating of the candidate shall be considered to be equal to zero.

3. The final order of candidates for Seimas member on the lists shall be established according the points of the rating received by each candidate. The first written down in the succession shall be the candidate who has received more points of the rating. In the event that several candidates receive the equal amount of the rating points, then the first written down shall be the candidate whose place on the election list is higher.

4. The final succession of the lists of candidates for Seimas member shall be announced by the Central Electoral Commission on the same day as the results of voting in single-member constituencies.

#### **Article 91. The Declaration of the Election Invalid**

1. The Central Electoral Commission may declare the election results in the constituency null and void, if it has established that severe violations of paragraph 1 of Article 5<sup>1</sup> of this Law or other laws which were committed in the constituency or polling district, the falsification of documents or the loss thereof had an essential influence on the election results, and the following essential results cannot be determined from the vote counting records or other election documents:

1) in a single-member constituency - the candidate who gets a mandate or the candidates who participate in the run-off voting;

2) in the multi-member constituency - the lists of candidates which take part in the distribution of mandates, or the number of mandates due to the list of candidates can be determined at the exactness of only more than one mandate.

2. The election cannot be declared invalid if the indisputably determined election results allow to determine essential election results.

#### **Article 92. Rerun Elections**

1. Rerun elections shall be held in constituencies in which the elections did not take place or were declared invalid.

2. Rerun elections shall be held not later than within half a year, and after the rerun elections which have not been held - not later than within a year.

3. The concrete procedure for holding rerun elections, run-off voting to the Seimas according to the requirements and terms set in this Law shall be established by the Central Electoral Commission taking into consideration the fact that rerun elections, run-off voting are held in one of the single-member constituencies. When establishing the procedure for holding the rerun elections, the Central Electoral Commission cannot change the boundaries of constituencies. The citizens, permanently residing on the territory of a constituency who are aged 18 or over on the day of the rerun elections shall be additionally entered on the electoral roll of this constituency, and only the persons who have lost the right to vote shall be crossed out. The voting shall not be conducted abroad, on ships (with the exception of the case when the voters residing abroad or the crews of ships are entered on the electoral rolls of the constituency in which rerun elections shall be held), in the post offices which are not located on the territory of this constituency (except the central post offices of towns, regions).

4. Rerun elections shall not be held if the election date planned to be announced falls within the period when less than a year remains before the date of the next election to the Seimas, as counted in compliance with the Constitution.

### **Article 93. Establishment and Announcement of Final Election Results**

1. The Central Electoral Commission shall establish final election results after it has investigated all complaints and established all election results in the constituency, including of the voters who have voted on ships and abroad.

2. The Central Electoral Commission shall announce final election results not later than within seven days following the election or the run-off voting. If during the election to a new Seimas the run-off voting is held, the final results in a multi-member constituency shall be announced together with the results of the run-off voting. The Central Electoral Commission shall announce the final results on its website.

3. The Central Electoral Commission shall within three months from the announcement of the final election results issue a book about the election results and shall within four months transfer the vote counting records of polling districts and constituencies, application documents (except the forms for the collection of signatures), minutes of the sittings and the decisions of the Central Electoral Commission, as well as the collection of samples of election documents to the

State Archives for unlimited safekeeping. After that it may decide to destroy the election documents which are not subject to safe keeping.

**Version valid from 1 September 2015:**

**Article 93. Establishment and Proclamation of Final Election Results**

1. The Central Electoral Commission shall establish final election results after it has investigated all complaints and established all election results in the constituency, including of the voters who have voted on ships and abroad. A decision of the Central Electoral Commission taken on the grounds laid down in Article 91 of this Law shall also be considered as the establishment of final election results in the constituency.

2. The Central Electoral Commission shall proclaim final election results not later than within seven days following the polls in the multi-candidate constituency and in the first election round in one-member constituencies. If during the elections to a new Seimas the run-off voting is held, the final results in a multi-member constituency and in those single-candidate constituencies where the run-off voting has been held shall be proclaimed not later than within seven days from the run-off voting. The Central Electoral Commission shall proclaim the final election results on its website.

3. The Central Electoral Commission shall within three months from the proclamation of the final election results issue a book about the election results and shall within four months transfer the vote counting records of polling districts and constituencies, application documents (except the forms for the collection of signatures), minutes of the sittings and the decisions of the Central Electoral Commission, as well as the collection of samples of election documents to the State Archives for unlimited safekeeping. After that the Central Electoral Commission may decide to destroy the election documents which are not subject to safe keeping.

**Article 94. The Certificate of Seimas Member**

1. After the announcement of the election results, the Central Electoral Commission shall issue certificates of Seimas member to the elected candidates within three days.

2. All disputes concerning the non-issuance of the certificate of Seimas member shall, not later than within three days, be settled by the Supreme Administrative Court of Lithuania whose decision shall become effective from the moment of its pronouncement.

**Article 95. Inquiry Concerning the Violation of the Law on Elections to the Seimas**

1. Not later than within three days of the proclamation of the final election results or the announcement of the decision of the Central Electoral Commission concerning the occurring or filling a vacancy in the Seimas, the Seimas of the Republic of Lithuania as well as the President

of the Republic may appeal to the Constitutional Court with the inquiry whether the Law on Elections to the Seimas has been violated.

**Version from 1 September 2015:**

1. The Seimas of the Republic of Lithuania as well as the President of the Republic may, not later than within three days of the announcement of the official final election results in a specific constituency or the official announcement of the decision of the Central Electoral Commission concerning the occurring or filling a vacancy in the Seimas, appeal to the Constitutional Court with the inquiry whether or not the Law on Elections to the Seimas has been violated when organising and holding election in that constituency.

2. The Constitutional Court shall investigate and evaluate the decision of the Central Electoral Committee or its refusal to investigate complaints about the violations of the Law on Elections to the Seimas in those cases when decisions have been adopted or another deed of the Committee has been performed after the closing of the polls.

3. This inquiry shall be investigated by the Constitutional Court not later than within 72 hours of its submission to the Constitutional Court. Non-working days shall be included in this time period.

**Version valid from 1 September 2015:**

3. This inquiry shall be investigated by the Constitutional Court not later than within 120 hours of its submission to the Constitutional Court. Non-working days shall be included in this time period.

4. Basing itself on the findings of the Constitutional Court, the Seimas of the Republic of Lithuania shall adopt the final decision concerning the violation of the Law on Elections to the Seimas.

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

1) to declare the elections in a single-member constituency or multi-member constituency invalid - when, from the vote counting records, it is impossible to establish essential election results; or

2) to establish real essential election results according to the vote counting records or other election documents submitted by electoral committees.

**Version valid from 1 September 2015:**

2) to establish actual essential final election results according to the vote counting records or other election documents submitted by electoral committees.

6. The Seimas shall also pass a resolution on legally and illegally elected Seimas members.

#### **Article 96. Recognition of the Lapse of the Powers of a Seimas Member**

The Central Electoral Commission shall recognise the lapse of the powers of a Seimas member, with the exception of the cases provided for in paragraph 6 of Article 95, not later than within 15 days after the occurrence of a cause for it:

1) upon the death of a Seimas member - according to the data of the Residents' Register of the Republic of Lithuania;

2) upon the resignation of a Seimas member - according to the resignation statement written by the Seimas member himself. The Seimas member must repeat this statement himself during a sitting of the Central Electoral Commission. If because of the health conditions the Seimas member is unable to attend the sitting, the sitting shall be held in the place where the Seimas member is at that time;

3) when the court declares a Seimas member legally incompetent - according to the effective decision of the court;

4) when the Seimas revokes the mandate of Seimas member in accordance with impeachment proceedings - according to the effective resolution of the Seimas;

5) if a Seimas member takes up, or does not resign from, employment which is incompatible with the duties of Seimas member - according to the effective resolution of the Seimas;

6) if a Seimas member loses citizenship of the Republic of Lithuania - according to the effective legal act concerning the loss of citizenship; and

7) if a Seimas member takes an oath in the manner prescribed by the law or takes a conditional oath - according to the effective resolution of the Seimas.

#### **Article 97. Filling a Vacant Seat in the Seimas**

Upon the recognition of the lapse of the powers of a Seimas member, a vacancy occurs in the Seimas. It shall be filled in the following manner:

1) if the former Seimas member was elected in a single-member constituency, by-elections shall be organised in this constituency. By-elections must be held not later than within 6 months. The elections shall not be held if the election date planned to be announced falls within the period when less than a year remains before the date of the next election to the

Seimas, as counted in compliance with the Constitution. The Central Electoral Commission shall establish the concrete procedure for holding by-elections according to the requirements and terms established by this Law, taking into consideration the fact that by-elections are held in one of the single-member constituencies. When establishing the procedure for holding by-elections, the Central Electoral Commission cannot change the boundaries of a constituency. The citizens who permanently reside on the territory of a constituency or who have settled in a constituency and have declared the place of residence in this constituency according to the procedure laid down by the Law on Declaration of the Place of Residence and who are aged 18 or over on the day of the by-elections shall be additionally entered on the electoral roll of this constituency. The persons who have lost the right to vote as well as the citizens who have declared the place of residence not in territory of this constituency shall be crossed out from the electoral roll. The voting shall not be conducted abroad, on ships (with the exception of the case when the voters residing abroad or the crews of ships are entered on the electoral rolls of the constituency in which by-elections are to be held), in the post offices which are not located on the territory of this constituency (except the central post offices of towns, regions);

2) in a multi-member constituency the first candidate, who has not received the mandate of Seimas member, from the list of candidates according to which the former Seimas member was elected to the presently vacant seat shall become a Seimas member. If there are no candidates on this list of candidates who have not received mandates of Seimas member, the mandate of Seimas member shall be transferred to another list according to the sequence of the lists of candidates which was established after the election for the distribution of mandates by the method of remainders, that is to the list following the list which was the last to receive the mandate according to this sequence. So the first candidate, who has not received the mandate, on the list which has newly received a mandate shall become a Seimas member. The Central Electoral Commission must adopt the decision concerning recognition of the mandate of Seimas member for a new Seimas member not later than within seven days after the occurrence of a vacant seat in the Seimas.

**Article 98. Loss of the Mandate of Seimas Member because of the Collaboration with the Special Services of other States, and Earlier Conviction which Has Not Been Disclosed to the Voters**

1. Each candidate for of Seimas member must make a public disclosure of his deliberate collaboration with the special services of other states, provided that he was not thereby carrying out the assignments of the Republic of Lithuania. He shall indicate this fact in the questionnaire for a candidate for Seimas member. An election poster of a candidate for Seimas member, issued

by the Central Electoral Commission, as well as a poster with the list of candidates must contain the following notice beside the surname of the candidate: "Has deliberately and not on the instruction of the Republic of Lithuania collaborated with the special services of another state".

2. If the candidate fails to indicate this and there is a valid court sentence which has established a fact having juridical meaning (or this fact has been confirmed by the candidate himself in the manner prescribed by law) that he with full awareness collaborated with the special services of other states which was not related to carrying out the assignments of the Republic of Lithuania, the Central Electoral Commission shall not register him; where it has already registered him a candidate for Seimas member, the Central Electoral Commission shall immediately cancel his registration as a candidate for Seimas member. If the candidate has not indicated it and after the election to the Seimas his deliberate collaboration with the special services of other states which was not related to carrying out the assignments of the Republic of Lithuania is proved according to the procedure established by law, his Seimas member powers shall be lapse from that day.

3. Each candidate for Seimas member must make a public disclosure that under the conviction of the court of the Republic of Lithuania, which became effective after 11 March 1990, he was found guilty for committing a criminal act or under the effective court conviction was found guilty for committing a serious or a grave crime at any time. He shall indicate this fact in the questionnaire for a candidate for Seimas member, regardless of the fact whether the conviction has expired or has been expunged. When furnishing the abovementioned information, the person must indicate in the questionnaire for a candidate for Seimas member the state (place) of adoption of the conviction (decision), the name of the institution which adopted the said conviction (decision), the date of the adoption of the conviction (decision) as well as the criminal act for the committing of which the person was sentenced. It shall not be necessary to specify the information, if the person was found guilty by the occupation regime's court of a crime against the State. When providing the information referred to in this paragraph, the questionnaire of a candidate for Seimas member shall also specify that the person was found guilty by the court's conviction of the criminal act which has been later decriminalized or that the person was found guilty by a foreign state's court of the act which is not considered to be a crime under the law of the Republic of Lithuania or the prosecution for which is considered to be political persecution. An election poster of a candidate for Seimas member, issued by the Central Electoral Commission, as well as a poster with the list of candidates must contain the following notice beside the name of the candidate: "Has been found guilty of the criminal act by the court's conviction"; such a note shall not be obligatory if the candidate for Seimas member has provided

in the questionnaire the information that he was found guilty by the occupation regime's court of the crime against the State or he has justly indicated that he was found guilty by the decision of the court of the criminal act which was later decriminalized or when the person was found guilty by a foreign state's court of the act which is not considered to be a crime under the law of the Republic of Lithuania, or the prosecution for which is considered to be political persecution.

4. If the candidate has not indicated this fact and there is a sentence of the court of the Republic of Lithuania which came into effect after 11 March 1990 and which found the person guilty for committing a criminal act or there is a court sentence which found the person guilty for committing a serious or a grave crime at any time, the Central Electoral Commission shall not register such person as a candidate for Seimas member, and if the Committee has already registered him, it shall immediately cancel his registration as a candidate for Seimas member. If the candidate failed to disclose this fact and, following the elections to the Seimas, it has been established that there is a sentence of the court of the Republic of Lithuania effective after 11 March 1990 which found the person guilty for committing a criminal act or there is the court sentence which found the person guilty for committing a serious or a grave crime at any time, the Central Electoral Commission shall, within 15 days, submit copies of the court sentence and the questionnaire of a candidate for Seimas member to the Seimas of the Republic of Lithuania for the Seimas to adopt a decision to initiate impeachment proceedings.