

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

The Saeima Election Law

Chapter I

GENERAL PROVISIONS

1. Citizens of Latvia who have reached the age of 18 by election day have the right to vote unless one or more of the restrictions specified in Article 2 of this Law apply.

2. Persons who in accordance with the procedure set by law are recognised as lacking capacity to act shall not be eligible to vote.

(As amended by the 26 February 2009 Law)

3. A person has the right to vote in any constituency.

4. Any citizen of Latvia who has reached the age of 21 before election day may be elected to the Saeima unless one or more of the restrictions specified in Article 5 of this Law apply.

5. Persons are not to be included in the lists of candidates and are not eligible to be elected to the Saeima if they:

1) in accordance with the procedure set by law have been recognised as lacking the capacity to act;

2) are serving a court sentence in a penitentiary;

3) have been convicted of an intentionally committed criminal offence except cases when persons have been rehabilitated or their conviction has been expunged or vacated;

4) have committed a criminal offence set forth in the Criminal Law in a state of mental incapacity or a state of diminished mental capacity or who, after committing a criminal offence, have developed a mental disorder and thus are incapable of taking or controlling a conscious action and as a result have been subjected to compulsory medical measures or their cases have been dismissed without applying such compulsory medical measures;

5) belong or have belonged to the salaried staff of the state security, intelligence or counterintelligence services of the USSR, the Latvian SSR or another country, except persons who have been employed at the Planning, Finance or Administrative Departments of the Committee for State Security of the USSR or the Latvian SSR;

6) after 13 January 1991 have been active in the Communist Party of the Soviet Union (the Communist Party of Latvia), the International Front of the Working People of the Latvian SSR, the United Board of Working Bodies, the Organisation of War and Labour Veterans, the All-Latvia Salvation Committee or its regional committees;

7) *(Deleted by the 9 May 2002 Law);*

8) have been sentenced with a prohibition to stand as a candidate in the elections of the Saeima, European Parliament, city or county councils unless they have been rehabilitated or their conviction has been expunged or vacated.

(As amended by the 26 March 1998 Law, the 9 May 2002 Law, the 30 May 2002 Law, the 9 March 2006 Law and the 26 February 2009 Law)

6. (1) If the President of Latvia, the Auditor General, a member of the Council of the State Audit Office, an ambassador extraordinary and plenipotentiary, a judge, a prosecutor, a police officer or a professional soldier has been nominated as a candidate in the Saeima elections, he/she must resign from office (service) after the list of candidates for the Saeima elections (hereinafter – list of candidates) has been registered and must submit the documents certifying his/her resignation to the Central Election Commission within one month.

(2) If a member of the European Parliament is elected to the Saeima, he/she shall lose the mandate of a member of the European Parliament upon giving the solemn oath of a Saeima member. The Central Election Commission shall notify the European Parliament within three weekdays that a person is no longer a member of the European Parliament.

(3) A member of a city or county council may be nominated as a candidate for the Saeima elections, but he/she shall lose the mandate in the relevant council upon being elected to the Saeima.

(As amended by the 30 May 2002 Law, the 9 March 2006 Law, the 31 May 2007 Law, the 26 February 2009 Law and the 31 March 2010 Law)

7. (1) Latvia shall be divided into five constituencies for the Saeima elections:

1) Riga,

2) Vidzeme,

2) Latgale,

4) Kurzeme,

5) Zemgale.

(2) The Riga constituency shall include the city of Riga;

The Vidzeme constituency shall include the counties of Ādaži, Aloja, Alūksne, Amata, Ape, Babīte, Baldone, Beverīna, Burtņieki, Carnikava, Cēsis, Cesvaine, Ērgļi, Garkalne, Gulbene, Ikšķile, Inčukalns, Jaunpiebalga, Kocēni, Krimulda, Ķegums, Ķekava, Lielvārde, Līgatne, Limbaži, Lubāna, Madona, Mālpils, Mārupe, Mazsalaca, Naukšēni, Ogre, Olaine, Pārgauja, Priekule, Rauna, Ropaži, Rūjiena, Salacgrīva, Salaspils, Saulkrasti, Sēja, Sigulda, Smiltene, Stopiņi, Strenči, Valka, Varakļāni, and Vecpiebalga, the city of Jūrmala and the city of Valmiera;

The Latgale constituency shall include the counties of Aglona, Baltinava, Balvi, Cibla, Dagda, Daugavpils, Ilūkste, Kārsava, Krāslava, Līvāni, Ludza, Preiļi, Rēzekne, Riebiņi, Rugāji, Vārkava, Viļaka, Viļāni, and Zilupe, the city of Daugavpils and the city of Rēzekne;

The Kurzeme constituency shall include the counties of Aizpute, Alsunga, Brocēni, Dundaga, Durbe, Grobiņa, Kuldīga, Nīca, Pāvilosta, Priekule, Roja, Rucava, Saldus, Skrunda, Talsi, Vainode, and Ventspils, the city of Liepāja and the city of Ventspils;

The Zemgale constituency shall include the counties of Aizkraukle, Aknīste, Auce, Bauska, Dobeles, Engure, Iecava, Jaunjelgava, Jaunpils, Jēkabpils, Jelgava, Kandava, Koknese, Krustpils, Nereta, Ozolnieki, Pļaviņas, Rundāle, Sala, Skrīveri, Tērvete, Tukums, Vecumnieki, and Viesīte, the city of Jelgava and the city of Jēkabpils.

(As amended by the 26 February 2009 Law and the 31 March 2010 Law)

8. (1) The Central Election Commission shall determine the number of seats in the Saeima from each constituency in proportion to the number of voters in that constituency as stated four months before election day according to the data provided by the Population Register; if the Saeima elections take place according to Article 48 of the Constitution, the number of Saeima members elected from each constituency is determined in proportion to the number of voters in that constituency on the day when the elections are announced. Voters residing abroad are included among voters of the Riga constituency.

(2) The number of Saeima members elected from each constituency shall be calculated in the following way:

1) divide the total number of voters by 100;

2) divide the number of voters in each constituency by the number obtained from the division set forth in Clause 1 of Paragraph 2 of this Article. The whole numbers obtained in this way indicate the number of Saeima members elected from each constituency;

3) if the sum of the whole numbers obtained from the division set forth in Clause 2 of Paragraph 2 of this Article is less than 100, the number of seats in the Saeima shall be increased by one, first for the constituency where the result shows the largest fraction, then for the constituency with the next largest fraction, and so on until the sum of the whole numbers is 100;

4) if any two constituencies show an equal result in fractions, the number of seats in the Saeima shall be first increased for the constituency where the whole number of the result of the division according to Clause 2 of Paragraph 2 of this Article is the smallest;

5) if any two constituencies show an equal result both in fractions and whole numbers, lots shall be drawn to determine which constituency will have an increased number of seats in the Saeima.

(3) The number of Saeima members to be elected from each of the constituencies shall be published in the official newspaper *Latvijas Vēstnesis* not later than 100 days before election day; if the Saeima elections take place according to Article 48 of the Constitution, the announcement shall be published not later than 50 days before election day.

(As amended by the 26 March 1998 Law)

Chapter II

SUBMISSION OF LISTS OF CANDIDATES

9. (1) A list of candidates may be submitted:

1) by a legally registered political party;

2) by a legally registered alliance of political parties.

(2) Lists of candidates shall be submitted to the Central Election Commission by the deadline and according to the procedure set by the Commission. A list of candidates shall be submitted by a person authorised by the decision-making body of the relevant political party or the alliance of political parties.

(3) Lists of candidates shall be accepted starting from the 80th day before election day; the 60th day before election day shall be the last day to accept the said lists.

(4) If the Saeima elections are held according to Article 48 of the Constitution, lists of candidates shall be accepted from the 50th day to the 30th day before election day.

(As amended by the 26 March 1998 Law, the 30 May 2002 Law and the 26 February 2009 Law)

10. (1) The data to be included in the list of candidates shall be the full name and ID number of each candidate.

(2) The number of candidates on the list may exceed by three candidates the number of seats in the Saeima allotted for the constituency.

(3) The same candidate may be included in only one list of candidates bearing the same name and in only one constituency. If a candidate is included in lists of candidates bearing different names or if a candidate is included in lists of candidates in several constituencies, he/she must be deleted from all lists of candidates.

(4) The name of the list of candidates must be the same as:

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

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

3) *(Deleted by the 26 March 1998 Law)*.

(5) Lists of candidates shall be signed by the person authorised by the decision-making body of the relevant political party or the alliance of political parties. The list of candidates and attached documents (Article 11) shall be prepared by using the application software of the Central Election Commission. The list of candidates, information on candidates and campaign platform shall be submitted in hard copy and electronically.

(As amended by the 26 March 1998 Law, the 30 May 2002 Law, the 9 March 2006 Law, 26 February 2009 Law and the 31 March 2010 Law)

11. The following documents shall be attached to each list of candidates:

1) a statement signed by each candidate nominated on the list of candidates certifying his/her consent to the nomination and the processing of his/her personal data to be performed in accordance with the provisions of this Law;

2) the campaign platform not exceeding 4,000 characters signed by all the candidates on the list of candidates;

3) a declaration signed by each candidate on the list of candidates stating that the candidate is eligible according to Article 4 of this Law and that the restrictions stated in Article 5 of this Law do not apply to him/her;

4) the following data concerning the candidate confirmed by his/her signature:

a) full name, year of birth, gender, and, if the candidate wishes to declare them, his/her nationality and family status;

b) ID number;

c) foreign citizenship (nationality), if any;

d) place of residence (city or county);

e) places of employment and positions (including positions in political parties, religious organisations, trade unions, associations and foundations) or, if not employed by an employer, nature of work performed, status;

f) completed education (name of institution, year of graduation, educational level achieved or degree earned, area of specialisation);

g) self-assessment of Latvian language proficiency;

h) information as to whether the person has or has not collaborated with the USSR's, the Latvian SSR's or another country's state security, intelligence or counterintelligence services on a contractual basis as an agent or a resident officer or owner of an apartment used for clandestine activities;

i) according to the status on 1 January of the year of submission of the list of candidates – real estate (type and address) in the ownership or possession of the candidate (also because of guardianship or trusteeship); vehicles owned by the candidate (land, air or water vehicles – their type, year of manufacture and registration) that are subject to mandatory registration with state institutions; real estate (type and address) leased to or rented from other persons by the candidate; the amount of the candidate's debts if the value of each individual debt or their total exceeds 20 minimum monthly salaries as set by the government; loans issued by the candidate if the value of each individual loan or their total exceeds 20 minimum monthly salaries as set by the government; capital shares owned by the candidate, indicating their number and amount; cash reserves in the amount exceeding LVL 500; non-cash reserves and bank card account balances if their amount exceeds LVL 500 (indicating the name of each non-cash reserve holder or bank card issuer); securities – classified by type – owned by the candidate [indicating their type, number, amount (nominal value) and the name of the legal entity – security issuer; regarding privatisation and compensation vouchers, only the number of vouchers should be indicated].

j) *(Deleted by the 9 March 2006 Law)*;

5) *(Deleted by the 9 May 2002 Law).*

(As amended by the 26 March 1998 Law, the 9 May 2002 Law, the 30 March 2002 Law, the 9 March 2006 Law, the 31 May 2007 Law and the 26 February 2009 Law)

12. (1) The Central Election Commission shall register only those lists of candidates whose submitters have made a security deposit of LVL 1,000 in the bank account of the Central Election Commission.

(2) The bank shall issue the depositor a document bearing the date, the name of the depositor and the name of the list of candidates for which the deposit was made. The bank document shall be submitted to the Central Election Commission.

(3) The security deposit shall entitle the depositor to submit lists of candidates bearing the same name for all constituencies; the deposit shall be returned to the depositor if at least one candidate from the list is elected in at least one constituency.

(4) If no candidate is elected from the list of candidates, the Central Election Commission shall transfer the security deposit to the state budget.

(As amended by the 30 May 2002 Law)

13. (1) Lists of candidates that conform to the provisions of this Law shall be registered by the Central Election Commission.

(2) Lists of candidates that have been registered may not be revoked, and amendments may be made only by the Central Election Commission in one of the following ways:

1) by deleting the name of a nominated candidate if it is ascertained that:

a) the candidate is not eligible to stand as a candidate in the Saeima elections;

b) the candidate has not resigned from his/her office (service) as prescribed by Paragraph 1 or 2 of Article 6 of this Law;

c) the same person has been nominated on lists of candidates bearing different names or on lists of candidates bearing the same name but submitted for several constituencies (Paragraph 3 of Article 10);

d) the candidate has died;

2) by making an editorial correction.

(3) In the cases referred to in Sub-clauses a and d of Clause 1 of Paragraph 2 of this Article, the candidate's name shall be deleted from the list of candidates on the basis of a notice issued by the relevant institution or of a court decision.

The following institutions may certify the relevant information:

1) the Department of Citizenship and Migration Affairs – that the candidate is not a citizen of Latvia or is a citizen of Latvia who has not reached the age of 21 by election day;

2) the Information Centre of the Ministry of the Interior – that the candidate is serving a sentence in a penitentiary;

3) the Information Centre of the Ministry of the Interior – that the candidate has been convicted of a deliberate criminal offence and that his/her conviction has not been expunged or vacated;

4) the Information Centre of the Ministry of the Interior – that the candidate has committed a criminal offence set forth by the Criminal Law in a state of mental incapacity or a state of diminished mental capacity or after committing a criminal offence has developed a mental disorder and thus is incapable of taking or controlling a conscious action and as a result has been subjected to compulsory medical measures or his/her case has been dismissed without applying such compulsory medical measures;

5) the relevant court by its decision – that the candidate belongs or has belonged to the salaried staff of the USSR's, the Latvian SSR's, or another country's state security, intelligence or counterintelligence services;

6) the relevant court by its decision – that after 13 January 1991, the candidate has been active in the Communist Party of the Soviet Union (the Communist Party of Latvia), the International Front of the Working People of the Latvian SSR, the United Board of Working Bodies, the Organisation of War and Labour Veterans, the All-Latvia Salvation Committee or its regional committees;

7) *(Deleted by the 9 May 2002 Law);*

8) the Department of Citizenship and Migration Affairs – that the candidate is deceased;

9) the Information Centre of the Ministry of the Interior – that by a court decision the person is prohibited to stand as a candidate in the elections of the Saeima, European Parliament, city or county councils.

(4) If the Central Election Commission has made a request, the institutions specified in Paragraph 3 of this Article must present the relevant information within five days in writing and free of charge.

(5) If the Central Election Commission receives information later than the 50th day before election day that the nominated candidate is not eligible to stand as a candidate in the Saeima elections and

if the Commission cannot obtain new ballot papers for the given list of candidates, the voters shall be issued previously prepared ballot papers containing the full name of the ineligible candidate. The votes cast for this candidate shall not be taken into account when counting the votes and tallying voting results.

(As amended by the 26 March 1998 Law, the 9 May 2002 Law, the 30 May 2002 Law, the 9 March 2006 Law, the 26 February 2009 Law and the 31 March 2010 Law)

13¹ (1) The decision of the Central Election Commission to register or to refuse to register a list of candidates, as well as the decision to delete a candidate from the list of candidates, may be appealed in court within three weekdays after the decision has been made.

(2) In order to enforce the court ruling by which the decision referred to in Paragraph 1 of this Article is repealed, the Central Election Commission shall either register or discard the relevant list of candidates or shall either restore the name of a candidate on the registered list of candidates or delete it from the list of candidates.

(As supplemented by the 9 March 2006 Law)

14. (1) The Central Election Commission shall assign numbers to the lists of candidates by first choosing the numbers by lot for those lists of candidates which are registered for all five constituencies, then for those which are registered for four constituencies, and so on. Choosing by lot is done in each of the above groups in the sequence that the lists of candidates were registered. The lists of candidates bearing the same name shall have the same number in all constituencies.

(2) The Central Election Commission shall ensure that the lists of candidates are printed on separate forms — ballot papers — and are delivered to polling station commissions.

(3) The ballot paper shall contain the following data:

- 1) the name of the constituency;
- 2) the number of the list of candidates;
- 3) the name of the list of candidates;
- 4) full names of the nominated candidates.

(4) In the ballot paper there is a blank space opposite each candidate's name for the voter's marking.

(5) The Central Election Commission shall ensure that ballot envelopes are ordered and delivered to polling station commissions.

(6) The name of the election and the number of the convocation of the Saeima to be elected shall be printed on each ballot envelope.

(As amended by the 9 March 2006 Law)

15. The Central Election Commission shall ensure that not later than 20 days or, if the Saeima elections are held in accordance with Article 48 of the Constitution, not later than 10 days before election day, the official newspaper *Latvijas Vēstnesis* shall publish the following information:

- 1) campaign platforms;
- 2) all the lists of candidates and information about each candidate as set forth by this Law except the ID number of the candidate;
- 3) data concerning each candidate as specified in Sub-clauses a and c – i of Clause 4 of Article 11 of this Law;
- 4) full names of the candidates about whom the Centre for the Documentation of the Consequences of Totalitarianism has information stating that at its disposal or in the State Archives or other national depositories there are documents certifying the fact that these candidates allegedly collaborated with the USSR's, the Latvian SSR's or another country's state security, intelligence or counterintelligence services on a contractual basis as agents or resident officers or that they were owners of apartments used for clandestine activities.

(As amended by the 26 March 1998 Law, the 9 May 2002 Law, the 30 May 2002 Law, the 9 March 2006 Law and the 31 March 2010 Law)

Chapter III **Voting PROCEDURE**

16. (1) Not later than 10 days before election day, each polling station shall:

- 1) prominently display announcements about the registered lists of candidates, as well as campaign platforms;
- 2) make available to the public the data on each candidate as specified in this Law except the candidate's ID number.

(2) Not later than 15 days before election day, the city and county election commissions shall announce the address and the opening and closing time of the polling stations.

(As amended by the 26 March 1998 Law, the 9 May 2002 Law, the 30 May 2002 Law, the 9 March 2006 Law and the 26 February 2009 Law. New wording of the second clause came into effect on 1 June 2009 – see Transitional provision)

17. Elections shall be held from 7 a.m. to 8 p.m., local time, on the first Saturday of October. If the Saeima elections are to be held at some other time of the year in case of the dissolution of the Saeima, election day shall be determined by the Central Election Commission.

(As amended by the 4 September 2003 Law and the 31 March 2010 Law)

18. (1) At 7 a.m. the chairperson or the secretary of the polling station commission, in the presence of the commission, shall ascertain whether the ballot boxes are empty. Then the chairperson or the secretary of the polling station commission shall seal the ballot boxes with a sticker bearing the polling station's stamp and the signatures of all the commission members present. Election observers, if any, may also sign the sticker.

(2) At a polling station, up to two authorised observers from each political party or alliance of political parties that has submitted a list of candidates in the given constituency, members of the Central Election Commission, members of the relevant city or county election commission and persons authorised by the said commissions, as well as media representatives, may simultaneously observe the election process but not interfere with the work of the polling station commission. A candidate may not be an authorised observer.

(As amended by the 30 May 2002 Law, the 9 March 2006 Law and the 26 February 2009 Law)

19. (1) During elections the maintenance of order at the polling station shall be the responsibility of the chairperson of the polling station commission. He/she shall ensure that there is no infringement of voting rights, no public disturbance and no canvassing inside the polling station or within 50 meters from the entrance to the building in which the polling station is located.

(2) The chairperson of the polling station commission shall be responsible for safeguarding and storing documents, materials and assets at the disposal of the given polling station commission.

(As amended by the 30 May 2002 Law and the 9 March 2006 Law)

20. (1) A Latvian citizen's passport shall be a voter's identification document.

(2) *(Deleted by the 26 March 1998 Law).*

(As amended by the 26 March 1998 Law)

21. Unless the exceptions specified in Article 25 of this Law apply, a voter may cast a vote only in person.

22. (1) Voting shall be by secret ballot.

(2) Each voter shall be issued a set of ballot papers containing the lists of candidates nominated for the constituency and a ballot envelope bearing the stamp of the given polling station commission. The voter shall insert into this envelope the ballot paper containing the list of candidates that he/she has chosen to vote for. It is prohibited to issue any ballot paper separately.

(3) Inside the polling station, a member of the polling station commission, having checked that the person is a voter and that his/her passport does not already contain a stamp about participation in the current Saeima elections, shall write the full name and ID number of the voter in the list of voters and shall stamp the voter's passport indicating that he/she has participated in the current Saeima elections. The voter shall sign the list of voters confirming the receipt of a complete set of ballot papers containing the lists of candidates nominated for the constituency and the ballot envelope.

(4) Members of the election commissions shall be prohibited from canvassing for or against any candidates or lists of candidates.

(As amended by the 26 March 1998 Law, the 30 May 2002 Law and the 9 March 2006 Law)

23. (1) A separate room or compartment must be provided inside the polling station for the voter to insert one ballot paper into the ballot envelope and seal it in privacy.

(2) The voter may choose to put a "+" mark opposite the name of a candidate, to cross out the name or surname of a candidate or to leave the ballot paper unmarked.

(3) The "+" mark opposite the name of a candidate indicates special support given to the candidate by this voter. If the voter does not support a candidate listed on the ballot paper, he/she may cross out the name or surname of this candidate. The voter may also insert an unaltered (unmarked) ballot paper into the ballot envelope.

(4) The voter shall personally insert the sealed ballot envelope into the ballot box in the presence of a member of the polling station commission.

(5) If the voter has damaged the ballot paper or the ballot envelope before inserting the ballot paper into the ballot envelope, a new ballot envelope or a new set of ballot papers containing the lists of candidates nominated for the constituency shall be issued to the voter. The voter shall sign the list of

voters, thus confirming receipt of a duplicate ballot envelope, and a special entry to this effect shall be made in the minutes of the voting process.

(As amended by the 26 March 1998 Law, the 30 May 2002 Law and the 9 March 2006 Law)

24. (1) If any voter is unable to come to the polling station for health reasons, then on the basis of a written request filed by the voter or a person authorised by him/her and registered in a special journal, the polling station commission shall conduct voting by secret ballot at the place where the voter is located. Specially authorised observers shall have the right to supervise such voting.

(2) Voting where the voter is located (on site) may also be arranged for the caregivers of the persons specified in Paragraph 1 of this Article, provided they have filed a written request in due time.

(3) Other voters are not permitted to vote outside the polling station.

(4) On election day the polling station commission shall continue to accept written requests to conduct on-site voting. Requests received after 12 o'clock shall be fulfilled if it is possible to arrive before 8 p.m. at the place where the voter is located.

(5) Names of the voters who vote on site as provided in Paragraphs 1 and 2 of this Article shall be entered in a separate voters' list, and their sealed ballot envelopes shall be inserted into a separate sealed ballot box.

(6) Information about the ballot envelopes issued at the place of the voter and unused ballot envelopes, including damaged ones, shall be entered into the minutes of the voting process.

(7) *(Deleted by the 26 February 2009 Law).*

(As amended by the 30 May 2002 Law, the 9 March 2006 Law and the 26 February 2009 Law)

25. If a physical handicap prevents a voter from voting or signing the list of voters, a member of his/her family or some other trusted person shall make marks in the ballot paper and sign the list of voters in the voter's presence according to his/her instructions. A special entry to this effect shall be made in the list of voters. A member of the relevant election commission may not act as this trusted person.

(As amended by the 26 March 1998 Law and the 9 March 2006 Law)

26. (1) On election day, employers shall give their employees the time off required for voting.

(2) Soldiers shall be given a leave of absence for the time required for voting.

(As amended by the 9 March 2006 Law)

27. On election day, only those voters who have entered the polling station before 8 p.m. shall be allowed to cast their votes after 8 p.m. Then the polling station shall be closed.

(1) *(Deleted by the 26 March 1998 Law);*

(2) *(Deleted by the 26 March 1998 Law).*

(As amended by the 26 March 1998 Law, the 6 April 2006 Law and the 31 March 2010 Law)

28. (1) Starting with the opening of polling stations on election day, the secretary of the polling station commission or, in his/her absence, another member of the commission authorised by the chairperson of the commission shall take minutes of the voting process in accordance with the procedure set by the Central Election Commission.

(2) Any complaints made by voters about the voting process shall be immediately filed with the chairperson of the polling station commission and registered in the minutes of the voting process. Complaints about the voting process shall be examined, and a reply shall be issued to the submitter of the complaint; the substance of the complaint shall be recorded in the minutes of the voting process.

(As amended by the 30 May 2002 Law and the 9 March 2006 Law)

Chapter IV

COUNTING OF VOTES AND Tallying OF VOTING RESULTS

29. (1) The preliminary counting of votes shall start immediately after the polling stations have closed. Votes shall be counted at an open meeting of the polling station commission.

(2) Up to two authorised observers from each political party or alliance of political parties that has submitted a list of candidates in the given constituency, members of the Central Election Commission, members of the relevant city or county election commission and persons authorised by the said commissions, as well as media representatives, may be simultaneously present at the commission meeting but may not interfere with the work of the commission.

(As amended by the 30 May 2002 Law, the 9 March 2006 Law and the 26 February 2009 Law)

30. Immediately after the closing of the polling station, the polling station commission shall seal the ballot boxes, close the voters' lists and prepare the room for the counting of votes. Unused voting

materials shall be packaged or placed in accordance with the procedure set by the Central Election Commission so that they do not interfere with vote counting.

(As amended by the 30 May 2002 Law)

31. (1) The polling station commission shall write minutes of the vote counting in two copies. The minutes of the vote counting shall consist of two parts:

- 1) the preliminary vote counting (hereinafter — first part of the vote-counting minutes);
- 2) tallying of final results (hereinafter — second part of the vote-counting minutes).

(2) Before opening the ballot boxes, the polling station commission shall record in the first part of the vote-counting minutes about the received, used and unused ballot envelopes and the number of voters at the polling station and at places where the voters are located. The unused stamped envelopes shall be invalidated.

(3) After the information specified in Paragraph 2 of this Article has been recorded in the first part of the vote-counting minutes and after the unused election materials and ballot envelopes have been packaged, the ballot boxes shall be opened. The ballot boxes shall be opened one at a time, and the ballot envelopes shall be counted.

(4) The unopened ballot envelopes removed from each ballot box shall be sorted as valid and invalid envelopes.

(5) The envelopes shall be deemed invalid if they are torn, if they do not bear a stamp of the relevant polling station or if they do not bear the name of the relevant election and the number of the convocation of the Saeima to be elected.

(6) The invalid envelopes shall be counted and packaged unopened, and their number shall be indicated on the package. The total number of invalid ballot envelopes shall be recorded in the minutes of the voting process.

(7) The number of valid ballot envelopes removed from each ballot box must be equal to or less than the number of voters on the list of voters.

(8) If the ballot box contains ballot papers that have not been inserted into ballot envelopes, they should be invalidated and packaged in accordance with the procedure set by the Central Election Commission.

(As amended by the 30 May 2002 Law and the 9 March 2006 Law)

32. (1) After the valid ballot envelopes have been counted, they shall be opened and grouped according to their contents as follows:

- 1) envelopes containing one ballot paper from the relevant constituency;
- 2) envelopes containing more than one ballot paper;
- 3) envelopes containing a ballot paper from another constituency;
- 4) envelopes containing a torn ballot paper;
- 5) envelopes containing no ballot paper.

(2) Envelopes that contain one ballot paper from the relevant constituency need not be kept after the ballot papers have been removed from them. The ballot papers from these envelopes shall be placed together for counting.

(3) Empty ballot envelopes and envelopes that contain more than one ballot paper, a torn ballot paper or a ballot paper from another constituency shall be placed separately along with their contents.

(As amended by the 30 May 2002 Law)

33. (1) After all the valid ballot envelopes have been opened, the polling station commission shall rule on the validity of those ballot papers that were in ballot envelopes containing several ballot papers, torn ballot papers or ballot papers from another constituency.

(2) If a ballot envelope contains several identical ballot papers, only one of them shall be regarded as valid; it shall be placed together with other valid ballot papers, but the remaining ones shall be regarded as invalid.

(3) Empty ballot envelopes and ballot envelopes that contain torn ballot papers shall be regarded as envelopes that contain invalid ballot papers.

(4) If a ballot envelope contains more than one ballot paper and if these ballot papers are different in content (or have different markings), the ballot envelope shall be regarded as an envelope that contains an invalid ballot paper.

(5) The polling station commission shall resolve differences of opinion concerning the validity of ballot papers by majority vote. In case of a tie vote, the chairperson of the commission shall have the deciding vote.

(6) The valid ballot papers shall be grouped according to the names of the lists of candidates. Then the votes cast for each list of candidates shall be counted.

(7) After the votes cast for each list of candidates have been counted, the polling station commission, in accordance with the procedure set by the Central Election Commission, shall promptly announce the number of votes cast for each list of candidates.

(As amended by the 30 May 2002 Law)

34. (1) After the completion of the preliminary vote counting, the polling station commission shall sign the first part of the vote-counting minutes, and before a break is announced, it shall package together:

- 1) all the valid ballot papers grouped and packaged according to the numbers assigned to the lists of candidates;
- 2) all the ballot envelopes containing invalid ballot papers;
- 3) one copy of the vote-counting minutes;
- 4) the lists of voters.

(2) The package shall be sealed with the stamp of the polling station commission. The authorised observers shall also have the right to affix their own stamps or put their signatures on the package; if they do so, a note to this effect shall be entered in the minutes of the voting process.

(3) The packaged election materials shall be left in the care of two persons designated by the polling station commission.

(As amended by the 30 May 2002 Law and the 9 March 2006 Law)

35. (1) When work resumes after the break, the polling station commission, at an open meeting and in accordance with the procedure set by the Central Election Commission, shall:

- 1) *(Deleted by the 9 March 2006 Law)*;
- 2) recount the valid ballot papers cast for each list of candidates;
- 3) sort the ballot papers cast for each list into two groups – marked and unmarked ballot papers. A ballot paper on which a voter has placed a “+” mark opposite the name of a candidate or has crossed out the candidate’s name or surname shall be regarded as marked. All other ballot papers shall be regarded as unmarked;
- 4) count the marked ballot papers cast for each list of candidates in which:
 - a) there is a “+” mark opposite the name of a candidate,
 - b) the candidate’s name or surname has been crossed out.

(2) The polling station commission shall record in the second part of the vote-counting minutes the final results of the vote tallying.

(3) After the vote tallying results have been confirmed, the polling station commission shall report them to the authorised observers and media representatives.

(As amended by the 30 May 2002 Law and the 9 March 2006 Law)

35¹ (1) The submitters of the lists of candidates have the right to read the vote-counting minutes and to contest these minutes by presenting their objections to the Central Election Commission within three weekdays after the decision to approve the results set forth in the minutes has been adopted. The Central Election Commission shall examine the complaint and take a decision within three days.

(2) The decision of the Central Election Commission concerning the contested vote-counting minutes of the polling station may be appealed in court within three days after its adoption.

(As supplemented by the 9 March 2006 Law)

36. When the tallying and recording of votes in the vote-counting minutes have been completed, all the cast valid and invalid ballot papers, together with ballot envelopes, unused stamped ballot envelopes, invalid ballot envelopes and one copy of the vote-counting minutes, shall be packaged and sealed. The authorised observers present shall also have the right to affix their own stamps or put their signatures on the package; if they do so, a note to this effect shall be entered in the minutes of the voting process. The unused unstamped ballot envelopes shall be packaged separately. Then, in accordance with the procedure set by the Central Election Commission, the polling station commission shall deliver all election materials to the Central Election Commission.

(As amended by the 30 May 2002 Law, the 9 March 2006 Law and the 26 February 2009 Law)

37. *(Deleted by the 26 February 2009 Law).*

38. (1) The Central Election Commission shall determine which candidates have been elected in each constituency. Lists of candidates bearing the same name that have received less than five percent of the total number of votes cast in all constituencies, regardless of the number of constituencies for which these lists of candidates have been nominated, shall be excluded from the allocation of seats in the Saeima. The number of valid ballot envelopes shall be regarded as the total number of votes cast (the total number of voters taking part in the election).

(2) The procedure to be applied in allocating seats in the Saeima among the remaining lists of candidates shall be the following:

- 1) the number of valid ballot papers cast for each list of candidates in each constituency shall be counted;
- 2) the number of ballot papers cast for each list of candidates shall be divided by odd numbers — 1, 3, 5, 7 and so forth — until the number of the division equals the number of candidates nominated on the list of candidates;
- 3) all the quotients concerning all the lists of candidates in a constituency shall be numbered in descending order;
- 4) within a constituency the lists of candidates that have the highest division results shall win seats in the Saeima. If the quotient, the order number of which is equal to the number of seats determined for the constituency, coincides with one or several consecutive quotients, the list of candidates that has received the largest number of votes in all constituencies wins an additional seat. If lists of candidates have been registered in only one constituency, the seat is won by the list of candidates which was registered first.

(As amended by the 26 March 1998 Law and the 27 May 1998 Law)

39. The names of the candidates nominated on each list of candidates shall be ranked according to the number of votes they have received. The number of votes cast for each candidate shall be equal to the number of votes cast for the list of candidates in which his/her name has been included, minus the number of ballot papers on which the name or surname of this candidate has been crossed out plus the number of all the ballot papers on which the voters have made a “+” mark opposite the name of a candidate. If two or more candidates on the same list of candidates have received an equal number of votes, they shall be ranked in the same order as on the originally submitted list of candidates. The candidates who have received the largest number of votes shall be regarded as elected, whereas the others shall remain as candidates, and their names shall be ranked in the order of the largest number of votes received.

40. *(Deleted by the 31 March 2010 Law).*

41. If an elected Saeima member has died, declined his/her mandate, lost or given it up for some other reason, he/she shall be replaced by the candidate ranked next on the same list of candidates.

42. If for any reason specified in Article 41 of this Law a list of candidates is short of candidates, then the list of candidates which will win a seat in the Saeima shall be determined according to the procedure set by Article 38 of this Law.

Chapter V

PARTICIPATION OF CITIZENS OF LATVIA IN THE SAEIMA ELECTIONS IF AT ELECTION TIME THEY RESIDE IN A FOREIGN COUNTRY OR ARE IN A PENITENTIARY FOR SECURITY REASONS OR ARE SERVING A SENTENCE

(The title of this Chapter was amended by the 26 February 2009 Law)

43. (1) Upon the proposal of the Ministry of Foreign Affairs, the Central Election Commission shall establish polling stations in diplomatic and consular missions of the Republic of Latvia.

(2) Upon consultation with the Ministry of Foreign Affairs, the Central Election Commission may also establish polling stations in other premises suitable for this purpose.

(3) Voters who during election time are staying abroad may vote on election day in person at one of the established polling stations or by mail in accordance with the procedure set by this Law.

(4) The Central Election Commission may establish election commissions and polling stations on ships sailing under the flag of Latvia and registered in the Republic of Latvia.

(5) Voting abroad and aboard ships may be conducted provided that compliance with the provisions of this Law can be ensured.

(As amended by the 9 March 2006 Law)

44. (1) Voters casting their votes in polling stations that have been established abroad or aboard ships shall receive ballot papers containing the lists of candidates nominated for the Riga constituency, and their votes shall be added to the other votes cast in the Riga constituency.

(2) The voting procedure for polling stations located abroad shall comply with the provisions of Chapter III of this Law (except Article 24).

(As amended by the 27 May 1998 Law and the 30 May 2002 Law)

45. (1) A voter wishing to vote by mail shall submit an application to this effect to the relevant diplomatic or consular mission of the Republic of Latvia and shall present his/her Latvian citizen's passport. In the application the voter shall indicate his/her full name, ID number and the address to which the election materials should be sent. The voter may apply for voting by mail five months before election day but not later than three weeks before election day.

(2) Having received such an application, an officer of the diplomatic or consular mission shall:

1) according to the presented passport, ascertain whether the person is a citizen of the Republic of Latvia who has reached 18 years of age and whether his/her passport does not already bear a mark about participation in the current Saeima elections;

2) enter the name of the voter in a special voting-by-mail register;

3) make a mark in the voter's passport about participation in the current Saeima elections.

(3) If the application for voting by mail has been submitted without observing the deadline and the procedure specified in Paragraph 1 of this Article or if the person is not entitled to vote or if his/her passport already bears a mark testifying that he/she has already participated in the current Saeima elections, the officer of the diplomatic or consular mission shall decline to deliver election materials and shall justify the refusal. The filing of an appeal does not nullify the decision.

(4) A voter who has registered for voting by mail may change the address to which the election materials should be sent not later than three weeks before election day by submitting an application to the relevant diplomatic or consular mission.

(5) When the polling station commission starts its work, the officer of the diplomatic or consular mission shall transmit voters' registers to the commission.

(6) Not later than 15 days before election day, the polling station commission shall send to the voter, at the address indicated in the voter's application, a set of ballot papers containing all the lists of candidates nominated for the Riga constituency, a ballot envelope bearing the stamp of the given polling station and a registration form containing information about the voting procedure and indicating the number assigned to the voter in the voting-by-mail register.

(As amended by the 9 March 2006 Law and the 31 March 2010 Law)

45.¹ (1) Voters who are in a penitentiary for security reasons or who are serving a sentence in the penitentiary may vote in the penitentiary.

(2) A voter who wants to vote in the penitentiary, shall file an application with the prison administration indicating his/her full name and ID number. The voter may apply for voting in the penitentiary not later than two days before election day.

(3) Administration of the penitentiary shall determine whether the person who wants to vote in the penitentiary is a citizen of the Republic of Latvia who will be 18 years of age by election day; if these requirements are met, the administration shall register the submission in the register of voting in penitentiaries.

(4) One day before election day, the administration of the penitentiary shall deliver the register indicated in Paragraph 3 of this Article to the relevant polling station commission.

(5) On election day, after the ballot station has been opened and ballot boxes have been sealed, the polling station commission shall deliver to the administration of the penitentiary forms of the lists of voters, lists of candidates nominated for the relevant constituency, ballot envelopes bearing a stamp of the relevant polling station commission and a sealed ballot box.

(As supplemented by the 26 February 2009 Law)

45.² (1) At the penitentiary, its administration shall enter the full name and ID number of the voter on the list of voters. The voter shall sign the list of voters confirming the receipt of the complete set of ballot papers containing the lists of candidates nominated for the relevant constituency and the ballot envelope.

(2) The voter shall select the ballot paper containing the list of candidates he/she has chosen to vote for, put marks referred to in Article 23 of this Law, if any, insert the ballot paper into the ballot envelope and seal it. Then the voter shall insert the sealed ballot envelope into the ballot box.

(3) Administration of the penitentiary shall be prohibited from campaigning for or against any candidates or lists of candidates.

(4) When the voting is over, the administration of the penitentiary shall immediately deliver the lists of voters, unused ballot envelopes and the ballot box to the relevant polling station.

(As supplemented by the 26 February 2009 Law)

46. (1) Having received election materials for voting by mail, the voter shall select the ballot paper containing the list of candidates he/she wishes to vote for; he/she may put marks referred to in Article 23 of this Law, if any, insert the ballot paper into the ballot envelope and seal it.

(2) The voter shall insert the sealed ballot envelope into a mailing envelope, together with the registration form indicating the full name and ID number of the voter, and shall immediately send the mailing envelope to the polling station commission from which he/she received the election materials. The mailing envelope shall bear the voter's number in the voting-by-mail register and a notation that it contains a ballot envelope.

(As amended by the 30 May 2002 Law)

- 47.** (1) The polling station commission shall count votes in accordance with the procedure set by Chapter IV of this Law.
- (2) The polling station commission shall open only those mailing envelopes which have been received by the time the counting of votes started at the given polling station. The valid ballot envelopes shall be kept unopened until the opening of the ballot boxes.
- (3) When the polling station commission has opened the ballot box and has grouped the valid ballot envelopes, then before opening them, it shall add to them the ballot envelopes received by mail.
(As amended by the 9 March 2006 Law)
- 48.** (1) If the polling station commission receives a mailed envelope addressed to the given polling station before the vote counting starts and if the mailed envelope bears a notation that a ballot envelope is enclosed, the commission shall:
- 1) ascertain if the voter's name has been entered in the voting-by-mail register and if the receipt of the ballot envelope from this voter has not already been recorded in the register;
 - 2) ascertain if the ballot envelope bears the stamp of the relevant polling station commission;
 - 3) make an entry in the voting-by-mail register.
- (2) A ballot envelope shall be regarded as invalid if it:
- 1) does not bear the stamp of the relevant polling station commission;
 - 2) has been mailed by a voter whose name is not listed in the voting-by-mail register;
 - 3) has been mailed by a voter for whom an entry in the voting-by mail register has already been made certifying the receipt of a ballot envelope from this voter.
- (3) Invalid ballot envelopes shall not be opened and shall not be inserted into the ballot box. They shall be numbered, and an entry explaining why they are regarded as invalid shall be made in the minutes. Invalid ballot envelopes, together with applications and mailing envelopes, shall be stored in accordance with the procedure set by the Central Election Commission.
(As amended by the 30 May 2002 Law)

Chapter VI FINAL PROVISIONS

- 49.** Final election results and the number of votes received by each candidate on each list of candidates at every polling station shall be compiled within six months and issued in a separate publication which shall be made freely accessible in state libraries.
- 50.** When 10 days have passed after the convening of the newly elected Saeima, all the ballot papers shall be destroyed, and after the publication of the election results in accordance with the procedure set in Article 49 of this Law, all the minutes of the election commissions shall be deposited in the State Archives.
(As amended by the 26 March 1998 Law)
- 51.** (1) Persons who have submitted lists of candidates have the right to appeal in court the Central Election Commission's decision to approve the election results within three weekdays after the decision has been made.
- (2) The filing of an appeal in court does not nullify the Central Election Commission's decision specified in Paragraph 1 of this Article.
(As amended by the 9 March 2006 Law)
- 52.** Persons who have been found guilty of using violence, deceit, threats, bribery or any other illegitimate means in order to hinder citizens from voting or from canvassing or who have intentionally given false personal information in the documents specified in Article 11 of this Law or persons who have otherwise counterfeited election materials, deliberately miscounted the votes, breached the rule of confidentiality in voting or otherwise violated this Law shall be made liable as provided by law.
- 52¹** (1) Within five days after receiving a sentence in a criminal case regarding violations committed during an election, the Central Election Commission shall evaluate whether these violations have affected the allocation of seats in the Saeima and shall adopt one of the following decisions:
- 1) not to reallocate the seats in the Saeima among the registered candidates;
 - 2) to reallocate the seats in the Saeima among the registered candidates.
- (2) The decision of the Central Election Commission set forth in Paragraph 1 of this Article may be appealed in court within 10 days after the decision has been made.
- (3) When one of the decisions specified in Paragraph 1 of this Article has been chosen and has become final, the Central Election Commission shall deliver it to the Mandate, Ethics and Submissions Committee of the Saeima.
(As supplemented by the 9 March 2006 Law)

52² (1) Having received the Central Election Commission's decision regarding reallocation or non-reallocation of seats in the Saeima, the Mandate, Ethics and Submissions Committee of the Saeima shall announce this decision at the next plenary sitting.

(2) If the Saeima supports the Central Election Commission's decision, then as of the moment of its announcement, the term of office of the Saeima member mentioned in the decision shall expire, and the Presidium shall invite another person mentioned in the decision to become a Saeima member.

(As supplemented by the 9 March 2006 Law)

53. Costs arising from the preparation and holding of elections shall be covered from the state budget.

54. (1) In the case specified in Paragraph 1 of Article 13¹, an appeal shall be submitted to the District Administrative Court, but in cases specified in Paragraph 2 of Article 35¹, Paragraph 1 of Article 51 and Paragraph 2 of Article 52¹ appeals shall be submitted to the Department of Administrative Cases of the Supreme Court Senate.

(2) In examining an appeal, the court acts as the court of first instance. The appeal is examined by a court panel composed of three judges.

(3) The court shall examine the appeal and make a decision:

1) in cases specified in Paragraph 1 of Article 13¹, Paragraph 2 of Article 35¹ and Paragraph 1 of Article 51 – within 7 days after the receipt of the appeal;

2) in the case specified in Paragraph 2 of Article 52¹ – within 30 days after the receipt of the appeal.

(4) The appellant shall specify the justification for the appeal. The burden of proof lies with the parties in the administrative process.

(5) If the deadline for carrying out a particular procedural activity is specified by law and if in carrying out this particular procedural activity the deadlines set in Paragraph 3 of this Article cannot be observed, the judge (court) shall determine the deadline by which the relevant procedural activity must be carried out.

(6) The court decision, as well as other decisions which are taken while carrying out the procedural activities related to examining an application or an initiated case, cannot be appealed.

(As amended by the 9 March 2006 Law)

Transitional provision

(As adopted by the 26 February 2009 Law)

Amendments to Paragraph 8 of Article 5, Paragraph 3 of Article 6, Sub-clauses "d" and "e" of Clause 4 of Article 11, Clause 9 of Paragraph 3 of Article 13, Paragraph 2 of Article 16, Paragraph 2 of Article 18, Paragraph 2 of Article 29, and Article 36, as well as deletion of Article 37, shall take effect on 1 July 2009.

This Law shall come into force on the day following its proclamation.

This Law was adopted by the Saeima on 25 May 1995.

The President of Latvia G. Ulmanis
Riga, 6 June 1995

Last amended on 31 March 2010