

ELECTORAL CODE

Adopted on 26 May 2011

OF THE REPUBLIC OF ARMENIA

PART ONE

SECTION 1

GENERAL PROVISIONS

CHAPTER 1

MAIN PROVISIONS

Article 1. Fundamentals of elections

1. In accordance with the Constitution of the Republic of Armenia, elections of the President as well as to the National Assembly and local self-government bodies of the Republic of Armenia shall be held by secret ballot on the basis of universal, equal, direct suffrage.

2. Within the scope of powers vested in them by law, officials of public administration and local self-government bodies shall be responsible for the legality of preparing, organising, and holding elections.

3. The right of suffrage shall be governed by the Constitution of the Republic of Armenia and this Code.

Article 2. Right to vote

1. Citizens of the Republic of Armenia, having attained the age of eighteen as of the day of voting, shall have the right to vote in the Republic of Armenia. Persons not holding the citizenship of the Republic of Armenia shall have the right to vote at local self-government elections in case of being, prior to the voting day, registered for at least six months in the population register of the community where elections are held.

2. At local self-government elections, the rights and duties prescribed by this Code for citizens of the Republic of Armenia shall also be extended to persons having the right to vote at local self-government elections.

3. Citizens declared by a court judgment as lacking active legal capacity, as well as citizens sentenced — by a court judgment entered into force — to imprisonment and serving the punishment in a penitentiary institution, shall not be entitled to vote and to be elected.

4. Military servicemen undergoing compulsory military service or training musters, arrested or detained persons, as well as citizens not registered in the Republic of Armenia, may not participate in the voting at elections of local self-government bodies and elections to the National Assembly under the majoritarian electoral system.

5. Citizens not registered in the Republic of Armenia shall participate in the voting at national elections (national elections are the elections of the President of the Republic, as well as the elections to the National Assembly under the proportional electoral system) in case of being included in a supplementary list of electors as prescribed by this Code.

Article 3. Equal suffrage

1. Electors shall participate in elections on equal grounds.
2. The State shall provide equal conditions for the exercise of the right of suffrage of electors.
3. Electors shall — irrespective of national origin, race, gender, language, religion, political or other views, social origin, property or other status — have the right to vote and to be elected.

Article 4. Direct suffrage

1. The President of the Republic, deputies of the National Assembly, as well as local self-government bodies, except for the Mayor of Yerevan, shall be elected directly.

Article 5. Secrecy of the ballot

1. Voting shall be secret. Secrecy of the ballot shall be not only the right, but also the duty of an elector. Control over the free expression of the will of a voter shall be prohibited.

Article 6. Publicity of elections

1. Preparations for and holding of elections shall be public.
2. Regulatory decisions of the Central Electoral Commission shall be published in the manner prescribed by the Law of the Republic of Armenia “On legal acts”. After being adopted, the individual decisions of the Central Electoral Commission, and after having received state registration as per the legislation and being filed with the Central Electoral Commission, the

regulatory decisions thereof shall be posted on the Internet website of the Central Electoral Commission on the same day in case of national elections, and by the end of the next working day in case of the other elections. The address of the Central Electoral Commission shall be as follows: www.elections.am.

3. For the purpose of ensuring publicity and transparency of organising and holding elections, raising public awareness, security, protection and smooth operation of the “Elections” automated system, and for proper exercise of the powers vested in electoral commissions by this Code, the latter shall be provided with software and hardware and means of communication, equipment and property.

4. Candidates, political parties (alliances of political parties) running in elections under the proportional electoral system, may, at national elections and elections to the Yerevan Council of Elders, submit their election programmes electronically as prescribed by the Central Electoral Commission, for the purpose of posting them on the Internet website of the Central Electoral Commission. After these programmes are submitted, the Central Electoral Commission shall post them on the Internet website by the end of the next working day.

5. Candidates shall, within five days following the expiry of the time limit prescribed by this Code for the registration of candidates, submit a declaration on their property and income to the relevant electoral commission; candidates for the President of the Republic shall submit also a *curriculum vitae* and a photo.

6. Political parties (political parties included in an alliance of political parties) running in elections under the proportional electoral system shall, within five days following the expiry of the time limit prescribed by this Code for the registration of electoral lists of political parties (alliances of political parties), submit a declaration on the property and funds of the political parties to the Central Electoral Commission.

The forms (also electronic forms for candidates for the President of the Republic, political parties and political parties included in an alliance of political parties) of declarations, the submission procedure thereof, as well as the day when the declaration of property is submitted and the period for which the declaration of income is submitted, shall be defined by the Central Electoral Commission.

7. Declarations of candidates for the President, as well as of political parties shall, within a three-day period after being submitted, be posted on the Internet website of the Central Electoral Commission, whereas carbon copies of the declarations of other candidates shall, on the basis of written application, be provided to members of electoral commissions, proxies, mass media representatives and observers.

8. At elections of the President of the Republic and to the National Assembly, the authorised body maintaining the Register of Electors of the Republic of Armenia, shall, on the thirtieth, twentieth, tenth day and on the day preceding the voting day, publish the total number of the electors included in the Register of Electors of the Republic of Armenia, also mentioning the number of electors included in each supplementary list.

9. Electors shall, in the manner prescribed by this Code, be informed of the composition, locations, working hours of electoral commissions, time limits for submission of applications on inaccuracies in the lists of electors, nomination and registration of candidates, voting day, as well as voting and election results.

10. On the voting day, by 11.30, 14.30, 17.30, and 20.30 precinct electoral commissions shall be obliged to communicate to the constituency electoral commission the number of electors having participated in the voting at the given electoral precinct as of 11.00, 14.00, 17.00 and 20.00 respectively. Constituency electoral commissions shall summarise, publish, and communicate such data to the Central Electoral Commission with the same intervals. At national elections, the Central Electoral Commission shall, at 09:00 of the voting day, publish information on the progress of elections; and from 12:00 to 21:00 it shall, every three hours, publish information as per Marzes [regions] (in Marzes, also as per Marz centres and Marz communities having more than 10 000 electors) and the city of Yerevan on the number of electors having participated in the voting as of the foregoing hour. After the information on the number of electors having participated in the voting is published, it shall be posted on the Internet website of the Commission as per electoral precincts.

11. The Central Electoral Commission shall, not later than the next day following the voting, starting at 00:00, carry out tabulation of voting results as per electoral precincts. The Central Electoral Commission shall finalise the tabulation of preliminary voting results and shall post preliminary election results on the Internet website of the Commission not later than within one hour following the receipt of the latest information from the electoral precinct on the voting results, but not later than within twenty-four hours following the completion of the voting.

12. Proxies, observers, mass media representatives, and, upon the consent or assignment of the chairperson of the superior commission, members of a superior electoral commission, shall be entitled, as prescribed by this Code, to be present at the sittings of electoral commissions, as well as in polling stations during the entire voting process. Proxies, observers, mass media representatives may photograph and videotape the sittings of electoral commission as well as the voting process without violating the principle of secrecy of ballot.

13. In cases referred to in part 10 of this Article, the Central Electoral Commission shall publish the data by live transmission on the Public Radio and Public Television of Armenia, from the seat of the Central Electoral Commission.

CHAPTER 2

LISTS OF ELECTORS

Article 7. Maintaining the Register of Electors, drawing up lists of electors

1. The Register of Electors of the Republic of Armenia is a permanently maintained document which is drawn up as per Marzes and communities.

Citizens of the Republic of Armenia included in the State Population Register of the Republic of Armenia, registered in a community of the Republic of Armenia and having the right of suffrage shall be included in the Register of Electors of the Republic of Armenia.

Citizens having no registration in the Republic of Armenia as well as persons not holding the citizenship of the Republic of Armenia but having the right to vote at elections of self-government bodies, shall not be included in the Register of Electors of the Republic of Armenia, which does not restrict their right to be included in the list of electors.

2. The Register of Electors of the Republic of Armenia shall be maintained, and the list of electors shall be drawn up by the public administration body authorised by the Government of the Republic of Armenia (hereinafter referred to as “the authorised body”) maintaining the State Population Register. The authorised body shall be responsible for maintaining and drawing up as per the requirements of this Code the Register of Electors and the list of electors respectively.

3. Heads of penitentiary institutions and of facilities for holding arrestees, as well as commanders of military units shall also draw up lists of electors in cases and in the manner prescribed by this Code.

4. The authorised body shall, twice a year, in June and November (during the first week), submit the Register of Electors of the Republic of Armenia as per communities, and in case of national elections also as per electoral precincts, at least forty-one days before the voting day, to the Central Electoral Commission in an electronic version, for posting it with a searchable feature on the Internet website of the Central Electoral Commission. The Register of Electors of the Republic of Armenia shall be a permanent and integral part of the Internet website of the Central Electoral Commission.

Article 8. Including electors in the list

1. The list of electors of a community shall be drawn up on the basis of the Register of Electors of the Republic of Armenia as per electoral precincts, which shall include the persons having the right to vote during relevant elections pursuant to Article 2 of this Code.

2. At each election, an elector shall be included only in one list of electors and only once.

At elections of self-government bodies, the citizens, who got registered in that community after the calling of elections, may not be included in the list of electors of the community. The provisions of this paragraph shall not apply to citizens who got registered in that community by virtue of marriage, discharge from military service, release from serving punishment in the form of imprisonment, moving in for the purpose of permanent residence in the Republic of Armenia or acquisition of immovable property in that community.

3. In case of national elections, electors registered in another community shall, not later than seven days before the voting day, file an application with the authorised body or head of its relevant subdivision (hereinafter referred to as “the authorised body”) on temporary withdrawal from the list of electors for the place of his or her registered residence, indicating his or her whereabouts on the voting day. The form of the application shall be established by the Central Electoral Commission.

The authorised body shall, within a three-day period following the receipt of the application, issue a statement to the elector on removing his or her data from the list of electors for the place of his or her registered residence and on including him or her in a supplementary list of electors of the electoral precinct as per his or her whereabouts. The form of the statement shall be established by the Central Electoral Commission.

4. For the purpose of participating in the voting at national elections, electors not registered in the Republic of Armenia, shall, not later than seven days before the voting day, submit an application on including them in the list of electors, indicating the address of the place of residence in the Republic of Armenia on the voting day. The authorised body shall, within a three-day period following the receipt of the application, include the elector in a supplementary list of electors of the closest electoral precinct in his or her place of residence at the voting day and shall issue him or her a statement thereon. The forms of the application and of the statement shall be established by the Central Electoral Commission.

5. At national elections, the Police of the Republic of Armenia shall, by 14:00 not later than four days before the voting day, draw up the list of police officers seconded to electoral precincts on the voting day, indicating in it the last name, first name, and patronymic name, the year, month and day of birth (hereinafter referred to as “the date”), as well as the address of the place of registered residence of the elector. Based on these lists, the authorised body shall remove the police officers from the list of electors of their place of registered residence, and shall, in accordance with the requirements for the lists of electors as stipulated in Article 9 of this Code, draw up a supplementary list of police officers voting in the electoral precinct.

6. At national elections, heads of inpatient facilities shall, by 14:00 not later than five days before the voting day, submit to the authorised body the list of electors on inpatient treatment

and having no possibility to be present at the polling station on their own but willing to participate in the voting, indicating in it the last name, first name, and patronymic name, the date of birth, and the address of the place of registered residence of the electors.

Based on the submitted lists, the authorised body shall remove the electors on inpatient treatment from the list of electors of their place of registered residence, and shall, in accordance with the requirements for the lists of electors as stipulated in Article 9 of this Code, draw up a supplementary list of electors participating in the voting at inpatient facilities.

7. At national elections, military servicemen undergoing compulsory military service or training musters may, in case of being granted a temporary leave from service in accordance with the legislation, be removed from the list of electors of military unit and included in the list of electors of their places of permanent residence, provided that an application on including them in the list of electors is filed within the time limit specified in part 3 of this Article. The form of the application and the list of documents attached thereto shall be established by the Central Electoral Commission.

8. At national elections, military servicemen undergoing compulsory military service, as well as contract servicemen registered in the territory where a military unit is located, members of their families registered within the same territory, who have the right to vote, as well as electors undergoing training musters, shall be included in the list of electors of the military unit.

9. At national elections, the Ministry of Defence of the Republic of Armenia shall, not later than fifty days before the voting day, submit the number of electors registered in military units to the head of community, authorised body and to the Central Electoral Commission, as prescribed by the Central Electoral Commission. The provisions of this part shall also refer to the troops of the National Security and of the Police of the Republic of Armenia.

10. Contract servicemen registered outside the territory of a military unit shall be included in the list of electors of the community under the general procedure.

11. Lists of electors in a remand facility shall be drawn up by the head of the penitentiary institution three days before the voting day.

Article 9. Requirements for the lists of electors

1. Lists of electors shall be drawn up according to the addresses of the places of registration of electors.

2. A list of electors shall include the name of the Marz and of the community, and, in separate columns, the elector's:

(1) record number in the list;

(2) last name, first name, and patronymic name (if the patronymic name is available in the registration documents);

(3) date of birth;

(4) address of the place of registered residence, and, in case the electors are not registered in the Republic of Armenia, the address of the place of residence in the Republic of Armenia on the voting day.

3. The enumeration — referred to in point 1 of part 2 of this Article — in the lists of electors provided to precinct electoral commissions shall be carried out as per electoral precincts; the number of the electoral precinct shall also appear on each sheet of the lists; four more columns shall be provided for the following:

(1) the series and number of elector's identification document (hereinafter referred to as "the number");

(2) the elector's signature;

(3) the individual seal of the commission member responsible for the registration of electors;

(4) additional notes. Additional notes in the list of electors shall be made as prescribed by the Central Electoral Commission.

4. In case of more than one concurrent election, a separate column for elector's signature shall be provided for each poll.

5. The lists of electors shall be drawn up in the form of a book and paginated for up to 1 000 electors, so that each book of the lists of electors provided to an electoral precinct having more than 1 000 electors includes data of approximately equal number of electors. Each page of the list of electors may contain data on maximum twenty electors.

6. The list of electors and the supplementary list of electors prepared by the authorised body in cases prescribed by this Code shall be drawn up, paginated, and each page of the list shall be signed and sealed by the authorised body.

7. The list of electors, prepared in a military unit, penitentiary institution and facility for holding arrestees, shall be drawn up, paginated, and each page of the lists shall be signed and sealed by the commander of military units, heads of penitentiary institution and facility for holding arrestees respectively.

Article 10. Providing lists of electors to electoral commissions and to the person possessing the premises of a polling station

1. The authorised body shall, not later than forty days before the voting day, provide to the person possessing the premises of a polling station one carbon copy of the list of electors containing — on the last page — a statement on the time limits and place of submitting applications on inaccuracies in the lists of electors, on the manner, time and conditions of their consideration, for posting in the polling station. The form of the statement shall be established by the Central Electoral Commission.

2. The authorised body shall, ten days as well as three days before the voting day, provide a statement — according to constituencies and electoral precincts — on the number of electors to the Central Electoral Commission at national elections and elections to the Yerevan Council of Elders, and to the constituency electoral commission — at local self-government elections and by-elections of a deputy of the National Assembly under the majoritarian electoral system.

3. The authorised body shall, two days before the voting day, provide to chairpersons of precinct electoral commissions the lists of electors (including supplementary lists) drawn up by the authorised body as per electoral precincts and the addresses of residential buildings (houses) included in the electoral precinct, in two printed carbon copies (the first carbon copy of the lists of electors including supplementary lists shall be drawn up in the form of a book, and the second carbon copy shall serve for posting in the polling station), as well as the forms necessary for drawing up supplementary lists of electors as provided for in Article 13 of this Code.

4. The authorised body shall, within the time limits prescribed by parts 1 and 3 of this Article, provide the lists of electors in an electronic media to the Central Electoral Commission.

5. The lists of electors registered in a military unit shall be provided to the chairperson of the constituency electoral commission by the commander of the military unit three days before the voting day, in a sealed envelope which shall be opened only on the voting day at the precinct electoral commission.

6. The head of a penitentiary institution shall, two days before the voting day, deliver the list of electors to the chairperson of the precinct electoral commission.

7. At the voting day the head of facility for holding arrestees shall draw up and deliver the list of electors to the member of precinct electoral commission holding the voting through a mobile ballot box in the facility for holding arrestees.

Article 11. Accessibility of the lists of electors

1. The list of electors of the Republic of Armenia, except for the lists drawn up in military units as well as the ones signed by electors, shall be open to the public.

Lists signed by electors shall not be published, and no carbon copy of these lists shall be made, they shall not be photographed and videotaped.

2. At national elections and elections to the Yerevan Council of Elders, the authorised body shall post the list of electors as per electoral precincts on the Internet forty days and two days before the voting day. The lists of electors posted on the Internet as per electoral precincts, must be downloadable.

3. The person possessing the premises of the polling station shall, forty days before the voting day, post the list of electors in the polling station, in a place visible to all.

4. The chairperson of a precinct electoral commission shall, two days before the voting day, post a carbon copy of the list of electors, including the supplementary lists, in the polling station, in a place visible to all. These lists shall remain posted in the polling station till the termination of powers of the precinct electoral commission.

5. Lists of electors registered in military units shall, ten days before the voting day, be posted in military units in a place visible to servicemen.

6. In case of forming more than one electoral precinct in a community, the authorised body shall send notifications to the electors on the voting day, number of the polling station, place and time of voting not later than three days before the voting day.

Article 12. Procedure on submitting applications on eliminating inaccuracies in the lists of electors and considering applications and on correcting the lists of electors

1. Everyone shall be entitled to file, not later than five days before the voting day, an application with the authorised body on eliminating inaccuracies (including those not relating to the personality of the applicant) in the lists of electors. Within five days following the receipt of an application, but not later than four days before the voting day, the authorised body shall, in case of sufficient grounds as prescribed by this Code, make necessary alterations or corrections to the list of electors, informing the applicant thereof in writing.

2. During four days preceding the voting and until the end of the voting, everyone shall have the right to file an application with the authorised body on being included in the list of electors. Decisions concerning applications on being included in the lists shall be delivered within such time frames that enable an elector to participate in the voting.

The form of the statement of the authorised body on not being included in the list of electors, which is submitted to precinct electoral commissions, shall be established by the Central Electoral Commission. Additions to the list of electors, based on a statement of the authorised body on being included in the list of electors, shall be made by a precinct electoral commission on the voting day, by drawing up a supplementary list in the manner prescribed by Article 13 of this Code.

3. Disputes on eliminating inaccuracies in the list of electors and on making additions to the list shall be resolved in the manner and time limits prescribed by the Administrative Procedure Code of the Republic of Armenia. The court shall deliver a judgment on making additions to the lists in the course of three days after the receipt of the application. The court shall deliver a judgment on making additions to the list within the time limits enabling an elector to participate in the voting. The judgment on eliminating inaccuracies in the lists of electors shall be enforced by the authorised body. Additions to the list of electors, based on a judgment on being included in the list of electors, shall be made by a precinct electoral commission on the voting day, by drawing up a supplementary list in the manner prescribed by Article 13 of this Code. The courts, for the purpose of correcting the Register of Electors, shall send the carbon copy of the judgment on including electors in the list of electors to the authorised body for making corresponding alterations in the Register of Electors as well.

4. Electoral commissions shall not be authorised to make, at their own initiative, any alteration, whether correction or addition, to the lists of electors (including supplementary lists), except for correcting misprints and technical errors in the electoral precinct at the voting day as well as in the case prescribed by Article 13 of this Code.

Article 13. Supplementary lists of electors

1. Precinct electoral commissions shall, in the manner prescribed by this Code, draw up a supplementary list of electors.

2. Supplementary lists of electors shall be drawn up in compliance with the requirements for the lists of electors submitted for voting to precinct electoral commissions, by adding one column aimed at indicating the number and date of a court judgment or statement of the authorised body.

3. Each page of a supplementary list of electors drawn up by a precinct electoral commission shall be signed and sealed by the chairperson of the precinct electoral commission. After the end of the voting, the chairperson of the commission shall indicate — at the end of the list — the total number of electors included in the supplementary list.

CHAPTER 3

ELECTORAL PRECINCTS AND POLLING STATIONS

Article 14. Electoral precincts

1. The authorised body shall, not later than forty-five days before the voting day and with the participation of the head of community and a member of the constituency electoral commission, form electoral precincts, taking into account local as well as other conditions, with the aim of creating more favourable conditions for voting.

2. Electoral precincts shall be formed by sequential numbering. The procedure for numbering the electoral precincts shall be established by the Central Electoral Commission.

3. An electoral precinct, at the moment of establishment, shall include not more than 2 000 electors. The number established by this part may be changed in case of correcting the lists of electors and in cases provided for by Article 8 of this Code.

4. An electoral precinct may not include different settlements.

Article 15. Polling station

1. Voting shall be held at a polling station.

2. A polling station must be as close as possible to the residential buildings and houses located in the electoral precinct. A polling station shall be selected so that the smooth voting process is secured. Due to the lack of appropriate buildings and constructions in an electoral precinct — belonging to state or local self-government bodies — the head of community may rent appropriate premises for locating a polling station for the purpose of creating more favourable conditions for electors. The head of community shall be responsible for selecting the location of a polling station, as well as for furnishing a voting room in accordance with the requirements defined by Article 55 of this Code.

3. A polling station may not be located in buildings occupied by state and local self-government bodies, military educational institutions, military formations and health care facilities.

4. At national elections, polling stations shall be formed also in remand facilities.

5. For ensuring the accessibility of the exercise of the right of suffrage by electors with limited physical capacity, local self-government bodies shall undertake appropriate measures in polling stations.

Article 16. Designating a polling station

1. The head of community (also the head of penitentiary institution in cases provided for by this Code) shall, not later than forty-three days before the voting day, designate a polling station. The head of community shall inform thereof the authorised body, the relevant constituency electoral commission and the person possessing the premises of the polling station.

2. In case it is not possible to arrange the voting properly or in case it is not possible to hold it in a polling station, the head of community shall be obliged to change, not later than five days before the voting day and upon the request of the chairperson of the constituency electoral commission, the location of the polling station, and, in exceptional cases (natural disaster, accident, fire or *force majeure*), to change the location of the polling station also on the voting day, upon the consent of the chairperson of the constituency electoral commission.

3. In case of changing the location of a polling station, the head of community shall, without delay, inform the electors thereon.

CHAPTER 4

CONSTITUENCIES

Article 17. Constituencies

1. Constituencies equal to the number of mandates of deputies of the National Assembly under the majoritarian electoral system shall be formed in the territory of the Republic of Armenia.

2. A constituency shall be a unified territory and may not include communities of different Marzes, and in Marzes — non-adjacent settlements. Constituencies of the city of Yerevan may not include other communities.

3. Constituencies shall be formed taking into account the borders of the Marzes, the geographic, topographic, and physical features of the area, availability of means of communication, as well as existing social and other factors.

The number of constituencies formed in each Marz (in the city of Yerevan) shall be defined as follows:

the number of electors of the Marz shall be multiplied by the number of mandates of deputies elected under the majoritarian electoral system, the result shall be divided into the total number of electors included in the Register of Electors of the Republic of Armenia and the round numbers shall be separated, which are considered as the numbers of the constituencies formed in each Marz (in the city of Yerevan). The remaining constituencies shall be distributed as of the

sequence of decimal numbers, according to the one Marz (in the city of Yerevan) one constituency principle. Under the procedure defined by this paragraph, the number of constituencies formed in each Marz (in the city of Yerevan) shall be changed only in case of a change in the number of mandates of deputies of the National Assembly under the majoritarian electoral system.

In each constituency formed in a Marz (in the city of Yerevan), the number of electors must not exceed or be less than ten percent of the ratio of the total number of electors in the Marz (in the city of Yerevan) and the number of constituencies formed in that Marz (in the city of Yerevan).

4. Constituencies shall be formed and numbered by the Central Electoral Commission.

5. At by-elections of a deputy of the National Assembly under the majoritarian electoral system, borders of a constituency shall not be subject to change.

CHAPTER 5

ELECTION CAMPAIGN

Article 18. Main principles of election campaign

1. The period of election campaign shall be the period during which the rules defined by this Code and aimed at ensuring equal opportunities for the candidates, such as on making use of public resources, conducting election campaign, ensuring financial transparency, operate.

The fact that the period of election campaign is fixed shall not restrict the conduct of election campaign during other periods not prohibited by this Code.

The period of election campaign shall start on the seventh day following the last day of the time period defined by this Code and shall expire on the day before the voting day. The campaign during that period shall be hereinafter referred to as election campaign.

The campaign on the voting day and on the preceding day shall be prohibited.

2. The State shall ensure the free conduct of election campaign. It shall be ensured by state and local self-government bodies by providing them with halls and other premises for the purpose of arranging election meetings, meetings of electors with candidates, and other election-related events. These shall, in the manner prescribed by the Central Electoral Commission, be provided to candidates, political parties, alliances of political parties running in elections under the proportional electoral system on equal grounds and free of charge.

3. Not later than twenty days after calling national elections and elections to the Yerevan Council of Elders, the Marzpet [regional governor], the Mayor of Yerevan in Yerevan shall

submit to the Central Electoral Commission the list of those halls and other premises that are provided to candidates and political parties, alliances of political parties running in elections under the proportional electoral system free of charge. This list shall be posted on the Internet website of the Central Electoral Commission.

4. Electors, candidates, political parties, alliances of political parties running in elections under the proportional electoral system shall have the right to conduct — in any manner not prohibited by law — campaign for or against a candidate, a political party, alliance of political parties.

5. After calling elections, candidates, political parties, alliances of political parties running in elections under the proportional electoral system may form election campaign offices. Election campaign offices may not be located in buildings occupied by state and local self-government bodies (except for cases where election campaign offices occupy an area not belonging to such bodies) as well as in buildings where electoral commissions are functioning. Signboards placed on election campaign offices shall not be regarded as print campaign materials within the meaning of this Code, if they do not contain direct appeals to vote for or against a candidate, political party (alliances of political parties), and if the number of such posters does not exceed the number of election precincts formed for the purpose of elections, and if the area that each poster (signboard) occupies does not exceed six square meters.

6. It shall be prohibited to conduct an election campaign and disseminate any type of campaign material by:

(1) state and local self-government bodies as well as state and community servants, pedagogical staff of educational institution when performing their responsibilities;

(2) members of the Constitutional Court, judges, prosecutors, officers of the Police, National Security Service, penitentiary institutions, as well as military servicemen;

(3) members of electoral commissions.

7. During election campaigns as well as the day preceding the voting and on the voting day, candidates, political parties, alliances of political parties shall be prohibited from giving (promising) — in person or via someone else on their behalf, or in any other manner, gratuitously or on preferential conditions — money, food, securities, goods to electors or from providing (promising) services to them. Charitable organisations — whose names may resemble (be associated with) the names of political parties, alliances of political parties, and the names of candidates — may not, during the election campaign, carry out charity activities for communities where elections are held in which those candidates, political parties, alliances of political parties or candidates nominated thereby are running.

8. Candidates, political parties, alliances of political parties running in elections under the proportional electoral system as well as other participants in elections, shall be obliged to observe the established procedure for organising election campaigns. Electoral commissions shall control the observance of the established procedure for election campaigns. In case of a violation of this procedure by candidates, political parties, alliances of political parties running in elections under the proportional electoral system, the commission which has registered the candidate, the electoral list of a political party, alliance of political parties shall apply to the competent authorities in order to prevent them, or apply a warning in respect of a candidate, political party, alliance of political parties which committed the violation, giving a three-day reasonable period for ceasing the violation. In case of a failure to cease the violation within the mentioned period, the commission shall file a claim with a court for repealing the registration of the candidate, the electoral list of the political party, alliance of political parties.

In case of violating the established procedure for election campaign by the candidate, political party, alliance of political parties running in elections under the proportional electoral system, that may essentially affect the results of the elections, the commission having registered the candidate, political party, alliance of political parties shall apply to court for repealing the registration of the candidate, political party, alliance of political parties

9. Arrested or detained candidates shall conduct election campaigns via their proxies during electoral processes. To that end, arrested or detained candidates shall be entitled, during election campaign, to have meetings with up to three proxies representing them for up to two hours a day at the facilities for holding arrestees and remand facilities respectively.

Article 19. Election campaign via mass media

1. Candidates for the President of the Republic and political parties, alliances of political parties running in elections shall have the right to avail themselves — on equal grounds, free of charge as well as for pay — of air time of the Public Radio and Public Television (including by live transmission).

2. For each national election and election to the Yerevan Council of Elders, the Central Electoral Commission shall, on the next day following the expiry of the time limit provided for registration of candidates, lists of political parties, alliances of political parties, establish the manner and schedule for providing free of charge as well as paid air time on Public Radio and Public Television to the candidates for the President of the Republic, the political parties, alliances of political parties running in elections under the proportional electoral system.

3. The Public Radio and Public Television shall be obliged to ensure non-discriminatory conditions for candidates, political parties, alliances of political parties running in elections under the proportional electoral system.

News programmes on the Public Radio and Public Television shall present impartial and unbiased information on election campaign of candidates, political parties, alliances of political parties running in elections under the proportional electoral system.

Not organising activities by a candidate, political parties, alliances of political parties or lack of information on those activities shall not serve as a ground for the mass media not to publish information on the campaign of other election participants.

4. Not later than ten days after calling national elections and elections to the Yerevan Council of Elders, the price per minute of their paid air time shall be publicised through the Public Radio and Public Television, which may not exceed the average cost of commercial advertisement for the last six months preceding the calling of elections and may not be changed till the end of the election campaign.

5. Provisions established in parts 3 to 4 of this Article shall, irrespective of the form of ownership, equally extend also to other radio and television companies exercising terrestrial broadcast transmission, which provide air time to candidates, political parties, alliances of political parties running in elections for conducting campaign.

6. Not later than ten days after calling elections to the National Assembly or by-elections of a deputy under the majoritarian electoral system, regional television companies exercising terrestrial broadcast transmission within the territory of a Marz shall be obliged — for the purpose of providing airtime to candidates for a deputy under the majoritarian electoral system — to publish the price per minute of paid air time, which may not exceed the average cost of commercial advertisement for the last six months preceding the calling of elections and may not be changed till the end of the election campaign.

7. It shall be prohibited to interrupt radio and television programmes on election campaign by advertisements of goods or services.

8. When exercising terrestrial broadcast transmission, radio and television programmes on election campaign shall be audio- and video-taped. These shall be maintained for at least three months.

9. Supervision over the observance by television and radio companies exercising terrestrial broadcast transmission of the established procedure for election campaigns shall be carried out by the National Commission on Television and Radio.

10. During the period of the election campaign at national elections and elections to the Yerevan Council of Elders, the National Commission on Television and Radio shall conduct monitoring of provision — by television and radio companies exercising terrestrial broadcast transmission — of equal conditions for candidates, political parties, alliances of political parties under the proportional electoral system. To this end, the National Commission on Television and Radio shall elaborate and, not later than twenty days after calling national elections and elections to the Yerevan Council of Elders, publish and submit to the Central Electoral Commission a methodology for assessment of provision — by television and radio companies exercising terrestrial broadcast transmission — of equal conditions for candidates, political parties, alliances of political parties running in elections under the proportional electoral system during the period of the election campaign.

11. At national elections and elections to the Yerevan Council of Elders, the National Commission on Television and Radio shall, not later than on the tenth day and twentieth day of the time period established for the election campaign, as well as two days prior to the deadline established for summarising the election results, publish and submit to the Central Electoral Commission the findings of the monitoring on fulfilling the requirements of this Article by television and radio companies exercising terrestrial broadcast transmission during the period of the election campaign, as well as the conclusion of the Commission on compliance by television and radio companies exercising terrestrial broadcast transmission with the established procedure for election campaigns.

12. Newspapers and magazines founded by state or local self-government bodies shall be obliged to ensure non-discriminatory and impartial conditions for candidates, political parties, alliances of political parties running in elections under the proportional electoral system during the period of the election campaign.

Article 20. Procedure for using campaign posters and print campaign materials during election campaign

1. Candidates, political parties, alliances of political parties running in elections under the proportional electoral system shall have the right to disseminate — on equal grounds and in an unimpeded manner — campaign posters, print and other campaign materials.

2. Campaign posters may be posted only in places envisaged by this Article.

Posting campaign posters on buildings occupied by state or local self-government bodies, on or inside public catering, trading facilities and on or inside public transportation means — irrespective of the form of ownership — shall be prohibited.

Campaign posters may be posted on or inside buildings, premises, means of transport belonging to or under the possession of natural or legal persons upon their consent, where posting of posters in those places is not prohibited by this Article.

Campaign posters may be posted or used without restrictions during holding of campaign gatherings, meetings with electors and other events connected with election campaign — at the places of holding such events. Campaign posters posted during such events shall, after the event is over, be removed by relevant candidate, party or alliance of political parties.

Natural persons entitled to carry out campaign may, without restrictions, carry campaign materials with them.

3. The head of community shall be obliged to, within twenty-one days after calling elections, decide upon designating free places for posting campaign posters in the territory of the community, establishing such conditions as to ensure equal opportunities (equal space) for candidates, political parties, alliances of political parties running in elections under the proportional electoral system. This power shall be a mandatory power for the head of community.

In case of a community with 10 000 or more electors, the head of community shall submit to the Central Electoral Commission the decision on allocating free places for posting campaign posters, within a three-day period following the adoption of such decision.

4. The head of community may, upon the request of candidates, political parties, alliances of political parties running in elections under the proportional electoral system, allocate paid places with a surface area of up to five square meters in case of national elections and elections to the Yerevan Council of Elders, and in case of other elections — without any restriction on the surface area. When designating paid places for campaign posters, the head of community shall be obliged to ensure non-discriminatory and impartial conditions in the territory of the community for all candidates, political parties, alliances of political parties running in elections under the proportional electoral system. With the purpose of ensuring equal conditions in the territory of the community, candidates, political parties, alliances of political parties running in elections under the proportional electoral system shall adjust dimensions of a poster to the places designated by the head of community for posting posters.

5. Organisations disposing of outdoor billboards shall, in case of placing campaign posters, during the period of the election campaign, ensure non-discriminatory and impartial conditions for candidates, political parties, alliances of political parties running in elections under the proportional electoral system.

6. For the purpose of providing the candidates, political parties, alliances of political parties running in elections under the proportional electoral system with billboards with the surface area

exceeding five square meters at national elections and elections to the Yerevan Council of Elders, organisations or bodies disposing of outdoor billboards shall, within a period of twenty-one days after calling elections, submit information to the Central Electoral Commission on the number, surface area, location, and rental charges for billboards provided during the period of election campaign to candidates, political parties, alliances of political parties running in elections under the proportional electoral system. The Central Electoral Commission shall post that information on the Internet website of the Commission for information of candidates, political parties, alliances of political parties. Candidates, political parties, alliances of political parties running in elections under the proportional electoral system shall — within the time limits prescribed by this Code for submitting documents for registration of electoral lists of candidates, political parties, alliances of political parties running in elections under the proportional electoral system — submit applications to the Central Electoral Commission aimed at placing campaign posters on those billboards as prescribed by the Central Electoral Commission. Based on that information, the right to post campaign posters on outdoor billboards shall be allocated among candidates, political parties, alliances of political parties running in elections under the proportional electoral system upon the decision of the Central Electoral Commission. Based on the decision of the Central Electoral Commission, candidates, political parties, alliances of political parties shall conclude contracts with organisations disposing of outdoor billboards, for the purpose of posting campaign posters. Where no contract is concluded by the candidate, political party, alliance of political parties within a three-day period following the entry into force of the decision of the Central Electoral Commission, the disposer of the billboard shall be free to conclude another contract.

The provisions of the first paragraph of this part do not refer to campaign banners posted across the width of roadways. All applications on receiving a permit to post such banners shall be granted by officials authorising the posting thereof. The campaign banners shall be posted at the expense of the funds of candidates, political parties, alliance of political parties. No fee shall be charged for the placement of those campaign banners.

7. Scratching off, tearing of posters, as well as writing thereon or damaging them in any other way shall be prohibited.

8. The head of community, the heads of organisations disposing of outdoor billboards shall ensure that campaign posters of candidates, political parties, alliances of political parties whose registration has been repealed or declared invalid are removed.

9. Campaign posters, placed in violation of the provisions of this Article, shall be removed by the head of community, with the help of the Police if necessary. This function shall be considered as a delegated power of the head of community.

10. Print campaign materials must include information on the client, publisher and their print run.

11. Dissemination of anonymous print campaign materials shall be prohibited. In case of detecting anonymous or false print campaign materials, the informed electoral commission shall apply to competent authorities to stop the illegal actions.

Article 21. Prohibiting influence on the free expression of the will of electors

1. Employees of radio and television companies exercising terrestrial broadcast transmission, who are registered as candidates, shall be prohibited from providing coverage of elections, from anchoring radio and television programmes or participating therein, except for cases prescribed by Article 19 of this Code.

2. During election campaign, state and community servants, mass media employees shall be prohibited from exercising their powers for the purpose of establishing unequal conditions among candidates, political parties, alliances of political parties running in elections under the proportional electoral system and for the purpose of influencing the free expression of the will of electors by demonstrating partiality.

3. When publishing findings of an opinion poll on ratings of candidates, political parties, alliances of political parties running in elections under the proportional electoral system, the organisation carrying out the opinion poll shall be obliged to indicate poll time frames, number of respondents and type of sample, type and place of collection, precise question formulation, statistical evaluation of a possible error, and the client.

Radio or television companies exercising terrestrial broadcast transmission shall be prohibited to publish — by 20:00 of the voting day — the findings of an opinion poll of electors as for whom they have cast an affirmative vote.

4. Assembling in groups on the territory — with up to fifty-meter radius — adjacent to a polling station, as well as cluster of vehicles on the territory adjacent to the entrance of a polling station on the voting day shall be prohibited. The enforcement of the provisions of this part shall be ensured by the Police of the Republic of Armenia, irrespective of a relevant request by an electoral commission.

Article 22. Restrictions for election campaigns of candidates occupying political, discretionary, civil positions, as well as of candidates occupying a position of state or community servant

1. Candidates occupying political, discretionary, civil positions, as well as candidates occupying a position of state or community servant shall conduct election campaigns taking into account the following restrictions:

(1) making direct or indirect statement urging to vote for or against a candidate, political party, alliance of political parties while performing official duties, as well as any abuse of official position to gain advantage at elections, shall be prohibited;

(2) use of areas for election campaign purposes, of transportation and communication means, of material and human resources provided for performing official responsibilities, shall be prohibited, except for security measures applicable in respect of high-ranking officials subject to state protection under the Law of the Republic of Armenia “On ensuring the safety of persons subject to special state protection”.

These candidates shall make use of state property on the grounds equal to those provided for other candidates.

(3) coverage via mass media of activities of these candidates shall be prohibited, except for the cases prescribed by the Constitution, official visits and receptions, as well as activities carried out by them during natural disasters.

2. Where coverage of other activities of a candidate referred to in this Article is made, mass media exercising terrestrial broadcast transmission must consider this when making coverage of the activities of other candidates, in order to comply with the non-discriminatory principle of equality of coverage laid down by Article 19 of this Code.

CHAPTER 6

FUNDING OF ELECTIONS

Article 23. Funding of organisation and conduct of elections

1. The funding of expenditures for organising and holding elections (including drawing up lists of electors, organising professional courses for conducting elections) as well as expenditures necessary for the activities of electoral commissions shall be made at the expense of the funds of the State Budget. Such expenditures shall be envisaged by a separate budget line in the State Budget and shall be included in one line in the Public Procurement Plan.

When making procurement at the expense of financial means provided for the organisation and conduct of elections, the procurement procedure shall be established by the Central Electoral Commission in accordance with the Law of the Republic of Armenia “On procurement”.

2. In case of holding early elections, elections shall be funded from the reserve fund of the State Budget and, if impossible, from the reserve fund of the Central Bank.

3. Where budgetary funds are not provided in a timely manner, or no financial means exist in the reserve fund of the Central Bank of the Republic of Armenia, or the allocated financial means are insufficient to fund elections or the second round of elections, the Central Electoral Commission shall be entitled to obtain credit from private banks on a competitive basis or to use means available on the special account of electoral deposits of the Central Electoral Commission. The Government shall recover the credit or means used from the special account of electoral deposits within a period of three months.

4. Financial means intended for elections (including those provided for the maintenance of commissions) shall be allocated to the “Staff of the Central Electoral Commission” public administration institution. The “Staff of the Central Electoral Commission” public administration institution shall, in the manner prescribed by this Code and the legislation of the Republic of Armenia, dispose of financial means and shall be responsible for using such means in accordance with the estimates established by the Central Electoral Commission.

5. The constituency electoral commission shall submit a report on the use of financial means to the Central Electoral Commission within a period of twenty days after elections. The Central Electoral Commission shall submit a report on the expenditures incurred to the Control Chamber of the Republic of Armenia and the Staff of the Central Electoral Commission to the Oversight and Audit Service correspondingly in the manner and within the periods prescribed by the legislation of the Republic of Armenia.

Article 24. Electoral pledge

1. Candidates, political parties running in the elections under the proportional electoral system and alliances of political parties shall make payment for an electoral pledge to the account of the Central Electoral Commission.

2. The amount of an electoral pledge shall be returned within a period of seven days after receiving an application, in case of:

(1) being elected or participating in the distribution of mandates under the proportional electoral system;

(2) receiving ballot papers with affirmative votes making five or more than five per cent of the number of ballot papers with affirmative votes cast for candidates in the result of elections;

(3) self-recusal before the registration of candidates or electoral lists of political parties and alliances of political parties;

(4) declaring the election results invalid and calling a new election;

(5) death of a candidate – to his or her heirs.

In all other cases the amount of electoral pledge shall not be returned.

Article 25. Formation of election fund

1. Candidates, political parties running in the elections under the proportional electoral system and alliances of political parties shall open an election fund for the purpose of funding their election campaign. Political parties included in an alliance of political parties and candidates nominated only under the proportional electoral system may not form a separate election fund. Financial means of election fund of candidates for the President of the Republic as well as of political parties running in the elections under the proportional electoral system and alliances of political parties shall be accumulated in the Central Bank of the Republic of Armenia, whereas means of other candidates - in a commercial bank — which has branches in all Marzes of the Republic. The Central Bank of the Republic of Armenia shall provide the Central Electoral Commission with the list of those banks. For the purpose of forming an election fund, banks shall open temporary special accounts on the basis of applications of candidates as well as political parties running in the elections under the proportional electoral system and alliances of political parties. Revenues shall not be calculated and paid from those accounts.

2. The election fund of the candidate shall be made up from:

(1) his or her personal funds;

(2) funds provided by the political party that has nominated him or her;

(3) voluntary contributions by persons having the right to vote;

3. The election fund of political parties registered under the proportional electoral system and alliances of political parties shall be made up from:

(1) the funds of that political party and in case of alliance of political parties - from the funds of the member political parties of the alliance;

(2) voluntary contributions by persons having the right to vote.

4. Amounts paid to the accounts of election funds by natural and legal persons not specified in Parts 2 and 3 of this Article, shall be transferred to the State Budget.

5. The procedure for registration of contributions made to, and expenditures made from, election funds shall be laid down by the Central Electoral Commission.

6. The limits of contributions made to election funds shall be as prescribed by this Code. Amounts — exceeding the limits of contributions as prescribed by this Code — made to election funds shall be transferred to the State Budget.

7. Banks where temporary special accounts are opened, shall submit a statement of revenues and expenditures of election funds of candidates, political parties and alliances of political parties to the Oversight and Audit Service of the Central Electoral Commission once in a three working day period after the expiry of the time limit prescribed by this Code for the registration of candidates, political parties, alliances of political parties and electoral lists. The Oversight and Audit Service shall summarise such data, compile a brief statement and post it on the Internet website of the Central Electoral Commission.

Article 26. Use of means of election funds

1. The candidates may use the means of election funds for funding any event of conducting an election campaign.

2. For the purpose of funding the conduct of election campaign via mass media, renting halls, premises preparing (posting) campaign posters, acquiring print campaign and other materials, preparing all types of campaign materials (including print materials) to be provided to electors, candidates, political parties running in the elections under the proportional electoral system and alliances of political parties shall use only the means of the election fund. For this purpose, the maximum amount of expenses made from election fund is prescribed by this Code.

In case the goods and services prescribed in this Part are served with a price lower than the market value or are achieved prior to formation of election fund, they shall be included in the expenditures of election fund in their market value.

3. Where it is substantiated that the service or goods rendered for election campaign is not included in the expenditures of election fund in their market value, the Central Electoral Commission shall make a decision by obliging a candidate, a political party and the alliance of political parties to transfer an amount to the State Budget in the three-fold of the expenditures not included in the fund expenditures.

4. Where it is substantiated that the expenditures made for election campaign of a candidate, a political party and the alliance of political parties have exceeded the limit of election fund as prescribed under this Code, the electoral commission shall make a decision by obliging a candidate, a political party and the alliance of political parties to transfer to the State Budget an amount in the three-fold of the amount exceeding the limit of election fund prescribed under this Code.

5. Where the amount spent for election campaign and the difference of amount paid to the State Budget prescribed by Parts 3 and 4 of this Article and the limit of election fund as prescribed by this Code exceeds ten per cent of the limit of election fund as prescribed under this Code, the court shall, upon application of the electoral commission, repeal the registration of the candidate or of the electoral list of the political party, the alliance of political parties.

6. In case of failure to transfer the amounts prescribed by this Article to the State Budget within five days after the adoption of the decision of the electoral commission or failure to appeal the decision of the electoral commission through judicial procedure within the same time limits, the electoral commission shall levy the mentioned amount in a judicial manner.

7. All operations conducted with the accounts of election funds shall be terminated from the voting day.

8. Based on the application of candidates, political parties and alliance of political parties the Central Electoral Commission shall allow to make payments from the fund also after the voting day, but only for transactions carried out before the voting day.

9. After the election, the remaining means of election fund shall be used for charitable purposes at the discretion of a candidate, political party, alliance of political parties within a period of three months following the official publication of election results. After the expiry of a period of three months, the remaining means of election fund shall be transferred to the State Budget.

10. In case of declaring elections as not having taken place, the remaining means of election fund shall be blocked until the registration of candidates or electoral lists of political parties and alliances of political parties for new elections. In case of new elections, candidates, political parties and alliances of political parties may use the remaining means of their election fund.

11. The remaining means of election funds of candidates, political parties and alliances of political parties not running in new elections shall be transferred to the State Budget.

12. The provisions of Parts 3, 4 and 5 of this Article are concerned solely with the funding the conduct of election campaign via mass media, funding for renting halls, premises, preparing (posting) campaign posters, acquiring print campaign and other materials, funding for all types of campaign materials (including print materials) to be provided to electors, as prescribed by Part 2 of this Article.

Article 27. Declaration on contributions made to election funds and the use thereof

1. Candidates, political parties, the alliance of political parties shall submit a declaration to the Oversight and Audit Service of the Central Electoral Commission on the contributions made to

their election funds and the use thereof, on the tenth and twentieth day after commencing the election campaign as prescribed by this Code, as well as not later than three days before the relevant period for summarising election results as defined by this Code. The contracts signed on the implementation of election campaigns of candidates, political parties, alliance of political parties through mass media, on the rent of halls and areas, preparation (posting) of campaign posters, on the acquisition of printing and other materials, on the preparation of all types of campaign materials (including print materials) provided to the electors, shall be attached to the declaration.

2. The electronic form of the declaration shall be established by the Central Electoral Commission. The form of the declaration shall also include guidelines on procedure and time limits for drawing up and submitting the declaration.

3. The following shall be specified in the declaration:

(1) the timeline of all contributions made to the election fund and the amount of contributions;

(2) all the expenditures incurred for the acquisition of each service or property, product as defined by Article 26(2) of this Code, the time period of incurring thereof, and the data on documents attesting such expenditures;

(3) the amount remaining in the election fund.

4. After the declarations are submitted, they shall be posted on the Internet website of the Central Electoral Commission within three days.

5. If a candidate is not obliged to open a fund as per the procedure defined by Article 140, and consequently is not obliged to submit a declaration, however facts occur attesting the spending of more than 500-fold of the minimum salary for the election campaign by the candidate, the candidate shall submit the declaration to the Oversight and Audit Service within three days, at the request of the Central Electoral Commission, by attaching the signed contracts thereto.

Article 28. Oversight and Audit Service

1. The Central Electoral Commission establishes an Oversight and Audit Service for the purpose of exercising supervision over the use of funds provided to electoral commissions, the staff of the Central Electoral Commission, the contributions made to election funds and the calculation and expenditures thereof.

2. The Oversight and Audit Service also carries out supervision over current financial activities of the parties.

3. The Head of the Oversight and Audit Service holds a civil position; the other two employees of the Service are civil servants. The Head of the Oversight and Audit Service shall be appointed upon the decision of the Central Electoral Commission. The post salary of the Head of the Oversight and Audit Service shall be equal to seventy-five percent of the post salary fixed for a member of the Central Electoral Commission. The Head of the Service may not be a member to any political party.

4. For the purpose of exercising supervision over the contributions made to election funds and the calculation and expenditures thereof, each faction of the National Assembly shall, within a ten-day period upon calling national elections and elections to the Yerevan Council of Elders, appoint one auditor to the Oversight and Audit Service qualified as an auditor in the Republic of Armenia and with the right of suffrage. The auditors appointed to the Service by the alliances of the National Assembly shall work on a voluntary basis. Their activities shall terminate on the fifth day upon publishing the election results.

5. Up to five specialists may be involved in the Oversight and Audit Service on contractual basis for a period up to one-month, during the regular national elections, elections to the Yerevan Council of Elders and local self-government elections.

6. The Oversight and Audit Service shall, within two days after receiving the declarations on the use of means of election funds of candidates, political parties, alliances of political parties, check, draw up a statement on the check results and submit to the discussion of the Central Electoral Commission. Upon consideration in the sitting of the Commission, the statement shall be posted on the Internet website of the Central Electoral Commission.

7. The rules of procedure of the Oversight and Audit Service shall be defined by the Central Electoral Commission in accordance with the requirements of this Code and the Law of the Republic of Armenia "On political parties".

CHAPTER 7

OBSERVERS, PROXIES, MASS MEDIA REPRESENTATIVES,

Article 29. Right to observation mission

1. The following shall have the right to observation mission at elections:

(1) international organisations;

(2) diplomatic and consular representations accredited in the Republic of Armenia;

(3) foreign non-governmental organisations and those of the Republic of Armenia, the tasks of which, enshrined by the their statutes, include issues relating to the democracy and protection

of human rights and which do not support candidates or political parties, alliance of political parties.

2. International organisations, diplomatic and consular representations accredited in the Republic of Armenia and foreign non-governmental organisations may, upon invitation, carry out an observation mission. Nationals of the Republic of Armenia may not be included as observers in the observation missions of international organisations and foreign non-governmental organisations.

The following shall have the right to invite organisations and persons specified in this part to carry out an observation mission:

- (1) the President of the Republic;
- (2) the President of the National Assembly;
- (3) the Prime Minister;
- (4) the Central Electoral Commission.

3. The reports on elections prepared by observation missions of international organisations and foreign non-governmental organisations shall be posted on the Internet website of the Central Electoral Commission.

Article 30. Accreditation of observers

1. Observers of the organisations specified in Article 29 of this Code shall carry out their mission after having been accredited in the Central Electoral Commission.

2. Applications for making alterations (supplements) to the list of observers accredited or those to be accredited shall be submitted to the Central Electoral Commission after calling elections, but not later than ten days before the voting day.

3. The Central Electoral Commission shall deliver to those organisations the sealed certificates to be issued for observers, not later than seven days after receiving the application.

Certificates of observers may, in case of non-governmental organisations registered in the Republic of Armenia, be sealed also by the seal of the organisations.

4. The Central Electoral Commission shall reject the application on accreditation of observers where the tasks enshrined by the statute of the organisation do not meet the requirements of Article 29(1)(3) of this Code or the documents submitted do not comply with the requirements of the decision of the Central Electoral Commission defined by part 7 of this Article.

5. In case observers support any candidate, political party or alliance of political parties running in proportional elections, the Central Electoral Commission shall have the right to deprive the corresponding organisation of the right to carry out an observation mission.

6. Powers of observers shall terminate on the eighth day after the official publication of election results, unless an appeal has been lodged with a court against the election results. In case of lodging an appeal with a court against the election results, the powers of observers shall cease on the next day following the publication of a judicial act, unless a revote has been called. Re-registration of observers shall not be required in case of a revote.

7. The procedure for accreditation of observers, the list of documents and information necessary for accreditation of observers, forms of their certificates and the procedure for completing thereof shall be defined by the Central Electoral Commission.

Article 31. Rights, obligations, and guarantees for activities of observers and mass media representatives

1. Observers and mass media representatives shall have the right to:

(1) be present at the sittings of electoral commission, and, during the voting, in the voting room as well;

Observers of non-governmental organisations registered in the Republic of Armenia may be present at the sittings of electoral commissions, and during voting — also in the voting room, if they have a qualification certificate to be included in the electoral commissions, or have received through testing a certificate granting them the right to carry out observation mission. The courses shall be organised in the city of Yerevan and in the Marzes (in the Marzes, as per the precincts) at least once per year, based on the applications of the citizens and lists submitted by non-governmental organisations. Qualification certificates shall be granted based on a test.

Any person can participate in the test, notwithstanding whether he or she has participated in the courses. The test is either computer-based or standard. Representatives of mass media and non-governmental organisations can monitor the process of the courses and the test.

(2) observe, in the manner prescribed by the Central Electoral Commission, the process of printing, transporting, keeping, and counting of ballot papers;

(3) freely familiarise with sample ballot papers, in the presence of the chairperson of the electoral commission, deputy chairperson, secretary or any member of the commission, as assigned by the chairperson of the commission freely familiarise with election documents under the disposal of the electoral commission, the decisions of the commissions, the minutes of sittings, relevant court decisions, the relevant statement provided to the electors by the

authorised body, as well as receive copies or excerpts thereof (except for the lists signed by the electors), and independently make excerpts from the lists signed by the electors during the recount of the election results.

(4) freely move, in the voting room for observing ballot papers and ballot box.

(5) enjoy other rights as provided for by this Law.

2. Observers and mass media representatives shall have no right to intervene with the activities of the Electoral Commission.

3. On the voting day, an observer shall observe the activities of the electoral commission and may submit his or her observations and recommendations to the chairperson of the commission.

4. Any limitation of the rights of observers and mass media representatives, as prescribed by this Code, shall be prohibited. No one (including electoral commissions) shall be entitled to make the observer, mass media representative leave the room or otherwise isolate them from the activities of the commission, except for cases of their arrest or detention.

5. Observers and mass media representatives shall be obliged to comply with the requirements of this Code.

Article 32. Status of a proxy

1. Parties and alliance of political parties, after registering electoral lists and candidates and after having been registered, may have proxies for protecting their interests in electoral commissions, in their relations with state and local self-government bodies, organisations and mass media. Only citizens having the right of suffrage may be a proxy.

2. After registration of electoral lists of political parties or the alliance of political parties, the electoral commission, making the registration, within a five-day period, shall provide the authorised representative of the candidate, political party, alliance of political parties, with the proxies' certificates in the number of three-fold of the number of precincts. The relevant commission shall indicate in the certificate the name of the political party or the alliance of political parties, the first name, patronymic name, last name of the candidate. The candidate or his or her authorised representative or the authorised representative of the political party or the alliance of political parties shall complete the certificates and provide them to the proxies.

3. Members of the Constitutional Court, judges, prosecutors, employees of the Police of the Republic of Armenia and the National Security Service of the Republic of Armenia, the Judicial Acts Compulsory Enforcement Service, penitentiary institutions, military servicemen, observers, candidates, members of electoral commissions may not act as proxies.

Article 33. Rights, responsibilities, and guarantees for activities of a proxy

1. The proxy shall have the right to:

(1) participate in an advisory capacity at the sittings of the electoral commission, be present in a voting room during the voting;

(2) freely familiarise with sample ballot papers, in the presence of the chairperson of the electoral commission, deputy chairperson, secretary or any member of the commission, as assigned by the chairperson of the commission freely familiarise with election documents under the disposal of the electoral commission, the decisions of the commissions, the minutes of sittings, relevant court decisions, the relevant statement provided to the electors by the authorised body, as well as receive copies or excerpts thereof (except for the lists signed by the electors), and independently make excerpts from the lists signed by the electors during the recount of the election results

(3) in the manner and cases prescribed by this Code, appeal against the decisions, actions and inaction of electoral commissions;

(4) observe, in the manner prescribed by the Central Electoral Commission, the process of printing, transporting, keeping, and calculation of ballot papers;

(5) to be physically present near the member of the commission who registers voters, provide a ballot paper and a ballot envelope, seal ballot envelopes and control a ballot box and observe their activities without intervening with the activities of the commission;

(6) observe the activities of the electoral commission on the voting day and submit observations and recommendations thereon to the chairperson of the commission;

(7) when summarising the voting results in the presence of the chairperson, deputy chairperson, secretary of the electoral commission or one of the members of the commission as assigned by the commission chairperson, freely familiarise with the cast ballot papers and indications made therein, be present during the counting of ballot papers and summarisation of voting results;

(8) exercise other proxy powers provided for by this Code.

2. The proxy shall exercise his or her powers in the manner prescribed by this Code.

3. One proxy of each candidate and each political party and alliance of political parties running in the proportional elections may be present at the sitting of the electoral commission and during the voting.

4. Any limitation of the rights of proxies, as prescribed by this Code, shall not be allowed. No one (including electoral commissions), shall have the right to make the proxies leave the voting room or otherwise isolate them from the activities of the commission, except for cases of their arrest or detention.

5. The proxy shall comply with the requirements of this Code.

SECTION 2

ELECTORAL COMMISSIONS

CHAPTER 8

THE SYSTEM, OF ELECTORAL COMMISSIONS

STATUS OF MEMBERS OF ELECTORAL COMMISSIONS

Article 34. The system, status and procedure of electoral commissions

1. For the purpose of organising and holding elections, a three-level system of electoral commissions shall be established in the Republic, consisting of the Central Electoral Commission, constituency electoral commissions, and precinct electoral commissions.

2. A constituency electoral commission shall be formed for each constituency. The seats of constituency electoral commissions shall be determined by the Central Electoral Commission upon the decision of the National Assembly on the formation of majoritarian constituencies.

3. Where the territory of a community (except for Yerevan) is included in more than one constituency, the Central Electoral Commission shall, not later than sixty-five days prior to the voting day, determine the constituency electoral commission of the constituency which include a greater number of electors in the community concerned and which is empowered to organise and hold local self-government elections in the community concerned.

4. Electoral commissions shall be independent from state and local self-government bodies in exercising their powers.

5. Electoral commissions shall act based on the principles of legality, collegiality and publicity.

6. State and local self-government bodies shall provide constituency electoral commissions with necessary office space and facilities, without compensation, and shall support them to ensure their smooth work activities.

Article 35. Functions of electoral commissions

1. Electoral commissions shall ensure the exercise and protection of electors' right of suffrage.

Article 36. Acts of electoral commissions

1. The Central Electoral Commission shall adopt regulatory and individual legal acts, whereas constituency and precinct electoral commissions - individual legal acts.

2. Legal acts of electoral commissions adopted within the scope of their powers shall be binding.

Article 37. Status of members of electoral commissions

1. Members of electoral commissions shall act in the electoral commission independently and shall not represent the one who has appointed him or her.

2. Members of electoral commissions shall be released from training musters and, during the period of national elections - from conscription as well. Members of Central Electoral Commission shall be released from mobilisation as well.

3. A member of the Central Electoral Commission may be detained or be subject to administrative liability through judicial procedure only upon the consent of the Central Electoral Commission.

4. Members of the Central Electoral Commission shall work on a permanent basis and shall have no right to engage in any political party, commercial or other paid occupation, except for scientific, pedagogical, and creative work, or politics.

5. Members of constituency electoral commission shall work on a permanent basis and shall have no right to engage in any political party or politics.

6. Members of electoral commissions shall have the right to familiarise in advance with issues and documents submitted to the discussion of the commission, make speeches at the commission sittings, submit proposals and require to conduct voting with that regard, ask questions to participants of the sitting and receive answers.

7. Members of electoral commissions shall be obliged to perform tasks assigned by the chairperson of the commission within the scope of his or her competence.

8. Members of a superior electoral commission shall, upon the assignment or the consent of the chairperson of the commission, shall be obliged or have the right to participate, in an advisory capacity, in sittings of a subordinate electoral commission and be present in the polling room on the voting day.

9. Members of constituency and precinct electoral commissions may on their own initiative be released from their official duties in the period of elections with the aim of exercising their powers.

10. Members of electoral commissions shall be obliged to participate in the activities of the commission and fulfil obligations conferred on him or her by law.

11. Salaries of members of constituency electoral commissions and precinct electoral commissions in their main workplace shall be preserved.

12. At the first sitting of commissions, each member of the electoral commission shall publicly read and sign a commitment “On performing duties of the electoral commission member in accordance with the requirements of the Constitution of the Republic of Armenia and legislation of the Republic of Armenia”, which is attached to the record book of the electoral commission. The text of the commitment of the member of electoral commission “On performing duties of the electoral commission member in accordance with the requirements of the Constitution of the Republic of Armenia and legislation of the Republic of Armenia” shall be defined by the Central Electoral Commission.

Article 38. Funding of electoral commissions and remuneration of members of electoral commissions

1. Funding of electoral commissions and remuneration of members of electoral commissions shall be provided at the expense of the State Budget in the manner prescribed by this Article. The Central Electoral Commission may have an extra-budgetary account for implementing programs geared at improving the quality of electoral administration and technical re-equipment of electoral commissions.

2. The post salary of the Chairperson of the Central Electoral Commission shall be equal to the post salary of the member of the Constitutional Court as prescribed by the Law of the Republic of Armenia “On post salaries of chief officials of legislative, executive, and judicial authorities of the Republic of Armenia”; the post salary of the Deputy Chairperson and the Secretary of the Commission shall be equal to eighty-five per cent of the post salary of the

Chairperson of the Commission, and the post salary of the members of the Commission shall be equal to seventy-five per cent of the post salary of the Chairperson of the Commission.

3. In case of national new or by-elections, new or by-election to the Yerevan Council of Elders or new or by-elections of a deputy of the National Assembly under the majoritarian electoral system as well as in case of local self-government regular elections in five and more communities of the constituency simultaneously or (and) in the community having more than 10 000 electors, the chairperson, deputy chairperson of the constituency electoral commission, secretary of the commission shall, for each month of the period of elections (sixty days), be remunerated in the amount of the post salary of the member of the Central Electoral Commission, whereas members of the commission — in the amount of fifty per cent of the remuneration of the chairperson of the constituency electoral commission.

In case of other elections, the chairperson, deputy chairperson of the constituency electoral commission and secretary of the commission shall be remunerated in the amount of the remuneration of the chairperson.

4. During the period of elections, the chairperson of the precinct electoral commission shall be remunerated in the amount of two-fold of the minimum salary defined by the legislation of the Republic of Armenia, whereas the deputy chairperson, secretary of the commission and members of the commission — in the amount of the minimum salary. Members of precinct electoral commissions shall be remunerated upon summarising the election results.

5. The chairperson of electoral commissions, the secretary of the commission or members shall not be given additional remuneration in case of a revote.

The chairperson of the precinct electoral commission, the secretary or members shall not be given remuneration if they did not sign the protocol or in the case of early termination of their powers.

6. In case of national by-elections, by-elections to the Yerevan Council of Elders, by-elections of a deputy of the National Assembly under the majoritarian electoral system, regular elections to the local self-government bodies the post salaries of the staff of the Central Electoral Commission, civil servants and other employees of the headquarters of the Central Electoral Commission shall be doubled for each month of the election period. The difference between the post salaries of civil servants (employees) of the headquarters of the Central Electoral Commission for the period defined by this part shall be included in the costs for preparation and conduct of elections.

7. Up to fifteen per cent of the funds available on the special account of electoral deposits of the Central Electoral Commission may, upon the decision of the Central Electoral Commission, be used, in accordance with the approved estimate for each year, for studying the practice of

election administration, for implementing programmes geared at improving the quality of election administration, for technical re-equipment of electoral commissions and finally for preparing and publishing the materials concerning electoral legislation.

The funds remaining on the special account of electoral deposits of the Central Electoral Commission may, upon the decision of the Government of the Republic of Armenia, be used for technical re-equipment of electoral commissions and finally for preparing and publishing materials concerning electoral legislation.

CHAPTER 9

FORMATION OF ELECTORAL COMMISSIONS

Article 39. Fundamentals for the formation of electoral commissions

1. Citizens having the right of suffrage and meeting the requirements of Articles 40 and 41 of this Code, respectively, may be involved in the composition of the Central Electoral Commission and constituency electoral commissions.

2. Persons having conviction for crimes provided for in Articles 149 to 154 of the Criminal Code of the Republic of Armenia may not be a member of an electoral commission. Deputies of the National Assembly, members of the Constitutional Court, judges, prosecutors, ministers and their deputies, Marzpets and their deputies, heads of communities and members of councils of elders, military servicemen, officers of the National Security Service, the Police, the Judicial Acts Compulsory Enforcement Service, penitentiary institutions, rescue services, proxies, authorised representatives, observers, candidates may not be a member of constituency and precinct electoral commissions.

3. Citizens having the right of suffrage, who, by the procedure prescribed by the Central Electoral Commission, completed professional courses on holding elections and have been awarded qualification certificates, may be involved in the composition of precinct electoral commissions.

4. Training of the members of the constituency electoral commissions shall be carried out upon formation of the commissions.

5. Professional courses on holding elections shall be organised and conducted by the Central Electoral Commission in the manner prescribed by the Commission. The courses shall be organised in the city of Yerevan and in Marzes (in Marzes — by constituencies) at least once a year, based on the applications of citizens and the lists submitted by political parties. Qualification certificates shall be issued based on a test. Anyone may take the test, irrespective of being enrolled in the courses. The test shall be carried out on a computer or standard testing

method. Representatives of mass media, of non-governmental organisations may follow the process of courses, tests.

6. A citizen may be involved in the composition of only one electoral commission.

7. Information on the composition of electoral commissions shall be published in the manner prescribed by the Central Electoral Commission.

Article 40. Procedure for the formation of the Central Electoral Commission

1. The Central Electoral Commission shall be composed of seven members. Members of the Central Electoral Commission shall be appointed by the President of the Republic upon the proposal of the Human Rights Defender of the Republic of Armenia, the Court of Cassation of the Republic of Armenia, the Chairperson of the Chamber of Advocates of the Republic of Armenia. Members of the Commission shall be appointed for six years with the exception of the first formation of the Central Electoral Commission after enter into force of this Code and the case defined in Part 7 of this Article..

2. At least three members of the Central Electoral Commission shall be appointed upon the proposal of the Human Rights Defender of the Republic of Armenia, two members-upon the proposal of the Chairperson of the Chamber of Advocates of the Republic of Armenia and two members-upon the proposal of the Chairperson of the Court of Cassation of the Republic of Armenia. Two members appointed upon the proposal of the Chairperson of the Court of Cassation of the Republic of Armenia and two members appointed upon the proposal of the Chairperson of the Chamber of Advocates of the Republic of Armenia shall be representatives of different genders and at least one candidate in each group must have legal education or a Scientific degree in Law.

3. A citizen of the Republic of Armenia having the right of suffrage shall be eligible for membership to the Central Electoral Commission if he or she does not carry out public social and political activities and has:

(1) higher legal education and at least three years of professional experience in the last five years,

(2) a Scientific degree in Law and at least three years of professional experience in the last five years,

(3) higher education and at least five years of professional experience of public service in state bodies in the last ten years,

(4) higher education and at least three years of professional experience in the last five years in a standing electoral commission or in the staff thereof.

4. The Chairperson, Deputy Chairperson and the Secretary of the Central Electoral Commission shall be elected by the Commission from among its members.

5. Details on candidates for members of the Central Electoral Commission shall be submitted to the Staff to the President of the Republic of Armenia by 18:00 not earlier than thirty days and not later than twenty days prior to the termination of powers of the member of the Central Electoral Commission. The Chairperson of the Central Electoral Commission shall, no later than fifty days before termination of powers of the member of the Central Electoral Commission, notify the officials empowered to nominate candidates for members of the Commission on termination of powers of the member of the Central Electoral Commission.

6. The Decree of the President of the Republic on appointing the members of the Central Electoral Commission shall be promulgated not later than seven days prior to the termination of powers of the member of the Central Electoral Commission.

7. In the case of early termination or cassation of powers of the member of the Central Electoral Commission the vacant position shall be filled in a 21-day period in the manner prescribed by this Article. In the case of early termination of powers of the member of the Central Electoral Commission, the new member of the Commission shall be appointed for the remaining period of the term of office of the member whose powers have been early terminated. In such cases if the remaining term of office is less than one year, the term of office of the new member of the Commission shall be six years added to the remaining period of the previous member.

8. The right to nominate candidates for Chairperson, Deputy Chairperson and Secretary of the Central Electoral Commission shall be vested with the members of the Central Electoral Commission.

9. The Chairperson, Deputy Chairperson and Secretary of the Central Electoral Commission shall be elected by open vote. Where one candidate has been voted for the position of the Chairperson, Deputy Chairperson and Secretary of the Central Electoral Commission, he or she shall be elected in case more than half of the votes of the participants of the voting were cast in his or her favour.

Where more than one candidate is voted for the position of the Chairperson, Deputy Chairperson and Secretary of the Central Electoral Commission, the candidate having received the greatest number of affirmative votes shall be elected. In the case of equality of votes the candidates having received the greatest number of affirmative votes shall be elected by lot.

Article 41. Procedure for the formation of a constituency electoral commission

1. A constituency electoral commission shall be comprised of seven members. A constituency electoral commission shall be formed for a 6-year period. The Central Electoral Commission shall appoint the members of the constituency electoral commissions until the termination of the powers of the constituency commission.

2. The constituency electoral commission shall be comprised of at least two representatives of two genders.

3. A citizen of the Republic of Armenia having the right of suffrage shall be eligible for applying for involvement in constituency electoral commissions, if he or she does not carry out public social and political activities and has:

(1) higher legal education and at least two years of professional experience in the last five years,

(2) a Scientific degree in Law and at least two years of professional experience in the last five years,

(3) higher education and at least three years of professional experience in the last six years in state or local self –government bodies or state non-commercial organizations or in managerial position of public or community service respectively, or

(4) higher education and at least two years of professional experience in a standing electoral commission or in the staff thereof.

4. For selecting candidates for members of the constituency electoral commissions, the Central Electoral Commission shall disseminate, through mass media, an announcement on time limits for submitting applications by citizens and the requirements for a member of the constituency electoral commission. The form of the application and the list of required documents shall be established by the Central Electoral Commission.

5. Citizens who submit an application for being involved in the composition of the constituency electoral commissions and meet the requirements defined by Part 3 of this Article may be appointed in constituency electoral commissions.

6. If the standard of gender equality is not violated *a priori*, the Central Electoral Commission, being unanimous, may:

(1) appoint the whole composition of the constituency electoral commission,

(2) appoint a part of the composition of the constituency electoral commission,

(3) cut down the list of the candidates under consideration.

7. In the cases prescribed by Parts 2 and 3 of this Article the Central Electoral Commission shall appoint the non-formed part of the composition of the constituency electoral commission by preferential voting laid down by Article 166.

8. If the number of citizens having submitted applications for involving in the composition of the constituency electoral commission is not sufficient for forming the commission and maintaining the standard of gender equality, the Central Electoral Commission shall fill the vacant positions for the members of the commission from among the persons having completed professional courses on holding elections and having been awarded qualification certificates.

9. In the case of early termination or cassation of powers of the member of the constituency electoral commission, the Central Electoral Commission shall fill the vacant position in a 21-day period in the manner prescribed by this Article.

10. The decision of the Central Electoral Commission on appointing members of constituency electoral commissions shall be adopted not later than 14 days prior to the day of termination of the powers of the constituency electoral commission.

11. The Central Electoral Commission shall convene the first meeting of the constituency electoral commission not later than 7 days prior to the day of termination of the powers of the existing constituency electoral commission. The first sitting of the constituency electoral commission shall, prior to election of the chairperson of the commission, be held by the elder member of the commission. The formed constituency electoral commission shall assume its powers at 12.00 on the day of termination of the powers of the existing constituency electoral commission by the procedure prescribed for the Chairperson, Deputy Chairperson and Secretary of the Central Electoral Commission.

12. Chairperson, deputy chairperson and secretary of a constituency electoral commission shall be elected by relevant commissions from among their compositions.

Article 42. Procedure for the formation of a precinct electoral commission

1. A precinct electoral commission shall be comprised of at least seven members.

2. Members to a precinct electoral commission shall be appointed by:

(1) political parties, alliances of political parties having a faction in the National Assembly — one member each, where the number of factions is more than four, and two members each, where the number of factions is less than five;

(2) the relevant constituency electoral commission — two members.

To appoint a member to each precinct electoral commission, each member of the constituency electoral commission (except for the chairperson of the commission) may nominate one candidate. Where the number of nominated candidates is more than two, the constituency electoral commission shall select the two members of the precinct electoral commission by drawing lots, as prescribed by the Central Electoral Commission.

3. Where no member of the commission is appointed by any political party, alliance of political parties in the manner and within time limits prescribed by this Code for the formation of the precinct electoral commission, or the number of candidates nominated by the members of the constituency electoral commission is less than two, the vacant positions of the commission shall be filled by the chairperson of the relevant constituency electoral commission, instead of them, within a three day period after the expiry of time limits established for the formation of the commission. In case of filling vacant positions of the precinct electoral commission in the manner prescribed by this part, the decision of the Central Electoral Commission on distribution by precincts of chairpersons and secretaries of precinct electoral commissions shall not be changed.

4. Chairperson and secretary of the precinct electoral commission shall be appointed upon the decision of the relevant constituency electoral commission from among the members appointed to the commission by political parties and alliances of political parties, in accordance with the distribution prescribed by part 5 of this Article, except for the case prescribed by part 3 of this Article. Where a political party, an alliance of political parties has appointed two members to the precinct electoral commission, it shall, when appointing, indicate which of them will occupy the position of the chairperson or the secretary of the commission.

5. The positions of chairpersons and secretaries in precinct electoral commissions shall be distributed among political parties, alliances of political parties having a faction in the National Assembly. The number of positions of chairpersons and secretaries of precinct electoral commission available for each political party and alliance of parties shall be determined by the following formula:

$$NCS = (NSP/90) \times NP$$

taken as integer numbers, where:

NCS is the number of chairpersons and secretaries, respectively, available for the political party, alliance of political parties;

NSP is the number of mandates obtained by the political party, alliance of parties in the National Assembly under the proportional electoral system;

NP is the number of formed electoral precincts;

“90” is the number of mandates of deputies in the National Assembly under the proportional electoral system.

The remaining positions of a chairperson and secretary of the commission in precinct electoral commissions shall be distributed in the order of the value of remainder.

Where, during early local self-government elections, the number of electoral precincts formed is less than three, the distribution of positions of a chairperson and secretary of precinct electoral commission among the bodies, having formed a commission, shall be carried out by drawing lots, as prescribed by the Central Electoral Commission, taking into account that those two positions within the same commission may not be filled simultaneously by the representatives of political parties, alliances of political parties participating in the formation of the government.

The distribution of chairpersons and secretaries of precinct electoral commissions by electoral precincts shall be carried out prior to the beginning of the time limit for submission of applications on appointing members to a precinct electoral commission, as prescribed by the Central Electoral Commission.

6. Applications on appointing members to the precinct electoral commission shall be submitted to the Central Electoral Commission not earlier than 30 days and not later than 25 days prior to the voting day up to 18.00, whereas in case of early elections not earlier than 20 days and not later than 18 days prior to the voting day up to 18.00. An application on appointing members to the precinct electoral commissions shall be signed by the head of the political party or, upon his or her assignment, by the deputy head (secretary) of the political party, in case of alliances of political parties — head of faction or secretary of faction.

The procedure for appointing members to the precinct electoral commission, the form of application, the list of necessary documents and information shall be defined by the Central Electoral Commission.

7. The first sitting of a precinct electoral commission shall be convened at the polling station at 12:00 on the third day following the formation of the commission.

8. In case of early cessation or termination of powers of a member of a precinct electoral commission, the vacant position shall be filled in accordance with the procedure for the formation of a precinct electoral commission defined by this Code, within a period of seven days, but not later than three days prior to the voting day.

9. Where no member has been appointed to the precinct electoral commission within the time limit and in the manner defined by part 8 of this Article, the vacant positions of members of commission shall be filled by the chairperson of the constituency electoral commission from among the persons with the right to be involved in precinct electoral commissions. In this case,

where the person appointed within the time limit and in the manner prescribed by part 8 was to occupy the position of the chairperson or secretary of the commission, the person appointed by the chairperson of the electoral commission shall be appointed to that position.

10. Where at 8.00 on the voting day the number of members of a precinct electoral commission who have appeared is less than five in case of an electoral precinct with up to 1 000 electors, the powers of the members who have not appeared shall cease early, and the number of the members shall be supplemented with up to five members respectively by the chairperson of the constituency electoral commission from among the persons with the right to be involved in precinct electoral commissions. Where at 8.00 on the voting day the number of members of a precinct electoral commission who have appeared is less than seven in case of an electoral precinct with more than 1 000 electors, the powers of the members who have not appeared shall cease early, and the number of the members shall be supplemented with up to seven members respectively by the chairperson of the constituency electoral commission from among the persons with the right to be involved in precinct electoral commissions.

11. The powers of a precinct electoral commission shall cease five days after the voting day unless the election results have been appealed against. In case of appealing against the election results and conducting a revote, the powers of the precinct electoral commission shall cease five days after the day of the revote.

12. In case of adopting a decision on declaring invalid the voting results in particular electoral precincts, or in case of calling a revote in those electoral precincts, the powers of the members of that precinct electoral commission shall be deemed early ceased, and they may not be involved in the composition of precinct electoral commissions conducting revote. In this case, precinct electoral commissions shall be formed within a three day period following the adoption of the decision on calling a revote in particular electoral precincts, in the manner prescribed by this Code for the formation of a precinct electoral commission.

Article 43. The procedure for dismissing the chairperson, the deputy chairperson and the secretary of the electoral commission, and for early termination of the powers of a member of the electoral commission

1. The chairperson, the deputy chairperson and the secretary of the Central Electoral Commission and constituency electoral commission may be dismissed from their offices upon a decision adopted by at least two thirds of the total number of votes of the commission members, if they do not properly exercise the powers conferred upon them

2. The powers of the Chairperson, Deputy Chairperson or the Secretary of the Central Electoral Commission and constituency electoral commission shall be deemed ceased, if he or she has filed a request for self-recusal from the office.

3. The chairperson and secretary of a precinct electoral commission may be removed from office upon a decision adopted by at least two thirds of the total number of votes of the commission members, only where they demonstrate obvious inaction on the day preceding the voting day or on the voting day, as a result of which the preparation of the voting, the smooth process of the voting or the summarisation of the voting results may be endangered. In that case the chairperson or the secretary of the precinct electoral commission shall be appointed by the chairperson of the constituency electoral commission from among other members of the precinct electoral commission.

4. Powers of a member of an electoral commission shall cease early:

(1) if he or she is not eligible for appointment to the commission;

(2) if he or she refuses to sign the text of the commitment “On performing duties of the electoral commission member in accordance with the requirements of the Constitution of the Republic of Armenia and legislation of the Republic of Armenia”;

(3) if he or she has been convicted under Articles 149 to 154.6 of the Criminal Code of the Republic of Armenia, or detention or imprisonment has been imposed on him or her as punishment;

(4) if he or she has filed a request for self-recusal from the office of the commission member. A member of the Central Electoral Commission shall file that request with the President of the Republic, and members of other commissions — with the chairperson of the superior electoral commission;

(5) if the chairperson or secretary of a precinct electoral commission has filed a request for self-recusal from that office. Such a request may be filed by 18.00 not later than three days prior to the voting day, with the chairperson of the constituency electoral commission;

(6) if he has been conscripted;

(7) in other cases provided for by this Code.

In cases provided for by points 1 to 6 of this part the fact of early cessation of powers in case of a member of the Central Electoral Commission shall be recognised by the President of the Republic, and in case of members of other commissions — by the chairperson of the superior electoral commission.

5. The Administrative Court may early terminate the powers of a member of the Central Electoral Commission, if the latter has violated the provisions of this Code. Such a request may be filed with the Administrative Court by the President of the Republic.

The Administrative Court may early terminate the powers of a member of a constituency electoral commission, if the latter has violated the provisions of this Code. Such a request may be filed with the Administrative Court by the Central Electoral Commission.

A constituency electoral commission may early terminate the powers of a member of a precinct electoral commission not later than five days prior to the voting day, if the latter has violated the provisions of this Code. Such a request may be filed with the constituency electoral commission by the political party (alliance of political parties) having appointed him or her to the commission or the chairperson of the constituency electoral commission having appointed him or her or the member of the constituency electoral commission having nominated him or her.

The procedure prescribed by this part may be enforced on the ground of failing to attend the regular sittings of the Central Electoral Commission or the constituency electoral commission without good cause, where the member of the commission has failed to attend three or more regular sittings without good cause during three calendar months.

The procedure prescribed by this part shall not be applied on the ground of failing to attend the regular sittings of a precinct electoral commission.

6. In case of a failure to attend three or more regular sittings of the Central Electoral Commission or the constituency electoral commission without good cause, the commission shall have the right to early terminate the powers of the commission member upon a decision adopted by the majority vote of the total number of its members.

Article 44. Organising the activities of the electoral commission

1. The activities of the electoral commission shall be managed by the chairperson of the commission or, upon the assignment of or in the absence of the chairperson, by the deputy chairperson of the commission, and in case of a precinct electoral commission — by the secretary of the commission.

2. The chairperson of the Central Electoral Commission and the chairperson of the constituency electoral commission shall define the schedule of regular sittings. The precinct electoral commissions shall convene regular sittings within the time limits prescribed by this Law.

3. Extraordinary sittings of the Central Electoral Commission and of the constituency electoral commission shall be convened by the chairperson of the commission, at his or her own initiative

or upon the written request of at least one third of the commission members, on the date indicated by the latter, by notifying the members of the commission through available means of communication. An extraordinary sitting of the precinct electoral commission shall be convened by the chairperson of the commission upon the request of the chairperson of the constituency electoral commission.

4. The sitting of the electoral commission is valid if attended by more than half of the members of the commission.

The member of the Commission shall be obliged to participate in the voting. The decision shall be adopted, if more than half of the attending members of the commission vote for that decision, except for cases prescribed by this Code.

Besides members of the Commission, items on the agenda of a sitting of the Central Electoral Commission may be placed by the head of the Oversight and Audit Service, within the scope of the competence reserved to the Service, as well as by the head of staff of the Commission — concerning financial and economic issues.

5. In case of a tie during adoption of the decision on the results of elections, the chairperson of the commission shall have the casting vote.

6. Electoral commissions receive a record book with numbered pages and sealed by superior commissions.

The requirements with regard to the record book, as well as the procedures for keeping the records shall be established by the Central Electoral Commission.

7. The record book is used to record information on participation of the commission members in the sittings. The records shall be signed by the commission members attending the sitting.

8. Members of the electoral commission and persons having a right to participate in the sittings of the commission (including on the voting day in the voting room), except for the voters and the police officers on duty at the polling station, shall carry on their outer clothing identification badges certifying their right to be present. The observers of non-governmental organisations registered in the Republic of Armenia shall, for being present at the electoral commission, and during the voting — also in the voting room, shall also carry the qualification certificate for being involved in the composition of the electoral commission or for carrying out observation mission. The chairperson of the commission shall prohibit the presence of persons having no right to be present in electoral commissions, whereas during voting — also in polling stations, as well as persons without a relevant identification on their outer clothing in the commission (in polling station).

9. Members of the electoral commission shall be obliged to participate in the sittings of the commission.

10. The carbon copies of the decisions, protocols and entries of the record books, as well as the excerpts therefrom (except for excerpts from the lists signed by the electors) shall be sealed and signed by the head and the secretary of the commission. The documents received from the precinct electoral commission shall be signed only on the voting day.

Article 45. Specifics of administrative proceedings in the Central Electoral Commission and constituency electoral commission

1. Administrative proceedings in the electoral commission are carried out in compliance with the Law of the Republic of Armenia “On fundamentals of administrative action and administrative proceedings”, and according to the specifics and time limits set forth in this Code.

2. The applicant shall be notified of the discussion of his or her application (complaint) in the Central Electoral Commission through placing information on the date and time of the discussion of the application (complaint) on the Internet website of the commission. If there are any means of electronic communications indicated in the application (complaint), *i.e.*, phone number, electronic mail (hereinafter referred to as “electronic means of communications”), the applicant (complainant) shall be notified through such means as well.

The applicant (complainant) shall be deemed notified of the discussion of his or her application (complaint) in the constituency electoral commission, if information on the date and time of the discussion of the application (complaint) is posted in a place visible to all in the commission, and where any means of electronic communications are indicated in the application (complaint) — in case of simultaneously informing him or her through that means of communications.

3. Participants of a proceeding may not challenge the composition or a member of the electoral commission that carries out the administrative proceeding; neither may a member of the electoral commission that carries out the administrative proceeding recuse himself or herself.

4. During the election period, considering the heavy workload, participants of an administrative proceeding are introduced to the materials of the proceeding — before the sitting convened within the scope of the proceeding concerned — at the electoral commission that carries out the proceeding. Brief minutes of the sitting shall be kept, whether the participants of the proceeding are present or not.

5. An administrative act adopted by the Central Electoral Commission shall enter into force upon being posted on the Internet website of the Commission after the publication in the sitting. After posting the act on the Internet website, a short message on the adoption of the administrative act shall be forwarded to the participants of the proceeding, if the application (complaint) indicates any means of electronic communications.

6. The administrative act adopted by the constituency electoral commission shall enter into force upon posting a copy of the act in a place visible to all in the commission after the publication at the sitting. A short message on the adoption of the administrative act shall be forwarded to the participants of the proceeding, if any means of electronic communications are indicated in the application (complaint).

7. The administrative act of the electoral commission shall, upon being adopted, within a three-day period, shall be forwarded to participants of the administrative proceeding by attaching the delivery receipt to the case, where the participants of that proceeding have not received that act in the commission.

8. During the election period, an administrative proceeding may not be suspended.

Article 46. Appealing against decisions, actions and inaction of electoral commissions, filing an application on declaring the voting results in an electoral precinct invalid or on declaring the election results invalid

1. The decisions and actions (inaction) of the electoral commission may be appealed against by:

(1) Everyone, if he or she finds that his or her subjective right of suffrage has been violated or may be violated;

(2) A proxy, if he or she finds that the rights of the proxy or the grantor prescribed by this Code have been violated;

(3) An observer, if he or she finds that the rights of the observer prescribed by this Code have been violated;

(4) A commission member, if he or she finds that the inferior commission or the commission to which he or she is a member has violated his or her or other person's right prescribed by this Code.

2. An application on declaring the registration of a candidate, of the electoral list of a political party (alliance of political parties) invalid or on their repeal, or appeals against the results of the elections may be filed only by the candidate, the political party (alliance of political parties) having submitted the electoral list, respectively, and in case of declaring invalid or repealing the

registration of a candidate included in the political party's electoral list — only by the political party (alliance of political parties) having submitted the electoral list.

3. An application for declaring the voting results in an electoral precinct invalid may be submitted by:

(1) A candidate, a political party (alliance of political parties) running in elections under the proportional electoral system;

(2) A proxy, if he or she has been present in that electoral precinct;

(3) A member of the relevant precinct electoral commission, if he or she has made a record in the protocol on having a special opinion;

(4) A member of the Central Electoral Commission.

An application on declaring the election results invalid may be filed by a candidate, political party (alliance of political parties) running in elections under the proportional electoral system.

4. Where the electoral commission finds that the appeal or application filed does not comply with the requirements of this Article, it shall reject the instigation of an administrative proceeding.

5. Decisions and actions (inaction) of the precinct electoral commission, the voting results in the electoral precinct may be appealed against before the constituency electoral commission.

6. The decisions, actions (inaction) of the constituency electoral commission, except for applications concerning the decisions on the results of elections to the National Assembly of the deputy and head of community and members of the Council of Elders under the majoritarian electoral system may be appealed against before the Central Electoral Commission. Decisions on the results of elections of a deputy of the National Assembly under the majoritarian electoral system may be appealed against before the Constitutional Court. Decisions of the constituency electoral commission on the results of elections of a head of community and members of the Council of Elders may be appealed against before the Administrative Court.

7. Decisions and actions (inaction) of the Central Electoral Commission (except for the decisions taken with regard to the results of national elections) may be appealed against before the Administrative Court. The decisions of the Central Electoral Commission on the results of national elections may be appealed against before the Constitutional Court.

8. In case of lodging an appeal against the decisions, actions (inaction) of an electoral commission before the superior commission, the party lodging the appeal shall bear the burden of proving the factual circumstances submitted by him, whereas the electoral commission shall bear the burden of proving the factual circumstances underlying the decision taken by it. The electoral commission examining the appeal may ex officio seek proof. Rules defined by this part

also relate to an application on declaring the results in the electoral precinct invalid or on declaring the election results invalid.

9. Appeals against the decisions taken by, actions or inaction of the precinct electoral commission during the voting day may be submitted to the relevant constituency electoral commission on the voting day or from 12.00 to 18.00 of the day following the voting day.

Appeals against the decisions taken by, actions or inaction of the precinct electoral commission during the days preceding the voting day may be submitted to the constituency electoral commission within two calendar days starting from the day when the applicant learnt or was reasonably obliged to learn about the violation.

An application for declaring the voting results in the electoral precinct invalid may be submitted to the relevant constituency electoral commission from 12.00 to 18.00 only on the day following the voting day.

An application for declaring the election results invalid may be submitted to the relevant electoral commission before 18.00 not later than two days prior to the expiry of the relevant time limit prescribed by this Code for summarising the election results.

10. If as a result of consideration of the appeal or the application the constituency electoral commission draws the conclusion that during the voting there have been such violations of the requirements of this Code, which could have significantly affected the voting results, and if it is impossible to reveal the real results of the voting, and the violation is not expressed in inaccuracies, the constituency electoral commission shall declare the voting results in that electoral precinct invalid. In that case the materials shall be forwarded to the Prosecutor's Office.

11. An application on repealing the registration of a candidate, the electoral list of a political party (alliance of political parties) or of a candidate included in the electoral list, may be submitted prior to the voting day. The decision of the constituency electoral commission on registration of a candidate may be appealed against before the Central Electoral Commission within three days starting from the day when the applicant learnt or was reasonably obliged to learn about the violation, but not later than the day preceding the voting day.

The handling of applications received in electoral commissions after the expiry of these time limits shall be decided upon after summarising the election results.

12. After calling elections, prior to summarising the results of elections, the electoral commissions shall respond to the appeals and applications prescribed by this Article, and, in cases prescribed by this Code, take decisions relating thereto within a five-day period but not later than prior to the day preceding the voting or to summarising the results of elections, correspondingly.

Article 47. Requirements for applications and complaints; Procedure for their consideration in electoral commissions

1. Applications and complaints (hereinafter referred to as "the application") shall be considered and responded to within the time limits defined by the legislation of the Republic of Armenia, except for cases prescribed by this Code.

2. The application shall be signed by the applicant or the person lodging the complaint (hereinafter referred to as "the applicant") and shall contain his or her first name, last name, postal address, and date of submission. The application may also contain data on the applicant's means of electronic communications (telephone number, electronic mail, etc.). The applicant shall clearly state his or her request, provide substantiations, and attach available evidence to the application. Applications containing false information or no information about the applicant shall not be considered.

3. If the application contains formal mistakes that can be corrected, the electoral commission shall give an opportunity to the applicant to correct those mistakes or shall correct them itself and notify the applicant thereon before or after taking the action. If the list of enclosed documents is not complete, the electoral commission shall propose the applicant to complete it within the specified time limit.

4. The applicant shall address the application to the electoral commission which has jurisdiction to resolve the issue raised. If there is a deadline prescribed by this Code for the submission of the application, the application shall be deemed to be submitted by the due date, if it has been filed with the relevant electoral commission prior to the deadline. The chairperson of the commission shall address the application to the member of the commission and shall distribute carbon copies of the application among other members of the commission. Issues raised in the application shall be examined by the members of the commission. Each member of the commission shall have the right to submit a draft decision on the application to be considered at the sitting of the commission. If a member of the commission does not submit a draft decision on refusing the institution of an administrative proceeding, the administrative proceeding shall be deemed instituted. In case of refusing the institution of an administrative proceeding, the reply to the application shall be sent to the applicant with the signature of the chairperson of the commission. The applicant shall have the right to participate in the consideration of his or her application at the sitting of the Commission, provide substantiations, ask questions to the speakers concerning the application, and to make a speech.

5. The reply to an application on obtaining information shall be signed by the chairperson of the commission, and carbon copies of the reply shall be distributed among members of the commission. If the required information or the carbon copy of a document is posted on the

Internet website of the Central Electoral Commission with the possibility to download, the applicant shall be informed thereof and shall not be provided with photocopies or extracts therefrom.

6. With regard to issues requiring urgent solution, electoral commissions shall take appropriate measures.

Article 48. Recount of the results of voting

1. The candidate, the proxy, where they have been present at the process of summarising the voting results in the electoral precinct, as well as the member of the precinct electoral commission in case of making a record — in the protocol on the voting results in the electoral precinct — on having a special opinion concerning the procedure of summarising the voting results, shall have the right to appeal, in the manner and within the time limits specified by this Code, against the results of voting in the electoral precinct concerned, by submitting an application for recount of the results of voting in the electoral precinct (hereinafter referred to as “recount”) to the constituency electoral commission.

An application for recount of the voting results in the electoral precinct may be submitted only to the relevant constituency electoral commission from 12.00 to 18.00 on the day following the voting.

2. The application for recount shall contain the first name, last name, postal address of the applicant, and the number of the electoral precinct where the recount is requested, as well as the results of voting (if several polls were held simultaneously) for which the recount is requested. Evidence on erroneous summarisation of the voting results may be attached to the application.

3. If several polls were held simultaneously, a member of the precinct electoral commission may submit an application for recount only with regard to results of the voting, in the protocol of which he or she has made a record on having a special opinion.

4. If several polls are held simultaneously, a separate application for recount shall be submitted with regard to the results of each poll.

5. The constituency electoral commission shall register the submitted applications for recount in the order of submission indicating the date of submission.

6. The recount process shall start at 09:00 on the next day following the time limit prescribed for submission of recount applications and shall be completed at 14.00 on the fifth day following the voting day (hereinafter referred to as “the deadline for recount”). While carrying out recount, the electoral commission shall work without rest days, from 09:00 to 18:00. The electoral

commission shall continue the recount after 18.00, if it has not completed the already started recount for the electoral precinct, as well as in cases when by working till 18:00, it is not possible to complete the recount of the voting results specified in part 7 of this Article prior to the deadline for recount.

7. The constituency electoral commission shall recount all those voting results, concerning which, in the constituency electoral commission's opinion, substantial proof on erroneous summarisation of the voting results has been submitted, as well as shall recount all those voting results, the examination of protocols whereof (including examination of inaccuracies) has made the constituency commission uncertain concerning erroneous summarisation of the results.

8. If the recount of the voting results specified in part 7 of this Article has been completed before the deadline for recount, or no such results have been recorded, the commission shall — based on the available applications for recount — decide, by drawing lots, upon the order of the recount of the voting results.

9. Withdrawal by the applicant of the application for recount of the voting results shall not serve a basis for not carrying out the recount.

10. The recount shall be carried out in accordance with the requirements specified by this Code for summarising the voting results in an electoral precinct, except for the counting of the number of ballot envelopes of defined sample, and shall draw up a protocol on the recount of voting results in the electoral precinct by filling in the entries for "Number of Ballot Papers Provided to the Commission", "Numbers of Stubs" and "Number of Ballot Envelopes of Defined Sample in the Ballot Box" with the figures registered by the precinct electoral commission, if there are no apparent omissions in these figures.

When carrying out recount, a ballot envelope shall be of non-defined sample where it obviously differs from the defined sample, or is not sealed, or is sealed with a different seal; a ballot paper shall be of non-defined sample where it differs from the defined sample; the validity of a ballot paper shall be determined in accordance with the requirements of Article 68 of this Code.

Upon their request, persons having the right to attend the sitting of the Commission shall receive carbon copies of those protocols.

11. Depending on the workload, the constituency electoral commission may carry out the recount of the voting results in the electoral precinct with at least three commission members. When carrying out recount of the voting results with at least three commission members, the duties of the chairperson of the precinct electoral commission prescribed by this Code for summarising the voting results shall be carried out by the deputy chairperson of the constituency electoral commission or the secretary of the commission, and where they are not

included in the composition — by the member designated by the chairperson of the constituency electoral commission.

12. The duration of the recount of the voting results in each electoral precinct may not exceed four hours.

13. The list of persons having the right to attend the recount process shall include the members of the respective precinct electoral commission, the persons having the right under this Code to attend the sittings of the electoral commission, the person having submitted an application for recount, the candidate and his or her proxy.

14. During the recount of voting results, the applicant shall have the right to be introduced, together with other documents, to the lists signed by electors, to independently make extracts without the right to photocopy, photograph or videotape them. Proxies, observers, mass media representatives may photograph and videotape the recount process.

15. The absence of the applicant for recount shall not serve as a basis for not carrying out or terminating the recount.

16. The constituency electoral commission shall reject the application for recount of voting results in a precinct, and the recount shall not be carried out, if the recount was requested in violation of the provisions of this Article.

CHAPTER 10

POWERS OF ELECTORAL COMMISSIONS

Article 49. Powers of the Central Electoral Commission

1. The Central Electoral Commission is a standing public authority responsible for organising elections and supervising the legality thereof. The Central Electoral Commission:

(1) shall exercise supervision over using state budget funds allocated for preparing and holding elections;

(2) shall adopt its and its subordinate electoral commissions' rules of procedure;

(3) shall organise and hold professional courses for holding elections, establish the procedure for organising courses and issuing qualification certificates;

(4) shall supervise the uniform application of this Code;

(5) shall define the forms and samples of ballot papers, protocols and other election documents, and the procedures for filling in and keeping thereof, provide electoral commissions with the necessary election documents;

(6) shall specify the standard forms of the documents required for registration of candidates and electoral lists of political parties (alliances of political parties);

(7) shall adopt, within the scope of its powers, decisions that are binding on the whole territory of the Republic;

(8) shall abolish, repeal, declare invalid or revoke those decisions of commissions that are at odds with this Code, except for the decisions of constituency electoral commissions on election of deputies of the National Assembly under the majoritarian electoral system, and of heads of communities and members of Council of Elders;

(9) shall hear the communications of electoral commissions and public authorities on preparing and holding elections;

(10) shall accredit observers and mass media representatives;

(11) shall organise the publication of biographical data of the candidates for the President of the Republic;

(12) shall register deputies of the National Assembly elected under the proportional electoral system, and give them identifications of a National Assembly Deputy;

(13) shall call new elections and by-elections to the National Assembly of the Republic of Armenia;

(14) shall adopt decisions provided for by this Code, as well as decisions — which are not in conflict with this Code — for the regulation of electoral processes;

(15) shall publish a training manual for members of precinct electoral commissions, proxies and observers, at each national election;

(16) shall define procedures for drawing lots in electoral commissions;

(17) shall approve the sample ballot box (dimensions);

(18) shall exercise supervision over financial activities of political parties;

(19) may establish institutions in accordance with the procedure prescribed by law;

(20) shall exercise other powers provided for by this Code.

2. Within three months following the publication of final results of the national elections, the Chairperson of the Central Electoral Commission or, upon his or her assignment, any member of the Central Electoral Commission shall make a statement to the National Assembly on organisation and holding of elections, on analysis of the violations of the Electoral Code and on proposed amendments to the legislation. This statement shall be posted on the Internet website of the Central Electoral Commission.

3. The Central Electoral Commission may propose to the Government of the Republic of Armenia legislative amendments for improvement of the election process.

Article 50. Powers of the constituency electoral commission

1. The constituency electoral commission is a standing public authority. The constituency electoral commission shall:

- (1) carry out supervision over the fulfilment of the requirements of this Code;
- (2) approve the sample ballot papers designed for local self-government elections;
- (3) define, in the manner prescribed by the Central Electoral Commission, the record numbers of electoral precincts and submit this information to the Central Electoral Commission within a two-day period;
- (4) provide information to the Central Electoral Commission on the activities of precinct electoral commissions and on its own activities;
- (5) consider the applications with regard to decisions and activities of precinct electoral commissions, review or abolish those decisions of precinct electoral commissions that are at odds with this Code;
- (6) publish preliminary results of voting for each electoral precinct, based on the data in protocols of precinct electoral commissions;
- (7) announce the date of local self-government elections;
- (8) monitor how the lists of electors are drawn up and posted for public information in polling stations;
- (9) supervise the process of furnishing the polling stations in accordance with the requirements of this Code;
- (10) register candidates for deputies of the National Assembly under the majoritarian electoral system, for the head of community and member of Council of Elders and issue to them identifications in accordance with the sample defined by the Central Electoral Commission;
- (11) supervise the compliance of precinct electoral commissions with the requirements of this Code;
- (12) declare the voting results in the electoral precinct invalid;
- (13) exercise other powers provided for by this Code.

Article 51. Powers of the precinct electoral commission

The precinct electoral commission shall:

- (1) organise the voting, summarise the results of voting in the electoral precinct;
- (2) prepare a protocol on the results of voting in the electoral precinct and post a carbon copy of the protocol in the polling station;
- (3) submit to the constituency electoral commission the seal, stamp seal of the commission, the register, two carbon copies of the protocol on the results of voting, the sack for election documents, and the ballot box;
- (4) exercise other powers provided for by this Code.

Article 52. Submission and receipt of election documents in electoral commissions

1. Submission of election documents in electoral commissions shall be effected through signing by the submitting and receiving persons, and giving of a receipt.
2. For preparation and holding of elections the electoral commissions shall be provided with ballot papers, forms, other documents, stationery and other supplies; the chairpersons of electoral commissions shall be responsible for keeping these supplies.
3. After summarising the results of voting, the election documents of a precinct electoral commission shall be deposited in the State Archive of Armenia for maintenance in the prescribed manner.

Article 53. Co-operation of electoral commissions and police

The central and regional bodies of the police authorities of the Republic of Armenia, their services and subdivisions shall be obliged to ensure smooth process of elections, unimpeded work of electoral commissions and their members. The Police of the Republic of Armenia shall maintain due order during election related events, provide support to the commissions upon their request, ensure the safe transfer and the keeping of election documents in electoral commissions.

SECTION 3

VOTING; SUMMARISING THE RESULTS OF VOTING

CHAPTER 11

ORGANISATION OF VOTING

Article 54. Place and time of voting

1. Voting shall take place only in the polling stations established on the territory of the Republic of Armenia, between 08:00 and 20:00, except for the cases prescribed by this Code. Electors who are present in the voting room at 20:00, but who have not cast a vote yet, shall have the right to cast a vote.

2. At national elections, the voting for electors who are on inpatient treatment in inpatient facilities and who are not capable of personally visiting the polling stations on the voting day, shall be held through mobile ballot box brought to the inpatient medical facility.

The voting shall be held subject to the principle of confidentiality and in the manner defined by the Central Electoral Commission. Proxies, observers and mass media representatives may be present during the voting organised in inpatient medical facilities. The voting in inpatient medical facilities shall be organised in such a way so that it is completed by 18:00.

Article 55. Voting room

1. The voting shall be held in a room specially furnished for that purpose, with one room for each electoral precinct.

2. The voting room shall be, to the maximum extent possible, spacious and meet the following requirements:

(1) It shall give the possibility to ensure during the whole voting process regular simultaneous work of the members of the precinct electoral commission and the persons having the right to attend the voting process;

(2) Members of the precinct electoral commission and observers shall have the opportunity to keep within eyeshot the ballot box, the polling booths (provided that the secrecy of ballot is not violated), and the space between the polling booths and the ballot box.

3. Furnishing of the voting room must be completed by 24:00 of the day preceding the voting day.

Article 56. Polling booths

1. Booths shall be provided for voting, the number of booths being determined on the following ratio: at least one booth for 750 electors.

2. The polling booth shall be assembled in such a way that the elector fills in his or her ballot paper privately from those present in the polling station, and that there is sufficient light and a pen.

3. The polling booths shall be placed within at least one metre distance from each other; they shall be placed in such a way that the elector has his or her back turned to the wall and the face turned to the commission during the voting.

Article 57. Ballot paper and ballot envelope

1. Where several polls are held simultaneously, the ballot papers shall be made in such a way that they clearly differ from each other.

2. The section line of the ballot paper shall be perforated. The ballot paper shall contain the name of the printing house and a note on how to fill in the ballot. Ballot papers shall be made from opaque paper.

3. Above the section line of the ballot paper, on the stub, the record number of the ballot paper shall be indicated. Last name, first name and patronymic name of candidates and names of political parties (alliances of political parties) shall be listed on the left in alphabetic order, below the section line, and on the right empty checkboxes shall be placed for the voter to make a note.

4. If only one candidate is voted on, the words "for" and "against" shall be mentioned below the line on which the last name of the candidate is placed, and in front of each of these words, on the right, empty checkboxes shall be placed.

5. The Central Electoral Commission shall ensure the printing of the ballot papers.

6. The ballot papers shall be printed not earlier than ten and not later than three days prior to the voting day, on the basis of information on the number of electors provided by the authorised body ten days prior to the voting day.

7. On the day preceding the voting day, ballot papers in a number up to three per cent higher than the number of electors in the electoral precinct, but not less than two ballot papers more than the number of electors, shall be provided to the precinct electoral commissions.

8. In case the registration of a candidate or the electoral list of a political party (alliance of political parties) is declared invalid or repealed after printing of the ballot papers, the name of

the candidate or the political party (alliance of political parties) shall be removed from the ballot papers in the manner prescribed by the Central Electoral Commission.

9. The Central Electoral Commission shall ensure the manufacturing of the ballot envelopes. When several polls are held simultaneously, the ballot envelopes for each poll shall be made in such a way that they clearly differ from each other by colours and match the colours of the respective ballot papers.

10. On the day preceding the voting day, ballot envelopes shall be provided to the precinct electoral commission.

Article 58. Seals, stamp seals, individual seal of the member of precinct electoral commission, individual stamp of the member of precinct electoral commission and of the proxy; the ballot box

1. Samples of the seals and stamp seals of electoral commissions and of the individual seals of the members of precinct electoral commissions shall be approved by the Central Electoral Commission. They shall be ordered by the Central Electoral Commission.

2. The seal of a precinct electoral commission shall have a four-digit identification number.

3. The Central Electoral Commission shall place the seals of precinct electoral commissions in opaque packages, close them without making any notes thereon, apply the Central Electoral Commission's seal on them and distribute them among constituency electoral commissions not earlier than five and not later than three days prior to the voting day, in such a way that each precinct gets one stamp, carrying out exceptionally quantitative accounting of the distributed stamps. Stamp seals and the individual seals of the members of precinct electoral commission shall also be provided within the same time limits.

4. In constituency electoral commissions the packages shall be sealed and handed to the chairpersons of precinct electoral commissions on the day preceding the voting; each chairperson shall get one packaged seal.

5. In case of national elections and elections to the Yerevan Council of Elders, the seals of precinct electoral commissions shall be submitted to the Central Electoral Commission — in the manner prescribed by the Central Electoral Commission — twenty-four hours after the end of the voting. In case of other elections, the seals of precinct electoral commissions shall be submitted to the Central Electoral Commission within a three-day period after the end of the voting.

In case of carrying out a second round of voting, revote or new elections, new seals shall be distributed among precinct electoral commissions.

6. Members of precinct electoral commissions shall, one day prior to the voting day and by drawing lots as prescribed by the Central Electoral Commission, get distinctive individual seals. Individual seals shall be packaged and placed in the precinct electoral commission's disposable sack for election documents (hereinafter referred to as "the sack"), after the end of voting.

7. After the end of the voting, the stamp seal of the precinct electoral commission shall, in the manner and within the time limits prescribed by part 5 of this Article, be returned to the Central Electoral Commission.

8. More than one ballot box may be used in a polling station in the manner prescribed by the Central Electoral Commission.

9. A member of the precinct electoral commission and a proxy may have an individual stamp, but this shall not be compulsory. A member of the precinct electoral commission may use the individual stamp instead of signature in cases prescribed by Article 59(7), Article 67(8) and Article 71(7). A proxy may use the individual stamp instead of signature in cases prescribed by Article 67(8) and Article 71(7).

Article 59. Preparation of the voting

1. The voting shall be prepared by the precinct electoral commissions.

2. The ballot papers, the ballot envelopes, the packaged seal, the stamp seal and the individual seals of commission members shall be stored in a special fire-resistant safe located in the voting room. The procedure for storing thereof shall be defined by the Central Electoral Commission.

3. During the voting, the chairperson of the precinct electoral commission shall be obliged to ensure the compliance with the requirements of this Code and maintain necessary order in the polling station.

4. Desks shall be placed in the polling station for registration of electors, giving of ballot papers and ballot envelopes to electors, and sealing the ballot envelopes. At least one working space shall be provided for proxies between each of the working spaces for registering electors and those of members giving ballot papers and ballot envelopes to electors. If both the member carrying out the registration of electors and the member giving ballot papers and ballot envelopes to electors, are designated by the political parties representing parliamentary opposition (alliance of political parties), the proxy of the political party representing parliamentary majority (alliance of political parties) or the proxy of the candidate nominated by the mentioned party shall have the right of priority to engage the workplace intended for a proxy; moreover, the priority shall be given to the proxy of a political party having a larger faction.

Otherwise, the proxy of the political party representing parliamentary opposition (alliance of political parties) or the proxy of the candidate nominated by the mentioned party shall have the right of priority to engage the mentioned workplace; moreover, the priority shall be given to the proxy of a political party having a larger faction, if the member of the commission designated by that political party (alliance of political parties) does not exercise any functions.

5. The ballot box and the desks of commission members shall be placed in places visible to the persons having the right to be present in the electoral precinct.

6. Sample ballot papers, a poster with biographies and photos of candidates for the President of the Republic, electoral lists of political parties (alliance of political parties) shall be posted in the voting room or at the entrance of the voting room.

7. On the day preceding the voting, the precinct electoral commission shall draw lots at its sitting to select three members of the commission who will sign the ballot papers; these members shall be obliged to sign or stamp with their own stamps or seal with their individual seals all the ballot papers and all the pages of the lists of electors, by 24:00 of the same day (the signatures, the stamp and the individual seal shall be put on the rear side of each page of the ballot papers and lists), making relevant entries in the file register and respectively putting samples of the signature, the stamp and the individual seal in it. After the end of that process, the individual seals of the commission members shall be held in a special fire-resistant safe placed in the voting room.

Article 60. Organisation of voting in diplomatic and consular representations

1. Electors who are — on the voting day — on diplomatic service in diplomatic and consular representations of the Republic of Armenia, as well as members of their families residing abroad with them and having the right to vote, may participate in national elections, by voting electronically within the time limits and as prescribed by the Central Electoral Commission. The Central Electoral Commission shall be obliged to define such conditions for electronic voting that would guarantee the free expression of the will of voters and confidentiality of the voting.

2. Electronic voting may be held after the end of the time limit established for the registration of electoral lists of candidates and political parties (alliance of political parties), but not later than five days prior to the voting day.

3. The provisions of this Article extend also to persons — employed at representations abroad of legal persons registered in the Republic of Armenia (irrespective of the form of ownership) — and their family members residing with them abroad and having the right to vote.

Article 61. Organisation of voting in facilities for holding arrestees and remand facilities

1. Arrested electors shall participate in the voting as prescribed by the Central Electoral Commission, through a mobile ballot box. The voting of the arrested electors shall be organised so that it ends till 18:00.

2. The voting in remand facilities shall be prepared and organised by the head of the penitentiary institution, as prescribed by this Code and by the Central Electoral Commission. The voting in remand facilities shall be organised after 09:00, depending on the number of persons having the right to vote. The Central Electoral Commission shall define the time for beginning of the voting so that it is finished at 20:00.

CHAPTER 12

VOTING PROCEDURE

Article 62. Actions of the precinct electoral commission prior to voting

1. At 07:00 of the voting day, at the sitting held at the polling station, the precinct electoral commission shall, by drawing lots, decide upon:

(1) the members carrying out the registration of electors, at the rate of at least one member per 1 000 electors;

(2) the members providing ballot papers and ballot envelopes, at the rate of at least one member per 1 000 electors;

(3) at least one member responsible for sealing ballot envelopes and for the ballot box;

(4) at least one member holding the voting through a mobile ballot box;

(5) the rotation of functions, every two hours, of members of the precinct electoral commission.

The chairperson and the secretary of the commission shall not participate in drawing lots.

2. The chairperson of the precinct electoral commission shall, in the presence of commission members and persons entitled to attend the voting, open the fire-resistant safe, take out individual seals of commission members and hand to each of the commission members individual seals given to them as a result of lots drawn the day before; take out the stamp seal, ballot papers, ballot envelopes, lists of electors; check the inviolability of the envelope of the packaged seal; open the packaged seal; announce the seal number by putting a seal in the file register. [The chairperson] shall ensure that the ballot box is empty, close and seal the box,

hand the list of electors to the members responsible for registration of electors, hand ballot papers and ballot envelopes (in batches of 100 each) to the members handing out ballot papers and ballot envelopes, and shall hand the seal and the stamp seal to the members responsible for sealing the ballot envelopes and for the ballot box. The chairperson of the precinct electoral commission shall make relevant entries in the file register in connection with the mentioned actions.

Article 63. Commencement of and procedure for voting

1. At 08:00 of the voting day, the chairperson of the precinct electoral commission shall declare the commencement of the voting and authorise the entrance of electors into the voting room.

2. The chairperson of the commission shall arrange and supervise the organisation and holding of the voting, support members exercising certain functions, when necessary, and replace them in case of their absence. Upon the assignment of the chairperson of the commission, the secretary of the commission shall make notes in the register, support the members exercising certain functions, and replace them in case of their absence.

3. Entering a polling station with arms and ammunition shall be prohibited.

4. Military servicemen, officers serving in national security service and police troops shall enter the polling station not in a marching order and without arms and ammunition. In cases where the smooth process of the election is under threat, only police officers, authorised by the chairperson of the precinct electoral commission, may enter the polling station with arms.

5. Proxies, observers (as for local observers, only through qualification certificates on involvement in the electoral commission or carrying out an observation mission), mass media representatives and members of superior electoral commissions may be present at the polling station apart from the members of the electoral commission and the voters. The candidate may be present at the polling station only for the purpose of participating in the voting.

6. No more than 15 voters may simultaneously be present in the voting room. For the purpose of ensuring the smooth voting process, the chairperson of the precinct electoral commission shall be entitled to admit electors to the voting room one by one. In case of impossibility to ensure the implementation of this point by the electoral commission, it shall be ensured by the support of the Police, upon the request of the chairperson of the precinct electoral commission.

7. The Central Electoral Commission shall be obliged to create additional opportunities for the purpose of making the voting available for electors facing difficulties with participation in the

voting process, ensuring the opportunity of free expression of the will of the voter and confidentiality of the voting.

Article 64. Registration of electors

1. Electors personally participate in voting; voting by proxy shall be prohibited. Each elector shall register in the list of electors held by the member of the electoral commission responsible for registration.

2. The member of the electoral commission responsible for registration of electors shall check the elector's identification, find his or her name in the list of electors, fill in the details of the identification document in the blank column next to the name, and the elector shall sign next to the details, in the column intended for elector's signature. The member of the electoral commission carrying out the registration shall put his or her individual seal in the relevant column, next to the signature of the elector. When the elector is not able to sign in the list of electors by himself or herself, he or she shall be entitled to seek help from other citizens, except from the members of the electoral commission.

3. Identification document shall be the national passport (without biometrical data), the identification card or the temporary document replacing the national passport or the identification card issued by the authorised body; for military servicemen it shall be the military service certificate or the military service record card, where they register (vote) in the list of electors drawn up by the given military unit. Conscript soldiers, who have been granted a temporary leave as prescribed by the legislation, shall vote in the places of their residence with the military service record cards, by also submitting the carbon copy of a document on having been granted a temporary leave from compulsory military service.

The fact of expiry of the validity of an elector's identification document shall not be a ground for not admitting him or her to voting.

Article 65. Voting

1. During the voting, each citizen shall receive one ballot paper (or ballot papers, if several polls are held simultaneously) and one ballot envelope (or envelopes, if several polls are held simultaneously).

2. Immediately after being registered, the elector shall approach the commission member responsible for handing out ballot papers and ballot envelopes. The commission member shall tear the stub of the ballot paper (or ballot papers, if several elections are held simultaneously)

and give the bottom part of the ballot paper to the elector, together with the ballot envelope. The elector shall proceed to the voting booth to cast a vote.

3. The elector shall fill in the ballot paper in the voting booth, in a confidential manner. It shall be prohibited to enquire, in any manner, about the vote of the elector.

4. Electors, who are unable to fill in the ballot papers on their own, shall have the right to invite — after notifying the chairperson of the precinct electoral commission — another person into the voting booth, who shall not be a member of electoral commission or a proxy. The person shall have the right to assist only one elector who is unable to fill in the ballot paper by himself or herself. Except for the said case, the presence of another person in the voting booth at the time of filling in the ballot paper shall be prohibited. The particulars of the person assisting the elector unable to fill in the ballot paper on his or her own shall be entered in the register of the precinct electoral commission.

5. If the elector finds that he or she has filled in the ballot paper incorrectly or has spoiled it, he or she may apply to the chairperson of the commission for receiving a new ballot paper. Upon the assignment of the chairperson of the precinct electoral commission, the elector shall be provided with a new ballot paper, and a relevant entry shall be made in the list of electors next to the given elector's first name and the last name. A stub shall be attached to the incorrectly filled in (spoiled) ballot paper, and the latter shall be cancelled immediately.

6. The member of the electoral commission responsible for providing ballot papers and ballot envelopes shall, as prescribed by the Central Electoral Commission, arrange the stubs of ballot papers by their sequence and deliver those to the chairperson of the precinct electoral commission. The latter shall place those in a fire-resistant safe in separate bundles.

7. It shall be prohibited to communicate information about the voting at the polling station.

After the voting, the elector shall immediately leave the polling station.

During the voting, it shall be prohibited for the candidate to stay at the polling station or at the area up to 50 metres away from the polling station, except for the case of participation in the voting.

Article 66. Procedure for filling in the ballot paper and sealing the ballot envelope

1. Electors shall put a uniform mark — in accordance with the manner defined by the Central Electoral Commission — in the tick box next to the name of the candidate and political party (alliance of political parties) they are voting for.

2. When one candidate is voted upon, the elector shall mark the square next to the word “for”, if he or she wants to vote for the candidate, or next to the word “against”, if he or she wants to vote against the candidate.

3. After marking the ballot paper, the elector shall fold the ballot paper while in the voting booth, put it in the ballot envelope, and approach the ballot box. In case where several polls are taking place simultaneously, the elector shall put each ballot paper in the appropriate ballot envelope.

4. The member of the commission responsible for putting a seal on the ballot envelope and for the ballot box shall seal the ballot envelope and allow the elector to drop the ballot envelope into the ballot box only after checking the absence of a stamp seal in the elector’s identification document pertaining to participation in the given elections, and in case no such stamp is present, only after putting such stamp seal on the elector’s identification document. When the elector’s identification document already contains a stamp seal confirming the participation of the elector in the current elections, the commission member shall inform, through the chairperson of the commission, the police officers on duty about the attempt to commit a crime, shall remove the ballot paper from the ballot envelope, return the envelope to the commission member handing out ballot papers and ballot envelopes, and attaching any stub to the ballot paper, shall immediately cancel the ballot as prescribed by the Central Electoral Commission. At his or her own initiative or at the request of another commission member or the proxy, the commission member responsible for sealing ballot envelopes and for the ballot box may verify (submit to another commission member or a proxy) the identification document of the elector.

The commission member, who is responsible for sealing the ballot envelopes and for the ballot box, shall stamp the ballot envelope, open the ballot box slot and enable the elector to drop the ballot envelope into the ballot box. The ballot envelope shall be sealed by the seal of the precinct electoral commission. At the entire voting process, this seal shall remain near the ballot box in a place visible to all.

5. For the purpose of putting a stamp seal on identification documents, precinct electoral commissions shall be provided with a substance which remains for at least 12 hours after stamping, and then disappears.

6. If the commission member or the proxy finds that cases of violations of voting procedures have taken place during the voting process as stipulated by this Code, he or she has the right to require for his or her opinion to be recorded in the register.

CHAPTER 13

PROCEDURE FOR SUMMARISATION AND TABULATION OF VOTING RESULTS, DETERMINATION OF INACCURACIES AND SUMMARISATION OF ELECTION RESULTS

Article 67. Procedure for summarisation of voting results in electoral precincts

1. At 20:00, the chairperson of the precinct electoral commission shall declare about the end of the voting and forbid the entry of electors into the voting room. The commission shall allow the electors already present at the voting room to cast their votes, after which the chairperson of the commission shall close the ballot box slot.

2. The precinct electoral commission shall start its sitting for summarising voting results with the attendance of persons entitled to be present at the commission sitting (the candidate may also participate in this sitting). For this purpose, it shall:

(1) package and seal the individual seals of commission members, place those in the sack intended for election documents;

(2) count the total number of unused, incorrectly filled in (spoiled) and returned ballot papers, and cancel unused ballot papers as prescribed by the Central Electoral Commission, package them, seal the package and place it in the sack;

(3) package the stubs of used ballot papers, seal the package, and place it in the sack;

(4) separately count the number of electors in each supplementary list of electors (including supplementary lists drawn up at the electoral precinct on the voting day), add the number of electors from the list of electors to that of supplementary ones, thus arriving at the total number of electors in the electoral precinct;

(5) count the number of electors who has participated in the voting (*i.e.* have received ballot papers), based on the signatures of the electors in the list of electors (including supplementary lists), package the said lists, seal the package and place it in the sack.

3. The results of the actions defined in part 2 of this Article shall be published as well as recorded in the register. The chairperson of the commission shall immediately inform — through available means of communication — the chairperson of the constituency electoral commission on the number of the voting participants in the electoral precinct. Upon the request of the proxy, the latter shall be given an excerpt from the register about the number of voting participants, certified by the signatures of the commission chairperson and the secretary, and bear the seal of the commission.

The precinct electoral commission shall collect the unused ballot envelopes and package those, for the purpose of submission thereof to the constituency electoral commission along with

the sack of election documents. The package of the unused ballot envelopes shall not be put in the sack.

4. The chairperson of the precinct electoral commission shall open the ballot box, take one ballot envelope out of the ballot box, and announce out loud whether the envelope is of established sample or not, then demonstrate it in such a way that it is visible to those present. If requested, the ballot envelope shall be passed on to the other commission members. If a commission member disagrees with the opinion of the commission chairperson, he or she shall raise an objection. Based on the results of a vote where an objection is raised (the commission member's proposal is put to a vote, and if the proposal is not adopted by voting, the commission chairperson's proposal is considered to be adopted), or based on the original announcement of the commission chairperson where no objection is raised, the commission chairperson shall take the ballot paper out of the ballot envelope of the established sample, announce whether the ballot paper is valid or invalid, of non-established sample, and, if it is valid, who it is for, then demonstrate it in such a way that it is visible to those present. If requested, the ballot paper shall be passed on to the other commission members. If a commission member disagrees with the opinion of the commission chairperson, he or she shall raise an objection. Based on the results of a vote where an objection is raised (the commission member's proposal is put to a vote, if the commission member's proposal is not adopted by voting, the commission chairperson's proposal is considered to be adopted), or based on the original announcement of the commission chairperson where no objection is raised, the chairperson shall, according to the marking of the ballot paper, put the ballot paper in the package of ballot papers cast for the respective candidate or political party (alliance of political parties), and where there is only one candidate, in the packages of "for" or "against" or invalid ballot papers, and put the ballot envelope in the package of ballot envelopes of established sample, after which the commission chairperson shall take the next envelope out of the ballot box.

This procedure shall be repeated in relation to all the ballot envelopes in the ballot box. During the sorting of ballot envelopes and ballot papers, commission members shall be prohibited from making any notes as well as having with them any pens, pencils or other items for making notes.

5. Where more than one ballot paper for the same poll or a ballot paper (ballot papers) of non-established sample are found in a ballot envelope, the ballot paper (ballot papers) shall be placed back into the envelope, and the envelope shall be placed in the package of ballot envelopes of non-established sample.

If the ballot envelope is of non-established sample, the ballot paper inside such envelope shall not be taken out, and the ballot envelope shall be placed in the package of ballot envelopes of non-established sample.

Ballot envelopes of non-established sample together with the ballot papers inside them shall be immediately cancelled and packaged. The said package shall be submitted to the constituency electoral commission without being placed in the sack.

6. After having sorted all the ballot envelopes and ballot papers in the ballot box, in the presence of commission members, the commission chairperson shall count one by one all the invalid ballot papers inside the ballot envelopes of established sample, as well as ballot papers cast for every candidate or political party (alliance of political parties), or, where only one candidate is voted upon, the ballot papers cast for or against the candidate. The calculated numbers shall be published as well as recorded in the register.

7. Ballot envelopes and ballot papers of non-established sample shall not be considered and counted when summarising the results.

8. The counted and sorted ballot envelopes and ballot papers shall be packaged; the packages shall be sealed and placed in the sack, as prescribed by the Central Electoral Commission.

The packages must bear the signature of the chairperson of the commission. The other commission members and proxies shall also be entitled to sign the packages or stamp them with their own stamp. The first names and the last names of the signatories shall be recorded and samples of the signature or the stamp shall be put in the register.

9. The proxies, observers, mass media representatives may photograph and videotape the process of summarising the voting results.

10. If several elections are held simultaneously, the precinct electoral commission shall, first of all, summarise the voting results of the national elections; moreover, if elections of the President of the Republic are held with other elections, the precinct electoral commission shall, first of all, summarise the voting results of the elections of the President of the Republic; in case of elections to the National Assembly — the voting results of the elections under the proportional electoral system; and in case of local self-government elections — the voting results of the elections to the community Council of Elders.

Article 68. Validity of ballot papers

1. A ballot paper of established sample shall be invalid where:

(1) it contains markings for more than one candidate, political party (alliance of political parties);

(2) it contains markings both next to the words “for” and “against”, when one candidate is voted upon;

(3) it contains no marking;

(4) it contains another marking disclosing the identity of the elector, apart from the mark established by the Central Electoral Commission for voting or the one similar to that;

(5) it is not signed, stamped or sealed by a member of the electoral commission, with the latter's own stamp or individual seal;

(6) the defined manner of marking the ballot paper is breached apparently. An insignificant breach shall not serve as a basis for invalidity of the ballot paper, if the elector's intention is clear and unambiguous.

2. A ballot paper shall be valid, if it is not invalid.

Article 69. Ballot papers of non-established sample

1. A ballot paper shall be of non-established sample, where it differs from the established sample, as well as:

(1) the one that is in the ballot envelope of non-established sample;

(2) the ballot papers in cases when there is more than one ballot paper in the envelope;

(3) the ballot papers in the ballot box which are without a ballot envelope.

Article 70. Ballot envelopes of non-established sample

1. A ballot envelope shall be of non-established sample, where it obviously differs from the established sample, or the one that is not sealed, or is sealed with a different seal, as well as:

(1) the ballot envelope containing no ballot paper;

(2) the ballot envelope containing more than one ballot paper;

(3) the ballot envelope containing a ballot paper of non-established sample;

(4) the ballot envelope with markings disclosing the identity of the elector.

Article 71. Precinct electoral commission's protocol on voting results

1. Based on the calculations made in accordance with the procedure laid down in Article 67 of this Code, the Precinct Electoral Commission shall prepare a protocol on the results of voting in the electoral precinct, which shall include the following:

- (1) the number of electors separately for each supplementary list of electors,(including of those in the supplementary list drawn up at the electoral precinct on the voting day);
- (2) the total number of electors in the electoral precinct, which shall be equal to the number of electors in supplementary list of electors and in the main list of electors;
- (3) the number of voting participants (the number of signatures of the electors, who have registered and received ballot papers, shall be filled in);
- (4) the number of ballot papers and the numbers of stubs provided to the precinct electoral commission and the stub numbers (filled in by the constituency electoral commission);
- (5) the total number of cancelled ballot papers (unused or incorrectly filled in or spoiled and returned ballot papers by the electors);
- (6) the number of invalid ballot papers;
- (7) the number of ballot papers cast for each candidate or political party (alliance of political parties);
- (8) the number of ballot papers cast against a candidate (this line shall be indicated when one candidate is voted upon);
- (9) the number of ballot envelopes of established sample in the ballot box.

2. The protocol shall be signed by the chairperson, the secretary and the members of the commission; it is sealed by the chairperson of the commission.

3. The commission member shall be obliged to sign the protocol. Where the commission member has an objection (special opinion) with regard to the data in the protocol, he or she shall enter his or her opinion in writing in the protocol in the special place provided therefor.

4. The sitting of the precinct electoral commission may not be interrupted from the moment the voting is over until the preparation of the protocol on voting results in the electoral precinct.

5. The commission shall complete the protocol at the end of the sitting, but not later than 10 hours after the end of voting, and the commission chairperson shall publish the protocol on voting results in the electoral precinct.

6. The protocol shall be made in four carbon copies; one carbon copy shall be posted in the polling station next to the list of electors, and one carbon copy shall be placed in the sack of election documents.

7. The sack must bear the signature of the chairperson of the commission. The other commission members and proxies shall also be entitled to put a signature on the sack or to

stamp it with their own stamp. The first names and the last names of the signatories shall be recorded and samples of the signature or the stamp shall be put in the register.

It shall be mandatory to close the sack of election documents at the precinct electoral commission. The chairperson of the commission shall be responsible for closing the sack — in the prescribed manner — at the precinct electoral commission.

8. An excerpt from the protocol on voting results in the electoral precinct shall be provided to persons — at their request — entitled to be present at the commission sitting; the excerpts shall be certified by the signatures of the commission chairperson and the secretary, and bear the seal of the commission.

9. Not later than during 12 hours after the end of voting, the chairperson and the secretary of the precinct electoral commission shall submit the sack, the package of ballot envelopes of non-established sample, the package of unused ballot envelopes, the two carbon copies of the protocol on voting results, the register, as well as the seal and the stamp seal of the commission, to the appropriate constituency electoral commission, as prescribed by the Central Electoral Commission.

Article 72. Procedure for determining the inaccuracies

1. In order to calculate the amount of inaccuracies in an electoral precinct:

(1) the number of ballot papers provided to the precinct electoral commission shall be compared with the sum of the numbers of cancelled ballot papers, valid ballot papers and that of the invalid ballot papers in the ballot box. If the number of ballot papers provided to the precinct electoral commission is smaller than the sum of the number of cancelled ballot papers, and of numbers of valid and invalid ballot papers in the ballot box, the difference - in its absolute value - shall be recorded as the first inaccuracy amount. Otherwise the first inaccuracy amount shall be recorded as "0";

(2) the number of signatures in the list of electors shall be compared with the sum of the numbers of valid and invalid ballot papers in the ballot box. If the sum of the numbers of valid and invalid ballot papers in the ballot box is greater than the number of signatures in the list of electors, the difference - in its absolute value - shall be recorded as the second inaccuracy value. Otherwise the second inaccuracy amount shall be recorded as "0";

(3) the number of used ballot stubs shall be compared with the sum of the numbers of valid and invalid ballot papers in the ballot box. The difference — in its absolute value — shall be recorded as the third inaccuracy value;

(4) the sum of the maximum number of the numbers mentioned in the first and second points of this Part and the number mentioned in the third point shall be considered the total amount of inaccuracies in the given electoral precinct.

2. The amount of inaccuracies in the electoral precinct shall be calculated and registered by the electoral commission responsible for the summarisation of voting results, by using the "Elections" automated system.

3. In case of declaring the results of voting in the electoral precinct invalid, the number of voting participants in the precinct shall be registered as total amount of inaccuracies in the precinct

4. In preparing the protocol on voting results, the number of electors, including those in supplementary lists, of the precinct where the results of voting were declared invalid, the number of voters, and that of registered ballot papers and numbers of stubs shall correspondingly be added to the results of voting in other precincts, while the number of cancelled ballot papers shall be the number of ballot papers provided to the given precinct. The other results of the protocol of the electoral precinct where the voting has been declared invalid, except for the amount of inaccuracies, shall be registered as "0".

Article 73. Measures implemented by the constituency electoral commissions after receiving the protocols of the precinct electoral commissions

1. The constituency electoral commission shall check the validity of preparation of the protocols on the voting results in the electoral precincts; if there are arithmetic errors, the chairperson and the secretary of the appropriate precinct electoral commission shall correct those and endorse the corrections with their signatures. The original data shall not be modified. The result at which the precinct electoral commission arrives at through counting the ballots one by one shall be considered as the baseline data.

2. The constituency electoral commission shall input the data in protocols on the electoral precinct voting results into a computer by means of special computer software, in the manner defined by the Central Electoral Commission. The software shall ensure reasonable guarantees against errors due to incorrect data input. The Commission shall regularly, but not less frequently than every three hours, tabulate the voting results in the constituency through a computer as per electoral precincts. The constituency electoral commission shall complete the input of data from protocols on voting results in electoral precinct into the computer not later than within eighteen hours after the end of voting. The constituency electoral commission shall tabulate the voting results as per electoral precincts.

3. A carbon copy of tabulated constituency voting results — endorsed by signatures of the commission chairperson (deputy chairperson) and the secretary as well as by the seal of the commission — shall immediately be posted at the commission in a place visible to everyone. Upon their request, persons entitled to be present at electoral commission sittings shall receive a carbon copy of tabulated constituency voting results, endorsed by signatures of the commission chairperson (deputy chairperson) and the secretary as well as by the seal of the commission.

The constituency electoral commission — twenty-four hours after the end of the voting — shall submit a carbon copy of the protocol on the voting results in electoral precinct to the Central Electoral Commission at national elections and elections to the Yerevan Council of Elders.

4. At national elections and elections to the Yerevan Council of Elders, the constituency electoral commission shall not make a protocol on summarisation of voting results in the constituency; it shall, for recount of voting results, examine the inaccuracies registered on the voting day in the registers of precinct electoral commissions within the time limits defined by this Code, summarise the results at its sitting, and submit the decision thereon to the Central Electoral Commission.

Article 74. Procedure for summarising, at constituency electoral commission, results of elections to the deputy of the National Assembly under the majoritarian electoral system and of local self-government elections

1. The constituency electoral commission shall, not later than within eighteen hours after the end of voting, in compliance with the requirements of this Article and based on the protocols on voting results in electoral precinct, summarise the preliminary results in the given constituency of the elections to the deputy of the National Assembly under the majoritarian electoral system and of local self-government elections and shall endorse them in the form of a protocol.

If, during voting, such violations of the requirements of this Code have been registered that could affect the voting results, the constituency electoral commission may declare the voting results in the given precinct invalid. In this case, the Central Electoral Commission or the constituency electoral commission shall submit the materials to the Prosecutor's Office.

2. On the fifth day after the voting day, the constituency electoral commission shall, based on the protocols on precinct voting results, the results of recounts and the adopted decisions on the voting results, draw up a protocol on the voting results in the constituency.

3. The protocols on the results of the elections to the deputy of the National Assembly under the majoritarian electoral system and of the elections of the local self-government voting shall include the following:

(1) the total number of electors separately for each supplementary list of electors of the electoral precinct in a constituency (including those in supplementary lists drawn up in the electoral precincts on the voting day);

(2) the total number of electors of the constituency (it is equal to the sum of the total number of electors from all the electoral precincts set up in the constituency for elections);

(3) the total number of voting participants (the number of signatures of the electors who registered and received ballot papers shall be filled in);

(4) the number of ballot papers provided to the precinct electoral commissions and the stub numbers;

(5) the total number of cancelled ballot papers at the precinct electoral commissions;

(6) the number of invalid ballot papers;

(7) the number of ballot papers cast for each candidate;

(8) the number of ballot papers cast against a candidate (this line shall be indicated when one candidate is voted on);

(9) the number of ballot envelopes of established sample in the ballot box ;

(10) the total amount of inaccuracies.

The total amount of inaccuracies in a constituency (community) shall be equal to the sum of the total inaccuracy values in the electoral precincts included in that constituency (community).

4. The protocol shall be signed by the members of the commission and shall be sealed by the commission chairperson.

5. The chairperson of the constituency electoral commission shall publish the protocol.

6. One carbon copy of the protocol shall be posted in a visible place at the commission immediately after the measures provided for by this Article are implemented.

7. A carbon copy of the protocol on voting results, signed by the commission chairperson and the secretary and stamped by the commission seal, shall be provided to persons entitled to be present at the commission sitting, upon their request.

8. On the fifth day after the voting day, the constituency electoral commission shall — based on the protocol on constituency voting results, court judgments, decisions made as a result of

discussing applications (complaints) received by the commission, and the adopted decision on the violations registered on the voting day in the record books of precinct electoral commissions — summarise the voting results and adopt a decision on election results.

9. The constituency electoral commission shall submit carbon copies of the protocol and decision to the Central Electoral Commission within a two-day period.

Article 75. Procedure for summarising, at the Central Electoral Commission, of results of elections of the President of the Republic and of elections under the proportional electoral system

1. Not later than twenty-four hours after the end of voting, in accordance with the requirements of this Article and based on the precinct voting results received from the constituency electoral commissions, the Central Electoral Commission shall summarise the preliminary results of national elections, endorse those in the form of a protocol and officially announce the preliminary election results in a live broadcast on the Public Radio and Public Television.

2. On the seventh day after the voting day, the Central Electoral Commission shall, based on the protocols on voting results in electoral precinct, the results of recounts and the adopted decisions on the voting results, draw up a protocol on the voting results.

3. The protocol on the voting results shall include the following:

(1) the total number of electors separately for each supplementary list of electors of electoral precincts (including those in supplementary lists drawn up in the electoral precinct on the voting day);

(2) the total number of electors (it is equal to the sum of the total number of electors from all the electoral precincts set up for elections);

(3) the number of voting participants;

(4) the number of ballot papers provided to the precinct electoral commissions and the stub numbers;

(5) the total number of cancelled ballot papers at the precinct electoral commissions;

(6) the number of invalid ballot papers;

(7) the number of ballot papers cast for each candidate, political party (alliance of political parties);

(8) the number of ballot papers cast against a candidate (this line shall be indicated when one candidate is voted on);

(9) the number of ballot envelopes of established sample in the ballot box;

(10) the amount of inaccuracies.

In case of national elections, the total amount of inaccuracies shall be equal to the sum of the total amount of inaccuracy of all the electoral precincts set up.

4. The protocol shall be signed by the members of the commission and sealed by the commission chairperson.

5. A carbon copy of the protocol on voting results, signed by the commission chairperson and the secretary as well as stamped by the commission seal, shall be provided to persons entitled to be present at the commission sitting, upon their request.

6. On the seventh day after the voting day, the Central Electoral Commission shall — based on the protocol on voting results, court judgments, decisions made as a result of discussing applications (complaints) received by the commission, adopted decisions of constituency electoral commissions on the violations registered on the voting day in the record books of precinct electoral commissions, and the decisions on voting results — summarise the election results and adopt a decision thereon.

PART TWO

SECTION 4

ELECTIONS OF THE PRESIDENT OF THE REPUBLIC

CHAPTER 14

GENERAL PROVISIONS

Article 76. Electoral system

1. At the elections of the President of the Republic, the whole territory of the Republic of Armenia shall be considered as one majoritarian constituency.

2. The President of the Republic shall be elected through the system of absolute majority and, in the second round, through the system of relative majority.

Article 77. Requirements for candidates for the President of the Republic

1. Anyone having attained the age of thirty-five, not being a citizen of another State, having been a citizen of the Republic of Armenia for the last ten years, permanently residing in the

Republic for the last ten years and having the right of suffrage, may be elected as the President of the Republic.

2. The same person may not be elected as the President of the Republic for more than two consecutive terms.

CHAPTER 15

NOMINATION AND REGISTRATION OF CANDIDATES FOR THE PRESIDENT OF THE REPUBLIC

Article 78. The right to nominate a candidate for the President of the Republic

The right to nominate a candidate for the President of the Republic shall be vested in political parties, as well as in citizens through self-nomination.

Article 79. Nomination of candidates for the President of the Republic

1. A political party shall nominate a candidate for the President of the Republic upon the decision of its congress or permanently functioning body. Each political party shall have the right to nominate one candidate for the President of the Republic.

2. In the case of self-nomination the citizen shall file a notarised application on self-nomination.

3. The decision of the congress or the permanently functioning body of a political party on nominating a candidate for the President of the Republic and the application of a citizen on self-nomination shall contain the following information about the candidate:

- (1) last name, first name, and patronymic name;
- (2) date of birth;
- (3) place of residence;
- (4) place of employment and position (occupation);
- (5) political party affiliation.

4. The following shall be attached to the decision of the congress or the permanently functioning body of a political party and the application of a citizen on self-nomination:

- (1) data on the authorised representative of a candidate (indicating last name, first name, patronymic name, date of birth, personal identification document number, place of employment and position (occupation));

- (2) a receipt on payment of the electoral deposit;
- (3) a statement attesting that the candidate has been a citizen of the Republic of Armenia for the last ten years, which shall also contain a note about not holding the citizenship of another State by the citizen and a statement attesting that the candidate has been permanently residing in the Republic of Armenia for the last ten years;
- (4) a written declaration of consent of the candidate to be registered as a candidate for the President of the Republic (only in case of being nominated by a political party);
- (5) a carbon copy of the candidate's personal identification document;
- (6) the charter of the party (only in case of being nominated by a political party).

5. The form of the statement as prescribed by point 3 of part 4 of this Article shall be approved by the Central Electoral Commission. The mentioned statement shall be issued by the authorised state body within a three-day period upon filing a relevant request, but not earlier than making a statement on the voting day of the President of the Republic.

The authorised state body shall refuse to provide the statement of the mentioned form to applicants upon its decision, if their data do not meet the requirements provided for in Article 77(1) of this Code.

6. The mentioned documents shall be submitted to the Central Electoral Commission only by the candidate or the authorised representative within the time limit prescribed by part 1 of Article 97 of this Code.

7. The Central Electoral Commission shall be obliged to draw the attention of persons having submitted the documents, to the errors, erasures, scratches, misprints, if detected, in the documents submitted for being registered as candidate for the President of the Republic — for the purpose of correction thereof — and, in their presence, correct the evident errors and misprints existing in the submitted documents.

The Commission shall have no power not to accept the submitted documents solely for the reason that they contain such errors, erasures, scratches, or misprints. The provisions of this part shall not apply to the correction of such errors, erasures, scratches, misprints, as well as to the elimination of other deficiencies, the right whereof is reserved by law to the bodies having adopted or provided such documents.

In case the submitted documents contain inaccuracies referred to in paragraph 2 of this Part or in case of incompleteness of documents attached to the application, the Central Electoral Commission shall give 48 hours for the correction of the mentioned inaccuracies and completion of the attached documents. In case of failure to eliminate inaccuracies or to complete documents within the mentioned time limit, the registration of the candidate shall be rejected.

Article 80. Electoral deposit of candidates for the President of the Republic

1. Candidates for the President of the Republic shall make an electoral deposit to the account of the Central Electoral Commission in the Central Bank of the Republic of Armenia, in the amount of 8 000-fold of the minimum salary as defined by the legislation of the Republic of Armenia (hereinafter referred to as the minimum salary).

Article 81. Registration of candidates for the President of the Republic

1. A candidate for the President of the Republic may be registered upon nomination by only one political party.

2. A candidate for the President of the Republic shall be registered without voting, where the members of the commission have not raised any objection on registration thereof.

3. Prior to registration of the candidate for the President of the Republic, the candidate and the authorised representative thereof shall be entitled to attend the sittings of the Central Electoral Commission in an advisory capacity.

4. The Central Electoral Commission shall publish the statement on registration of candidates for the President of the Republic within a three-day period.

Article 82. Rejection of registration of a candidate for the President of the Republic

1. The Central Electoral Commission shall reject the registration of a candidate for the President of the Republic if:

- (1) the candidate does not have a right to be elected;
- (2) documents submitted for registration are incomplete or falsified.

2. Where a member of the Central Electoral Commission raises an objection regarding the registration of a candidate for the President of the Republic, the objection shall be put to vote. The registration shall be rejected upon at least two-thirds of votes of the total number of members of the Commission.

Article 83. Declaring the registration of a candidate for the President of the Republic invalid

1. The Central Electoral Commission shall declare the registration of a candidate for the President of the Republic invalid upon a decision adopted by at least two-thirds of the

commission members, if certain facts are revealed after the registration, rendering the candidate as having no right to be elected, or if the documents submitted for registration have been falsified.

Article 84. Procedure for appealing against decisions on rejecting or declaring invalid the registration of a candidate for the President of the Republic

1. The decision of the Central Electoral Commission on rejecting or declaring invalid the registration of a candidate for the President of the Republic may be appealed against to the Administrative Court of the Republic of Armenia in the manner and time limits defined by the Administrative Procedure Code of the Republic of Armenia.

2. The candidate shall be considered registered or re-registered by the judgment of the court on declaring invalid the decision of the Central Electoral Commission on rejecting or declaring invalid the registration of the candidate for the President of the Republic.

Article 85. Repealing the registration of a candidate for the President of the Republic

1. The registration of a candidate for the President of the Republic shall be repealed:

- (1) by the decision of the Central Electoral Commission, where he or she has filed a request for self-recusal;
- (2) based on the judgment of the court, where he or she has violated the provisions of Part 8 of Article 18 or of Article 26 of this Code;

CHAPTER 16

STATUS OF CANDIDATES FOR THE PRESIDENT OF THE REPUBLIC

Article 86. Equality of candidates for the President of the Republic

1. Candidates for the President of the Republic shall have equal rights and duties arising from the status of a candidate for the President of the Republic.

Article 87. Rights and duties of candidates for the President of the Republic

1. A candidate for the President of the Republic shall acquire the status upon the registration. The rights and duties defined by this Code shall apply to a candidate for the President of the Republic until the expiry of time limits for challenging the decision of the Central Electoral

Commission on the election of the President of the Republic and, in case of challenging the decision, until the Constitutional Court adopts a decision.

2. Candidates for the President of the Republic, with the exception of those holding political posts, shall be released from the performance of their official duties from the moment of registration as candidates. Candidates for the President of the Republic shall have no right to use their official posts for the purpose of taking advantage during the election campaign.

3. A candidate for the President of the Republic shall be exempt from mobilisation and training musters.

4. Dismissing a candidate for the President of the Republic, transferring to another work or sending on secondment upon the initiative of the employer shall be prohibited.

5. A candidate for the President of the Republic shall have the right to withdraw his or her candidacy in case of submitting an application by 18:00 no later than ten days prior to the voting day.

A request for self-recusal shall be notarised or the candidate shall approve his or her request for self-recusal at the sitting of the Commission.

In case of self-recusal, the Central Electoral Commission shall repeal the registration of the candidate and the candidate shall be obliged to compensate the expenses incurred by the State for his or her election campaign.

6. A candidate for the President of the Republic, as well as the President elected prior to the assumption of powers of the President of the Republic, may be arrested or detained or an issue of subjecting to liability through judicial procedure may be instigated against him or her only upon the consent of the Central Electoral Commission. The Central Electoral Commission shall adopt a decision on the mentioned issue by at least the two thirds of votes of the total number of members of the Commission. The provision provided for in this Part shall not apply to those citizens arrested or detained prior to being registered as a candidate, as well as to cases of changing the detention with arrest and extending the detention period of the detained candidate.

CHAPTER 17

ELECTION CAMPAIGN OF A CANDIDATE FOR THE PRESIDENT OF THE REPUBLIC

Article 88. Election fund of a candidate for the President of the Republic

1. For the purpose of conducting his or her election campaign, a candidate for the President of the Republic shall open an election fund in the Central Bank of the Republic of Armenia that shall be made up from voluntary contributions referred to in Article 25 of this Code.

2. The amount of personal contributions made to the election fund of a candidate must not exceed 5 000-fold of the minimum salary.

3. The amount of contributions to the election fund made by the political party having nominated the candidate shall not exceed 25 000-fold of the minimum salary.

4. The amount of expenditures made by candidates from their election funds for conducting the election campaign, renting halls, premises, preparing (posting) campaign posters, acquiring print and other campaign materials, preparing all types of campaign materials (including print materials) to be provided to electors, shall not exceed 100 000-fold of the minimum salary.

5. Each natural person may make voluntary contributions to the election fund of a candidate in the amount of up to 100-fold of the minimum salary.

Article 89. Election campaign of a candidate for the President of the Republic

1. Free and paid use of air time on the Public Radio and Public Television for the election campaign of candidates for the President of the Republic shall be carried out in the manner prescribed by the Central Electoral Commission.

2. A candidate for the President of the Republic shall have the right to use no more than sixty minutes of free air time on the Public Television, and no more than 120 minutes of free air time on the Public Radio.

3. A candidate for the President of the Republic shall have the right to use no more than 120 minutes of paid air time on the Public Television, and no more than 180 minutes of paid air time on the Public Radio at the account of the election fund.

4. During the second round of elections, as well as at the early elections of the President of the Republic, a candidate for the President of the Republic shall have the right to use no more than fifteen minutes of free air time on the Public Television, and no more than twenty-five minutes of free air time on the Public Radio, as well as no more than twenty-five minutes of paid air time on the Public Television and no more than thirty-five minutes of paid air time on the Public Radio, at the account of the election fund.

CHAPTER 18

BALLOT PAPERS.

SUMMARISATION OF ELECTION RESULTS

Article 90. Ballot papers

1. The ballot paper for the elections of the President of the Republic shall contain the last names of candidates in alphabetical order, first names, patronymic names, as well as names of nominating political parties, and, in case of self-nomination, the word "self-nomination" .

Article 91. Summarisation of election results

1. The Central Electoral Commission shall summarise the results of the elections and shall adopt one of the following decisions in the manner and within the time limits prescribed by Article 75 of this Code:

- (1) on the election of the President of the Republic;
- (2) on holding a second round of elections;
- (3) on declaring the election invalid and on failure to elect a President of the Republic;
- (4) on declaring the election as not having taken place and on failure to elect a President of the Republic.

2. An application on challenging the decision adopted on the basis of the results of elections of the President of the Republic may be submitted to the Constitutional Court on the fifth day following the day of official announcement of the results, by 18:00.

Article 92. Decision of the Central Electoral Commission on the election of the President of the Republic

1. The Central Electoral Commission shall adopt a decision on the election of a candidate as the President of the Republic, who has received more than half of affirmative votes of electors cast in favour of all the candidates.

2. Where only one candidate is voted on, he or she shall be elected if he or she receives more than half of "for" votes of those participating in the voting.

3. At the second round of the elections of the President of the Republic, the candidate, having received the greater number of affirmative votes of the electors, shall be elected as the President of the Republic.

Article 93. Decision of the Central Electoral Commission on holding a second round of elections of the President of the Republic

1. Where more than two candidates were voted on and none of them have received the required number of affirmative votes, a second round of elections of the President of the Republic shall be held on the fourteenth day after the voting. The two candidates who have received the greater number of affirmative votes may participate in the second round of elections of the President of the Republic.

Article 94. Decision of the Central Electoral Commission on declaring the elections of the President of the Republic invalid

1. Elections of the President of the Republic shall be declared invalid in any round, if violations of this Code that might have affected the results of the elections have taken place in the course of preparation and holding of elections.

Article 95. Decision of the Central Electoral Commission on declaring the elections of the President of the Republic as not having taken place

1. Elections of the President of the Republic shall be declared as not having taken place, if:

- (1) the only candidate voted on has not received the required number of "for" votes;
- (2) the candidate, having received the necessary number of affirmative votes for being elected, has died prior to the summarisation of the election results.

CHAPTER 19

HOLDING ELECTIONS OF THE PRESIDENT OF THE REPUBLIC

Article 96. Time frame for holding elections of the President of the Republic

1. Elections of the President of the Republic shall be held fifty days prior to the cessation of powers of the President of the Republic.

2. Not later than seventy days prior to the voting day, the Chairperson of the Central Electoral Commission shall make a statement on the Public Radio and Public Television on the day of elections of the President of the Republic.

3. At elections of the President of the Republic, the voting day shall be declared as a non-working day.

Article 97. Time frame for registration of a candidate for the President of the Republic

1. Documents required for the registration of a candidate for the President of the Republic shall be submitted to the Central Electoral Commission by 18:00 not earlier than fifty-five and not later than forty-five days prior to the voting day.

2. Registration of candidates shall be carried out not earlier than forty-five and not later than thirty-five days prior to the voting day.

Article 98. New elections of the President of the Republic

1. If the President of the Republic is not elected in cases provided for by Articles 94 and 95 of this Code, as well as in case of resignation or death of the President elect prior to the assumption of powers after the elections, new elections shall be called, and the voting shall be held on the fortieth day after calling new elections.

2. In case of emergence of insurmountable obstacles for one of the candidates for the President of the Republic, elections of the President of the Republic shall be adjourned for a period of two weeks. In case obstacles declared as insurmountable are not eliminated, new elections shall be called, and the voting shall be held on the fortieth day after the expiration of the mentioned period of two weeks.

3. In case of death of one of the candidates, new elections shall be called, and the voting shall be held on the fortieth day after calling new elections.

4. New elections of the President of the Republic shall be held by new nomination of candidates, in the manner prescribed for early elections by this Code.

Article 99. Early elections of the President of the Republic

1. In cases of resignation, death, impossibility to discharge powers or impeachment of the President of the Republic in the manner prescribed by Article 57 of the Constitution, early elections of the President of the Republic shall be called, and the voting shall be held on the fortieth day after the position of the President of the Republic remains vacant.

2. Elections of the President of the Republic may not be held during martial law and state of emergency, and the President of the Republic shall continue to perform his or her powers. In

that case, on the fortieth day after the end of the martial law or state of emergency, elections of the President of the Republic shall be held in the manner prescribed by this Code for early elections.

Article 100. Announcement of the day of new and early elections of the President of the Republic

1. Not later than thirty-nine days prior to the voting day, the Chairperson of the Central Electoral Commission shall make a statement on the Public Radio and Public Television about the new and early elections of the President of the Republic.

Article 101. Nomination and registration of candidates for the President of the Republic, formation of electoral precincts, designation of polling stations and publication of lists of electors at new and early elections of the President of the Republic

1. Documents required for the registration of a candidate for the President of the Republic shall be submitted to the Central Electoral Commission by 18:00 not earlier than thirty days and not later than twenty-five days prior to the voting day.

2. Registration of candidates shall be carried out not earlier than twenty-five days and not later than twenty days prior to the voting day.

3. Electoral precincts shall be formed and polling stations shall be designated not later than twenty-five days prior to the voting day. Not later than twenty days prior to the voting day, the authorised body shall submit the lists of electors to the person possessing the premises of the polling station, who shall post them in the polling station, in a place visible to all.

SECTION 5

ELECTIONS TO THE NATIONAL ASSEMBLY

CHAPTER 20

GENERAL PROVISIONS

Article 102. Composition of the National Assembly

1. The number of deputies of the National Assembly shall be prescribed by the Constitution of the Republic of Armenia.

Article 103. Electoral system

1. Elections to the National Assembly shall be held under the proportional and majoritarian electoral systems. From a multi-mandate constituency covering the whole territory of the Republic of Armenia ninety deputies shall be elected under the proportional electoral system from among candidates for deputies nominated by political parties (alliance of political parties) in the electoral lists and forty-one deputies shall be elected under the majoritarian electoral system — one deputy from each constituency.

Article 104. Right to vote

1. Each elector shall have the right to one vote in the elections under the proportional electoral system and right to one vote in the elections under the majoritarian electoral system, except for cases prescribed by this Code.

Article 105. Right to be elected

1. Anyone having attained the age of twenty-five, not holding the citizenship of another State, having been a citizen of the Republic of Armenia for the last five years, permanently residing in the Republic in the last five years and having the right of suffrage shall have the right to be elected as a deputy of the National Assembly of the Republic of Armenia.

CHAPTER 21

NOMINATION AND REGISTRATION OF CANDIDATES FOR A DEPUTY

Article 106. Right to nominate a candidate for a deputy

1. The right to nominate candidates for a deputy to the National Assembly under the proportional electoral system shall be vested in political parties and alliances of political parties.

A candidate for deputy may be nominated only by the electoral list of one political party and only in one majoritarian constituency.

2. Alliances of political parties may be formed in case at least two political parties form an election alliance.

3. During elections, political parties included in an alliance of political parties may not be included in an alliance of other political parties.

4. The decision on joining an alliance of political parties shall be adopted by the permanently functioning body of the political party.

5. Electoral lists of alliances of political parties shall be drawn up from a separate list presented by each political party included in the alliance. The order of candidates for a deputy in the electoral list of an alliance of political parties shall be determined during joint consultations held by the political parties included in the alliance and shall be approved by the permanently functioning body of each political party included in the alliance.

6. Where a political party leaves the alliance of political parties, the names of candidates for a deputy nominated by that political party shall be removed from the electoral list of the alliance of political parties.

Article 107. Restrictions for nomination

1. Members of the Constitutional Court, judges, prosecutors, officers of the Police, the National Security, the Judicial Acts Compulsory Enforcement Service, rescue, tax and customs authorities, penitentiary institutions, as well as military servicemen may not be nominated as a candidate for a deputy to the National Assembly.

The citizens of the Republic of Armenia holding the citizenship of another State may not be nominated and registered as a candidate for a deputy to the National Assembly.

2. Employees and officials of state and local-self government bodies with respect whereto the restrictions provided for in this Article are not applied, may be temporarily exempted from performance of their official duties after being registered as a candidate for a deputy of the National Assembly and till the end of the election campaign, with the exception of persons occupying political posts.

Article 108. Nomination of candidates for a deputy to the National Assembly under the proportional electoral system

1. Political parties shall file an application with the Central Electoral Commission on running in the elections to the National Assembly under the proportional electoral system, upon the decision of their permanently functioning body, and the application shall be signed and sealed by the leader of the political party. Alliances of political parties shall file an application on running in the elections to the National Assembly under the proportional electoral system, upon decisions of permanently functioning bodies of political parties included in the alliance of political

parties; the application shall be signed and sealed by the leaders of member political parties of the alliance.

2. Each political party, alliance of political parties shall have the right to nominate only one electoral list of candidates. A political party included in an alliance of political parties shall have no right to nominate a separate electoral list on its own behalf. The number of representatives of each gender must not exceed the 80% of each integer group of five candidates (2-6, 2-11, 2-16 and subsequently till the end of the list) starting from the second number of the electoral list of a political party, of an alliance of political parties and of each of the parties included in an alliance for the elections to the National Assembly under the proportional electoral system. At least 25 candidates shall be included in the electoral list presented by a political party, an alliance of a political party for the elections to the National Assembly under the proportional electoral system. The number of candidates included in the electoral list of a political party may not exceed the three-fold of the number defined by this Code for the number of mandates of deputies of the National Assembly under the proportional electoral system. Other persons not being members of a political party may also be included in the electoral list of that political party.

3. The following shall be attached to the application of a political party, an alliance of political parties on running in the elections to the National Assembly:

(1) the Statute of the party (in case of an alliance of political parties - the Statutes of the parties included in the alliance);

(2) the decision of the permanently functioning body of the political party (in case of an alliance of political parties — the decisions of permanently functioning bodies of member parties of the alliance) on the nomination of an electoral list of candidates for deputies of the National Assembly under the proportional electoral system, the electoral list, which shall include — by consecutive numbers — the last name, first name, patronymic name, date of birth, political affiliation, personal identification document number, place of registered residence, work place and position (occupation) of candidates;

(3) the written statement of the candidates nominated by the electoral list of the political party on their consent for being registered as a candidate for a deputy;

(4) separate electoral lists presented by the political parties included in the alliances of political parties;

(5) the receipt on the payment of the electoral deposit in the amount of 8 000-fold of the minimum salary;

(6) a statement certifying that candidates included in the electoral list of a political party have been citizens of the Republic of Armenia for the last five years, not holding the

citizenship of another State and have been permanently residing in the Republic of Armenia for the last five years;

(7) carbon copies of personal identification documents of the candidates included in the electoral list of a political party.

4. The form of the statement defined by point 6 of part 3 of this Article shall be approved by the Central Electoral Commission. The mentioned statement shall be issued by the authorised state body within a three-day period upon filing a relevant request but not earlier than calling elections.

The authorised state body, by its decision, shall refuse the issuing of the statement of the mentioned form to the applicant where the data on the latter do not meet the requirements of Article 105 of this Code.

5. The application of a political party, an alliance of political parties on running in the elections to the National Assembly shall also contain data on up to two authorised representatives (last name, first name, patronymic name, date of birth, personal identification document number, place of employment and position (occupation)).

6. Registration documents shall be submitted to the Central Electoral Commission only by the authorised representative of the party, the alliance of political parties within time limits prescribed by this Code.

After expiration of the time limit for the submission of registration documents, the political party, the alliance of political parties may not make any changes in the electoral list.

7. In case of detection of inaccuracies, deletions, erasures, misprints in the documents submitted for registration of the electoral list of a political party, of an alliance of political parties, the Central Electoral Commission, with a view of correction, shall be obliged to bring them to the attention of persons having submitted the documents, as well as to correct, in their presence, the evident inaccuracies and misprints existing in the submitted documents.

The Commission shall have no right not to accept submitted documents only for the reason that they contain such inaccuracies, deletions, erasures or misprints. The provisions of this part shall not apply to correction of such inaccuracies, deletions, erasures, misprints or elimination of other deficiencies the right whereof is reserved by law to the bodies having adopted or issued such documents.

In case the submitted documents contain inaccuracies referred to in the second paragraph of this part or in case of incompleteness of attached documents, the Central Electoral Commission shall give forty-eight hours for the correction of the mentioned inaccuracies and completion of attached documents. In case of failure to eliminate, within the mentioned period, inaccuracies

regarding the electoral list of a political party, an alliance of political parties or regarding a candidate included in the electoral list, or in case of failure to complete the documents, the registration of the electoral list of a political party, an alliance of political parties shall be rejected, whereas, in case a candidate is included in the electoral list, his or her name shall be removed from the electoral list of the political party.

Article 109. Registration of electoral lists of political parties for the elections to the National Assembly under the proportional electoral system

1. The electoral list of a political party, an alliance of political parties shall be registered without voting in case no objection is raised by the members of the Central Electoral Commission with respect to the registration of the electoral list.

2. Within three days after the expiry of the time limit for registration, the Central Electoral Commission shall publish the electoral lists of political parties, alliances of political parties.

3. An authorised representative shall have the right to attend the sitting of the Commission held for the discussion of the issue of registering the electoral list of the political party, the alliance of political parties.

Article 110. Rejection of registration of an electoral list of a political party or a candidate included therein

1. The Central Electoral Commission shall reject the registration of the electoral list of a political party, an alliance of political parties if:

- (1) submitted documents are incomplete or falsified;
- (2) the electoral list does not meet the requirements defined by Article 108(2) of this Code;
- (3) the political party has been dissolved;
- (4) the number of political parties included in the alliance of political parties falls below two;
- (5) activities of the political party have been suspended or prohibited.

2. In case an objection is raised by a member of the Central Electoral Commission with respect to the registration of the electoral list of the political party, the alliance of political parties, the objection shall be put to vote. The registration of the electoral list shall be rejected by the decision adopted by at least two thirds of votes of the total number of members of the Commission.

3. The Central Electoral Commission shall reject the registration of a candidate included in the electoral list of a political party, if:

- (1) the candidate does not have the right to be elected;
- (2) documents submitted thereon are incomplete or falsified.

4. In case an objection is raised by a member of the Central Electoral Commission with respect to the registration of a candidate included in the electoral list of the political party, the objection shall be put to vote. The registration of a candidate included in the electoral list of a political party shall be rejected by the decision adopted by at least two thirds of votes of the total number of members of the Commission.

Article 111. Declaring the registration of an electoral list of a political party or a candidate included therein invalid

1. The Central Electoral Commission shall declare the registration of an electoral list of a political party, an alliance of political parties invalid, if the registration is followed by emergence of facts, by virtue whereof:

- (1) the number of candidates in the electoral list falls below twenty-five as a result of declaring the registration of candidates included in the electoral list of a political party repealed or invalid;
- (2) the documents submitted with respect to the political party are falsified.

2. The registration of a candidate included in the electoral list shall be declared invalid, if the registration is followed by emergence of facts, by virtue whereof:

- (1) the candidate does not have the right to be elected;
- (2) the documents submitted thereon are falsified.

In such cases the name of the candidate shall be removed from the list.

3. The registration of an electoral list of a political party, an alliance of political parties or a candidate included therein shall be declared invalid by the decision adopted by at least two thirds of votes of the total number of members of the Central Electoral Commission.

Article 112. Procedure for appealing against decisions on rejecting or declaring the registration of an electoral list of a political party or a candidate included therein invalid

1. The decision of the Central Electoral Commission on rejecting or declaring the registration of an electoral list of a political party, an alliance of political parties or a candidate included therein invalid may be challenged in the manner and within time limits prescribed by the Administrative Procedure Code of the Republic of Armenia.

2. The electoral list of a political party, an alliance of political parties or a candidate included therein shall be deemed to be registered or re-registered by a judgment of the court on declaring invalid the decision of the Central Electoral Commission on rejecting or declaring the registration of an electoral list of a political party, an alliance of political parties or a candidate included therein invalid.

Article 113. Repealing the registration of the electoral list of a political party or a candidate included therein

1. The registration of the electoral list of a political party, an alliance of political parties by the decision of the Central Electoral Commission shall be repealed, if:

(1) a request for self-recusal has been filed;

(2) the political party has been dissolved;

(3) the activities of the political party have been suspended or prohibited;

(4) the number of political parties included in the alliance of political parties falls below two.

2. The registration of the electoral list of a political party, an alliance of political parties shall be repealed based on the judgment of the court, if the provisions of Article 18(8) of this Code or the of Article 26 of this Code have been violated.

3. The registration of a candidate included in the electoral list shall be repealed by the decision of the Central Electoral Commission, if the candidate has filed a request for self-recusal.

4. The registration of a candidate included in the electoral list shall be repealed based on the judgment of the court, if the candidate has violated the provisions of Article 18(8) of this Code or of Article 26 of this Code.

Article 114. Nomination of candidates for a deputy to the National Assembly under the majoritarian electoral system

1. The Political parties and citizens shall have the right to nominate, by self-nomination, a candidate for a deputy of the National Assembly under the majoritarian electoral system.

2. A political party shall nominate a candidate for a deputy to the National Assembly under the majoritarian electoral system upon the decision of the permanently functioning body thereof. A political party shall have the right to nominate one candidate for a deputy in each constituency. A political party may also nominate as a candidate for deputy a person who is not a member of the political party thereof.

3. In case of self-nomination, a citizen shall file a notarised application on self-nomination.

Article 115. Registration of candidates for deputy to the National Assembly under the majoritarian electoral system

1. The decision of a political party on nomination of a candidate to the National Assembly under the majoritarian electoral system, the application for self-nomination by a citizen shall contain the number of the constituency and the following information on the candidate:

- (1) last name, first name, and patronymic name;
- (2) date of birth;
- (3) place of registered residence;
- (4) place of employment and position (occupation);
- (5) political affiliation, as well as data on up to two authorised representatives (indicating their last name, first name, patronymic name, date of birth, personal identification document number, place of employment and position (occupation)).

2. Attached to the decision of a political party on nomination of a candidate to the National Assembly under the majoritarian electoral system and the application for self-nomination by a citizen, the following shall also be submitted to the constituency electoral commission:

- (1) the written statement of the candidate on the consent of being registered in the given constituency as a candidate for deputy (only in case of being nominated by a party);
- (2) the receipt on payment of the electoral deposit in the amount of 1 000-fold of the minimum salary;

(3) a statement certifying that the candidate has been a citizen of the Republic of Armenia for the last five years, is not holding the citizenship of another State and has been permanently residing in the Republic of Armenia for the last five years;

(4) a carbon copy of the candidate's personal identification document.

3. The form of statement defined by point 3 of the second part of this Article shall be approved by the Central Electoral Commission. The mentioned statement shall be issued by the state authorised body within three days after filing an application but not earlier than calling elections.

The state authorised body shall by its decision refuse to provide a statement of the mentioned form to the applicant, if the data about the latter do not meet the requirements of Article 105 of this Code.

4. Documents defined by this Article shall be submitted to the constituency electoral commission only by candidate or his or her authorised representative within the time limits prescribed by this Code.

5. In case of detection of inaccuracies, deletions, erasures, misprints in the documents submitted for registration of a candidate for deputy of the National Assembly, the constituency electoral commission, with the view of correction, shall be obliged to bring them to the attention of persons having submitted the documents as well as correct, in their presence, evident inaccuracies and misprints existing in the submitted documents.

The Commission shall have no right not to accept submitted documents only for the reason that they contain such inaccuracies, deletions, erasures, or misprints.

The provisions of this part shall not apply to correction of such inaccuracies, deletions, erasures, misprints or elimination of other deficiencies the right whereof is reserved by law to the bodies having adopted or provided such documents.

In case submitted documents contain inaccuracies referred to in paragraph 2 of this part or in case of incompleteness of attached documents, the constituency electoral commission shall give forty-eight hours for the correction of the mentioned inaccuracies and completion of attached documents. In case of failure to eliminate inaccuracies or to complete the documents within the mentioned period, the registration of the candidate shall be rejected.

6. Candidates for deputy to the National Assembly under the majoritarian electoral system shall be registered upon the decision of the constituency electoral commission.

The candidate shall be registered without voting, if there is no objection by the members of the constituency electoral commission with respect to the registration.

7. The nominated candidate and the authorised representative shall have the right to attend the sitting of the constituency electoral commission held for the discussion of the issue of registering the candidate.

Article 116. Rejection of registration of a candidate for deputy of the National Assembly under the majoritarian electoral system

1. Constituency electoral commission shall reject the registration of a candidate for deputy, if:

- (1) the candidate does not have the right to be elected;
- (2) submitted documents are incomplete or falsified.

2. In case of an objection by a member of the constituency electoral commission with respect to the registration of a candidate, the objection shall be put to vote. The registration shall be rejected by at least two thirds of votes of the total number of members of the constituency electoral commission.

Article 117. Declaring invalid the registration of a candidate for deputy of the National Assembly under the majoritarian electoral system

1. A constituency electoral commission shall declare invalid the registration of a candidate for deputy, if the registration is followed by emergence of facts, by virtue whereof:

- (1) the candidate does not have the right to be elected;
- (2) submitted documents are falsified.

2. The registration of a candidate shall be declared invalid upon a decision adopted by at least two thirds of votes of the total number of members of the constituency electoral commission.

Article 118. Procedure for appealing decisions on rejecting or declaring invalid the registration of a candidate for deputy of the National Assembly under the majoritarian electoral system

1. The decision of a constituency electoral commission on rejecting or declaring invalid the registration of a candidate for deputy may be challenged in the manner and within time frames prescribed by the Administrative Procedure Code of the Republic of Armenia.

2. The candidate for deputy shall be considered as registered or re-registered by the court judgment on declaring invalid the decision of the constituency electoral commission on rejecting or declaring invalid the registration of the candidate.

Article 119. Repealing the registration of a candidate for deputy of the National Assembly under the majoritarian electoral system

1. Registration of a candidate for deputy of the National Assembly under the majoritarian electoral system shall be repealed:

(1) upon the decision of Central Electoral Commission, if he or she has requested self-recusal;

(2) on the basis of the court judgment, if he or she has violated the provisions of part 8 of Article 18 or those of Article 26 of this Code.

CHAPTER 22

STATUS OF A CANDIDATE FOR DEPUTY

Article 120. Equality of candidates for deputy of the National Assembly

1. Candidates for deputy shall have equal rights and duties arising from the status of a candidate for deputy.

Article 121. Rights, duties and guarantees of activities of candidates for deputy of the National Assembly

1. A candidate for deputy of the National Assembly shall acquire his or her status upon registration. Rights and duties defined in this Code are applied to the candidate until the expiry of time limits laid down for challenging the decision of the electoral commission on the election of deputy, and in case of challenging that decision, until the adoption of decision by the Constitutional Court.

After the entry into force of the decision of the Central Electoral Commission on the election of deputies under the proportional electoral system, a person included in the electoral list of the political party, but not elected as a deputy shall acquire a status of a candidate after the relevant seat under the proportional electoral system remains vacant.

2. Candidates for deputy shall be exempt from mobilisation, compulsory military service, and training musters until the official announcement of the election results.

3. Candidates for deputy shall have the right to withdraw their candidacy in case of submitting an application not later than by 18:00 ten days prior to the voting day, as well as after the voting day. A request for self-recusal shall be notarised, or the candidate shall approve his or her request for self-recusal at the sitting of the Commission.

First name and last name of the citizen included in the electoral list of the political party shall be removed from the list in the manner prescribed by the Central Electoral Commission.

4. Not later than by 18:00 at least ten days prior to the voting day, alliances of political parties shall have the right to file a request for self-recusal.

5. A candidate for deputy of the National Assembly, a deputy elected may, before assuming his or her duties as a deputy, be arrested, detained or an issue on subjecting to liability through judicial procedure may be instigated against him or her only upon the consent of the Central Electoral Commission. The Central Electoral Commission shall adopt a decision on the mentioned issue by the two thirds of votes of the total number of members of the Commission. The provision prescribed by this part does not apply to the citizens arrested or detained before being registered as candidates, as well as cases of replacing arrest with detention and extending the term of detention of the detained candidate.

CHAPTER 23

ELECTION CAMPAIGN DURING ELECTIONS TO THE NATIONAL ASSEMBLY

Article 122. Election fund of a candidate for deputy and of a political party

1. For the purpose of conducting election campaign, a candidate for deputy, political party, alliance of political parties running in the elections under the proportional electoral system, shall open an election fund that shall be made up from voluntary contributions referred to in Article 25 of this Code.

2. A candidate for deputy under the majoritarian electoral system shall have the right to make a contribution to his or her election fund in the amount of up to 1 000-fold of the minimum salary, and the political party having nominated the candidate – up to 2000-fold of the minimum salary, and the political party or parties included in an alliance of political parties running in the elections under the proportional electoral system together shall have the right to make contributions to the election fund of the political party or of the alliance of political parties, respectively, in the amount of up to 15 000-fold of the minimum salary.

3. Each natural person may make a voluntary contribution to the election funds of a candidate for deputy, a political party and an alliance of political parties in the amount of up to 100-fold of the minimum salary.

4. During the election campaign, a candidate for deputy shall have the right to spend an amount not exceeding 10 000-fold of the minimum salary, and a political party, an alliance of political parties— an amount not exceeding 100 000-fold of the minimum salary – for conducting the election campaign, renting halls, premises, preparing (posting) campaign posters, acquiring print and other campaign materials, preparing all types of campaign materials (including print materials) to be provided to electors.

Article 123. The election campaign

1. During elections to the National Assembly, election campaign shall be conducted in the manner and within time frames defined by this Code.

2. During elections to the National Assembly, political parties, alliances of political parties running in the elections under the proportional electoral system shall enjoy the rights prescribed by Article 89 of this Code.

CHAPTER 24

BALLOT PAPERS

SUMMARISATION OF ELECTION RESULTS

Article 124. Ballot papers

1. Elections to the National Assembly under the proportional and majoritarian electoral systems shall be held through separate ballot papers.

2. A ballot paper for the elections to the National Assembly under the proportional electoral system shall contain the names of political parties, alliances of political parties in alphabetical order, as well as last names, first names, and patronymic names of the first three candidates in the electoral list.

3. The ballot paper for the elections to the National Assembly under the majoritarian electoral system shall contain last names (in alphabetical order of last names), first names, and patronymic names of candidates for deputy, as well as the names of nominating parties, and in case of self-nomination-the word “self-nomination”.

Article 125. Summarisation of results of elections to the National Assembly under the proportional electoral system

1. In the manner and within time frames prescribed by Article 75 of this Code, the Central Electoral Commission shall summarise the election results and shall adopt one of the following decisions:

(1) on election of deputies of the National Assembly under the proportional electoral system;

(2) on calling a revote in certain electoral precincts;

(3) on declaring invalid the elections to the National Assembly under the proportional electoral system and on calling a revote for the elections to the National Assembly under the proportional electoral system;

(4) on declaring invalid the elections to the National Assembly under the proportional electoral system and on calling new elections.

2. Mandates envisaged for the proportional electoral system of the National Assembly shall be allocated among the electoral lists of those political parties and alliances of political parties that have received at least five per cent affirmative votes — in case of parties, and seven per cent affirmative votes — in case of alliances of political parties, respectively, of the total sum of the total number of affirmative votes and the number of inaccuracies. Where an electoral list of only one political party or one alliance of political parties has received respectively at least five per cent or seven per cent of affirmative votes of the total sum of the total number of affirmative votes and the number of inaccuracies, the next two political parties (alliances of political parties) that have received the respective highest number of affirmative votes shall participate in the allocation of mandates. Where up to three political parties (alliances of political parties) run in the elections to the National Assembly under the proportional electoral system, all the parties (alliances of political parties) shall participate in the allocation of mandates.

3. Mandates envisaged for the proportional electoral system of the National Assembly shall be allocated among electoral lists of political parties, alliances of political parties, in proportion to the number of affirmative votes cast in favour of each of them. The calculation of the number of seats available for the electoral list of each political party, alliance of political parties, shall be carried out in the following manner: the number of affirmative votes cast in favour of each list shall be multiplied by the number of mandates available for the electoral lists; the product shall be divided by the total number of affirmative votes cast in favour of electoral lists participating in the allocation of mandates, then integers shall be distinguished, which shall be the number of mandates available to each electoral list.

4. The non-allocated mandates shall be allocated among electoral lists as per the sequence of the remainder values, with the principle of one mandate to each. In case the remainders are equal, the contested mandate shall be given to the list that has received the highest number of affirmative votes, and in case of a tie, the matter shall be settled by drawing lots.

5. A candidate, whose record number in the electoral list is smaller or equal to the number of mandates to be given to that electoral list, shall be considered elected from the electoral list of a political party, an alliance of political parties.

6. The mandate of a candidate elected to the National Assembly under the proportional electoral system, if he or she has also been elected under the majoritarian electoral system, shall be given to the candidate who is the next in the electoral list of that political party, alliance of political parties.

7. Allocation of mandates among candidates included in the electoral list a political party, an alliance of parties shall be carried out upon protocol of the Central Electoral Commission, through registering deputies of the National Assembly elected from each electoral list.

Where the number of candidates included in the electoral list of a political party, an alliance of political parties, is less than the number of mandates available as a result of allocation of mandates, such mandates shall be allocated among the electoral lists of the other political parties, alliances of political parties having obtained the right to participate in the allocation of seats, as per the sequence of the remainder values, with the principle of one mandate to each.

8. The mandate of a deputy elected to the National Assembly under the proportional electoral system, whose powers have terminated prematurely, shall be given to the next candidate in the electoral list of that political party, alliance of political parties upon the protocol of the Central Electoral Commission, within a period of one week after the notification to the Commission. If there is no other candidate in the electoral list, the mandate shall be allocated with the principle laid down by the second paragraph of part 7 of this Article.

9. Where in the course of voting, such violations of this Code have occurred that could have affected the election results, the Central Electoral Commission shall take a decision on holding a revote in certain electoral precincts, if thereby it is possible to remedy the consequences of those violations. If it is not possible to remedy thereby those violations, elections to the National Assembly under the proportional electoral system shall be declared invalid, and a revote for the elections to the National Assembly under the proportional electoral system shall be called.

10. Where in the course of preparation of elections or in the course of holding a revote in certain electoral precincts, such violations of this Code have occurred that could have affected the election results, the Central Electoral Commission shall take a decision on declaring invalid

the elections to the National Assembly under the proportional electoral system, and shall call a revote for the elections to the National Assembly under the proportional electoral system.

11. Where the Central Electoral Commission takes a decision on holding a revote in certain electoral precincts, the revote shall be held on the seventh day following the adoption of that decision. In this case, the time limits prescribed by this Code for summarisation of the results of the elections to the National Assembly under the proportional electoral system shall be calculated from the revote day.

12. An application on challenging the decision adopted based on the results of elections to the National Assembly under the proportional electoral system may be brought before the Constitutional Court on the fifth day following the official announcement of the election results, by 18:00.

13. Not earlier than fifteen and not later than thirty days after the entry into force of the decision on declaring invalid the elections to the National Assembly under the proportional electoral system, a revote shall be held in the manner prescribed by this Code and with the same composition of political parties, alliances of political parties.

14. In case the results of revote for the elections to the National Assembly under the proportional electoral system are declared invalid, new elections shall be held not later than seventy days after the entry into force of that decision. In the event of new elections, the Central Electoral Commission shall adopt a decision on calling the voting day on the seventh day after the adoption of the decision on declaring invalid the elections to the National Assembly under the proportional electoral system.

15. New elections shall be held by new nomination and in the manner and within time frames prescribed for early elections.

Article 126. Summarisation of results of elections to the National Assembly under the majoritarian electoral system

1. A constituency electoral commission shall summarise the election results in the manner and within the time limits prescribed by Article 74 of this Code and shall adopt one of the following decisions:

- (1) on the election of deputy;
- (2) on calling a revote in certain electoral precincts;
- (3) on declaring the elections of deputy invalid;
- (4) on declaring the elections of deputy as not having taken place.

2. A candidate who has received the greater number of "for" votes of electors shall be elected as a deputy.

3. Where only one candidate is voted on, he or she shall be elected if he or she receives more than half of votes of those participating in the voting.

4. If two and more candidates have received equal number of the highest affirmative votes, the elected candidate shall be determined by drawing lots.

5. Where in the course of voting, such violations of this Code, that might have affected the results of the elections, have occurred, the constituency electoral commission shall adopt a decision on holding a revote in certain electoral precincts, if it is thereby possible to remedy such violations. If it is not possible to thereby remedy the violations, the elections shall be declared invalid, and a revote shall be called.

6. Where in the course of preparation of elections or in the course of holding a revote in certain electoral precincts, such violations of this Code have occurred that could have affected the election results, the constituency electoral commission shall take a decision on declaring the elections invalid, and shall call a revote.

7. Where the constituency electoral commission takes a decision on holding a revote in certain electoral precincts, the revote shall be held on the seventh day following the adoption of this decision. In this case, the time limits prescribed by this Code for summarisation of the results of the elections to the National Assembly under the majoritarian electoral system shall be calculated from the revote day.

8. The elections of the deputy shall be considered as not having taken place, if:

(1) the only candidate voted on has not received the required number of "for" votes;

(2) the candidate having received the highest number of affirmative votes has died before the summarisation of the election results;

(3) no candidate has been registered in the manner and within the time limits prescribed by this Code for the registration of candidates or less than two candidates have been registered within the same time limit.

9. The chairperson of a constituency electoral commission shall submit the decision on the summarisation of the election results to the Central Electoral Commission within a period of two days.

10. An application on challenging the decision adopted on the basis of the result of the elections to the National Assembly under the majoritarian electoral system may be submitted to the Constitutional Court on the fifth day after the official announcement of the result of the elections, by 18:00.

11. In the event elections of the deputy are declared invalid, not earlier than ten and not later than twenty days after the entry into force of the decision thereon, revote shall be held in the manner prescribed by this Code with the same candidates.

In case the results of the revote in the course of election of a deputy of the National Assembly under the majoritarian electoral system are declared invalid, not earlier than thirty and not later than forty days after the entry into force of that decision, revote shall be held.

12. In case the elections of the deputy are declared as not having taken place, new elections shall be held not earlier than thirty and not later than forty days after the entry into force of the decision thereon.

13. In case of death of one of the candidates till the end of the voting, new elections shall be called, and the voting shall be held not earlier than thirty and not later than forty days after new elections are called. In case of death of the elected deputy prior to the assumption of powers after the elections, new elections shall be called, and the voting shall be held not earlier than thirty and not later than forty days after calling new elections.

14. New elections shall be held by new nomination of candidates and within the time limits prescribed for early elections.

CHAPTER 25

CALLING AND HOLDING ELECTIONS TO THE NATIONAL ASSEMBLY

Article 127. Time frames for calling and holding regular elections to the National Assembly and for nominating and registering candidates for deputy

1. Regular elections to the National Assembly shall be held not earlier than forty and not later than thirty days before the cessation of powers thereof.

2. Not later than seventy days prior to the voting day, the President of the Republic shall promulgate a decree on calling regular elections.

3. The registration of documents of candidates for deputy of the National Assembly under the proportional electoral system shall be submitted to the Central Electoral Commission by 18:00 not earlier than fifty-five and not later than forty-five days prior to the voting day.

4. Registration of electoral lists of political parties, alliances of political parties shall be carried out by 18:00 not earlier than forty-five and not later than thirty-five days prior to the voting day.

5. The registration documents of candidates for deputy of the National Assembly under the majoritarian electoral system shall be submitted to the Central Electoral Commission by 18:00 not earlier than fifty-five and not later than forty-five days prior to the voting day.

6. Registration of candidates for deputy of the National Assembly under the majoritarian electoral system shall be carried out by 18:00 not earlier than forty-five and not later than thirty-five days prior to the voting day.

Article 128. Calling and holding by-elections to the National Assembly

1. In case a mandate in the National Assembly under the majoritarian electoral system remains vacant due to early termination of powers of a deputy, by-elections shall be held in that constituency.

2. By-elections to the National Assembly under the majoritarian electoral system shall be held in the manner prescribed for regular elections and within a period of eighty days after the mandate concerned remains vacant.

3. Elections under the majoritarian electoral system shall not be held within the last one year of powers of the National Assembly.

Article 129. Calling and holding early elections to the National Assembly

1. Early elections to the National Assembly shall be held not earlier than thirty and not later than forty days after dissolving the National Assembly.

2. Together with the decree on dissolving the National Assembly, the President of the Republic shall promulgate a decree on calling early elections to the National Assembly.

3. Documents required for the registration of candidates for deputy of the National Assembly under the proportional electoral system shall be submitted to the Central Electoral Commission by 18:00 not later than twenty-five days prior to the voting day.

4. Registration of electoral lists of political parties, alliances of political parties shall be carried out by 18:00 not earlier than twenty-five and not later than twenty days prior to the voting day.

5. Documents required for the registration of candidates for deputy of the National Assembly under the majoritarian electoral system shall be submitted to the constituency electoral commission by 18:00 not later than twenty-five days prior to the voting day.

6. Registration of candidates for deputy of the National Assembly under the majoritarian electoral system shall be carried out by 18:00 not earlier than twenty-five and not later than twenty days prior to the voting day.

7. Electoral precincts shall be formed and polling stations shall be designated not later than twenty-five days prior to the voting day. Not later than twenty days prior to the voting day, the

authorised body shall submit the lists of electors to the person possessing the premises of the polling station, who shall post them in the polling station, in a place visible to all.

SECTION 6

LOCAL SELF-GOVERNMENT ELECTIONS

CHAPTER 26

GENERAL PROVISIONS

Article 130. Electoral system

1. At elections of a head of community, a single-mandate majoritarian constituency shall be formed in the territory of the community.

2. At elections of community Council of Elders, one multi-mandate majoritarian constituency shall be formed in the territory of the community.

3. The community Council of Elders shall consist of:

- (1) five members in a community having up to 1 000 electors;
- (2) seven members in a community having 1 000 to 2 000 electors;
- (3) nine members in a community having 2 000 to 4 000 electors;
- (4) eleven members in a community having 4 000 to 10 000 electors.
- (5) fifteen members in a community having 10 000 to 70 000 electors;
- (6) twenty-one members in a community having more than 70 000 electors.

Article 131. Right of suffrage

1. Each elector shall have the right to one vote:

- (1) at elections of a head of community;
- (2) at elections of a member of the Council of Elders.

Article 132. Requirements set for candidates for a head of community and a member of the Council of Elders

1. Persons, having attained the age of twenty-five and having been registered for not less than the last six months prior to the voting day in the population register of the community where

elections are held, and having the right to vote at local self-government elections under Article 2 of this Code, may be elected as a head of community.

2. Persons, having attained the age of twenty-one and having been registered for not less than the last six months prior to the voting day in the population register of the community where elections are held, and having the right to vote at local self-government elections under Article 2 of this Code, may be elected as a member of community Council of Elders.

3. Members of the Constitutional Court, judges, prosecutors, officers of the Police, National Security Service, the Judicial Acts Compulsory Enforcement Service, rescue, tax and customs authorities, penitentiary institutions, as well as military servicemen, members of electoral commissions may not be nominated as candidates for the head of community and the member of community Council of Elders.

CHAPTER 27

NOMINATION OF CANDIDATES FOR A HEAD OF COMMUNITY AND A MEMBER OF COUNCIL OF ELDERS

Article 133. Nomination of candidates for a head of community and a member of Council of Elders

1. Candidates for a head of community and those for members of Council of Elders may be nominated by the political parties based on the decision of their respective territorial (primary, local) units, as well as by citizens with the right to be elected, by way of self-nomination by submitting an application thereon, the form of which shall be established by the Central Electoral Commission.

A political party may also nominate a person, who is not its member, as a candidate for a head of community and a member of community Council of Elders.

2. The decision of the respective territorial (primary, local) unit on nominating a candidate for a head of community and a member of Council of Elders, and in case of self-nomination — the application shall contain the name of the community and the following information about the candidate:

- (1) last name, first name, patronymic name;
- (2) date of birth;
- (3) place of registered residence;
- (4) place of employment and position (occupation);

(5) party affiliation;

as well as may contain information on up to two authorised representatives of the candidate (their last name, first name, patronymic name, date of birth, the personal identification document number, place of employment and position (occupation)).

3. The candidates for the head of community and the members of the Council of Elders shall submit to the constituency electoral commission the following attached to the decision of the respective territorial (primary, local) unit of the political party or the application on self-nomination:

(1) receipt of payment of the electoral deposit;

The amount of the electoral deposit shall be as follows: a candidate for a head of community in a community having up to 1 000 electors shall pay the 50-fold of the minimum salary, and candidates for a member of Council of Elders — the 10-fold of the minimum salary; a candidate for a head of community in a community having from 1 000 to 2 000 electors shall pay the 100-fold of the minimum salary, and a candidate for a member of Council of Elders — the 15-fold of the minimum salary; a candidate for a head of community in a community having from 2 000 to 4 000 electors — the 150-fold of the minimum salary, and a candidate for a member of the council elders — the 20-fold of the minimum salary; a candidate for a head of community in a community having from 4 000 to 10 000 electors shall pay the 300-fold of the minimum salary, and a candidate for a member of the Council of Elders — the 30-fold of the minimum salary; a candidate of a head of community in a community having from 10 000 to 70 000 electors shall pay the 500-fold of the minimum salary, and a candidate for a member of the Council of Elders — the 70-fold of the minimum salary; a candidate for a head of community in a community having more than 70 000 electors shall pay the 1 000-fold of the minimum salary, and a candidate for a member of the Council of Elders — the 100-fold of the minimum salary;

(2) statement on being registered in the population register of the community concerned for the last six months;

(3) carbon copy of personal identification document.

4. The form of the statement referred to in part 3(2) of this Article shall be defined by the Central Electoral Commission. The mentioned statement shall be issued by the state authorised body within a period of three days following the request but not earlier than the calling of elections.

The state authorised body shall, by its decision, refuse the issuing of the statement in the mentioned form to the applicant, where data on the latter do not meet the requirements provided for by Article 132(1) and (2) of this Code respectively.

5. Registration documents shall be submitted only by a candidate or an authorised representative within the time limits established by this Code.

6. Where errors, deletions, erasures, misprints are found in documents submitted for the registration of a candidate for a head of community and a member of the Council of Elders, the constituency electoral commission shall be obliged to draw the attention of the person submitting such documents thereto for the purpose of correction, as well as correct, in their presence, on its own, evident errors and misprints available in submitted documents.

The commission shall have no right not to accept the submitted documents only for the reason that they contain such errors, deletions, erasures, or misprints. The provisions of this part shall not apply to correction of such errors, deletions, erasures, misprints or elimination of other deficiencies the right whereof is reserved by law to the bodies having adopted or issued such documents.

In case of inaccuracies referred to in the second paragraph of this part or in case of incompleteness of attached documents, the constituency electoral commission shall give forty-eight hours for the correction of the mentioned inaccuracies and completion of attached documents. In case of failure to eliminate inaccuracies or to complete the documents within the mentioned time period, the registration of the candidate shall be rejected.

Article 134. Registration of candidates for a head of community and a member of the Council of Elders

1. Candidates for a head of community and a member of the Council of Elders shall be registered by the decision of the constituency electoral commission.

In case of no objection is raised by members of the constituency electoral commission with regard to the registration, the candidate shall be registered.

2. A candidate and the authorised representative shall have the right to attend the sitting of the constituency electoral commission held for discussion of the issue of registering the candidate.

Article 135. Rejection of registration of a candidate for a head of community and a member of the Council of Elders

1. The constituency electoral commission shall reject the registration of a candidate, where:

(1) the candidate has no right to be elected;

(2) submitted documents are incomplete or falsified.

2. In case an objection is raised by a member of the Commission with regard to registration of a candidate for a head of community and a member of the Council of Elders, the objection shall be put to vote. The registration shall be rejected by at least two thirds of the votes of the total number of the members of the constituency electoral commission.

Article 136. Declaring the registration of a candidate for a head of community and a member of the Council of Elders invalid

The constituency electoral commission shall declare the registration of a candidate for a head of community and a member of the Council of Elders invalid, where by virtue of facts having emerged after the registration:

- (1) the candidate has no right to be elected;
- (2) submitted documents are falsified.

The registration of a candidate shall be declared invalid by a decision adopted by at least two thirds of the votes of the total number of the members of the constituency electoral commission.

Article 137. Procedure for appealing against decisions on rejecting or declaring the registration of a candidate for a head of community and a member of the Council of Elders invalid

1. The decision of the constituency electoral commission on rejecting or declaring the registration of a candidate for a head of community or a member of the Council of Elders invalid, may be challenged in accordance with the procedure and within the time limits provided for by the Administrative Procedure Code of the Republic of Armenia.

2. A candidate shall be considered as registered or re-registered by a court judgment on declaring invalid the decision of the constituency electoral commission on rejecting or declaring the registration of a candidate for a head of community or a member of the Council of Elders invalid.

Article 138. Repealing of registration of a candidate for a head of community or a member of the Council of Elders

The registration of a candidate for a head of community or a member of the Council of Elders shall be cancelled:

(1) by the decision of the constituency electoral commission, where he or she has filed a request for self-recusal:

(2) upon a court judgment, where he or she has violated the provisions of Article 18(8) of this Code or of Article 26 of this Code.

CHAPTER 28

STATUS OF CANDIDATES FOR A HEAD OF COMMUNITY AND A MEMBER OF COUNCIL OF ELDERS

Article 139. Status, equal rights of candidates for a head of community and a member of the Council of Elders

1. Candidates for a head of community or a member of the Council of Elders shall acquire their status upon the registration. Rights and duties defined by this Code shall apply to the candidates for a head of community and a member of the Council of Elders by the end of the time limit prescribed for challenging the decision of the constituency electoral commission on being elected as a head of community and members of the Council of Elders.

Candidates shall have equal rights and duties arising from the status of a candidate for a head of community and a member of the Council of Elders.

2. A candidate for a head of community or a member of the Council of Elders may request self-recusal not later than ten days before the voting day, by 18:00.

CHAPTER 29

ELECTION CAMPAIGN OF CANDIDATES FOR A HEAD OF COMMUNITY AND A MEMBER OF COUNCIL OF ELDERS

Article 140. Election fund of candidates for a head of community and a member of the Council of Elders

1. A candidate for a head of community having 10 000 and more electors shall open an election fund.

2. A candidate for a member of the Council of Elders and for a head of community having up to 10 000 electors shall open an election fund if he or she spends (is entitled to spend) an amount exceeding the 500-fold of the minimum salary for the purpose of the funding the conduct of the election campaign through mass media, renting halls and premises, preparing (posting)

campaign posters, acquiring print and other campaign materials, preparing all kind of campaign materials (including print materials) to be provided to electors.

3. The fund shall be made up of voluntary contributions referred to in Article 25 of this Code.

In case of a community having up to 10 000 electors, the candidate for a head of community and a member of the Council of Elders is entitled to make contribution to his or her fund in the amount of up to 150-fold of the minimum salary, whereas the political party nominating him or her — in the amount of up to 200-fold.

In case of a community having 10 000 and more electors, the candidate for a head of community and a member of the Council of Elders is entitled to make contribution to his or her fund in the amount of up to 500-fold of the minimum salary, whereas the political party nominating him or her — in the amount of up to 1 000-fold.

4. Any natural person may make a voluntary contribution to the election fund of a candidate respectively in the amount of up to:

- (1) 50-fold of the minimum salary in case of a community having up to 10 000 electors;
- (2) 100-fold of the minimum salary in case of a community having more than 10 000 electors.

5. During the election campaign, for the purpose of funding the conduct of the election campaign through mass media, renting halls, premises, preparing (posting) campaign posters, acquiring print and other campaign materials, preparing any kind of campaign materials (including print ones) to be provided to electors, a candidate for a head of community shall have the right to spend in the amount of up to:

- (1) 3 000-fold of the minimum salary in case of a community having up to 4 000 electors;
- (2) 7 000-fold of the minimum salary in case of a community having from 4 000 to 10 000 electors;
- (3) 15 000-fold of the minimum salary in case of a community having from 10 000 to 70 000 electors;
- (4) 25 000-fold of the minimum salary in case of a community having more than 70 000 electors;

and a candidate for a member of the Council of Elders — in the amount of up to:

- (5) 500-fold of the minimum salary in case of a community having up to 4 000 electors;
- (6) 1 000-fold of the minimum salary in case of a community having from 4 000 to 10 000 electors;

(7) 3 000-fold of the minimum salary in case of a community having from 10 000 to 70 000 electors;

(8) 5 000-fold of the minimum salary in case of a community having more than 70 000 electors.

Article 141. Election campaign

1. At local self-government elections, election campaign shall be conducted by the procedure and within the time limits established by this Code.

CHAPTER 30

BALLOT PAPERS AND SUMMARISATION OF ELECTION RESULTS

Article 142. Ballot papers

1. In case of election of a member of the Council of Elders, the candidates' last names, first names and patronymic names (in alphabetical order of last names) and the name of nominating party, in case of self-nomination — the word "self-nomination" shall be specified in the ballot papers for a head of community and members of council of elders. Where last names, first names and patronymic names of candidates coincide, the date of birth shall also be stated.

Article 143. Summarisation of election results of a head of community

1. The constituency electoral commission shall, by the procedure and within the time limits established by Article 74 of this Code, summarise election results and take any of the following decisions:

(1) on the election of a head of community;

(2) on calling a revote in certain electoral precincts;

(3) on declaring the election of the head of community invalid;

(4) on declaring the election of the head of community as not having taken place.

2. The candidate who has received the highest number of affirmative votes of electors shall be elected as a head of community. Where only one candidate is voted on the latter shall be elected if he or she has received more than half of the "for" votes of those participating in the voting.

Where two or more candidates have received equal number of the highest affirmative votes, the elected candidate shall be determined by drawing a lot between them.

3. Where in the course of voting, such violations of this Code have occurred that might have affected the election results, the constituency electoral commission shall take a decision on holding a revote in certain electoral precincts, if it is thereby possible to remedy these violations. If it is not possible to thereby remedy these violations, elections shall be declared invalid, and a revote shall be called.

4. Where in the course of preparation of elections or in the course of holding a revote in certain electoral precincts, violations of this Code have occurred that might have affected the election results, the constituency electoral commission shall take a decision on declaring the elections invalid and shall call a revote.

5. Where the constituency electoral commission takes a decision on holding a revote in certain electoral precincts, the revote shall be held on the seventh day following the adoption of this decision. In this case, the time limits prescribed by this Code for summarisation of the results of the elections of a head of community shall be calculated from the revote day.

6. The elections of a head of community shall be declared as not having taken place, where:

- (1) the only candidate voted on has failed to receive necessary number of affirmative votes;
- (2) no candidate has been registered within the time limit and in the manner prescribed by this Code for the registration of candidates or the number of candidates registered within the same time limit is less than 2;
- (3) in the cases prescribed by part 7 of this Article;
- (4) based on the revote results, elections have been declared invalid.

7. Where one of the candidates dies by the end of elections, a new election shall be called. Where the candidate having received the highest number of affirmative votes dies before summarisation of the election results, or where, after the election, the elected head of community dies before assuming powers, a new election shall be called.

8. The chairperson of the constituency electoral commission shall, within a period of two days after taking a decision on the election of a head of community, submit it to the Central Electoral Commission and the Marzpet.

9. Where elections of a head of community are declared invalid, revote shall be held with the same composition of candidates, twenty-one days after the voting day. Revote with the same composition of candidates shall be held only once.

10. An application on challenging the decision adopted by constituency electoral commission on the results of elections of a head of community may be submitted to the Administrative Court of the Republic of Armenia in the manner and within the time limits prescribed by the Administrative Procedure Code of the Republic of Armenia.

Article 144. Summarisation of election results of members of the Council of Elders

1. The constituency electoral commission shall, by the procedure and within the time limits established by Article 74 of this Code, summarise the election results and take any of the following decisions:

- (1) on the election of the members of community the Council of Elders;
- (2) on calling a revote in certain electoral precincts;
- (3) on declaring the election to the community the Council of Elders invalid;
- (4) on declaring the election to the community the Council of Elders as not having taken place.

2. The relevant number of candidates — referred to in Article 130(3) of this Code — for the member of the Council of Elders, who have received the highest number of affirmative votes shall be elected in the community. In case of a tie of affirmative votes, the elected candidate shall be determined by drawing a lot between them by the procedure prescribed by the Central Electoral Commission.

3. Where in the course of voting, such violations of this Code have occurred that might have affected the election results, the constituency electoral commission shall take a decision on holding a revote in certain electoral precincts, if it is thereby possible to remedy such violations. If it is not possible to thereby remedy these violations, elections shall be declared invalid, and a revote shall be called.

4. Where in the course of preparation of elections or in the course of holding a revote in certain electoral precincts, such violations of this Code have occurred that might have affected the election results, the constituency electoral commission shall take a decision on declaring the elections invalid and shall call a revote.

5. Where the constituency electoral commission takes a decision on holding a revote in certain electoral precincts, the revote shall be held on the seventh day following the adoption of this decision. In this case, the time limits prescribed by this Code for summarisation of the results of the elections to a community Council of Elders shall be calculated from the revote day.

6. Where elections of members of community Council of Elders are declared invalid, revote shall be held with the same composition of candidates, twenty-one days after the voting day.

Revote with the same composition of candidates may be held only once.

7. Election of members of community Council of Elders shall be deemed as not having taken place, where within the time limit and in the manner prescribed by this Code for the registration of candidates, the number of registered candidates is less than or is equal to the number of the members of community Council of Elders referred to in Article 130(3) of this Code, or, following the registration, the number of candidates falls below the half of the number of members of community Council of Elders referred to in Article 130(3) of this Code, or, based on the results of the revote, elections to the community Council of Elders have been declared invalid.

8. The chairperson of the constituency electoral commission shall, within two days after taking a decision on the election of members of a community Council of Elders, submit it to the Central Electoral Commission and the Marzpet.

9. An application on challenging the decision adopted by the constituency electoral commission regarding the results of the election of members of a community Council of Elders may be submitted to the Administrative Court of the Republic of Armenia - by the procedure and within the time limits established by the Administrative Procedure Code of the Republic of Armenia.

CHAPTER 31

TIME LIMITS AND PROCEDURE FOR CALLING AND HOLDING LOCAL SELF- GOVERNMENT ELECTIONS

Article 145. Time limits for calling and holding regular elections and nominating and registering candidates

1. Regular local self-government elections, except for the elections to the Yerevan Council of Elders, may be held up to four times annually. The voting days of regular elections of the local self-government bodies shall be defined by the Central Electoral Commission for each year.

2. Local self-government elections in the community shall be called by the Marzpet not later than seventy days before the expiry of the term of powers of a head of community, members of the Council of Elders.

3. Documents necessary for the registration of candidates shall be submitted to the constituency electoral commission not earlier than thirty-five and not later than thirty days before the voting day, by 18:00.

4. Candidates shall be registered not earlier than thirty and not later than twenty-five days before the voting day, by 18:00.

Article 146. Calling and holding a new election

1. A new election shall be held on the last Sunday of the period of forty days following the day of the death or resignation of the elected head of community, who has not assumed powers, or following the day when the constituency electoral commission has taken a decision on declaring the elections of a head of community or members of the Council of Elders as not having taken place, or following the day of entry into legal force of a court judgment. The new election shall be held by a new nomination of candidates by the procedure prescribed by this Code for early election of a head of community or members of the Council of Elders. The new election shall be called by the Marzpet.

Article 147. Calling and holding an early election

1. An early election of a head of community shall be held on the last Sunday of the period of forty days after entry into force of the decision of the Government of the Republic of Armenia on removal from office of a head of community or early termination of his or her powers.

2. The Government shall take a decision on calling an early election concurrently with removal from office of a head of community or early termination of powers.

3. Where the total number of the members of community Council of Elders reduces by half, an early election of members of community Council of Elders shall be held on the last Sunday of the period of forty days after entry into force of the decision of the Government of the Republic of Armenia on calling a regular election.

4. Documents necessary for the registration of candidates shall be submitted to the constituency electoral commission not earlier than twenty-five and not later than twenty-one days before the voting day, by 18:00.

5. Candidates shall be registered not earlier than twenty-one and not later than nineteen days before the voting day, by 18:00.

6. Electoral precincts shall be formed and polling stations shall be designated not later than twenty days before the voting day, and lists of electors, not later than seventeen days before the voting day, shall be posted in the polling station, in a place visible to all.

SECTION 7

ELECTION TO THE YEREVAN COUNCIL OF ELDERS

CHAPTER 32

PROCEDURE FOR ELECTION TO THE YEREVAN COUNCIL OF ELDERS

Article 148. Composition of the Yerevan Council of Elders

1. The Yerevan city (hereinafter referred to as “Yerevan”) Council shall consist of sixty-five members.

Article 149. Right to vote at elections to the Yerevan Council of Elders

1. Persons who are included in the population register of Yerevan and have the right to vote at local self-government elections pursuant to Article 2 of this Code, shall participate in voting at elections to the Yerevan Council of Elders.

Article 150. Electoral system

1. Elections to the Yerevan Council of Elders shall be held under the proportional electoral system.

2. At elections to the Yerevan Council of Elders, the whole territory of Yerevan shall be a multi-mandate constituency.

Article 151. Right to be elected

1. Persons who have reached the age of twenty-one and have been registered in the population register of Yerevan (administrative district of Yerevan) not less than for the last six months before the voting day and, pursuant to Article 2 of this Code, have the right to vote at local self-government elections, shall have the right to be elected as a member of the Yerevan Council of Elders.

2. Members of the Constitutional Court, judges, prosecutors, officers of the Police and the National Security Service, of the Judicial Acts Compulsory Enforcement Service, rescue, tax and customs authorities, penitentiary institutions, military servicemen and members of the electoral commission may not be nominated as a candidate for a member of the Yerevan Council of Elders.

CHAPTER 33

CALLING AND HOLDING ELECTIONS TO THE YEREVAN COUNCIL OF ELDERS

Article 152. Time limits for calling and holding regular elections to the Yerevan Council of Elders and for nominating and registering electoral lists of political parties (alliances of political parties)

1. Regular election to the Yerevan Council of Elders shall be held not earlier than forty and not later than thirty days prior to the cessation of its powers.

2. Regular elections shall be called by the decision of the Government of the Republic of Armenia on the account that the decision of the Government of the Republic of Armenia on calling an election enters into force not later than seventy days before the voting day.

3. Documents necessary for the registration of electoral lists shall be submitted to the Central Electoral Commission not earlier than fifty-five and not later than forty-five days before the voting day, by 18:00.

4. Electoral lists shall be registered not earlier than forty-five and not later than thirty-five days before the voting day.

Article 153. Calling and holding early elections to the Yerevan Council of Elders

1. Early elections to the Yerevan Council of Elders shall be held on Sunday, not earlier than thirty days and not later than forty days after entry into force of the decision of the Government of the Republic of Armenia on reducing the term of powers of the Yerevan Council of Elders.

2. The decision of the Government of the Republic of Armenia on calling early elections shall be promulgated concurrently with the decision on dissolving the Yerevan Council of Elders.

3. The Chairperson of the Central Electoral Commission shall make a statement regarding the day of the early elections to the Yerevan Council of Elders on the Public Radio and Public Television not later than twenty-nine days before the voting day.

4. In case of early elections, documents necessary for the registration of electoral lists shall be submitted to the Central Electoral Commission not later than twenty-five days before the voting day, by 18:00.

5. In case of early elections, electoral lists shall be registered not earlier than twenty-five and not later than twenty days before the voting day, by 18:00.

6. In case of early elections, electoral precincts shall be formed, and polling stations shall be designated not later than twenty-five days before the voting day. The authorised body, not later

than twenty days before the voting day, shall deliver the lists of electors to the person possessing the premises of the polling station who shall post them in the polling station, in a place visible to all.

CHAPTER 34

NOMINATION AND REGISTRATION OF CANDIDATES FOR MEMBERS OF THE YEREVAN COUNCIL OF ELDERS

Article 154. Right to nominate candidates for members of the Yerevan Council of Elders

1. The right to nominate candidates for members of the Yerevan Council of Elders shall be vested in political parties and alliances of political parties.

A candidate may be nominated by the electoral list of only one political party.

2. Alliances of political parties may be established in case of formation of an electoral alliance of at least two political parties.

3. Political parties included in an alliance of political parties may not be included in another alliance of political parties in the course of elections.

4. The decision on joining an alliance of political parties shall be adopted by the decision of the permanently functioning body of the political party.

5. The electoral list of an alliance of political parties shall be formed based on separate lists submitted by each political party included in the alliance. The order of candidates in the electoral list of an alliance of political parties shall be determined in the course of joint consultations held by the political parties included in the alliance and shall be approved upon the decision of the permanently functioning body of each political party included in the alliance.

6. Where any political party leaves the alliance of political parties, names of candidates of such party shall be removed from the electoral list of the alliance of political parties.

Article 155. Registration of the electoral list of a political party (an alliance of political parties)

1. Political parties shall submit the application for running in elections to the Central Electoral Commission upon the decision of their permanently functioning body. The application shall be signed and sealed by the leader of the political party. Alliances of political parties shall submit the application for running in elections to the Central Electoral Commission upon the decisions

of the permanently functioning bodies of the member parties of the alliance. The application shall be signed and sealed by the leaders of the member parties of the alliance.

2. Each political party, alliance of political parties shall have the right to nominate only one electoral list. The political party included in the alliance of political parties shall have no right to nominate on its own behalf a separate list of candidates. At least twenty-five candidates shall be included in the electoral list of the political party. The number of candidates included in the electoral list of a political party may not exceed the three-fold of the number of mandates prescribed by this Code for a member of the Yerevan Council of Elders.

Starting from the second number in the electoral list of a political party, an alliance of political parties and each of the political parties included in the alliance, the number of the representatives of each gender shall not exceed the 80 percent of each integer group of five candidates (2-6, 2-11, 2-16 and subsequently till the end of the list). Non-partisans may also be included in the electoral list of a political party.

3. The following shall be attached to the application of the political party (alliance of political parties) to run in the elections to the Yerevan Council of Elders:

(1) the statute of the political party, political parties included in the alliance of political parties;

(2) the decision of the permanently functioning governing body of the political party, of each of the political parties of the alliance on nominating the electoral list of candidates in the elections to the Yerevan Council of Elders, as well as the electoral list, which shall include the candidate's:

- (a) record number in the electoral list;
- (b) last name, first name, and patronymic name;
- (c) date of birth;
- (d) place of registered residence;
- (e) place of employment and position (occupation);
- (f) party affiliation;

(3) a statement on being included in the population register of Yerevan (administrative district of Yerevan) for the last six months;

(4) a written statement of the candidate regarding the consent to be registered as a candidate for a member of the Yerevan Council of Elders.

The statement referred to in point (3) of this part shall be issued by the state authorised body within a period of three days following the application but no earlier than the calling of elections. The form of the statement shall be defined by the Central Electoral Commission. The state authorised body shall, upon its decision, reject the issuing of the statement of the mentioned form to the applicant, if data on the latter do not meet the requirements provided for by Article 151(1) of this Code;

(5) separate electoral lists submitted by the political parties included in the alliance of political parties;

(6) receipt of payment of the election deposit in the amount of 3 000-fold of the minimum salary;

(7) copies of personal identification documents of the candidates.

4. Information on up to two authorised representatives (last name, first name, patronymic name, date of birth, personal identification document number, place of employment, position) shall be specified in the decision of the permanent functioning body of the political party (in case of an alliance of political parties – in the application for running in the elections).

Registration documents shall be submitted to the Central Electoral Commission only by the authorised representative of the political party, the alliance of political parties within the time limits defined by this Code.

5. Where errors, deletions, erasures or misprints are found in documents submitted for the registration of the electoral list, the constituency electoral commission shall be obliged to draw the attention of the persons submitting such documents thereto for the purpose of correction, as well as correct, in their presence, on its own, evident errors and misprints available in the submitted documents.

The Commission shall have no right not to accept the submitted documents only for the reason that they contain such errors, deletions, erasures, or misprints. The provisions of this part shall not apply to correction of such errors, deletions, erasures, misprints or elimination of other deficiencies, the right whereof is reserved by law to the bodies having adopted or issued such documents.

In case the submitted documents contain inaccuracies referred to in the second paragraph of this part or in case of incompleteness of documents attached to the application, the Central Electoral Commission shall give forty-eight hours for the correction of the mentioned inaccuracies and completion of attached documents.

In case of failure to eliminate inaccuracies regarding the electoral list of a political party, an alliance of political parties, regarding a candidate included in the electoral list, or in case of

failure to complete the documents, the registration of the electoral list shall be rejected, and, if a candidate is included in the electoral list, his or her name shall be removed from the electoral list.

6. After the expiry of the time limit for the submission of documents for registration, no changes may be made in the electoral list by a political party, an alliance of political parties.

The electoral list shall be registered in case no objections are raised by the members of the Central Electoral Commission with regard to the registration of the electoral list of the political party, alliance of political parties.

Within a three-day period after the expiry of the time limit laid down for the registration of the electoral lists, electoral lists shall be published in the “*Hayastani Hantapetutyun*” daily.

7. An authorised representative of a political party, an alliance of political parties shall have the right to attend the sitting of the Commission held for the discussion of the issue of registering the electoral list.

Article 156. Rejection of registration of an electoral list of a political party or a candidate included therein

1. The Central Electoral Commission shall reject the registration of the electoral list of a political party, an alliance of political parties where:

- (1) the submitted documents are incomplete or falsified;
- (2) the electoral list does not comply with the requirements prescribed by Article 155(2) of this Code;
- (3) the political party has been dissolved;
- (4) the number of political parties included in the alliance of political parties is less than two;
- (5) the activities of the political party have been suspended or prohibited.

2. In case an objection is raised by a member of the Central Electoral Commission regarding the registration of the electoral list of the political party, the alliance of political parties, the objection shall be put to vote. The registration of the electoral list shall be rejected upon the decision adopted by at least two thirds of votes of the total number of members of the Commission.

3. The Central Electoral Commission shall reject the registration of a candidate included in the electoral list of a political party, where:

- (1) the candidate has no right to be elected;

(2) the submitted documents on the candidate are incomplete or falsified.

4. In case an objection is raised by a member of the Central Electoral Commission regarding the registration of a candidate included in the electoral list of the political party, the objection shall be put to vote. The registration of a candidate included in the electoral list of a political party shall be rejected upon the decision adopted by at least two thirds of votes of the total number of members of the Commission.

Article 157. Declaring the registration of an electoral list of a political party or a candidate included therein invalid

1. The Central Electoral Commission shall declare the registration of an electoral list of a political party, an alliance of political parties invalid, where by virtue of facts having emerged after the registration:

(1) the number of candidates included in the electoral list falls below twenty-five as a result of repealing or declaring invalid the registration of candidates included in the electoral list;

(2) the submitted documents are falsified.

2. The registration of a candidate included in the electoral list shall be declared invalid, where by virtue of facts having emerged after the registration:

(1) the candidate has no right to be elected;

(2) the submitted documents on the candidate are falsified.

In such cases the name of the candidate shall be removed from the list.

3. The registration of an electoral list of a political party, an alliance of political parties or a candidate included therein shall be declared invalid upon a decision adopted by at least two thirds of votes of the total number of members of the Central Electoral Commission.

Article 158. Procedure for appealing against the decisions on rejecting or declaring the registration of an electoral list of a political party or a candidate included therein invalid

1. The decision of the Central Electoral Commission on rejecting or declaring as invalid the registration of an electoral list of a political party, an alliance of political parties or a candidate included therein may be challenged by the procedure and within the time limits laid down by the Administrative Procedure Code of the Republic of Armenia.

2. The electoral list of a political party, an alliance of political parties or a candidate included therein shall be deemed as registered or re-registered upon the judgment of a court on declaring invalid the decision of the Central Electoral Commission on rejecting or declaring the registration of an electoral list or a candidate included therein invalid.

Article 159. Repealing of registration of an electoral list of a political party or a candidate included therein

1. The registration of the electoral list of a political party, an alliance of political parties shall be repealed upon the decision of the Central Electoral Commission, where:

- (1) self-recusal was requested;
- (2) the political party has been dissolved;
- (3) the activities of the political party have been suspended or prohibited;
- (4) the number of political parties included in the alliance of political parties is less than two.

2. The registration of the electoral list of a political party, an alliance of political parties shall be repealed upon the judgment of the court, where the provisions of Article 18(8) of this Code or of Article 26 of this Code have been violated.

3. The registration of a candidate included in the electoral list shall be repealed upon the decision of the Central Electoral Commission, where he or she requested self-recusal.

4. The registration of a candidate included in the electoral list shall be repealed upon the judgment of the court where he or she has violated the provisions of Article 18(8) of this Code and of Article 26 of this Code.

CHAPTER 35

STATUS OF A CANDIDATE FOR A MEMBER OF THE YEREVAN COUNCIL OF ELDERS

Article 160. Status, competencies of candidates for a member of the Yerevan Council of Elders

1. A candidate for a member of the Yerevan Council of Elders shall acquire his or her status upon registration. The rights and duties prescribed by this Code shall apply to a candidate for a member of the Yerevan Council of Elders till the end of the time limit prescribed for challenging the decision of the Central Electoral Commission on being elected as members of the Yerevan Council of Elders, and where this decision is challenged — until the Administrative Court takes a decision.

After the decision of the Central Electoral Commission on being elected as members of the Yerevan Council of Elders enters into force, the person included in the electoral list of a political party, an alliance of political parties, but not elected as a member of the Council of Elders shall acquire the status of a candidate after the relevant seat under the proportional electoral system becomes vacant.

2. Candidates shall have equal rights and duties arising from the status of a candidate for a member of the Yerevan Council of Elders.

Article 161. Rights, duties, and guarantees for activities of candidates for a member of the Yerevan Council of Elders

1. Employees of state and local self-government bodies and public officers, except for the officers holding political and discretionary positions, shall be temporarily exempt from performance of their official duties after being registered as a candidate till the end of election campaign.

2. Candidates shall be exempt from mobilisation, compulsory military service, and training musters.

3. The political party, alliance of political parties shall have the right to request for self-recusal not later than 10 days prior to the voting day, by 18.00.

A candidate shall have the right to withdraw his or her candidacy not later than ten days prior to the voting day, by 18.00, as well as shall have the right to withdraw his or her candidacy after the voting day. The first name, last name of a citizen included in the electoral list of a party shall be removed from the list under the procedure defined by the Central Electoral Commission. The request of the candidate for self-recusal shall be notarised, or the candidate shall approve his or her request for self-recusal at the sitting of the Commission.

CHAPTER 36

ELECTION CAMPAIGN AT ELECTIONS TO THE YEREVAN COUNCIL OF ELDERS

Article 162. Election campaign at elections to the Yerevan Council of Elders

1. Election campaign shall be conducted by the procedure and within the time limits prescribed by Articles 18 to 22 of this Code.

2. Political parties, alliances of political parties running in the elections under the proportional electoral system shall conduct free and paid election campaign by using air time on the Public Radio and Public Television as prescribed by the Central Electoral Commission.

3. At elections to the Yerevan Council of Elders, a political party, an alliance of political parties shall have the right to use — free of charge — air time on the Public Television for not more than thirty minutes and air time on the Public Radio for not more than fifty minutes, and in case of early elections – for fifteen and twenty-five minutes, respectively.

4. At elections to the Yerevan Council of Elders, a political party, an alliance of political parties running in the elections under the proportional electoral system shall have the right to use air time on the Public Television on paid bases not more than fifty minutes and air time on the Public Radio not more than eighty minutes, and in case of early elections — twenty-five and forty minutes, respectively.

Article 163. Election fund of a political party in the elections to the Yerevan Council of Elders

1. For the purpose of conducting an election campaign, a political party, an alliance of political parties running in the elections under the proportional electoral system shall open an election fund, which shall be made up from voluntary contributions specified in Article 25 of this Code.

2. A political party or political parties included in the alliance of political parties running in the elections to the Yerevan Council of Elders may together make a contribution in the amount of up to 10 000-fold of the minimum salary to the fund of the political party or the alliance of political parties, respectively.

3. Each natural person may make a voluntary contribution in the amount of up to 100-fold in election funds of a political party, alliances of political parties.

4. During the election campaign, for the purpose of funding the conduct of the election campaign through mass media, renting halls, premises, preparing (posting) campaign posters, acquiring print and other campaign materials, preparing any kind of campaign materials, including print ones, provided to electors, a political party, an alliance of political parties running in the elections under the proportional electoral system shall have the right to spend an amount of up to 75 000-fold of the minimum salary.

CHAPTER 37

BALLOT PAPERS. SUMMARISATION OF ELECTION RESULTS

Article 164. Ballot papers

1. Names of political parties, alliances of political parties by alphabetical order and last names, first names and patronymic names of the first three candidates included in the electoral list shall be specified in ballot paper of the elections to the Yerevan Council of Elders.

Article 165. Summarisation of voting and election results

1. Election results of the members of the Yerevan Council of Elders shall be summarised by the procedure for summarisation of voting results of elections under the proportional electoral system of the National Assembly of the Republic of Armenia.

2. The Central Electoral Commission shall, by the procedure and within the time limits established by Article 75 of this Code, summarise election results and take any of the following decisions:

(1) on the election of members of the Yerevan Council of Elders;

(2) on calling a revote in certain electoral precincts;

(3) on declaring the elections of the members of the Yerevan Council of Elders invalid and on calling a revote for the elections of the members of the Yerevan Council of Elders;

(4) on declaring the elections of the members of the Yerevan Council of Elders invalid and on calling new elections.

3. Mandates of the members of the Yerevan Council of Elders shall be allocated among electoral lists of candidates of those political parties and alliances of political parties, that accordingly have received, in case of the political parties, at least six per cent and in case of alliances of political parties, at least eight per cent of the affirmative votes of the sum of the total number of affirmative votes and the number of inaccuracies.

Where up to three political parties, alliances of political parties run in the elections to the Yerevan Council of Elders, all the political parties, alliances of political parties shall take part in the allocation of mandates.

4. Mandates of members of the Yerevan Council of Elders shall be allocated among electoral lists of political parties, alliances of political parties in proportion with the number of votes cast in favour of each of them. The number of mandates available to each electoral list shall be calculated as follows: the number of votes cast in favour of each electoral list shall be multiplied

by the number of mandates available to electoral lists; the product shall be divided by the total number of votes cast in favour of the electoral lists participating in the allocation of mandates, and the integers — which are the number of mandates available to the electoral list of each political party, alliance of political parties — shall be separated.

Where, as a result of the allocation of mandates by the procedure prescribed by this part, any of the political parties, alliances of political parties receives more than forty per cent of the seats but not the absolute majority, such political party, alliance of political parties shall be granted the absolute majority of the seats. Where two political parties, alliances of political parties receive more than forty per cent of the seats but not the absolute majority, the political party, alliance of political parties having received the greatest number of mandates, shall be granted the absolute majority of seats. The remaining mandates shall be allocated among electoral lists of other political parties, alliances of political parties having acquired the right to participate in the allocation of the mandates.

5. The remaining mandates shall be allocated among electoral lists as per the sequence of remainder values, with the principle of one mandate to each. In case of equal remainder value, the contested mandate shall be given to such electoral list that has received the highest number of affirmative votes, and, in case of a tie, the matter shall be settled by drawing a lot.

6. A candidate, whose record number in the electoral list is less than, or equal to, the number of mandates available to that electoral list, shall be considered to be elected from the electoral lists. The Central Electoral Commission shall draw up a protocol on candidates elected as members of the Yerevan Council of Elders.

7. If the number of candidates included in the electoral list of a political party, an alliance of political parties is less than the number of mandates available as a result of allocation of mandates, these mandates shall be allocated among the electoral lists of other political parties, alliances of political parties having acquired the right to participate in the allocation of mandates, as per the sequence of remainder values, with the principle of one mandate to each.

8. The mandate of a member of the Council of Elders elected as a member of the Yerevan Council of Elders, whose powers have ceased early, shall be given to the next candidate in the electoral list of such political party, alliance of political parties upon the protocol of the Central Electoral Commission within a period of one week after the notification to the Commission. If there is no other candidate in the electoral list, the mandate shall be allocated with principle laid down by the first paragraph of part 7 of this Article.

9. Where in the course of voting, such violations of this Code have occurred that could have affected the election results, the Central Electoral Commission shall take a decision on holding a revote in certain electoral precincts, if thereby it is possible to remedy such violations. If it is not

possible to thereby remedy these violations, elections to the Yerevan Council of Elders shall be declared invalid, and a revote for the elections to the Yerevan Council of Elders shall be called.

10. Where in the course of preparation of elections or in the course of holding a revote in certain electoral precincts, such violations of this Code have occurred that could have affected the election results, the Central Electoral Commission shall take a decision on declaring the elections to the Yerevan Council of Elders invalid and shall call a revote for the elections to the Yerevan Council of Elders.

11. Where the Central Electoral Commission takes a decision on holding a revote in certain electoral precincts, the revote shall be held on the seventh day following the adoption of this decision. In this case, the time limits prescribed by this Code for summarisation of the results of the elections to the Yerevan Council of Elders shall be calculated from the revote day.

12. An application on challenging the decision adopted on the result of elections to the Yerevan Council of Elders may be submitted to the Administrative Court of the Republic of Armenia by the procedure and within the time limits established by the Administrative Procedure Code of the Republic of Armenia.

13. In case of declaring the elections to the Yerevan Council of Elders invalid, not earlier than fourteen and not later than twenty-one days following the entry into force of the decision thereon, revote shall be held with the same composition of political parties, alliances of political parties, by the procedure prescribed by this Code.

14. Revote shall be held once. In case the elections are declared invalid after the revote, the Central Electoral Commission shall call a new election within a period of twenty-one days. New elections shall be held by new nomination of candidates and by the procedure and within the time limits prescribed by this Code for early elections.

15. In case of early termination of powers of a member of the Yerevan Council of Elders, within a period of one week after notifying the Commission thereof, this mandate shall be given to the next candidate in the electoral list of the political party, alliance of political parties, upon a protocol of the Central Electoral Commission.

PART III

CHAPTER 38

ADDITIONAL, TRANSITIONAL AND FINAL PROVISIONS

Article 166. Preferential voting

1. In preferential voting the left side of the ballot paper shall indicate last names, first names, patronymic names of all the candidates, and the right side shall include boxes for each candidate, where the voter makes notes. The order of the candidates' names shall be determined by lot. The ballot paper may be substituted by an electronic data file expressing the preferences.

2. The voter shall place "1" in the box against the candidate of his or her first preference. Integral successive numbers starting from "2" shall then respectively be placed in the boxes against the other candidates in the order of preference. No number shall be placed in the boxes against those candidates to whom the voter gives no preference, but, in any case, he or she must have at least expressed preference for candidates equal to the number of vacancies. At a particular stage of summarisation of voting results the ballot paper shall be deemed in favour of the continuing candidate who has got the most number of preference votes in that ballot paper.

3. The following definitions shall apply in this Article:

(1) **continuing candidate** — candidate who is neither excluded nor declared as elected at a certain stage of summarisation of voting results;

(2) **value of a ballot paper** — numerical value given to the ballot paper in the manner prescribed by this Article at a certain stage of summarisation of voting results;

(3) **total value of ballot papers** — the sum total of values of all ballot papers not excluded from the counting at a certain stage of summarisation of voting results;

(4) **value of candidate's votes** — the sum total of values of ballot papers - cast in favour of the candidate - that are not excluded from the counting;

(5) **passing quota** — the minimum number of votes necessary for being deemed to be elected at a certain stage of summarisation of voting results;

(6) **value of candidate's surplus votes** — the difference between the passing quota and the value of the candidate's votes deemed to be elected at a certain stage of summarisation of the voting results;

(7) **gender equality standard** — a quantitative standard ensuring gender equality between the elected candidates (for instance, the number of representatives of each gender among the elected candidates shall not be more than 6).

4. The voting results shall be summarised electronically. For the summarisation of the voting results, the following steps shall in turn be taken until the summarisation of the voting results is completed. All the arithmetical actions shall be done with the accuracy of 2 digits after the decimal point.

Step 1. Invalid ballot papers shall be excluded from the counting. The ballot paper shall be deemed invalid if no preference given to candidates at least equal to the number of vacant positions is indicated therein, or more than one candidate has obtained the same number of preference votes. All valid ballot papers shall be deemed not excluded from the counting, and the value of those ballot papers shall be “1”.

Step 2. Ballot papers cast in favour of candidates not excluded from the counting shall be sorted by candidates. All candidates shall be deemed to be continuing candidates.

Step 3. If the election of a representative of one of the genders *a priori* violates the gender equality standard:

a. all the representatives of that gender shall be excluded from the counting;

b. their ballot papers shall be distributed in the following manner: the ballot paper with the same value shall be added to the ballot papers of the continuing candidates in whose favour the ballot paper is cast.

Step 4. If the number of all the elected candidates equals to the number of vacancies, the summarisation of the voting results shall be completed.

If the number of all the elected candidates is smaller than the number of vacancies, but the maintenance of gender equality standard unequivocally determines the candidates who are to fill the vacancies, these candidates shall also be deemed to be elected, and the summarisation of the voting results shall be completed.

Step 5. The value of candidate’s votes shall be calculated for each continuing candidate. Based on these calculations, the total value of the ballot papers shall be calculated, which shall be the sum total of votes of the continuing candidate.

The passing quota shall be calculated in accordance with the following formula:

Passing quota = Total value of ballot papers / Number of vacant seats +1) + 0.01

Step 6. Where there is no continuing candidate whose total value of votes is higher than or equal to the passing quota, the process of summarisation of voting results shall resume from **Step 10.**

Step 7. The continuing candidate, whose total value of votes is the highest, shall be deemed as elected.

Step 8. For the elected candidate, the value of surplus votes, which equals the difference of the value of the candidate's votes and the passing quota, shall be counted. A new value of vote shall be given to each ballot paper cast in favour of the candidate. In order to count it, the value of vote of the ballot paper shall be multiplied with the value of the surplus votes and divided by the value of the candidate's votes.

Step 9. All ballot papers of an elected candidate shall be re-distributed through the following procedure: the ballot paper shall be added to ballot papers of the candidate in favour of whom it is cast. Where there is no such continuing candidate, the ballot paper shall be excluded from the counting and shall never be used during the following summarisation steps. The summarisation of the voting results shall proceed with step 3.

Step 10. A continuing candidate with the lowest value of votes shall be excluded from the counting unless it *a priori* violates the gender equality standard. In case it violates the gender equality standard, the candidate having received the minimum votes, whose exclusion will not *a priori* violate the gender equality standard, shall be excluded from the counting. Where due to tie of votes it is impossible to determine the candidate having received the minimum votes, the candidate to be excluded shall be determined by drawing lots.

Ballot papers of the candidate excluded from the counting shall be distributed through the following procedure: ballot paper shall - with the same value - be added to the ballot papers of the continuing candidate in favour of whom it is cast. The summarisation of the voting results shall proceed with **Step 3**.

Article 167. Transitional provisions

1. The acting Central and Constituency Electoral Commissions shall exercise their powers until the formation — in the manner provided for by this Code — of the Central and Constituency Electoral Commissions, respectively.

2. The Human Rights Defender of the Republic of Armenia, the Chairperson of the Court of Cassation of the Republic of Armenia, the Chairperson of the Chamber of Advocates of the Republic of Armenia shall submit the data on the members of the Central Electoral Commission to the President of the Republic within fourteen days after entry into force of this Code.

3. For the first formation of the Central Electoral Commission, the President of the Republic shall appoint the members of the Central Electoral Commission proposed by the Human Rights Defender of the Republic of Armenia for a term of office of three, five and seven years respectively, the members proposed by the Chairperson of the Court of Cassation of the Republic of Armenia – for a term of office of five and seven years respectively, and the

members proposed by the Chairperson of the Chamber of Advocates of the Republic of Armenia – for a term of three and five years respectively.

4. The decree of the President of the Republic on the appointment of the members of the Central Electoral Commission shall be promulgated within seventeen days after entry into force of this Code.

5. The first session of the Central Electoral Commission shall be held on the day following the promulgation of the relevant decree of the President of the Republic, at 12.00. The first session of the Central Electoral Commission shall be chaired by the eldest member of the Commission until the Chairperson is elected.

6. Constituency electoral commissions shall be set up within fifty days after entry into force of this Code. The first sessions of constituency electoral commissions shall be set by the Central Electoral Commission.

Until the formation of new constituency electoral commissions:

(1) precinct electoral commissions shall be set up with the principle of appointment of one member of a constituency electoral commission and one member of a precinct electoral commission;

(2) the chairperson and the secretary of precinct electoral commission shall be elected by the procedure prescribed by this Code for the election of the Chairperson of the Central Electoral Commission;

(3) the regulatory decisions of the Central Electoral Commission shall apply insofar as they are without prejudice to this Code.

7. Article 38(2) of this Code shall enter into force from the day of the first session of the Central Electoral Commission.

8. Article 28(2), the second sentence of Article 31(1)(1), the first paragraph of Article 38(3), Article 38(6), Article 145(1) of this Code and the provisions of this Code relating to the personal seal of the member of the precinct electoral commission shall enter into force from 1 January 2012.

9. Article 66(5) of this Code shall enter into force starting from the voting day of the first national election held after entry into force of this Code.

10. The number prescribed by Article 130 of this Code for the members of community Council of Elders shall apply to those communities where elections of the members of the Council of Elders have been called after entry into force of this Code.

Article 168. Final provisions

1. This Code shall enter into force on the tenth day following its official publication, except for Article 28(2), the second sentence of Article 31(1)(1), Article 38(2), the first paragraph of Article 38(3), Article 38(6), Article 66(5), Article 145(1) and the provisions of this Code relating to the personal seal of the member of the precinct electoral commission.

2. The Electoral Code of the Republic of Armenia adopted on 5 February 1999 shall be repealed upon entry into force of this Code.

PRESIDENT

OF THE REPUBLIC OF ARMENIA

S. SARGSYAN

14 June 2011

Yerevan

HO-164-N