

Electoral Code of the Republic of Belarus

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GENERAL PART

SECTION I GENERAL PROVISIONS MAIN PRINCIPLES OF ELECTORAL SYSTEM AND HOLDING A REFERENDUM (POPULAR VOTE)

CHAPTER 1 GENERAL PROVISIONS

Article 1. Relations regulated by this Code

This Code regulates relations arising when preparing and holding elections of the President of the Republic of Belarus, elections and recall of deputies of the House of Representatives of the National Assembly of the Republic of Belarus (hereinafter-House of Representatives), of members of the Council of the Republic of the National Assembly of the Republic of Belarus (hereinafter – Council of the Republic), of deputies of local Councils of Deputies of the Republic of Belarus (hereinafter – local Councils of Deputies), as well as while preparing and holding a referendum (popular vote) (hereinafter – referendum) and establishes guarantees ensuring free will of the citizens of the Republic of Belarus.

Article 2. Legal basis of electoral system, of referendum

Legal basis of electoral system, of referendum is constituted by the Constitution of the Republic of Belarus, this Code and other acts of legislation of the Republic of Belarus, resolutions of the Central Commission of the Republic of Belarus on Elections and Holding Republican Referendums (hereinafter – Central Commission).

CHAPTER 2 MAIN PRINCIPLES OF ELECTORAL SYSTEM AND HOLDING A REFERENDUM

Article 3. Main principles of holding elections and referendum

Elections of the President of the Republic of Belarus, deputies of House of Representatives, deputies of local Councils of deputies are free and are held on the basis of universal, equal and direct suffrage by secret voting.

Elections of the deputies of the House of Representatives, deputies of local Councils of Deputies are held at single electoral circuits.

Elections of members of the Council of the Republic of Belarus are held on the basis of equal and indirect suffrage by secret voting.

A referendum is held by means of universal, free, equal and secret voting.

Article 4. Universal suffrage and the right to participation in a referendum

Elections of the President of the Republic of Belarus, of deputies of the House of Representatives, of deputies of local Councils of Deputies and a referendum are universal: the right to elect, to participate in referendum have the citizens of the Republic of Belarus having reached the age of 18 years.

Citizens recognized by court as incapable, persons being kept in institutions of confinement under the court sentence shall not participate in elections and in referendum. Persons in respect of whom detention, as a measure of restraint, is selected under the procedure specified in the criminal procedural legislation shall not take part in voting.

Article 5. Free elections and participation in referendum

Elections of the President of the Republic of Belarus, of deputies of the House of Representatives, of deputies of local Councils of Deputies, participation in referendum are free: a voter, a participant in referendum decides personally whether to take part in elections, referendum, for whom to vote at elections, for what to vote at referendum.

Article 6. Equal voting right and the right to participation in a referendum

Electors, participants of referendum take part respectively in elections of the President of the Republic of Belarus, of the deputies of the House of Representatives, of deputies of local Councils of Deputies and in referendum on an equal basis: each voter, participant of referendum has one vote.

Elections of members of the Council of the Republic of Belarus are equal: each deputy of a local Council of Deputies of basic level has one vote.

Candidates being elected for state offices shall take part in elections on an equal basis.

Article 7. Direct voting right, right to expression of direct will at referendum

Elections of the President of the Republic of Belarus, of deputies of the House of Representatives, of deputies of local Councils of Deputies are direct. The President of the Republic of Belarus is elected directly by the people of the Republic of Belarus. Deputies are elected directly by citizens.

Citizens take part in referendum on the basis of direct will.

Article 8. Indirect suffrage

Elections of members of the Council of the Republic of Belarus are indirect: members of the Council of the Republic of Belarus are elected at sittings of deputies of local Councils of Deputies of a basic level of every region and on sittings of deputies of the Minsk City Council of Deputies.

Article 9. Secret voting

Voting at elections and on referendum shall be secret: control over the expression of the will of voters, participants of the referendum in the course of voting is prohibited.

Article 10. Main principles of holding the recall of a deputy, of a member of the Council of the Republic

The recall of a deputy of the House of Representatives, of a member of the Council of the Republic is exercised with observance of main principles of the electoral system.

Article 11. Ensuring the holding of elections of the President of the Republic of Belarus, of deputies of the House of Representatives, of deputies of local Councils of Deputies, of referendum, of recall of deputies by the commissions

The holding of elections of the President of the Republic of Belarus, of deputies of the House of Representatives, of deputies of local Councils of Deputies, of referendum, of recall of deputies are ensured by the commissions.

Commissions, in their activities, are guided by the Constitution of the Republic of Belarus, by this Code, by other acts of legislation of the Republic of Belarus.

Commissions, while preparing and holding elections, a referendum, a recall of deputies within their competence, are independent of the state bodies and are not bound with the decisions of political parties and other public associations.

Decisions of the commissions taken within the limits of their powers are obligatory for execution by all state bodies, political parties, other public associations, other organizations, as well as by the citizens.

Decisions of the higher commission taken within the limits of its powers are obligatory for subordinated commissions.

Article 12. Ensuring the holding of elections and of recall of members of the Council of the Republic

The holding of elections of members of the Council of Ministers of the Republic of Belarus is ensured by the presidiums of regional, the Minsk City, district, city (cities of regional subordination) Councils of Deputies and by the respective regional, the Minsk City Executive Committee, district, city executive committees, as well as by the Central Commission.

Article 13. Publicity during the preparation and holding elections, referendum, recall of a deputy of the House of Representatives, a deputy of the local Council of Deputies

Preparation and holding of elections of the President of the Republic of Belarus, deputies of the House of Representatives, members of the Council of the Republic, deputies of Local Councils of Deputies, of referendum, of recall of a deputy of the House of Representative, member of the Council of the Republic, deputy of local Council of Deputies are carried out openly and publicly.

Respective commissions, local representative, executive and administrative bodies inform citizens about their work on preparation and holding of elections, referendum, recall of a deputy of the House of Representatives, of a member of the Council of the Republic, a deputy of the local Council of Deputies, about creation of electoral circuits, about the structure, place of location and working hours of the commissions, about lists of citizens having the right to participate in elections, referendum, voting on the recall of a deputy, candidates, about results of the voting, elections, referendum and of the recall.

The Central Commission, the respective territorial, circuit electoral commission during the elections of the President of the Republic of Belarus, of deputies makes posters with biography data of candidates for the President of the Republic of Belarus, as well as candidates for deputies running in one electoral circuit to be placed at voting precincts and other places established for this purpose. The respective electoral commission produces information brochures about the candidates for the President of the Republic of Belarus and for the deputies in order to forward them to voters. The amount of information to be placed in these materials with regard to each candidate should be approximately the same. Expenses on the production of posters with biography data of candidates and information materials about the candidates shall be covered by the funds allocated from the republican budget for the preparation and holding of elections.

While holding elections, referendum, recall of a deputy, a member of the Council of the Republic the right to be present have the observers – deputies of the House of Representatives, members of the Council of the Republic, deputies of the local Councils of Deputies, authorized representatives of the candidates for the President of the Republic of Belarus, representatives of political parties, other public associations, labour groups and citizens, foreign (international) observers, as well as representatives of mass media in the order being established by the Central Commission.

The observer is entitled:

to be present at sittings of respective commissions;

to be present at sittings of deputies of local Councils of Deputies of a basic level of the region, of the deputies of the Minsk City Council of Deputies for the elections of members of the Council of the Republic, as well as for the recall of a member of the Council of the Republic;

to be present when ballot boxes are being stamped and sealed;

to be present on voting day in the premises for voting from the moment of stamping and sealing of ballot boxes till the end of sizing up the results of voting;

to be present at the preterm voting, at the voting under at the place of location of citizens, at re-counting of citizens' votes;

to observe the issuance of ballots, course of voting, maintenance of the order of voting established by this Code;
to apply to the chairperson of divisional, counting commission or to his/her deputy with proposals and observations on the issues of organization of voting;

to obtain information about results of counting of votes and drawing up reports of the respective commissions about the results of elections, referendum, voting about the recall of a deputy;

to familiarize with reports of district commissions about the result of voting and with reports of respective commissions about the results of election, referendum, voting on the recall of a deputy, signed and directed to the higher commission in accordance with this Code;

to make a copy of the report of the district commission about the results of voting by own forces and means;

to direct appeals to the respective or higher commission or to the public prosecutor on the elimination of violations of this Code or other acts of legislation of the Republic of Belarus on elections, referendum, recall of a deputy or of a member of the Council of the Republic not later than on the third day after the elections, referendum, voting on the recall of a deputy, member of the Council of the Republic;

to familiarize with the decisions of sittings of deputies of local Councils of Deputies of a basic level of the region, of deputies of the Minsk City Council of Deputies for the elections of members of the Council of the Republic, as well as for the recall of a member of the Council of the Republic.

The observer is not entitled:

to be engaged in agitation in any of its forms;

to render informational, methodological, financial or other aid to the candidates for the President of the Republic of Belarus, for deputies of the House of Representatives, for members of the Council of the Republic, for deputies of local Councils of Deputies;

to obstruct the holding of voting;

to undertake measures violating secrecy of the ballot;

to hold surveys of citizens who have arrived for the voting and those who have voted;

to fill in the ballot for a citizen upon the latter's request;

to obstruct normal work of commissions, sittings of deputies of local Councils of Deputies of a basic level of the region, the deputies of the Minsk City Council of Deputies and holding of voting;

to be near the tables of issuing ballots, near the polling booths and ballot boxes;

to interfere in work of commissions, sittings of deputies of local Councils of Deputies of a basic level of the region, deputies of the Minsk City Council of Deputies.

During the elections of the President of the Republic of Belarus, the deputies of the House of Representatives, the deputies of local Councils of Deputies, the referendum, recall of a deputy observers are accredited by the respective electoral commission, commission on referendum, on holding vote on recall of a deputy, and during the elections and recall of members of the Council of the Republic – by the presidium of the respective regional and Minsk–city Councils of Deputies. Observers are accredited upon thisation of a document on assignment as the observer, defined by the Central Commission and the passport of a citizen of the Republic of Belarus. Prior notification about the sending of the observer is not required

The term of powers of the observer begins from the day of his accreditation and ends on the day of establishment of the results of the counting of votes by the respective commission, the results or outcomes of the elections, referendum or recall of a deputy, a member of the Council of the Republic.

The commission which accredited the observer is entitled to revoke this accreditation in case of infringement of the legislation of the Republic of Belarus on elections, referendum, and recall of a deputy.

Commissions inform observers, foreign (international) observers about the date, time and place of their sittings.

Foreign (international) observers from foreign states and international organizations are invited in the Republic of Belarus by the President of the Republic of Belarus, the House of Representatives, the Council of the Republic, the Council of Ministers of the Republic of Belarus, the Ministry of International Affairs of the Republic of Belarus and by the Central Commission.

Foreign (international) observers are accredited by the Central Commission. Term of powers of foreign (international) observer starts from the day of his/her accreditation and is ended on the day of establishing the results of elections, referendum, recall of a deputy, of a member of the Council of the Republic.

Foreign (international) observers carry out the observation in the order provided for by part five of this Article. Foreign (international) observers are also entitled to meet with candidates, candidates' authorized persons and after the day of voting to express their opinion about the legislation of the Republic of Belarus on elections, referendum, recall of a deputy, a member of the Council of the Republic, to hold conferences and apply to mass media.

Foreign (international) observers are not entitled to use their status for carrying out activities not connected with observation of preparation and holding of the elections, referendum, recall of a deputy, a member of the Council of the Republic.

The Central Commission is entitled to revoke accreditation of a foreign (international) observer in the case of infringement of the legislation of the Republic of Belarus or of generally recognized principles and norms of international law.

Mass media shall cover preparation and holding of elections, referendum, recall of a deputy, a member of the

Council of the Republic in accordance with the legislation of the Republic of Belarus. Representatives of mass media are entitled to be present at sittings of the commissions, in the premises for voting, at sittings of deputies of local Councils of Deputies of a basic level of the region, of deputies of the Minsk City Council of Deputies for elections of the members of the Council of the Republic, as well as for the recall of a member of the Council of the Republic.

Candidates for the President of the Republic of Belarus, for the deputy are entitled to be present at the polling stations when votes are being counted.

Persons who obstruct the work of commissions on the day of elections, referendum, voting on recall of a deputy, member of the Council of the Republic, the holding of sittings of deputies of local Councils of Deputies of the base level of a region, members of the Minsk City Council of Deputies, are withdrawn from the voting precincts, sittings on the order of the chairmen of the respective commissions, presiding at sittings of the local Councils of Deputies of the base level of the region, deputies of the Minsk City Council of Deputies.

SECTION II. ELECTORAL CIRCUITS AND VOTING STATIONS.

LISTS OF CITIZENS HAVING THE RIGHT TO PARTICIPATE IN ELECTIONS, REFERENDUM, IN THE VOTING ON THE RECALL OF A DEPUTY

CHAPTER 3. ELECTORAL CIRCUITS

Article 14. Electoral circuit for the elections of the President of the Republic of Belarus

Elections of the President of the Republic of Belarus are held in the single electoral circuit being the whole territory of the Republic of Belarus.

Article 15. Electoral circuits for the elections of deputies of the House of Representatives, of deputies of local Councils of Deputies

110 electoral circuits are created for the holding of elections of deputies of the House of Representatives on the territory of the Republic of Belarus.

For the holding of elections of deputies of local Councils of Deputies the electoral circuits are created:

for the elections to regional Council of Deputies – from 40 to 60 electoral circuits;

for the elections to the Minsk City Council of Deputies - from 40 to 60 electoral circuits;

for the elections to the district Council of Deputies - from 25 to 40 electoral circuits;

for the elections to the city Council of Deputies (cities of regional subordination) - from 25 to 40 electoral circuits;

for the elections to the city Council of Deputies (cities of district subordination) - from 15 to 25 electoral circuits;

for the elections to the settlement, rural Council of Deputies – from 11 to 15 electoral circuits.

Average number of electors for the electoral circuit for the elections of deputies of the House of Representatives over the Republic of Belarus is established by the Central Commission not later than five months prior to the end of the term of powers of the House of Representatives of the effective convocation.

Within the norms specified in part two of this Article, the number of electoral circuits to be created for the elections to local Council of Deputies and an average number of electors are established by the respective local Council of Deputies not later than five months prior to the end of the term of powers of local Council of Deputies of the effective convocation.

The number of electors in the electoral circuit is determined pursuant to the number of citizens having electoral right and residing on the territory making part of the electoral circuit when the previous elections or referendum was held.

Electoral circuits are created with an approximately equal number of electors: deviation of the number of electors in the electoral circuit for the elections of deputies of the House of Representatives from the average number of electors falling on the electoral circuit over the Republic of Belarus and in the electoral circuit for the elections of deputies of the respective local Council of Deputies – from the average number of electors falling on the electoral circuit for the elections to that local Council of Deputies, as a rule, may not exceed 10 percent. Electoral circuit is a single territory: it is not allowed the creation of the electoral circuit from territories not bordering between them.

Lists of electoral circuits with indication of their names, numbers, borders, number of electors and places of location of electoral commissions are published: for the elections of the deputies of the House of Representatives – by the Central Commission not later than on the fifth day after the setting elections to the House of Representatives, for the elections of deputies of local Councils of Deputies – by the territorial electoral commissions not later then for 80 days before the elections to the local Council of Deputies.

In the case of dissolution of the House of Representatives the elections of deputies of the House of Representatives are held at the electoral circuits created while holding elections of deputies of the House of Representatives of the previous convocation.

One deputy is elected from every electoral circuit.

Article 16. The order of creation of electoral circuits for the elections of deputies of the House of Representatives, of deputies of local Councils of Deputies

Electoral circuits for the elections of deputies of the House of Representatives are created by the Central Commission upon submissions of the regional and the Minsk City Executive Committees.

Electoral circuits for the elections to regional, the Minsk City, district, city (cities of regional and district subordination), settlement and rural Councils of Deputies are created by the territorial electoral commissions on the elections to respective local Councils of Deputies upon the submission of regional, the Minsk City, district, city, settlement and rural executive committees respectively.

CHAPTER 4 VOTING STATIONS

Article 17. Voting stations

For the holding and counting of votes for the elections of the President of the Republic of Belarus, deputies of the House of Representatives, deputies of local Councils of Deputies, for referendum, recall of a deputy, the territory of districts, cities, districts in the cities is divided on voting stations.

Voting stations are created with the number of voters, participants of the referendum not less than 20 and not more than 3000.

Voting stations may be created in sanatoriums, preventoriums, rest houses, hospitals and other healthcare organizations providing in-patient medical assistance. Voting stations are also created at the military units.

Article 18. Order of creation of voting stations

Voting stations for holding of elections, referendum, the recall of a deputy are created in districts and cities by district, city (in the cities of regional subordination) executive committees, and in the cities with district division – by local administrations of districts in the cities (hereinafter – local administration). Voting stations at the military units are created in the same order upon the submission of commanders of military units.

Outside the Republic of Belarus, voting stations for the elections of the President of the Republic of Belarus, deputies of the House of Representatives, for republican referendum for the citizens of the Republic of Belarus being on the territory of foreign states, are created by the heads of diplomatic representations (consular institutions) of the Republic of Belarus acting on the territory of respective foreign states in the order being established by the Central Commission.

Voting stations are created not later than two months before the elections and not later than 25 days before the referendum, 25 days before the day of voting on the recall of a deputy.

Creation of voting stations is carried out created when holding elections of the President of the Republic of Belarus, deputies of local Councils of Deputies and a referendum in agreement with the respective district, city, and city district territorial commissions on the elections of the President of the Republic of Belarus, district, city electoral commissions on the election of deputies of local Councils of Deputies, district, city, city district commissions on referendum, and when holding elections of deputies of the House of Representatives – in agreement with district electoral commissions.

At the simultaneous holding of elections of different level, elections and referendum voting stations shall be common for election of different levels, elections and referendum.

Bodies which have created voting stations are obliged to inform voters, participants of referendum about boundaries of every voting station with indication of the place of location of electoral commission and premises for voting not later than within ten-day term.

CHAPTER 5 LISTS OF CITIZENS HAVING THE RIGHT TO PARTICIPATE IN ELECTIONS, REFERENDUM, VOTING ON THE RECALL OF A DEPUTY

Article 19. Lists of citizens having the right to participate in elections, referendum, voting on the recall of a deputy, and the order of their drawing up

Lists of the citizens having the right to participate in elections of the President of the Republic of Belarus, deputies of the House of Representatives, deputies of local Councils of Deputies, referendum, in voting on the recall of a deputy of the House of Representatives, deputy of local Councils of Deputies shall be drawn up for every voting precinct and be signed by the chairperson and the secretary of the precinct commission.

City, rural, settlement executive committees, and in the cities with district division – local administrations, district executive committees in the cities and urban-type settlements where the city and settlement executive committees are not created, ensure recording of participants and transfer to the precinct commissions of lists of the citizens of the Republic of Belarus registered on the territory of the respective voting precincts and having the right to participate in elections, referendum, voting on recall of a deputy signed by the chairperson of respective executive committees, and in the cities with district division – by the heads of local administrations.

Lists of the citizens who are military personnel being in military units, as well as the members of their families and

other voters, participants of referendum residing in the areas where military units are located shall be drawn on the basis of the data submitted by commanders of the military units. Servicemen residing outside military units are included into the lists of citizens having the right to participate in elections, referendum, voting on recall of a deputy, at the place of residence on common terms.

Lists of the citizens having the right to participate in elections, referendum, voting on recall of a deputy by the polling stations created in sanatoriums, preventoriums, rest houses, hospitals and other healthcare organizations providing in-patient medical assistance are drawn on the basis of the data being submitted by heads of the mentioned institutions.

Lists of the citizens having the right to participate in elections of the President of the Republic of Belarus, deputies of the House of Representatives, in republican referendum, by the voting precincts created outside the Republic of Belarus are drawn on the basis of the data submitted by the heads of diplomatic representations (consular institutions) of the Republic of Belarus acting on the territory of respective foreign states.

Surnames of citizens in the list are indicated in the order convenient to hold voting.

Article 20. Order of inclusion into the list of the citizens having the right to participate in elections, referendum, voting on the recall of a deputy

The list of citizens having the right to participate in elections, referendum, voting on the recall of a deputy shall include all citizens of the Republic of Belarus possessing the electoral right, who have reached the age of 18 by the day or on the day of elections, referendum, voting on the recall of a deputy, registered by the moment of drawing up the list at the place of residence or the place of stay in the territory of that voting precinct. Citizens registered at the place of stay are included in the list only at the voting precinct at the place of stay.

The citizen having the right to participate in elections, referendum, voting on recall of a deputy may be included into the list at one voting precinct only.

The list of citizens having the right to participate in elections of the President of the Republic of Belarus, deputies of the House of Representatives, republican referendum, at the voting precinct created outside the Republic of Belarus shall include the citizens of the Republic of Belarus residing on the territory of the foreign state or being in long-term assignment abroad. That list, upon the appeal in the district commission, also includes the citizens of the Republic of Belarus that arrived in the foreign state in connection with private, official, business or tourist trip.

Article 21. Familiarization with the lists of citizens having the right to participate in elections, referendum, voting on the recall of a deputy. The right to appeal against incorrectness in the list

Lists of the citizens having the right to participate in elections, referendum, voting on the recall of a deputy are submitted to voters, participants of referendum for familiarization 15 days before the elections, referendum, voting on the recall of a deputy, and at the voting precincts created in sanatoriums, preventoriums, rest houses, hospitals and other healthcare organizations providing in-patient medical assistance – two days before elections, referendum, voting on the recall of a deputy.

Citizens having the right to participate in elections, referendum, voting on the recall of a deputy, but not included in the list for any reason, should be additionally included by the precinct commission in the list on the basis of the passport of the citizen of the Republic of Belarus with the registration stamp at the place of residence in the territory of the voting precinct, and citizens registered at the place of stay - on the basis of the passport of a citizen of the Republic of Belarus and the document confirming the registration at the place of stay in the territory of the voting precinct. In the absence of registration of the citizen in the territory of the voting precinct, he is included in the list on the basis of the passport of the citizen of the Republic of Belarus and the document confirming the residence in the territory of the voting precinct. In this instance, the precinct commission notifies about the inclusion of the citizen in the list the precinct commission of the voting precinct in the territory of which the citizen is registered at the place of residence or at the place of stay.

Every citizen shall be provided the possibility to check up the correctness of the data specified in the list and whether he/she is included or not thereinto.

Every citizen shall be granted the right to appeal against non-inclusion, incorrect inclusion into the list or exclusion from the list, as well as made inaccuracies in the data about the citizen. An application on inaccuracies in the list is considered by the precinct commission which is obliged, not later than in two-day term, but on the eve and on the day of elections, referendum, voting on the recall of a deputy immediately, to consider the application, to bring necessary corrections into the list or issue to the applicant a copy of the motivated decision on refusing his/her application. That decision may be appealed in superior commission which is obliged to consider complaint not later than in three-day term, and on the day of voting – immediately. The decision of precinct commission may be also appealed, not later than for five days before elections, referendum, voting on the recall of a deputy, in district, city court which is obliged to consider complaint within three-day term. The decision of district, city court is final. Correction in the list in accordance with the decision of a superior commission or of the court is performed by the precinct commission immediately.

SECTION III

POWERS OF THE PRESIDENT OF THE REPUBLIC OF BELARUS, STATE BODIES IN ORGANIZATION OF

PREPARATION OF ELECTIONS, REFERENDUM, RECALL OF A DEPUTY, A MEMBER OF THE COUNCIL OF THE REPUBLIC.

SYSTEM AND POWERS OF COMMISSIONS ON HOLDING ELECTIONS, REFERENDUM, VOTING ON THE RECALL OF A DEPUTY

CHAPTER 6

POWERS OF THE PRESIDENT OF THE REPUBLIC OF BELARUS, STATE BODIES IN ORGANIZATION OF PREPARATION OF ELECTIONS, REFERENDUM, RECALL OF A DEPUTY, A MEMBER OF THE COUNCIL OF THE REPUBLIC

Article 22. Powers of the President of the Republic of Belarus in organization of preparation of elections and republican referendum

The President of the Republic of Belarus:

- 1) calls regular and snap elections for the House of Representatives and determines organizational arrangements on ensuring of their holding;
- 2) calls regular and snap elections for the Council of the Republic and determines organizational arrangements on ensuring of their holding;
- 3) calls regular and snap elections for local Councils of Deputies and determines organizational arrangements on ensuring of their holding;
- 4) calls elections for local Councils of Deputies in newly created administrative territorial units;
- 5) when the Council of the Republic dissolves local Council of Deputies, calls elections for that local Council of Deputies;
- 6) appoints republican referendum and determines organizational arrangements on ensuring of its holding.

Article 23. Powers of the House of Representatives in organization of preparation of elections and republican referendum

The House of Representatives:

- 1) appoints elections of the President of the Republic of Belarus and determines organizational arrangements on ensuring of their holding;
- 2) when considering the republican budget, provides for the funds for holding elections of the President of the Republic of Belarus, deputies of the House of Representatives, members of the Council of the Republic, local Councils of Deputies, republican referendum.

Article 24. Powers of local executive and administrative, as well as representative bodies in organization of preparation of elections, referendum, recall of a deputy, member of the Council of the Republic

Regional, Minsk city executive committees prepare proposals on forming electoral circuits for elections to the House of Representatives, regional, Minsk City Council of Deputies.

District, city (in the cities of regional and district subordination), settlement, and rural executive committees prepare proposals on creation of electoral circuits for elections to district, city, settlement, rural Councils of Deputies.

District, city (in the cities of regional subordination) executive committees, local administrations in the cities create polling stations and district commissions for holding elections, referendum, voting on the recall of a deputy.

City (in the cities of district subordination), settlement, rural executive committees create city, settlement, rural territorial electoral commissions for elections of deputies of city, settlement, rural Councils of Deputies, city, settlement, rural commissions for referendum.

City, settlement, rural executive committees, local administrations, district executive committees in the cities and urban-type settlements where city and settlement executive committee are not created ensure recording of citizens and submit to precinct commissions list of the citizens registered on the territory of respective voting precincts and having the right to participate in elections, referendum, voting on the recall of a deputy.

District, city, settlement, rural executive committees, local administrations:

- 1) organize provision to the commissions for elections of the President of the Republic of Belarus, electoral commissions, commissions on referendum, commissions on holding the recall of a deputy of the premises for placing commissions and holding the voting, as well as of necessary equipment, communications, means of transportation;
- 2) create conditions for holding meetings of candidates for the President of the Republic of Belarus, for deputies with voters, ensure free provision to them premises for those purposes, as well as of necessary reference and informational materials; solve issues of providing premises for public discussion of issues (draft decisions) submitted for referendum;
- 3) allocate on the territory of voting precincts places for placement of agitation print materials;
- 4) determine places for holding by candidates for the President of the Republic of Belarus, for deputies, by their authorized persons of mass actions (gatherings out of premises, meetings, picketing) with a view to perform election

propaganda.

District, city executive committees, local administration, as well as regional and the Minsk city executive committees validate, when citizens of the Republic of Belarus initiate a referendum, the signatures of citizens in the subscription lists of the referendum and take decisions on the results of gathering citizens' signatures.

Presidiums of regional, Minsk City Councils of Deputies and regional, Minsk City executive committees:

1) create circuit electoral commissions for the elections to the House of Representatives, as well as in the regions – circuit electoral commissions for elections to a regional Council of Deputies and in the Minsk City – territorial electoral commissions exercising powers of circuit electoral commissions for elections to the Minsk City Council of Deputies in the districts of the city of Minsk;

2) create regional, Minsk City territorial commissions for elections of the President of the Republic of Belarus, for elections to the House of Representatives, for elections to local Councils of Deputies, regional, Minsk City commissions on referendum, as well as circuit commissions on holding the voting on the recall of a deputy of the House of Representatives, deputy of a regional Council of Deputies;

3) call sittings of deputies of local Councils of Deputies of basic level of the region, of deputies of the Minsk City Council of Deputies for elections and recall of the members of the Council of the Republic.

Presidiums of district, city Councils of Deputies and district, city (in the cities of regional subordination) executive committees create district, city territorial commissions for elections of the President of the Republic of Belarus, for elections to local Councils of Deputies, as well as to district, city commissions for referendum.

Presidiums of city Councils of Deputies and city executive committees in the cities with district division create district in the cities commissions for elections of the President of the Republic of Belarus, for referendum.

Presidiums of the Minsk City, district, city (in the cities of regional subordination) Councils of Deputies and respective executive committees propose candidates for members of the Council of the Republic, as well as initiate (except for the presidium of the Minsk City Council of Deputies and the Minsk City executive committee) the commencement of issue on recall of a member of the Council of the Republic.

Local Councils of Deputies establish the number of electoral circuits to be created and average number of voters for an electoral circuit for elections to the respective local Council of Deputies, appoint respectively regional, district, city, district in the cities, settlement, rural referendums, as well as the elections of deputies instead of the retired.

The chairperson or the presidium of a local Council of Deputies:

1) calls assemblies of voters on initiating and raising the issue on the recall of a deputy;

2) organizes inspection of authenticity of signatures of voters on subscription lists in favor of the proposition on raising the issue on the recall of a deputy and draws up the protocol on the results of signatures' gathering.

Local executive and administrative, as well as representative bodies also exercise other power provided for by this Code and by other acts of legislation of the Republic of Belarus on elections, referendum and recall of a deputy.

CHAPTER 7

SYSTEM OF COMMISSIONS ON PREPARATION AND HOLDING ELECTIONS OF THE PRESIDENT OF THE REPUBLIC OF BELARUS, DEPUTIES OF THE HOUSE OF REPRESENTATIVES, DEPUTIES OF LOCAL COUNCILS OF DEPUTIES, REFERENDUM, RECALL OF A DEPUTY

Article 25. System of commissions on preparation and holding elections, referendum, recall of a deputy

Preparation and holding of the elections of the President of the Republic of Belarus, of deputies of the House of Representatives, of deputies of local Councils of Deputies, of referendum are ensured by the Central Commission, as well as respectively by electoral commissions on elections of the President of the Republic of Belarus, electoral commissions on elections of deputies of the House of Representatives, electoral commissions on elections of deputies of local Council of Deputies, commissions on referendum.

Preparation and holding of the recall of a deputy of the House of Representatives, deputy of local Council of Deputies are ensured by the Central Commission and by commissions on holding the voting on the recall of a deputy.

Article 26. The Central Commission

The Central Commission is a state body organizing within its competence preparation and holding elections of the President of the Republic of Belarus, deputies of the House of Representatives, members of the Council of the Republic, deputies of local Councils of Deputies, republican referendums. Central Commission solves issues connected with organization of the recall of deputies of the House of Representatives and of members of the Council of the Republic.

The Central Commission heads the system of electoral commissions and commissions on referendum acting within the period of preparing and holding elections and republican referendums.

The Central Commission is a permanent body being a legal person, has the seal with indication of the State emblem of the Republic of Belarus and with its name and the bank account.

Article 27. Commissions on elections of the President of the Republic of Belarus

Preparation and holding of elections of the President of the Republic of Belarus are ensured by the following electoral commissions:

territorial commissions on elections of the President of the Republic of Belarus – regional, Minsk City, district, city (in the cities of regional subordination, except for the cities with district division), district in the cities commissions on elections of the President of the Republic of Belarus;

precinct commissions on elections of the President of the Republic of Belarus.

When calling the elections of the President of the Republic of Belarus, the House of Representatives may take the decision to not create regional, Minsk City, district, city (in the cities of regional subordination) commissions on elections of the President of the Republic of Belarus but entrust carrying out of their powers to effective regional, Minsk City, district, city (in the cities of regional subordination) territorial electoral commissions.

Article 28. Commissions on elections of deputies of the House of Representatives

Preparation and holding of elections of deputies of the House of Representatives are ensured by the following electoral commissions:

regional and the Minsk City territorial electoral commissions;

circuit electoral commissions;

precinct electoral commissions.

With the calling of repeated election of deputies of the House of Representatives, elections of deputies of the House of Representatives to replace the withdrawn deputies, the Central commission may decide not to create regional and Minsk city territorial electoral commissions for elections of deputies of the House of Representatives, and to impose the exercise of their powers to existing regional and Minsk city territorial electoral commissions.

Article 29. Commissions on elections of deputies of local Councils of Deputies

Preparation and holding of elections of deputies of local Council of Deputies are ensured by the following electoral commissions:

territorial electoral commissions – regional, Minsk City, district, city (in the cities of regional and district subordination), settlement and rural ones;

circuit electoral commissions on elections to regional Councils of Deputies and territorial electoral commissions carrying out in the districts of Minsk City powers of circuit electoral commissions on elections to the Minsk City Council of Deputies (each district of the Minsk city creates one commission);

precinct electoral commissions.

Article 30. Commissions on holding the voting on the recall of a deputy

Preparation and holding of voting on the recall of a deputy are ensured by the following commissions:

circuit commissions on holding the voting on the recall of a deputy of the House of Representatives, deputy of a regional Council of Deputies;

territorial commissions on holding the voting on the recall of a deputy of regional, Minsk City, district, city (in the cities of district subordination), settlement, rural Council of Deputies;

precinct commissions on holding the voting on the recall of a deputy.

When holding the voting on the recall of a deputy of local Council of Deputies, territorial commissions on holding the voting on the recall of a deputy are not created, but their powers are exercised respectively by effective regional, Minsk City, district, city, settlement and rural territorial commissions.

Article 31. Commissions on referendum

Preparation and holding of republican referendum are ensured by the following commissions:

regional and Minsk City commissions on referendum;

district, city (in the cities of regional subordination, except for cities with district division), district in the cities commissions on referendum;

precinct commissions on referendum.

When calling the republican referendum the President of the Republic of Belarus may take the decision to not create regional, Minsk City, district, city (in the cities of regional subordination) commissions on referendum, but entrust carrying out of their powers to effective regional, Minsk City, district, city (in the cities of regional subordination) territorial electoral commissions.

Preparation and holding of local referendum are ensured by:

regional, Minsk City, district, city (in the cities of regional subordination), district in the cities and circuit commissions on referendum in the case of regional, Minsk City referendum;

district, city, district in the city commission and commissions on referendum in the case of district, city (in the cities

of regional subordination), district-in-the-city referendum;

city, settlement, rural and district commissions on referendum in the case of city (in the cities of district subordination), settlement, rural referendum.

When calling a local referendum, the local Council of Deputies which has called the referendum may take the decision to not create respective commissions on referendum, but entrust exercising of their powers to effective territorial electoral commissions.

In the case of calling and holding the republican and local referendums simultaneously, the commissions created in the order provided for by this Code are general for all simultaneously held referendums.

CHAPTER 8 FORMATION AND ORGANIZATION OF WORK OF THE CENTRAL COMMISSION

Article 32. Order of formation of the Central Commission

The Central Commission is formed with 12 persons from the citizens of the Republic of Belarus, having, as a rule, higher juridical education and experience in organizing and holding elections and referendums.

Six members of the Central Commission are appointed by the President of the Republic of Belarus and six members are elected by the Council of the Republic. Candidates to the members of the Central Commission are recommended respectively to the President of the Republic of Belarus and to the Council of the Republic by joint decisions of the presidiums of regional, Minsk City Councils of Deputies and regional, Minsk City executive committees.

The Chairperson of the Central Commission is appointed by the President of the Republic of Belarus upon consent of the Council of the Republic from the members of the Central Commission. The Deputy Chairperson and the secretary of the Central Commission are elected from the members of the Central Commission at its first sitting. Candidates for election to posts of the deputy Chairperson and the secretary of the Central Commission are submitted by the chairperson of the Central Commission. The candidate for the deputy Chairperson is preliminary to be agreed with the President of the Republic of Belarus.

The term of powers of the Central Commission is five years. The term of powers of the Central Commission of new membership begins from the day of its formation in legally capable membership.

The Central Commission may not include candidates for the President of the Republic of Belarus and their authorized persons, candidates for the deputies and their authorized persons, candidates for the members of the Council of the Republic, deputies, members of the Council of the Republic, as well as other persons in the cases provided for by the legislation of the Republic of Belarus. Powers of a person being included into the Central Commission, in these cases are deemed to be terminated from the moment of his registration as the candidate, authorized person or from the moment of getting by that person of the status, according to which he may not be included into the Central Commission.

Members of the Central Commission being the members of political parties shall suspend their membership in the political party and within the period of work of the commission may not take part in activities of political parties, as well as fulfill their instructions.

The Chairperson, deputy Chairperson, the secretary, members of the Central Commission may be dismissed from the office prior to termination of the term of their powers by the President of the Republic of Belarus with notification of the Council of the Republic in the cases of:

- written application on resignation;
- termination of citizenship of the Republic of Belarus;
- systematic non-execution of their obligations;
- commitment of actions discrediting the Central Commission;
- entering into force of the accusatory sentence of the court.

Election (appointment) of the members of the Central Commission instead of the persons retired from its membership is performed in the order established by this Article.

Article 32¹. Organization of work of the Central Commission and support of its activities

The main principles of activities of the Central Commission are lawfulness, independence, collegiality, openness and publicity.

The Central Commission is assembled at its first sitting not later than three days from the day of its formation in a legally capable membership.

Sittings of the Central Commission are called as and when needed by the Chairperson of the Central Commission, as well as upon the demand of not less than one-third of its members.

Sitting of the Central Commission is authorized, if not less than two thirds of common membership provided for by part one of Article 32 of this Code take part therein.

Decisions of the Central Commission are taken in the form of resolutions by open voting by the majority of votes of the common membership of the commission. If the number of votes “for” and “against” is equal, the decision for which the chairperson has voted is deemed to be adopted.

The Chairperson and the secretary of the Central Commission work on a regular basis.

In the case of temporary absence of the Chairperson or of the secretary of the Central Commission their duties may be entrusted, by the decision of the Central Commission, to other members thereof. In that case the decision on entrusting the duties of the Chairperson of the Central Commission shall be preliminary agreed with the President of the Republic of Belarus.

On the decision of the Central Commission, the deputy Chairperson and members of the commission may be relieved, within the period of preparation and holding of elections and republican referendums, as well as in other cases provided for by this Code, from execution of labour (official) duties with payment of a remuneration at the expense of the funds allocated to preparation and holding elections and republican referendums.

For the ensuring of activities of the Central Commission the apparatus of the Central Commission is created. The number of workers of the Central Commission's apparatus is determined by the President of the Republic of Belarus upon the submission of the Chairperson of the Central Commission. The structure and staff schedule of the apparatus of the Central Commission are approved by the Chairperson of the Central Commission.

The Chairperson, secretary and workers of apparatus of the Central Commission, with the exception of the persons rendering technical service, are state officials.

Financing of the activities of the Central Commission and its apparatus is performed within the limits of the funds provided for by the republican budget for maintenance of the Central Commission.

The Chairperson of the Central Commission organizes the work of the commission, carries out common guidance of its apparatus, appoints to offices and dismisses from offices of apparatus's workers, disposes of financial means within the limits of the estimate of costs.

In the period of preparation and holding of elections and republican referendums, the Chairperson of the Central Commission is entitled to temporary increase the number of workers of the apparatus and to establish the amount of remuneration of their labour within the limits of means allocated to those purposes.

The order of work of the Central Commission is determined by the regulations to be approved by the Central Commission.

Article 33. Powers of the Central Commission

Central Commission within its competence:

1) organizes preparation and holding of elections of the President of the Republic of Belarus, deputies of the House of Representatives and of the members of the Council of the Republic, deputies of local Council of Deputies, republican referendums;

2) carries out over the whole territory of the Republic of Belarus the control over execution of the legislation of the Republic of Belarus on elections, referendum, recall of a deputy and of a member of the Council of the Republic;

3) give explanations of the legislation of the Republic of Belarus on elections, referendum, recall of a deputy and of a member of the Council of the Republic for the purposes of its uniform application;

4) appeals, in the case of necessity, to the subjects of the right of legislative initiative with propositions on interpretation of this Code and other acts of legislation of the Republic of Belarus on elections, referendum, recall of a deputy and of a member of the Council of the Republic;

5) directs activities of electoral commissions, commissions on referendum, commissions on holding the voting on the recall of deputies, hears their information, renders to those commissions methodological, organizational and technical aid;

6) when required, decides on merits the issues referred to the competence of a lower commission;

7) forms electoral circuits for elections of deputies of the House of Representatives and establish the average number of electors per electoral circuit in the Republic of Belarus;

8) decides issues on the procedure of participation of citizens of the Republic of Belarus who stay outside the Republic of Belarus in elections of the President of the Republic of Belarus, deputies of the House of Representatives and the republican referendum as well as on the formation of voting precincts; on recommendations of the Ministry of Foreign Affairs of the Republic of Belarus, takes decisions on assignment of the voting precincts formed abroad to the administrative territorial units or electoral circuits in the territory of the Republic of Belarus;

9) makes conclusions on the legitimacy of nomination of candidates for membership in the Council of the Republic, registers candidates nominated for membership in the Council of the Republic, summarizes the results of elections of members of the Council of the Republic, registers the elected members of the Council of the Republic and publish in press the list of elected members of the Council of the Republic as well as convenes the first post-election session of the Council of the Republic;

10) registers:

the initiative groups of citizens for nomination of candidates for the President of the Republic of Belarus;

the candidates for the President of the Republic of Belarus and their authorized persons and issues to them the respective certificates;

the initiative group of citizens on the holding of the republican referendum and the issues proposed by it for the republican referendum;

the initiative group of electors for gathering of signatures in support of the proposal on initiation of the issue of recall of a deputy of the House of Representatives;

11) provides for the observance of equal legal conditions for election activities of political parties, other public associations, candidates for the President and candidates for deputies;

12) defines the order of use of state mass media in the election campaign;

13) makes up and approves estimates of costs for the holding of elections, a republican referendum or recall of a deputy of the House of Representatives within the limits of the funds allocated from the republican budget, forms a non-budgetary fund for the holding of elections or a republican referendum for voluntary remittance of funds of organizations, including public associations, citizens and approves the regulations on the fund; distributes monetary funds allocated from the republican budget and the non-budgetary fund among the electoral commissions, commissions on referendum, commission on holding the voting on the recall of a deputy of the House of Representative;

14) controls the target use of monetary funds allocated from the republican budget, non-budgetary fund, electoral funds of candidates for the President of the Republic of Belarus, of deputies of the House of Representatives; informs the House of Representatives on spending funds allocated from budget for holding of elections, republican referendum, recall of a deputy of the House of Representatives; and publishes the report on the use of funds from the non-budgetary fund;

15) establishes the forms of ballot papers and the list of citizens who have the right to take part in elections, referendum and voting on the recall of deputies, protocols of commissions and other documents on elections, referendum and recall of deputies, specimens of ballot boxes and seals of commissions;

16) ensures manufacturing of ballot papers on elections of the President of the Republic of Belarus and for the voting on the republican referendum and support by them regional, Minsk City commissions on elections of the President of the Republic of Belarus, on holding of the republican referendum;

17) determines measures on ensuring of safety of ballot boxes and documents on elections, referendum within the period of early voting;

18) hears information of state bodies and bodies of public associations on issues connected with the preparation and holding of elections and referendum;

19) when elections of different level, elections and referendum are held simultaneously, may establish that the lists of citizens having the right to take part in the elections and the referendum, as well as territorial commissions are the same for the elections of different level or elections and referendum;

20) controls the provision of commissions with premises, transport, link, considers other issues of their material and technical maintenance;

21) summarizes the results of elections and referendum;

22) registers the elected deputies of the House of Representatives and publishes their list in press; convenes the first post-election session of the House of Representatives;

23) issues to the elected President of the Republic of Belarus and members of the Council of the Republic certificates on their election;

24) solves issues connected with the holding of a second round of voting, new elections and elections of the President of the Republic of Belarus in case when the post of the President is vacant as well as new voting on the referendum;

25) solves issues connected with the organization of the recall of a deputy of the House of Representatives and a member of the Council of the Republic, appoints repeated elections of deputies of the House of Representatives instead of the deputies who have withdrawn and provide its holding;

26) considers complaints about decisions of electoral commissions, commission on referendum, commission on holding of the voting on the recall of deputies and makes decisions on them;

27) considers appeals of citizens and organizations according to issues of holding of elections, referendum, recall of deputies, members of the Council of the Republic;

28) studies and generalizes practices of the application of the legislation of the Republic of Belarus on elections, referendum, recall of a deputy and of a member of the Council of the Republic;

29) puts forward before the subjects having the right of legislative initiative proposals on improvement of the legislation of the Republic of Belarus on elections, referendum, recall of a deputy and of a member of the Council of the Republic;

30) creates working groups and other structures for organizational, legal and technical support of elections and referendum;

31) while holding elections, republican referendum, determines the order and the types of remuneration of members of commissions, workers of the apparatuses of commissions, persons carrying out bookkeeping service of commissions, as well as the workers of the structures specified in clause 30 of this part;

32) establishes and develops ties with bodies of foreign states and international organizations dealing with issues of organization of the holding of elections and referendums;

33) exercise other powers in accordance with the legislation of the Republic of Belarus.

The issues specified in clauses 3, 4, 6-10, 12, 13, 15, 17, 17, 19, 21, 22, 24-26, 29 and 31 of part one of this Article are considered by the Central Commission collegially.

Appeals of citizens and organizations are subject to collegial consideration in case the decisions upon them are

taken by lower commissions. On the initiative of the Chairperson of the Central Commission or upon the demand of not less than one third of its members at the sitting of the Central Commission, other appeals of citizens and organizations are considered.

The appeals not demanding the collegial consideration are considered, upon the instruction of the Chairperson of the Central Commission, by the members of Central Commission, as well as by workers of apparatus thereof.

Decisions of the Central Commission may be appealed against in the Supreme Court of the Republic of Belarus in the cases provided for by the legislation of the Republic of Belarus.

Article 33¹. Members of the Central Commission with the right of deliberative vote

The candidate for President of the Republic of Belarus is entitled, from the day of his registration, to send to the Central Commission a member of the commission with the right of deliberative vote.

The term of powers of the members of the Central Commission with the right of deliberative vote begins from the day of receipt by the Central Commissions from the candidate for the President of the Republic of Belarus of a written notice on sending of the member of the Central Commission with the right of deliberative vote.

The member of the Central Commission with the right of deliberative vote is issued certificate the form of which is established by the Central Commission.

Members of the Central Commission with the right of deliberative vote may not be the candidates for the President of the Republic of Belarus, their authorized persons, representatives on financial issues.

Members of the Central Commission with the right of deliberative vote are obliged to observe the Constitution of the Republic of Belarus, to fulfill the requirements of this Code and other acts of legislation of the Republic of Belarus on elections, not to commit actions discrediting the Central Commission or impeding its work.

Member of the Central Commission with the right of deliberative vote is entitled to:

bring into the agenda of sittings of the Central Commission propositions on the issues fallen within its competence and to demand holding of voting on them;

speak at sittings of the Central Commission;

ask questions to the participants of sitting of the Central Commission in accordance with the agenda and to receive answers;

familiarize with the documents and materials which are considered at the sitting of the Central Commission.

Member of the Central Commission with the right of deliberate vote is not entitled to:

participate in inspections being held by the Central Commission, in voting on decisions being taken by the commission;

give explanations and instructions, give information on behalf of the Central Commission.

Powers of a member of the Central Commission with the right of deliberative vote are preliminary terminated:

on his written application;

on the decision of the Central Commission at the termination of powers of the candidate for the President of the Republic of Belarus;

on the application of the candidate for the President of the Republic of Belarus on the recall of member of the Central Commission sent by him;

in the case of termination of citizenship of the Republic of Belarus.

Powers of a member of the Central Commission with the right of deliberative vote may be terminated by a decision of the Central Commission upon his committing actions discrediting the Central Commission or obstructing its work.

In the case of preliminary termination of powers of a member of the Central Commission with the right of deliberative vote, the Central Commission annuls certificate issued to him.

Powers of the member of the Central Commission with the right of deliberative vote are terminated after the Central Commission establishes the results of elections of the President of the Republic of Belarus.

CHAPTER 9

FORMATION OF THE COMMISSIONS ON ELECTIONS OF THE PRESIDENT OF THE REPUBLIC OF BELARUS, DEPUTIES OF THE HOUSE OF REPRESENTATIVES, DEPUTIES OF LOCAL COUNCILS OF DEPUTIES, ON REFERENDUM, ON HOLDING THE VOTING ON THE RECALL OF A DEPUTY. THE ORDER OF ALTERATION OF THE COMPOSITION OF COMISSIONS, ORGANIZATION OF THEIR WORK AND POWERS

Article 34. Formation of the commissions on elections of the President of the Republic of Belarus, deputies of the House of Representatives, deputies of local Council of Deputies, on the referendum and the holding of voting on the recall of a deputy

The commissions on elections of the President of the Republic of Belarus, deputies of the House of Representatives, deputies of local Councils of Deputies, on the referendum and the holding of voting on the recall of a deputy being formed from representatives of political parties, other public associations, labour groups, as well as from

representatives of citizens being nominated into the membership of the commission by means of lodging an application are formed:

regional and the Minsk City commissions on elections of the President of the Republic of Belarus, regional and Minsk city territorial electoral commissions on elections of deputies of the House of Representatives, regional and the Minsk City territorial electoral commissions on elections of deputies of local Councils of Deputies, regional and the Minsk City commissions on the referendum – by the presidiums of the regional and the Minsk City Councils of Deputies and the regional and the Minsk City executive committees with 9 to 13 members; the said commissions on the elections of the President of the Republic of Belarus are formed not later than 80 days before the elections, on the elections of deputies of the House of Representatives - 75 days before the elections, on the elections of deputies of local Councils of Deputies - 85 days before the elections, on a referendum – one month before the referendum;

circuit electoral commissions on elections of deputies of the House of Representatives and deputies of the regional Councils of Deputies, the territorial electoral commissions exercising in the districts of the city of Minsk powers of the circuit electoral commissions on elections to the Minsk City Council of Deputies – by the presidiums of regional and the Minsk City Councils of Deputies and regional and the Minsk City executive committees with 9 to 13 members not later than 75 days before the elections;

district, town commissions on elections of the President of the Republic of Belarus, district and city (in cities of regional subordination) territorial electoral commissions on elections of deputies of local Councils of Deputies, the regional, city commissions on the referendum – by the presidiums of the district and city Councils of Deputies and the district and city executive committees, whereas district-in-the-city commissions on elections of the President of the Republic of Belarus – by the presidiums of the city Councils of Deputies and the city executive committees with 9 to 13 members; the specified commissions are formed respectively not later than 80 and 85 days before the elections and one month before the referendum;

city (in the cities of district subordination), settlement and rural territorial electoral commissions on elections of deputies of the city, settlement and rural Councils of Deputies and the city (in the cities of district subordination), settlement and rural territorial electoral commissions on the referendum – by the city, settlement and rural executive committees with 7 to 11 members, not later than 85 days before the elections and one month before the referendum;

circuit commissions on the holding of voting on the recall of a deputy of the House of Representatives or a deputy of the regional Council of Deputies – by the presidiums of the regional and the Minsk City Councils of Deputies and the regional and the Minsk City executive committees with 9 to 13 members, not later than five days as from the day of the decision taken on the appointment of voting on the recall of the deputy;

the precinct commissions on elections of the President of the Republic of Belarus, the precinct electoral commissions on elections of deputies of the House of Representatives and deputies of local Councils of Deputies, the precinct commissions on the referendum and the precinct commissions on the holding of voting on the recall of the deputy – by the regional and city executive committees and in cities divided into districts – by the local administrations with 5 to 19 members, not later than 45 days before the elections, 20 days before the referendum and 20 days before the day of voting on the recall of the deputy, respectively. When necessary, the composition of the precinct commission may be increased or decreased. When elections of different level, elections and referendum are held simultaneously, the precinct commissions are common for elections of different level, elections and referendum.

Bodies forming the commission form, as a rule not less than one third of its membership, from representatives of political parties and other public associations. That regulation is not applied while forming precinct commissions being created at hospitals and other healthcare organizations providing in-patient medical assistance, as well as outside the Republic of Belarus.

The commission may not include judges, prosecutors and heads of local executive and administrative bodies.

State officials may not make more than one third of the membership of the commission. This provision is not applied while forming precinct commissions outside the Republic of Belarus.

Joint decisions of the presidium of respective local Council of Deputies and of executive committee shall be taken by the majority of votes of the members. Not less than two thirds of members of the presidium of local Councils of Deputies and of executive committee shall participate at joint sitting of those bodies. Representatives of political parties, other public associations, labour groups, citizens, who have nominated their representatives to the membership of the commission, are entitled to be present at the sittings of the bodies forming the commissions.

Decisions of the bodies forming the commission may be appealed within three days from the day of taking thereof respectively in the regional, the Minsk City, district, city court by the subjects who has nominated their representatives to the membership of the commission. The complaint shall be signed respectively by the leader of the political party (organizational unit), other public association (organizational unit), by the leader of another organization (structural subdivision), citizens who have nominated the representative to the commission by means of lodging the application. The court considers the complaint in three-day term and its decision thereupon is final.

The decision on forming of the commission in seven-day term from the day when it is taken is published in press. The decision on forming of settlement, rural territorial commissions may be brought to the notice of citizens by other mode within the same term. The decision specifies surname, name and patronymic of every member of the commission, the mode of nomination to the commission, a place of location and phone numbers of the commission.

Outside the Republic of Belarus, when elections of the President of the Republic of Belarus or deputies of the

House of Representatives or a republican referendum are held, the precinct commissions shall be formed by the heads of diplomatic representations (consular institutions) of the Republic of Belarus operating in the territory of the respective foreign states.

Article 35. Order of nomination of representatives to the membership of territorial, circuit and district commissions

Political parties, other public associations, labour groups of organizations or groups of their structural subdivisions from their members, as well as citizens, may nominate, by way of submission of the application, only one representative to the respective territorial, circuit and precinct commission.

The following bodies have the right to nominate their representatives as members of the commissions:

governing bodies of political parties, other republican public associations – to the regional, Minsk City territorial and circuit electoral commissions for the elections of deputies of the House of Representatives;

governing bodies of the regional, Minsk City, district, city (in the cities of regional subordination), district-in-the-cities organizational structures of political parties, other public associations – to respective regional, Minsk City, district, city (in the cities of regional subordination) territorial commissions on elections of the President of the Republic of Belarus, deputies of local Council of Deputies, on the referendum, district-in-the-cities territorial commissions on elections of the President of the Republic of Belarus, on the referendum, and also to precinct commissions;

governing bodies of the regional, Minsk City organizational structures of political parties, other public associations – to the respective circuit electoral commissions on elections to regional Councils of Deputies, to territorial electoral commissions exercising within the districts of the city of Minsk powers of circuit electoral commissions on elections to the Minsk City Council of Deputies;

governing bodies of city (in the cities of district subordination) organizational structures of political parties, other public associations, assemblies of their primary organizations – to the respective city (in the cities of district subordination), settlement, rural territorial and precinct commissions. A primary organization of political party, other public association is entitled to nominate its representative to a precinct commission of that voting precinct on the territory of which the primary organization is located;

meetings of rural Council of labour groups of organizations or collectives of their structural subdivisions located in the territory of the district, city, district-in-the-city, settlement and rural Council having not less than 10 workers – to the respective territorial, circuit and precinct commissions. When representatives for the commissions are nominated from the structural subdivisions, the nomination of representatives to those commissions from the whole labour group is not held. The meeting is competent if it is attended by more than half of the members of the collective. Decision of the meeting of a labour group is taken by the majority of votes of its participants. Representatives to territorial, circuit and precinct commissions may be nominated from the collectives of several structural subdivisions or from several labour groups of organizations and collectives of structural subdivisions with total number of workers of not less than 10 persons at their general meeting. The meeting is competent if more than half of the members of each such collective are present.

Governing bodies of political parties, other public associations nominate representatives to the commissions at their sittings.

Citizens have the right to nominate, by means of lodging an application, their representatives to the membership of territorial, circuit and precinct commissions. The application shall be signed by not less than 10 citizens having electoral right and residing on the respective territory. The application on the nomination of a representative to the precinct commission formed outside the Republic of Belarus, must be signed by at least three citizens residing on the territory of the voting precinct.

Nomination of representatives to the commission on holding of voting on the recall of a deputy is performed in the order provided for by part two, three and four of this Article.

When nominating the representative to the respective commission, the protocol of the sitting or the application signed by citizens are submitted to the bodies forming the commission not later than three days before the term of forming of the respective commission established by this Code.

The protocol specifies the name of the governing body of political party, other public association which has nominated the representative to the commission, its address and phone number, the number of members of the body (collective), number of participants of the meeting, sittings of that body (collective), results of voting, date of the decision, surname, name and patronymic, date of birth, work status (occupation), place of work and place of residence, party affiliation of the person nominated to members of the commission. The respective data are also indicated in the protocol of meeting of the labour group, primary organization of political party, other public association. The protocol is signed by the chairperson and the secretary of the meeting, sitting. The application of the citizens who have nominated the representative to the commission by means of lodging an application shall specify the respective data mentioned in this part of this Article about the person nominated to member of the commission, as well as the surname, name and patronymic, date of birth and place of residence of every citizen who has signed the application.

Article 36. Order of alteration of membership of commissions

The person who is a member of the commission shall be freed from execution of his duties in the commission upon

his own application as well as in case of recall or termination of his powers.

The right of recall belongs to the citizens or the body that nominated the person as member of the commission. The recall of the person who is member of the commission is executed according to the order established for the nomination.

Powers of the person who is member of the commission are terminated by the body that formed the commission in case of violation of requirements of this Code or systematic default of his duties by the said person. The decision on termination of powers of the member of the commission shall be issued not later than on the following day after adopting the decision. The decision on termination of powers of the member of the commission may be appealed against in district or city court in a three-day term from the day of adopting the decision. The court considers the complaint in a three-day term and its decision thereupon is final.

Powers of the person (persons) making part of the commission are terminated in the case when the court establishes the violation of the requirements of this Code while forming a commission.

When person (persons) withdraws from the commission on the reasons specified in part one of this Article and on other reasons, the bodies which have formed the commission are entitled to appeal to political parties, other public associations, labour groups, citizens with the request to nominate a new representative to the commission. If upon the withdrawal of a member (members) of the commission its membership remains competent, the nomination of a new representative and the alteration of the membership of commission is not obligatory.

Decision on alteration of membership of the commission and forming of the commission with new membership shall be taken by the bodies forming the commission not later than in five-day term from the day of withdrawal of a member (members) of the commission.

If upon the withdrawal of a member (members) of commission according on the reasons specified in part one of this Article or on other reasons the commission remains in the incompetent membership, the powers of the commission, for the period of its forming, are exercised by the superior commission.

Article 37. Organization of work of territorial, circuit and precinct commissions

The first sitting of territorial, circuit and precinct commissions are called by the bodies which have formed the commissions not later than three day from the day of their forming.

The chairperson, deputy chairperson and the secretary of the commission are elected at the first sitting of the respective commission from among their members.

The chairperson of commission may not be a close relative of the candidate to the President of the Republic of Belarus, deputies, his/her spouse, as well as the person being in direct subordination to the candidate.

Sittings of the commission are called and held by the chairperson and in the case of his absence or upon his instruction – by the deputy chairperson of the commission. Sittings of the commission are also held upon the requirement of not less than one third of members of the commission. Members of commission are noticed about sitting of the commission in advance.

Sittings of the commission are competent if they are attended by not less than two thirds of the membership of commission. Decisions of the commission are taken by an open voting by the majority of votes of the total membership of the commission. If the number of votes “for” and “against” is equal, the decision for which the chairperson has voted is deemed to be adopted. Members of the commission who disagree with its decision have the right to speak out their special opinion that is appended to the protocol in writing.

The member of the commission is entitled to:

put forward proposals to the agenda of the commission sitting as well as proposals on the issues that are within the competence of the commission;

speak at the sittings of the commission and demand the holding of the voting on the proposals put forward;

ask questions to the participants in the commission sitting in conformity with the agenda and receive answers to them in essence;

familiarize with the documents and materials of the commission of which he is a member and of lower commissions;

exercise other powers in accordance with the competence of the commission.

The member of the commission is obliged to:

observe the Constitution of the Republic of Belarus, fulfill the requirements of this Code and other acts of legislation of the Republic of Belarus on elections, referendum and recall of a deputy; not to commit actions discrediting the commission;

take part in the commission sittings and if he is unable to take part in the sitting – report about this to the commission management;

take part in the preparation of the commission sittings and inspections performed by the commission;

fulfill the commission decisions and instructions of the commission and of its management.

Decisions and actions of the commission may be appealed against to superior commission, and in the cases provided for by this Code and other acts of legislation of the Republic of Belarus – also in court.

On decision of the commission some its members may be freed, within the period of preparation and holding of elections, referendum or recall of a deputy, from the fulfillment of labour (office) duties with retention of the average

salary at the expense of the funds allocated for the holding of elections, referendum or recall of a deputy.

Payment for work of the members of the commission and its staff may also be made proceeding from the actual working hours in the commission.

Persons being the members of the commission have not the right to take part in agitation for or against the candidate for the President of the Republic of Belarus, deputies, for or against a bill or another issue put to the referendum, for or against the recall of a deputy.

Article 38. Assistance to commissions in exercising their powers

State bodies, public associations, organizations, officials are obliged to assist to commissions in exercising their powers, submit data and materials necessary for their work.

Commission have the right to appeal on issues connected with preparation and holding of elections, referendum or recall of a deputy, to state bodies, public associations, heads of organizations, other officials who are obliged to consider formulated issue and give answer to the commission not later than in three-day term.

Article 39. Powers of regional and the Minsk City commissions on elections of the President of the Republic of Belarus, deputies of local Councils of Deputies, on referendum, on holding of voting on the recall of a deputy

Regional and the Minsk City commissions on elections of the President of the Republic of Belarus, deputies of local Councils of Deputies, on referendum, on holding of voting on the recall of a deputy:

1) organize the holding of elections of the President of the Republic of Belarus, deputies of regional and the Minsk City Councils of Deputies, the republican, regional or Minsk City referendum and the voting on recall of a deputy of the regional or the Minsk City Council of Deputies and exercises control over the observance of the requirements of this Code and other acts of legislation of the Republic of Belarus on elections, referendum and recall of a deputy in the territory of the region and the city of Minsk;

2) lead activities of the district, city, district-in-the-city and precinct commissions;

3) hear information of the officials (workers) of the local executive and administrative bodies and organizations on the issues connected with the preparation and holding of elections, referendum and recall of the deputy of the local Council of Deputies ;

4) control over the compilation of the lists of citizens who have the right to take part in the elections, referendum or recall of a deputy and the submission of them for familiarization;

5) dispose of monetary funds allocated for the preparation and holding of elections, referendum or recall of a deputy; distribute part of those funds among lower commissions on the holding of elections of the President of the Republic of Belarus, deputies of local Councils of Deputies , the republican, region or Minsk city referendum, recall of a deputy and exercises control over target use of the allocated funds; control over the provision to the commissions with premises, transport and communication facilities, and considers other issues of provision of material, technical and organizational facilities for support of the holding of elections, referendum or recall of a deputy;

6) consider applications and complaints against decisions and actions of lower-level commissions and take decisions on them.

When holding elections of deputies of local Councils of Deputies, regional and the Minsk City territorial electoral commissions, in addition to the powers stipulated in part one of this Article:

1) form electoral circuits for elections to the regional and the Minsk City Council of Deputies on the submission of a regional and the Minsk City executive committee;

2) lead activities of the circuit electoral commissions on elections to the regional Council of Deputies and the territorial electoral commissions exercising powers of the circuit electoral commissions on elections to the Minsk City Council of Deputies in the districts of the city of Minsk;

2¹) exercise control over receipt and use of means of the electoral funds of candidates for deputies;

3) summarize the results of elections to the regional and the Minsk City Councils of Deputies and submit information about this to the Central Commission; register the elected deputies; publish information on the results of elections and the list of the elected deputies of the regional and the Minsk City Councils of Deputies;

4) organize the holding of a second round of voting, new elections of deputies of the regional and the Minsk City Councils of Deputies and elections of deputies instead of deputies who have withdrawn;

5) [excluded]

6) call the first session of the newly elected regional and the Minsk City Councils of Deputies.

The Minsk City territorial electoral commission, when performing a recall of a deputy of the Minsk City Council of Deputies, directly exercises its powers on the organization of recall of the deputy, registers the initiative group on gathering signatures in support of the proposal on initiating the issue on recall of the deputy, appoints the voting on the recall of the deputy, approves the text of the ballot on recall of a deputy, ensures the manufacturing of ballots and provision of precinct commissions with them, establishes the results of voting on the recall of the deputy and takes decision on acknowledging the deputy as being recalled by the voters.

The regional territorial electoral commission, when performing a recall of a deputy of the regional Council of Deputies, registers the initiative group on gathering signatures in support of the proposal on initiating the issue on recall of the deputy, appoints the voting on the recall of the deputy, and, on the basis of the record of the circuit commission on holding of voting on the recall of the deputy of the regional Council of Deputies, takes decision on acknowledging the deputy as being recalled by the voters.

When holding elections of the President of the Republic of Belarus, the regional and the Minsk City commissions on elections of the President of the Republic of Belarus, in addition to the powers stipulated by part one of this Article:

1) exercise control over the observance by the initiative group of citizens for the nomination of a candidate for the President of the Republic of Belarus of the requirements of this Code during the gathering of signatures and ensure the adequacy of the data on the number of such signatures;

2) on the basis of records of the regional, city and district-in-the-city commissions on elections of the President of the Republic of Belarus, make records on the establishment of the number of citizens who signed in support of the proposal on the nomination of the candidate for the President for the region and the city of Minsk, and forward them to the Central Commission.

When holding elections of the President of the Republic of Belarus or a referendum, the regional and the Minsk City commissions on elections of the President of the Republic of Belarus, on the holding of a republican, regional or Minsk City referendum, in addition to the powers stipulated by part one of this Article:

1) ensure the manufacturing of voting ballots for the regional or Minsk City referendum and the provision of the district, city and district-in-the-city commissions with them;

2) establish the results of the voting in elections of the President of the Republic of Belarus and for the republican referendum in the region and the city of Minsk and inform about them the Central Commission.

The regional and the Minsk City commissions on elections of the President of the Republic of Belarus and deputies of the local Councils of Deputies, in addition to the powers provided for in part one of this Article, when holding elections of the President of the Republic of Belarus and deputies of local Councils of Deputies, exercise control over the observance of equal legal conditions for election activities of candidates for the President of the Republic of Belarus and for deputies of local Councils of Deputies.

The regional and the Minsk City commissions on the referendum, in addition to the powers stipulated in part one of this Article, when holding a republican, region or Minsk city referendum:

1) assist mass media in explaining the content of the issue proposed for the referendum;

2) ensure the publication of the results of the referendum in the region and the city of Minsk in local mass media.

The commissions specified in this Article also exercise other powers in conformity with this Code and other acts of legislation of the Republic of Belarus.

Powers of the regional and the Minsk City commissions on elections of the President of the Republic of Belarus are terminated after the official publications of the outcomes of elections of the President of the Republic of Belarus.

Powers of the regional and Minsk City territorial electoral commissions on elections of deputies of local Councils of Deputies are preserved until elections to the local Councils of Deputies of the new convocation are appointed.

Powers of the regional and the Minsk City commissions on the referendum are terminated one month after the decision of the referendum enters into force.

Article 39¹. Powers of regional and the Minsk City commissions on elections of the of deputies of the House of Representatives

Regional, Minsk City territorial commissions for elections to the House of Representatives:

1) organize the holding of elections of deputies of the House of Representatives and exercise control over compliance with the requirements of this Code and other acts of legislation of the Republic of Belarus on elections in the territory of the region, city of Minsk;

2) govern activities of circuit and precinct electoral commissions;

3) hear information of the officials (workers) of the local executive and administrative bodies and organizations on the issues connected with the preparation and the holding of elections;

4) exercise control over the observance of equal legal conditions for election activities of the candidates for deputies;

5) control over the compilation of the lists of citizens who have the right to take part in the elections and the submission of them for familiarization;

6) dispose of monetary funds allocated for the preparation and holding of elections; distribute a part of those funds among lower electoral commissions and exercise control over target use of the allocated funds; control over the provision to the lower commissions with premises, transport and communication facilities, and consider other issues of provision of material, technical and organizational facilities for support of the holding of elections;

7) exercise control over receipt and use of means of the electoral funds of candidates for deputies;

8) consider applications and complaints against decisions and actions of circuit and precinct electoral commissions;

9) submit to the Central Commission protocols of circuit electoral commissions on the registration of candidates for deputies in electoral circuits formed in the regions, the city of Minsk;

10) control the printing of ballots for the elections of deputies of the House of Representatives and the provision therewith to the precinct electoral commissions;

11) establish the results of elections of deputies of the House of Representatives in the territory of the region, city of Minsk, submit to the Central Commission protocols of circuit electoral commissions on the results of elections in the electoral circuits;

12) organize the repeated election and the election of deputies to replace the withdrawn deputies;

13) exercise other powers in accordance with this Code and other acts of legislation of the Republic of Belarus.

Powers of regional and Minsk city territorial electoral commissions on elections of deputies of the House of Representatives are terminated in one month after the elections.

Article 40. Powers of district, city commission on elections of the President of the Republic of Belarus, deputies of local Council of Deputies, on the referendum, on the holding of voting on the recall of a deputy

The district and the city (in the cities of regional subordination) commissions on elections of the President of the Republic of Belarus, deputies of local Councils of Deputies, on the referendum and the holding of voting on the recall of a deputy:

1) organize the holding of elections of the President of the Republic of Belarus, deputies of the regional and the city Councils of Deputies, the republican, regional, district and city referendum, voting on the recall of a deputy of the regional and the city Council of Deputies and exercise control over the observance of the requirements of this Code and other acts of legislation of the Republic of Belarus on elections, referendum and recall of a deputy in the territory of the district or the city;

2) lead activities of precinct commissions;

3) establish the unified numbering of the voting precincts for the district and the city;

4) hear information of the officials (workers) of the local executive and administrative bodies and organizations on the issues connected with the preparation and holding of elections, referendum and recall of the deputy of the local Council of Deputies ;

5) control over the compilation of the lists of citizens who have the right to take part in the elections, referendum or recall of a deputy and the submission of them for familiarization;

6) dispose of the monetary funds allocated for the preparation and the holding of elections, referendum or recall of a deputy; distribute part of those funds among the precincts commissions on the holding of elections of the President of the Republic of Belarus and deputies of the local Councils of Deputies, or the referendum and exercise control over the target use of the allocated funds; control the provision of the commissions with premises, transport and communication facilities and consider other issues of the provision of material, technical and organizational support for the elections, referendum and recall of a deputy;

7) consider applications and complaints against decisions and actions of lower-level commissions and take decisions on them.

The district and the city (in the cities of regional subordination) territorial electoral commissions, in addition to the powers specified in part one of this Article, when holding elections of deputies of local Councils of Deputies:

1) form the electoral precincts for elections to the district or the city Council of Deputies on recommendations of the district or the city executive committee;

2) govern activities of city (in the cities of district subordination), settlement and rural territorial electoral commissions;

2¹) exercise control over receipt and use of means of the electoral funds of candidates for deputies;

3) register initiative groups of citizens for gathering signatures in support of the persons proposed for the nomination as candidates for deputies and the holding of agitation of their elections; and issue the respective certificates to the members of the initiative groups;

4) [excluded]

5) register candidates for deputies and their authorized persons and issue respective certificates to them;

6) approve texts of the ballots for elections of deputies of the district or the city Council of Deputies for each electoral precinct; and ensure the manufacturing of ballots and provision of the district commissions with them;

7) assist the candidates for deputies in organization of meetings with voters in the order established by this Code;

8) summarize the results of elections for the regional and the city Councils of Deputies and submit information on them to the regional territorial electoral commission and register the elected deputies; publish information on the results of elections and the list of the elected deputies of the regional and the city Councils of Deputies and issue certificates to the deputies elected;

9) organize the holding of a second round of voting and new elections of deputies of the regional and the city Councils of Deputies and elections of deputies instead of those who have withdrawn;

10) [excluded]

11) convene the first session of the newly elected district and city Councils of Deputies.

The commissions mentioned in part two of this Article, when holding a recall of a deputy of the regional or city Council of Deputies:

1) register the initiative groups for gathering signatures in support of the proposal on initiation of the issue on recall of a deputy;

2) appoint the voting on the recall of a deputy;

3) approve the text of the ballot on the recall of the deputy and secure the manufacture of ballots and the provision of the district commissions with them;

4) establish the results of the voting on recall of the deputy and take decision on acknowledging the deputy as being recalled by the voters.

The district and the city commissions on elections of the President of the Republic of Belarus, in addition to the powers stipulated in part one of this Article, when holding elections of the President of the Republic of Belarus:

1) exercise control over the observance by the initiative group of citizens for the nomination of a candidate for the President of the Republic of Belarus of the requirements of this Code during the gathering of signatures and ensure the adequacy of the data on the number of such signatures;

2) summarize the results for the district and the city on the number of citizens who signed in support of the proposal on the nomination of the candidate for the President of the Republic of Belarus, make up records about this and forward them immediately to the regional and the Minsk City commissions on elections of the President of the Republic of Belarus.

The district and the city commissions on elections of the President of the Republic of Belarus and on the holding of the republican, regional, Minsk City, district or city referendum, in addition to the powers stipulated in part one of this Article, when holding elections of the President of the Republic of Belarus or the republican, regional, Minsk city, district or city referendum:

1) provide the district commissions with ballots for elections of the President of the Republic of Belarus and ballots for voting in the republican, regional, Minsk City, district or city referendum;

2) establish the results of the voting in the elections of the President of the Republic of Belarus and for the republican, regional and Minsk City referendum in the district and the city and inform about them the regional and the Minsk City commissions; and establish the results of voting in the district and the city referendum.

The district and the city commissions on elections of the President of the Republic of Belarus and deputies of local Councils of Deputies, in addition to the powers stipulated in part one of this Article, when holding elections of the President of the Republic of Belarus and of deputies of local Councils of Deputies, exercise control over secure the observance of equal legal conditions for electoral activities of the candidates for the President of the Republic of Belarus and the deputies of local Councils of Deputies.

The district and the city commissions on the referendum, in addition to the powers stipulated in part one of this Article, when holding a referendum, shall assist mass media in explaining the content of the issue proposed for the referendum; and provide for the publication of the results of the referendum for the region or the city in local mass media.

The district-in-the-city commissions on elections of the President of the Republic of Belarus and the republican, regional or Minsk city referendum shall exercise powers of the district and the city commissions on elections of the President of the Republic of Belarus and on the referendum specified by this Article.

The commissions specified in this Article also exercise other powers in conformity with this Code and other acts of legislation of the Republic of Belarus.

Powers of the district, city and district-in-the-city commissions on elections of the President of the Republic of Belarus are terminated after the official publication of the outcomes of the elections of the President of the Republic of Belarus.

Powers of the district and the city territorial electoral commissions on elections of deputies of local Councils of Deputies are preserved until the elections to the local Councils of Deputies of the new convocation are appointed.

Powers of the district, city and district-in-the-city commissions on the referendum shall terminate one month after the decision of the referendum came into force.

Article 41. Powers of city (in the cities of district subordination), settlement, rural territorial electoral commissions on elections of deputies of the city, settlement, rural Council of Deputies, on referendum, on holding the voting on the recall of a deputy

The city (in the cities of district subordination), settlement and rural territorial electoral commissions on elections of deputies of the city, settlement and rural Councils of Deputies, in the city, settlement and rural referendum and on the holding of voting on the recall of the deputy:

1) organize the holding of elections of deputies of the city, settlement and rural Councils of Deputies, of the city, settlement and rural referendum and of the voting on the recall of a deputy of the city, settlement or rural Council of Deputies and exercise control over the observance of the requirements of this Code and other acts of legislation of the Republic of Belarus on elections, referendum and recall of the deputy in the territory of the city, settlement or rural Council;

2) lead activities of precinct commissions;

3) hear information of the officials (workers) of the local executive and administrative bodies and organizations on the issues connected with the preparation and holding of elections, referendum and recall of the deputy of the local

Council of Deputies ;

4) control over the compilation of the lists of citizens who have the right to take part in the elections, referendum or recall of a deputy and the submission of them for familiarization;

5) dispose of monetary funds allocated for the preparation and the holding of elections, the city, settlement or rural referendum or recall of the deputy of the respective local Council of Deputies ; distribute part of the funds allocated for the preparation and the holding of the city, settlement or rural referendum among the precinct commissions and exercise control over the target use of the allocated funds; control over the provision to the precinct commissions of premises, transport facilities, communication facilities and consider other issues of material, technical and organizational support for securing the elections, referendum or recall of a deputy;

6) consider applications and complaints against decisions and actions of the precinct commissions and take decisions on them.

The district, settlement and rural territorial electoral commissions, in addition to the powers stipulated in part one of this Article, when holding elections of deputies of the city, settlement or rural Councils of Deputies:

1) form the electoral circuits for elections to the city, settlement or rural Councils of Deputies on recommendations of the city, settlement or rural executive committee;

2) register initiative groups of citizens for gathering signatures in support of the persons proposed for the nomination as candidates for deputies and the holding of agitation of their elections; and issue the respective certificates to the members of the initiative groups;

2¹) exercise control over receipt and use of means of the electoral funds of candidates for deputies;

3) [excluded]

4) register candidates for deputies and their authorized persons and issue respective certificates to them;

5) approve texts of the ballots for elections of deputies of the city, settlement and rural Council of Deputies for each electoral circuit; ensure the manufacture of the ballots and supply of them to precinct commissions;

6) assist the candidates for deputies in organization of meetings with voters in the order established by this Code;

7) exercise control over of equal legal conditions for election activities of the candidates for deputies of the city, settlement and rural Councils of Deputies;

8) summarize the results of elections for the city, settlement and rural Councils of Deputies and submit information on them to the district territorial electoral commission and register the elected deputies; publish information on the results of elections and the list of elected deputies of the city, settlement and rural Councils of Deputies and issue certificates to the deputies elected;

9) organize the holding of a second round of voting and of new elections of deputies of the city, settlement and rural Councils of Deputies and elections of deputies instead of those who have withdrawn;

10) [excluded]

11) convene the first session of the newly elected city, settlement and rural Councils of Deputies.

The commissions specified in part one of this Article, when holding a recall of a deputy of the city, settlement and rural Council of Deputies:

1) register the initiative groups for gathering signatures in support of the proposal on initiation of the issue on recall of a deputy;

2) appoint the voting on the recall of a deputy;

3) approve the text of the ballot on the recall of the deputy and ensure the manufacture of ballots and provision of the precinct commissions with them;

4) establish the results of the voting on recall of the deputy and take decision on acknowledging the deputy as being recalled by the voters.

The city, settlement and rural commissions on referendum, in addition to the powers stipulated in part one of this Article, when holding a city, settlement or rural referendum:

1) provide the district commissions with the ballots for voting in the city, settlement or rural referendum;

2) establish the results of the voting in the city, settlement and rural referendum and inform about them in local mass media or make them otherwise known by the citizens.

The commissions specified in this Article also exercise other powers in conformity with this Code and other acts of legislation of the Republic of Belarus.

Powers of the city, settlement and rural territorial electoral commissions on elections of the deputies of local Councils of Deputies are preserved until the elections to the local Councils of Deputies of the new convocation are appointed.

Powers of the city, settlement and rural commissions on the referendum are terminated in one month after the entry into force of the decision of referendum.

Article 42. Powers of circuit electoral commissions on elections of deputies of the House of Representatives, on elections to regional Councils of Deputies and to territorial electoral commissions exercising in the district of the city of Minsk powers of circuit electoral commissions on elections to the Minsk City Council of Deputies

The circuit electoral commissions on elections of deputies of the House of Representatives and on elections of the regional Councils of Deputies and the territorial electoral commissions exercising powers of the district electoral commissions on elections to the Minsk city Council of Deputies in the districts of the city of Minsk:

1) organize the holding of elections and exercise control over fulfillment of the requirements of this Code and other acts of legislation of the Republic of Belarus on elections in the territory of the electoral circuits and in the district of the city of Minsk in the territory of electoral circuits formed in that district;

2) direct activities of the precinct electoral commissions;

3) hear information of the officials (workers) of the local executive and administrative bodies and organizations on the issues connected with the preparation and the holding of elections;

4) register initiative groups of citizens for gathering signatures in support of the persons proposed for the nomination as candidates for deputies and the holding of agitation of their elections; and issue the respective certificates to the members of the initiative groups;

5) [excluded]

6) register candidates for deputies and their authorized persons and issue respective certificates to them;

7) exercise control over the observance of equal legal conditions for election activities of the candidates for deputies;

8) assist the candidates for deputies in organization of meetings with voters in the order established by this Code;

9) control over the compilation of the lists of citizens who have the right to take part in the elections and the submission of them for familiarization;

10) dispose of monetary funds allocated for the preparation and holding of elections for the electoral circuits, distribute part of those funds among the precinct electoral commissions and exercise control over the target use of the allocated funds; control over the provision of the precinct commissions with premises, transport facilities, and communication facilities and consider other issues of material, technical and organizational support of the elections;

101) exercise control over receipt and use of means of the electoral funds of candidates for deputies;

11) approve the texts of the ballots for the electoral circuits and ensure the manufacture of the ballots and provision of the precinct electoral commissions with them;

12) establish and publish in the press the results of elections according to the electoral circuits;

13) issue to the deputies certificates on their election after the elected deputies have been registered by the Central Commission, regional or the Minsk City territorial electoral commission, respectively;

14) organize the repeated election and the election of deputies to replace the withdrawn deputies;

15) consider applications and complaints against decisions and actions of the precinct electoral commissions and take decisions on them;

16) exercise other powers in accordance with this Code and other acts of legislation of the Republic of Belarus.

The circuit electoral commissions on elections of deputies of the House of Representatives establish in the territory of the respective electoral circuit the unified numbering of the voting precincts. Territorial electoral commissions exercising powers of the circuit electoral commissions on elections to the Minsk City Council of Deputies in the districts of the city of Minsk establish the unified numbering of the voting precincts in the territory of the respective district of the city of Minsk.

Powers of the electoral commission specified in this Article are terminated in one month after the elections.

Article 42¹. Members of circuit electoral commissions on elections of deputies of the House of Representatives with the right of deliberative vote

The political party that nominated a candidate for a deputy of the House of Representatives is entitled to send to the circuit electoral commission a member of the commission with the right of deliberative vote from the day of registration of the candidate for deputy of the House of Representatives nominated by the political party.

The term of powers of a member of the circuit electoral commission with the right of deliberative vote begins from the day of receipt by the circuit electoral commission of the decision of the governing body of a political party on sending of a member of the circuit electoral commission with the right of deliberative vote.

Member of the circuit electoral commission with the right of deliberative vote is issued a certificate, the form of which is established by the Central Commission.

Members of the circuit electoral commission with the right of deliberative vote may not be candidates for deputies of the House of Representatives, their authorized persons, representative on financial issues.

Members of the circuit electoral commission with the right of deliberative vote are obliged to observe the Constitution of the Republic of Belarus, to fulfill the requirements of this Code and other acts of legislation of the Republic of Belarus on elections, not to commit actions discrediting the circuit electoral commission or impeding its work.

Member of the circuit electoral commission with the right of deliberative vote is entitled to:

bring into the agenda of sittings of the circuit electoral commission propositions on the issues fallen within its competence and to demand holding of voting on them;

speak at sittings of the circuit electoral commission;

ask questions to the participants of sitting of the circuit electoral commission in accordance with the agenda and to

receive answers;

familiarize with the documents and materials which are considered at the sitting of the circuit electoral commission.

Member of the circuit electoral commission with the right of deliberative vote is not entitled to:

participate in inspections being held by the circuit electoral commission, in voting on decisions being taken by the commission;

give explanations and instructions, give information on behalf of the circuit electoral commission.

Powers of a member of the circuit electoral commission with the right of deliberative vote are preliminary terminated:

on his written application;

on the decision of the circuit electoral commission at the termination of powers of the candidate for deputy of the House of Representatives, nominated by the political party;

on the decision of the governing body of the political party on the recall of the member of the circuit electoral commission;

in the case of termination of citizenship of the Republic of Belarus.

Powers of a member of the circuit electoral commission with the right of deliberative vote may be terminated prematurely by a decision of the circuit electoral commission upon his committing actions discrediting the circuit electoral commission or impeding its work.

In the case of preliminary termination of powers of member of the circuit electoral commission with the right of deliberative vote, the circuit electoral commission annuls the certificate issued to him.

Powers of members of the circuit electoral commission with the right of deliberative vote are terminated after the circuit electoral commission establishes the results of elections of the deputy of the House of Representatives in the electoral circuit.

Article 43. Powers of circuit commission on the holding of voting on the recall of a deputy of the House of Representatives or a deputy of the regional Council of Deputies

The circuit commission on the holding of voting on the recall of a deputy of the House of Representatives or a deputy of the region Council of Deputies:

1) organizes the holding of voting on the recall of the deputy and exercise control over the fulfillment of the requirements of this Code and other acts of legislation of the Republic of Belarus on recall of a deputy in the territory of the electoral circuit;

2) directs activities of the precinct commissions;

2¹) устанавливает на территории избирательного округа единую нумерацию участков для голосования;

3) контролирует составление списков граждан, имеющих право участвовать в голосовании об отзыве депутата, и представление их для ознакомления;

4) утверждает текст бюллетеня для голосования об отзыве депутата, обеспечивает изготовление бюллетеней и снабжение ими участковых комиссий;

5) распоряжается денежными средствами, выделенными на подготовку и проведение голосования об отзыве депутата, распределяет часть этих средств между участковыми комиссиями; контролирует обеспечение участковых комиссий помещениями, транспортом, связью и рассматривает другие вопросы материально-технического и организационного обеспечения голосования об отзыве депутата;

6) рассматривает заявления и жалобы на решения и действия участковых комиссий и принимает по ним решения.

Окружная комиссия по проведению голосования об отзыве депутата Палаты представителей устанавливает результаты голосования об отзыве депутата и принимает решение о признании депутата отозванным избирателями, а окружная комиссия по проведению голосования об отзыве депутата областного Совета депутатов устанавливает результаты голосования об отзыве депутата областного Совета депутатов, составляет об этом протокол и направляет его в областную территориальную избирательную комиссию.

Полномочия комиссий, указанных в настоящей статье, прекращаются после официального опубликования результатов голосования об отзыве депутата.

Article 44. Powers of precinct commission on elections of the President of the Republic of Belarus, a deputy of the House of Representatives, deputies of local Council of Deputies, on referendum, on the holding of voting on the recall of a deputy

The precinct commission on elections of the President of the Republic of Belarus, a deputy of the House of Representatives and deputies of local Council of Deputies, on the referendum and the holding of voting on the recall the deputy:

1) ensures the observance of the requirements of this Code and of other acts of legislation of the Republic of Belarus on elections, referendum and recall of a deputy in the territory of the voting precinct;

2) updates and signs the lists of citizens who have the right to take part in the elections, referendum and recall of a

deputy in the voting precinct;

3) familiarizes the voters and participants in the referendum with the list of citizens who have the right to take part in the elections, referendum and recall of a deputy, considers applications on irregularities in the list and solves the issue concerning the introduction of relevant changes in it;

4) informs the voters and participants in the referendum about the place of location, the working hours and the telephone number of the precinct commission as well as on the day of elections, referendum or voting on the recall of a deputy, and the time and the place of voting;

4¹) forwards to the voters the information about the candidates for the President of the Republic of Belarus, for the deputies, submitted respectively by the Central Commission, territorial, circuit electoral commission;

5) ensures the implementation of the right of voters and participants in the referendum, as specified in this Code, for advance vote in the elections or referendum (with the exception of the precinct commission on the holding of voting on the recall of a deputy) as well as the preservation of the ballots;

6) ensures the preparation of the premises for voting, ballot boxes and other equipment;

7) controls in the territory of the voting over the observance of the agitation material location rules;

8) ensures the target use of monetary funds allocated for the holding of elections, referendum or recall of a deputy;

9) organizes the voting on the day of elections, referendum or recall of a deputy;

10) counts the votes and establishes the results of the voting for the precinct;

11) considers applications and complaints on issues of preparation of elections, referendum and voting on the recall of a deputy and organization of the voting, count of votes and takes decisions of them;

12) hears information of official persons of the local executive and administrative bodies, enterprises, institutions and organizations on the issues connected with the preparation and holding of elections, referendum or recall of a deputy;

13) exercises other powers in conformity with this Code and other acts of legislation of the Republic of Belarus.

Powers of the precinct commissions on elections of the President of the Republic of Belarus, deputies of the House of Representatives and deputies of local Council of Deputies and on the holding of voting on the recall of a deputy are terminated upon the completion in the territory of the voting precinct of elections or of voting recall of a deputy whereas powers of the precinct commission on the referendum are terminated in one month after the entry into force of the decision of the referendum.

SECTION IV

ELECTION AGTATION AND AGITAITON FOR REFERENDUM, RECALL OF A DEPUTY OR A MEMBER OF THE COUNCIL OF THE REPUBLIC
FINANCING OF ELECTIONS, REFERENDUM AND RECALL OF A DEPUTY OR A MEMBER OF THE COUNCIL OF THE REPUBLIC.
LIABILITY FOR VIOLATION OF LEGISLATION ON ELECTIONS, REFERENDUM AND RECALL OF A DEPUTY OR A MEMBER OF THE COUNCIL OF THE REPUBLIC

CHAPTER 10

ELECTION AGTATION AND AGITAITON FOR REFERENDUM, RECALL OF A DEPUTY OR A MEMBER OF THE COUNCIL OF THE REPUBLIC.

Article 45. Election agitation, agitation for referendum, recall of a deputy or a member of the Council of the Republic

Citizens of the Republic of Belarus, political parties, other public associations, labour groups and authorized persons of candidates for the post of the President of the Republic of Belarus and for deputies and the initiative groups making agitation for elections of candidates for the post of the President of the Republic of Belarus or for deputy shall have the right for free and all-round discussion of election programs of candidates for the post of the President of the Republic of Belarus and for deputies, of their political, business and personal qualities and the holding of agitation for or against a candidate at meetings, rallies, in mass media as well as during meetings with electors.

Voters, initiative groups and authorized persons of a deputy shall have the right to freely and comprehensively discuss issues connected with the recall of the deputy and his (her) business and personal qualities and conduct agitation for or against the recall of the deputy at meetings, rallies, in mass media and at meetings with electors.

At a sitting of deputies of the local Councils of Deputies of the basic level of the region and deputies of the Minsk City Council of Deputies on elections of members of the Council of the Republic or on recall of a member of the Council of the Republic each deputy taking part in the work of the sitting shall have the right for free and all-round discussion of business and personal qualities of the candidates for members of the Council of the Republic or a member of the Council of the Republic in relation of whom the issue on recall has been initiated and make agitation for or against the nominated candidates for members of the Council of the Republic and for or against the recall of a member of the Council of the Republic.

Citizens of the Republic of Belarus, political parties and other public associations and labour groups have the right for free agitation in favor of the proposal for the holding of a referendum, in favor of adoption of the decision proposed for

the referendum as well as against the proposal on the holding a referendum or against the decision proposed for the referendum.

Foreign citizens and stateless persons are not entitled to take part in agitation.

Candidates for the President of the Republic of Belarus and for deputies hold meetings with their voters at assemblies or in another form convenient for the voters. By mutual arrangement the candidates may hold joint meetings with voters.

Local executive and administrative bodies together with the respective electoral commissions determine premises for the holding of meetings with candidates for the President of the Republic of Belarus, for deputies with voters, as well as for pre-election meetings being organized by voters. Applications for premises are submitted by candidates, their authorized persons, voters to the respective territorial, circuit electoral commissions not later than two days prior to the proposed date of the event. The application shall indicate location (locations) of its holding, date, time of the beginning and end of the event; surname, name of the applicant, information about his place of residence and telephone number, date of submission of the application. If it is impossible to provide the premises for the date and time specified in the application, the respective electoral commission shall inform the applicant not later than on the following day after the receipt of the application and suggest another date and time of the meeting, assembly. Facilities for holding meetings with voters, pre-election assemblies are provided free of charge in the order of the receipt of applications. Territorial, circuit electoral commissions shall inform voters via mass media or by other means about the meetings with candidates for President of the Republic of Belarus, the deputies, as well as on pre-election assemblies organized by the voters.

Candidates for the President of the Republic of Belarus, for deputies are entitled at the cost of the resources of own electoral fund to rent buildings and premises for the holding meetings with electors. Buildings and premises for the mentioned purposes are provided to the candidates on equal terms.

Candidates for the President of the Republic of Belarus, of deputies, their authorized persons may hold, in the order determined by Article 45¹ of this Code, mass actions (outdoor assemblies, meetings, picketing) with a purpose of carrying out pre-election agitation.

Mass actions the purpose of which is carrying out of pre-election agitation, agitation on referendum, recall of a deputy, with the exception of mass actions specified in part nine of this Article are held in accordance with the legislation of the Republic of Belarus on mass actions.

Candidates for the President of the Republic of Belarus, for deputies have the right to make the agitation printed materials (posters, leaflets and other materials) at the expense of their own electoral funds. Production of agitation printed materials is made after pre-payment from the candidate's electoral fund.

Agitation printed materials shall be produced in the territory of the Republic of Belarus. Agitation printed materials shall contain the following data: name and address of the organization (individual entrepreneur), which produced agitation printed materials, number of certificate of state registration of the manufacturer and the date of its issue, number of copies and number of the order, name and initials of the client. One sample of agitation printed materials or copies of them shall be submitted by a candidate for the President of the Republic of Belarus, for deputies to the Central Commission, territorial, circuit electoral commission respectively. Distribution of anonymous agitation printed materials is prohibited.

When holding the elections, voting on the recall of a deputy, local executive and administrative bodies, under agreement with the relevant commissions, allocate in the territory of precincts the places most frequently attended by citizens to place agitation printed materials. The placement of agitation printed materials in other places may be authorized by the head of the respective organization. If the head of the organization allows the placement of the agitation printed materials of one candidate in the organization, he is not entitled to deny the other candidate in placement of the agitation printed materials on the same terms. Executive and administrative bodies may prohibit the placement of agitation printed materials in locations not allocated for it.

Removal, gluing up, blurring, spoiling of agitation printed materials is not allowed if they have been produced and placed with observance of the requirements of the legislation of the Republic of Belarus.

At all polling stations no later than 14 days prior to the elections, the stands with information materials about the candidates shall be arranged. The stands with such information materials are kept in the voting premises on the day of elections. When holding the referendum in the premises for voting in a plain view, the issues (draft decisions) put forward for the referendum shall be posted up.

Agitation on the elections day is not allowed. Agitation printed materials displayed earlier outside the voting premises shall remain in their former places.

Article 45¹. Holding of mass actions organized by candidates for the President of the Republic of Belarus, for deputies and their authorized persons

Local executive and administrative bodies under agreement with the relevant electoral commissions determine the places where the candidates for the President of the Republic of Belarus, their authorized persons in order to carry out electoral agitation may hold mass actions (outdoor assemblies, meetings, picketing) within the procedure determined by this Article.

To organize a mass action mentioned in part one of this Article a candidate for the President of the Republic of

Belarus, the authorized person of the candidate shall send a notification to the local executive and administrative body, on the territory of which its holding is planned (in Minsk the notification shall be sent to the Minsk City executive Committee) not later than two days prior to the suggested day of holding the event. The notification shall indicate the form of the mass event, location (locations) of its holding, date, time of the beginning and end of the event; surname, name and patronymic of the applicant, data about his residence and telephone number as well as the date of submission of the notification. If the local executive and administrative body has earlier received a notification from another candidate for the President of the Republic of Belarus, his authorized person about holding of a mass event at the same location and time and there is no agreement on holding of the joint mass event, the local executive and administrative body shall, not later than the following day after receiving the notification, inform the applicant about a proposal to change location and (or) time for holding the mass event.

Mass events mentioned in part one of this Article may be conducted from 8 a.m. to 22 p.m.

Ensuring public order and safety of citizens when holding a mass action shall be imposed on the local executive and administrative body and internal affairs bodies. Candidates, their authorized persons are obliged to contribute to ensuring public order.

A mass event as well as its preparation shall be terminated upon the request of the head or a deputy head of the relevant local executive and administrative body, an internal affairs body in case of:

failure to follow the requirements determined by parts two and three of this Article by the candidate, authorized person;

arising of danger for life and health of citizens.

Article 46. Use of mass media in electoral campaign during the holding of referendum

Candidates for the President of the Republic of Belarus, for deputies of the House of Representatives and for deputies of local Councils of Deputies, political parties, other public associations, labour groups and citizens who have nominated their candidates have equal rights to use state mass media from the time of registration of candidates.

The state mass media, mass media partially financed from the state budget or local budgets as well as mass media, one of the founders of which is state bodies or organizations, are obliged to provide equal opportunities for electoral statements of candidates, publishing and promulgation of issues, texts of draft laws put forward for referendum, holding the agitation on elections, referendum.

Information materials about candidates for the President of the Republic of Belarus, for deputies, disseminated in the mass media should be adequate and objective; they should be impartial without preference given to individual candidates.

A candidate for the President of the Republic of Belarus, for deputy of the House of Representatives has the right to publish free of charge in mass media mentioned in part two of this Article his electoral program, having presented the text of the mentioned program not later than 20 days prior to the elections. The volume of electoral program which shall be published free of charge in mass media for the candidate for the President of the Republic of Belarus may not exceed five printed pages, for the candidate for deputy of the House of Representatives – two printed pages.

The list of mass media where electoral programs of the candidates for the President of the Republic of Belarus shall be published free of charge is determined by the Central Commission.

When publishing the electoral programs of the candidates for the President of the Republic of Belarus, the order of their submission shall be observed.

Candidates for the President of the Republic of Belarus have the right to free of charge statements on the state television as well as on the radio. The National State Television and Radio Company of the Republic of Belarus submits, within 10 days after fixing the date of the elections, to the Central Commission a limit time for statements of the candidates on the state television as well as on the radio. The mentioned broadcasting time shall fall on the period, when TV and radio programs have the greatest audience.

The order and number of statements by the candidates for the President of the Republic of Belarus on television as well as on the radio are determined by the Central Commission. The statements of candidates shall be ensured on equal terms.

The Central Commission reserves a part of the limit time as to hold TV debates of the candidates for the President of the Republic of Belarus, deputies of the House of Representatives. The TV debates are held upon agreement of the candidates. The candidate is entitled to authorize an authorized person to participate in the TV debates. Failure to participate in the TV debates shall not result in increase of broadcasting time provided to the candidate for free.

The candidate for deputy of the regional, the Minsk City, the district and the city (in the cities of regional subordination) Council of Deputies has the right for one free-of-charge appearance on the local state radio. The National State Television and Radio Company of the Republic of Belarus, the regional, the district and the city (in the cities of regional subordination) bodies of radio broadcasting shall, not later than 30 days before the elections, submit to the regional, the Minsk City, the district and the city (in the cities of regional subordination) territorial electoral commissions the limit of time for appearance of candidates for deputies on the local radio which shall determine the time of appearance of candidates for deputies. It is necessary to provide appearance of candidates on equal footing.

Journalists, officials in mass media are prohibited to host television and radio programs, to participate in

broadcasting elections by means of mass media if the mentioned persons are the candidates for the President of the Republic of Belarus or their authorized persons.

Mass media cover preparation and holding of the elections. Information about the sittings of the Central Commission and its decisions are published in the republican press, and those ones of the electoral commissions, commissions on referendum – in local press.

State mass media are obliged on request of the Central Commission to provide it with an opportunity to transmit information about the course of the electoral campaign, preparation to republican referendum.

Within the last five days prior to the elections it is not allowed to publish the results of public polls related to the elections, referendum, forecasts of their results.

Article 47. Restrictions for holding pre-election agitation, agitation on the referendum

Agitation that contains propaganda of war, calls for violent change of the constitutional order, violation of territorial integrity of the Republic of Belarus, insults and slander related to officials of the Republic of Belarus, candidates for the President of the Republic of Belarus, candidates for deputies, and also calls encouraging or having the aim to disrupt or cancel, or postpone the elections, referendum, set in accordance with the legislative acts of the Republic of Belarus is prohibited.

Agitation or propaganda of social, racial, national, religious or language superiority, issue and dissemination of statements and materials causing social, racial, national or religious strives are prohibited.

Candidates for the President of the Republic of Belarus, for deputies, their authorized persons, other organizations and persons campaigning for election of the candidates, for holding of referendum are prohibited to distribute financial means, gifts or other material valuables, to hold discounted sale of goods, to provide goods and services free of charge except for agitation printed materials specially published for the electoral campaign with observance of the requirements of this Code. When holding the electoral agitation, agitation on referendum, it is prohibited to influence the citizens by means of promises to provide them with financial means, material valuables.

Campaigning for election of a candidate for the President of the Republic of Belarus, for deputies that is paid from the electoral funds of other candidates is prohibited.

If the requirements of this Article are violated, the respective commissions shall take measures as to stop violations, and the Central Commission, territorial, circuit electoral are also entitled to cancel the decision about registration of a candidate.

CHAPTER 11

FINANCING OF ELECTIONS, REFERENDUM, RECALL OF A DEPUTY, A MEMBER OF THE COUNCIL OF THE REPUBLIC

Article 48. Expenditures for preparation and holding of elections, referendum or recall of a deputy or a member of the Council of the Republic

Expenditures for preparation and holding of elections of the President of the Republic of Belarus, deputies of the House of Representatives, members of the Council of the Republic, of the republican referendum or on the recall of the deputy of the House of Representatives or a member of the Council of the Republic are covered at the expense of the means of the republican budget. Expenditures for those purposes may also be covered at the expense of means of organizations, public associations and citizens of the Republic of Belarus, who may transfer their financial means to the non-budgetary fund created by the Central Commission for additional financing of expenses on preparation and holding of elections of the President of the Republic of Belarus, deputies of the House of Representatives, deputies of local Council of Deputies, republican referendum. For additional financing of expenses for electoral agitation the candidates for the President of the Republic of Belarus, deputies are entitled to create their own electoral funds.

Expenditures for the preparation and the holding of a local referendum, new elections of deputies of local Councils of Deputies and elections of the deputies instead of those who have withdrawn and on the recall of a deputy of the local Council of Deputies shall be made at the expense of means of the local budget established by the respective local Council of Deputies.

Expenditures for the preparation and the holding of a local referendum may also be made at the expense of means of organizations and public associations located in the territory of the respective local Council of Deputies and of the citizens residing in that territory who may contribute their monetary funds into the non-budgetary fund formed by the local Council of Deputies which appointed the referendum.

The procedure of distribution and use of the financial means allocated for preparation and holding of the elections, the republican referendum or on the recall of the deputy of the House of Representatives or a member of the Council of the Republic from the republican budget and voluntarily donated to the non-budgetary fund shall be determined by the Central Commission.

The Central Commission informs the House of Representatives on the use of the funds allocated from the republican budget for the preparation and the holding of election or the republican referendum not later than six months

after the day of election of the President of the Republic of Belarus, deputies of the House of Representatives, deputies of the local Councils of Deputies or of the holding of voting for the referendum or on the recall of a deputy of the House of Representatives or a member of the Council of the Republic as well as publish a report on the use of the funds from the non-budgetary fund.

State bodies, organizations and public associations provide free of charge for the disposal of the commissions premises, equipment, communication (with the exception of payment of expenses for subscription and for conversations) on and transport means (with payment for the expenses by the commission from the allocated means) required for the preparation and the holding of elections, referendum or voting on the recall of a deputy or a member of the Council of the Republic according to the order established by the Council of Ministers of the Republic of Belarus.

State mass media, mass media partially financed from the republican or local budget as well as mass media one of the founders of which is represented by the state bodies or organizations make public free-of-charge the materials submitted by the commissions and the election programs of candidates for the President of the Republic of Belarus and deputies of the House of Representatives.

Political parties, other public associations, organizations and citizens of the Republic of Belarus are not entitled to provide other material aid during the preparation and the holding of elections or referendum except for contributing monetary funds into the non-budgetary fund and electoral funds of candidates for the President of the Republic of Belarus, of deputies, specified by part one of this Article.

Direct or indirect participation of foreign states and organizations, international organizations, organizations with foreign investments, foreign citizens, stateless persons in financing and other material aid during preparation and holding of elections is prohibited.

Use by a person nominated a candidate for the President of the Republic of Belarus, to deputies or by a candidate for the President of the Republic of Belarus of financial means or other material aid in violation of the requirements of part nine of this Article entails respectively the denial of registration of the candidate or revocation of the decision on his registration.

Article 48¹. Electoral funds of candidates for the President of the Republic of Belarus, for deputies

The candidates for the President of the Republic of Belarus, for deputies are entitled to establish their own electoral funds to finance electoral campaign expenditures.

The candidates' electoral funds may be formed from the following monetary funds:

candidates' own monetary funds which shall not exceed the maximum amount of all expenditures from the electoral fund of the candidate, mentioned in part three of this Article;

2) voluntary donations of the citizens of the Republic of Belarus. The maximum amount of the citizen's donation shall not exceed 20 base units while holding the elections of the President of the Republic of Belarus; 5 base units while holding the elections of deputies of the House of Representatives, 2 base units while holding the elections of deputies of local Council of Deputies;

3) voluntary donations of legal persons. The maximum amount of the donation of a legal person may not exceed 50 base units while holding the elections of the President of the Republic of Belarus; 10 base units while holding the elections of deputies of the House of Representatives, 5 base units while holding the elections of deputies of local Council of Deputies;

The maximum sum of all the expenditures from the electoral fund of a candidate for the President of the Republic of Belarus may not exceed 9,000 base units; a candidate for deputy of the House of Representatives – 1000 base units; a candidate for deputy of regional, Minsk city Council of Deputies – 30 base units; while holding elections of deputies of regional, Minsk city Council of deputies, a candidate for deputy of deputies of district, city (cities of regional and district subordination), settlement and rural Councils of Deputies – 10 base units.

Donations to the electoral funds of the candidates shall be prohibited in case they are provided by:

- 1) foreign states and organizations;
- 2) foreign citizens and stateless persons;
- 3) international organizations;
- 4) organizations with foreign investments;

4¹) organizations that received in the course of the year preceding the day of making the donation a foreign gratuitous aid from foreign states, foreign organizations, international organizations, foreign citizens and stateless persons, and also from anonymous donors, unless the foreign gratuitous aid received by these organizations was returned by them to foreign states, foreign organizations, international organizations, foreign citizens and stateless persons, which provided it, or in the event of impossibility of the return was remitted (transferred) in the income of the state prior to the day of making donation into the electoral funds;

- 5) citizens of the Republic of Belarus under the age of 18;
- 6) state bodies and bodies of local self-government;
- 7) organizations which are fully or partially financed from the budget;
- 7¹) organizations registered, in the established order, less than one year before the day of making the donation;

- 8) charity and religious organizations;
- 9) anonymous donators.

To establish his own electoral fund, the candidate for the President of the Republic of Belarus, for deputies opens a special electoral account in a branch of the open joint stock company «Belarusbank» Savings Bank». The ground for opening an account is the candidate's application and a copy of the decision of the Central Commission, territorial, circuit electoral commission on registration of the candidate.

The candidate is entitled to appointing his representative on financial matters. The registration of the candidate's representative on financial matters shall be made by the Central Commission, territorial, circuit electoral commission on the basis of an application from the candidate. The application shall indicate the surname, first name and patronymic, date of birth, place of residence of the representative on financial matters, series, number and date of issue of the passport of the citizen of the Republic of Belarus. The respective commission within three days from the day of receipt of the application registers the representative on financial matters and issues a certificate. The candidate's representative on financial matters is entitled to open a special electoral account, to dispose of the funds available on this account, and to submit reports on the receipt to the account and expenditures. The candidate is entitled to recall his representative on financial matters at any time after having accordingly informed the Central Commission, territorial, circuit electoral commission and also the branch of the bank where the candidate has opened a special electoral account.

The candidate is entitled to open only one special electoral account. The procedure for opening the account, performing transactions through the account, and closing the account shall be determined by the Central Commission in agreement with the open joint stock company —Belarusbank Savings Bank. No payment shall be exacted for the services of the bank in opening the account and performing transactions through the account. The bank pays no interest for using the monetary funds deposited into the special electoral account. The Central Commission, territorial, circuit electoral commission shall send the information on the opening of special electoral accounts of the candidates for the President of the Republic of Belarus, deputies to the press for publication.

When making donations into the special electoral account of the candidate, the citizen shall insert in the payment document the following personal data: surname, name, patronymic, date and place of birth, series and number of the passport of the citizen of the Republic of Belarus. Voluntary donations of legal persons are made by cashless transfers of money into the special electoral account and the payment order shall contain the following data about the legal person: account number of the payer, name, bank details, legal address.

The right to dispose of the funds of the electoral funds belongs to their founding candidates.

The candidates for the President of the Republic of Belarus, for deputies may use the electoral funds to cover the expenses connected with the campaigning and agitation in the order established by the Central Commission.

The candidate is entitled to return to the donator any donation into the electoral fund with the exception of the donations made by anonymous donators. In case the voluntary donation into the electoral fund has been made by a donator who is not entitled to such a donation or in case the amount of the donation exceeds the value specified by part two of this Article, the candidate must, within seven days from the receipt of the donation to the special electoral account, return this donation to the donator either fully or the part of it which exceeds the maximum amount of the donation explaining the reason for the return.

The control over the receipt and use of the means of the electoral funds is exercised by the Central Commission, territorial, circuit electoral commissions and financial bodies.

The branch of the bank in which the special electoral account has been opened shall, on weekly basis, report to the commission that registered the candidate the data on the receipt and spending of the funds put down to the account of the respective candidate for the President of the Republic of Belarus, for deputies. The respective commission, within two days after receiving the data, shall forward to the press the information to be published on the total sum of the money receipts to the electoral fund and on the total sum of expenditures.

The candidates shall submit financial reports to the commission that registered them in observing the following time scale: the first financial report shall be submitted not earlier than 15 days and not later than 10 days to the election day; the concluding financial report shall be submitted within five days after the election day.

In case the decision to register the candidate has been annulled or the candidacy has been withdrawn, the respective commission informs of it in writing the branch of the bank which terminates all the operations with the candidate's special electoral account.

All the banking operations involving the special electoral account are terminated on the election day except returning the unspent means to the electoral fund and entering in the above-stated account the resources that were transferred before the election day.

The unspent monetary means in the special electoral account shall be transferred, within three days after the election, by the candidate for President of the Republic of Belarus, for deputies to the citizens and legal persons which made donations to the candidate's electoral fund, in proportion to the resources invested. Upon termination of the appointed time, the branch of the bank where the special electoral account has been opened shall transfer the monetary means remaining in that account into the republican budget. On the basis of an application of the candidate, the Central Commission, circuit, territorial electoral commission may prolong the time-limit for carrying out transactions through the special electoral account.

Within the time-limit stipulated in part fourteen of this Article, the candidate for the President of the Republic of

Belarus, for deputies shall submit to the commission that registered him the financial report on the amount and all the sources for establishing his electoral fund, and on all the expenditures made. The report is accompanied by primary financial documents that confirm the entry, return and spending of the means of the electoral fund, certificates about the remaining resources and (or) about the closure of the candidate's special electoral account. This procedure is also applied to the persons whose candidacy registrations have been annulled and to the persons who withdrew their candidacies prior to the election day.

If there is a second round of voting on the elections of the President of the Republic of Belarus, the operations on paying the expenditures by using special electoral accounts of the candidates who take part in the second round of voting shall be resumed on the day on which the Central Commission has decided to hold the second voting and shall be ceased on the day of the second voting.

The person being nominated as the candidate for the President of the Republic of Belarus has the right to establish their own electoral fund and use this fund in accordance with the requirements of this Article to cover the expenses and services related to the collection of voters' signatures, including the remuneration of members of the initiative group of citizens to nominate him as a candidate for the President of the Republic of Belarus.

To open a special electoral account the person being nominated as a candidate for the President of the Republic of Belarus shall submit to a branch of the Open Joint Stock Company "Savings Bank" Belarusbank" an application and a copy of the decision of the Central Commission on the registration of the initiative group of citizens on the nomination of this person as a candidate.

The voters shall be informed about the total amount of funds received in the electoral fund and the total amount of money spent by a person being nominated as a candidate for the President of the Republic of Belarus in the order established by part thirteen of this Article.

The person being nominated as the candidate for the President of the Republic of Belarus and having opened a special electoral account, after registering as a candidate for the President of the Republic of Belarus, continues to use the same account submitting to a branch of the bank a copy of the decision of the Central Commission on his registration as a candidate. The total amount of all expenditures from this fund during the nomination as candidate and election campaigning shall not exceed the maximum amount of expenditures mentioned in part three of this Article.

The person being nominated as the candidate for the President of the Republic of Belarus, is obliged, not later than on the fifth day after the termination of period for the nomination of candidates for the President of the Republic of Belarus, to submit a financial report to the Central Commission.

CHAPTER 12

LIABILITY FOR VIOLATION OF REQUIREMENTS OF THIS CODE. CONSIDERATION OF APPLICATIONS

Article 49. Liability for violation of requirements of this Code

Persons who hinder a free exercise by a citizen of the Republic of Belarus of the right to elect and to be elected, to take part in referendum or voting on the recall of a deputy, produce calls encouraging or having the aim to disrupt or cancel, or postpone the elections, referendum, call for the refusal to exercise electoral actions, impede the work of the commissions on the elections of the President of the Republic of Belarus, the electoral commissions, commissions on referendum, on voting on the recall of a deputy, or those who carry agitation on the day of elections, referendum or voting on the recall of a deputy as well as members of the commissions, officials of state bodies and public associations and other persons who have committed forgery of documents on elections, referendum, recall of a deputy, a knowingly incorrect count of votes or another distortion of the results of the vote, violated the secrecy of ballot, failed to submit to the commissions the required documents or failed to fulfill their decisions or committed an illegal use of monetary funds and material funds during the preparation and the holding of elections, referendum or recall of a deputy or committed other violations of the requirements of this Code and other acts of legislation of the Republic of Belarus on elections, referendum or recall of the deputy bear liability established by the legislative acts of the Republic of Belarus.

In case of spread of false data on a candidate the Central Commission or the respective territorial or circuit commission is entitled, through a written appeal of the candidate, to take decision on providing him an opportunity to disprove false data publicly.

When a person nominated as a candidate for the President of the Republic of Belarus, for deputies or a candidate for the President of the Republic of Belarus, his authorized person or an initiative group of citizens for collecting signatures to support a person proposed to be nominated as a candidate and holding of propaganda for his election violates the requirements of this Code or other legislation acts of the Republic of Belarus on elections, the person nominated as a candidate, the candidate or the initiative group shall be warned by the Central Commission, and in case of repeated violation of the requirements of this Code or other acts of legislation of the Republic of Belarus on elections, the Central Commission can reject the registration or revoke its decision on registration of the candidate.

Refusal to register a candidate for the President of the Republic of Belarus, for deputies and cancellation of the decision on the registration of the candidate because of violation of requirements of this Code are carried out in cases and in the order, provided by Articles 68¹ and 70¹ of this Code.

A decision of the Central Commission on issuance of warning to the person being nominated as the candidate for

the President of the Republic of Belarus, for deputies, or initiative group or a candidate for President of the Republic of Belarus, for deputies may be appealed by the person being nominated as the candidate for the President of the Republic of Belarus, for deputies, a candidate for the President of the Republic of Belarus, for deputies to the Supreme Court of the Republic of Belarus within three days from the date of the decision-making. The Supreme Court of the Republic of Belarus considers the complaint within a three-day period and its decision is final.

A decision of the circuit electoral commission on issuance of warning to the person being nominated as a candidate for deputy of the House of Representatives, or the initiative group or a candidate for deputy of the House of Representatives may be appealed by the person being nominated as a candidate for deputy, a candidate for deputy to the respective regional and Minsk city territorial electoral commission within three days after the decision-making, and the decision of the regional and Minsk city territorial electoral commission within the same period may be appealed to the regional and Minsk city court. The court considers the complaint in a three-day term and its decision thereupon is final.

A decision of the circuit, territorial electoral commission on issuance of warning to the person being nominated as a candidate for deputy of local Council of Deputies, or initiative group or a candidate for deputy may be appealed by the person being nominated as a candidate, by a candidate for deputy in the higher territorial electoral commission within three days from the day of its taking, and the decisions of higher territorial electoral commission within the same period may be appealed, respectively, to the regional, Minsk city, district court. The court considers the complaint in a three-day term and its decision thereupon is final.

In the case of issuance of warning to a person being nominated as a candidate for deputy or initiative group or a candidate for deputy by the regional and Minsk city territorial electoral commission, the decision thereabout may be appealed by the person being nominated as a candidate for deputy, a candidate for deputy to the Central Commission within a three-day term from the day of its taking. A decision of the Central Committee is appealed in the order and within the term established in part five of this Article.

Article 49¹. Order and terms of consideration of appeals against violation of legislation of the Republic of Belarus on elections, referendum, recall of a deputy, a member of the Council of the Republic

Appeals against violations of the legislation of the Republic of Belarus on elections, referendum, voting on the recall of a deputy, a member of the Council of the Republic are submitted to commissions, state bodies and other organizations not later than within ten days from the day of elections day, referendum, voting on the recall of a deputy, a member of the Council of the Republic, unless other terms are established by this Code. The appeals submitted after the expiration of the established terms are left without consideration on the merits and the applicants shall be informed about it.

The application is submitted by the citizen or his authorized representative exercising his powers on the basis of a notarized power of attorney or of a power of attorney certified in the order set forth by clause 3 and part one of clause 4 of Article 186 of the Civil Code of the Republic of Belarus.

Appeals mentioned in part one of this Article submitted to the commissions, state bodies and other organizations are considered within three days from the day of their submission, appeals related to the exercise of the right to vote, to take part in referendum, submitted on the elections day, day of referendum, voting on the recall of a deputy, a member of the Council of the Republic – immediately. Appeals that contain the data requiring check are considered not later than within ten days from the day of their submission.

The applicant is entitled to familiarize himself with the materials related to consideration of his appeal.

Appeals against decisions of commissions are considered at sittings of the commissions. The applicant shall be informed about the date, time and location of the sitting and is entitled to be present when his appeal is being considered.

Commissions after having considered an appeal takes one of the following decisions:

to revoke the appealed decision completely or in part and take the decision on merits;

to dismiss the complaint;

to leave the complaint without consideration if the applicant has not followed the order and terms of submitting the complaint determined by this Code.

A superior commission is entitled, when required, to consider an appeal against the issue related to the competence of a lower commission.

CHAPTER 13

THE ORDER OF VOTING DURING ELECTIONS OF THE PRESIDENT OF THE REPUBLIC OF BELARUS, DEPUTIES OF THE HOUSE OF REPRESENTATIVES, DEPUTIES OF LOCAL COUNCILS OF DEPUTIES, REFERENDUM, RECALL OF DEPUTIES

Article 50. Time and place of voting

During elections of the President of the Republic of Belarus, deputies of the House of Representatives, deputies of the local Councils of Deputies, referendum or voting on the recall of a deputy the voting is held from 8 till 20 hours. Precinct commissions inform the voters or participants in the referendum about the day of elections, referendum, voting on

the recall of a deputy, time and the place of the voting, telephone number of commission and send the information about candidates for the President of the Republic of Belarus, for deputies provided by the Central Commission, territorial, circuit electoral commission respectively not later than 10 days before the elections, referendum or voting on the recall of a deputy.

At voting precincts formed in military units, sanatoriums preventoriums, rest houses, hospitals and other healthcare organizations providing in-patient medical assistance, the precinct commissions may declare voting finished before 20 hours if all voters or participants included into the list have voted.

Article 51. Organization of voting at the voting precinct

Voting is performed in specially assigned premises that must be equipped with the sufficient number of booths or premises for secret voting and places for issue of ballots shall be determined and ballot boxes installed. The ballot boxes are placed so that the voters approach them only through the booths or premises assigned for secret voting. Ballot boxes must be within a field of sight of the members of the precinct commission and persons mentioned in part four of Article 13 of this Code.

The district commission is responsible for the organization of voting, the assuring of secret expression of will by voters and participants in the referendum, equipment of the premises and the maintenance in them of the necessary order.

On the day of elections, referendum or holding of vote on the recall of a deputy the ballot boxes shall be checked before the beginning of the voting and sealed by the chairperson of the precinct commission in the presence of not less than two thirds of the members of the commission.

Article 52. The holding of voting at the voting precinct

Every voter shall vote personally, voting by other persons are not allowed.

The ballot is issued to the voter, participant of the referendum by a member of the precinct commission on the basis of the list of citizens having the right to participate in elections after submission of the passport of citizen of the Republic of Belarus or other document determined by the Central Commission. When receiving the ballot the voter shall put a signature in the relevant line of the indicated list.

The ballot is filled in a booth or a room for secret voting. When the ballot is being filled in, the presence of anybody other than the voter is prohibited.

The voter or the participant in the referendum who has no opportunity to fill the ballot by himself is entitled to invite to the cabin or room for secret voting another person at his discretion, except for members of the precinct and superior commissions, candidates for the President of the Republic of Belarus or for deputies or their authorized persons as well as persons mentioned in part four of Article 13 of this Code.

When voting during the elections, the voter puts any sign in an empty square placed on the right from the surname of the candidate he votes for. If the voter votes against all candidates, he puts any sign in an empty square placed on the right from the line — “Against all candidates”. When voting during the referendum, if the participant in the referendum votes for the issue put forward for the referendum (draft decision), he puts any sign in the square under the word “for” and when votes against the issue put forward for the referendum (draft decision) he puts any sign under the word ”against”. The voter who votes on the recall of a deputy puts any sign in the square under the words ”for recall” whereas the one voting against the recall of a deputy puts any sign in the square under the words “against recall”.

If the ballot contains the surname of only one candidate, when voting for the candidate the voter puts any sign in the square under the word “for”, and if voting against the candidate he puts any sign in the square under the word “against”.

The voter or participant in the referendum casts the filled ballot into the ballot box.

When two or more referendums are held at the same time, the voter shall receive and fill a ballot for each of them and cast them to the ballot box.

In case the voter or the participant in the referendum thinks he has made a mistake when he filled the ballot he is entitled to address the member of the precinct commission who issued the ballot with a request to issue to him a new ballot instead of the spoiled one. The member of the precinct commission having received the spoiled ballot, which shall have the personal signature of the voter or the participant in the referendum, issues to the elector or the participant in the referendum a new ballot and makes a note thereabout in the list of citizens who have the right to take part in elections, referendum or voting on the recall of a deputy against the surname of the voter or the participant in the referendum who has made a mistake. The spoiled ballot is cancelled and the act thereabout shall be composed and signed by the chairperson or the deputy chairperson or the secretary and two members of the precinct commission.

Article 53. Early voting at elections and referendum

The voter or the participant in the referendum who has no opportunity to be present on the day of elections or referendum at the place of his residence is entitled, not earlier than five days before the elections or the referendum and in conditions excluding control over the expression of his will, to fill in the ballot in the room of the precinct commission and

cast it to the sealed separate ballot box for voting of voters and participants in the referendum who will be absent on the day of the holding of elections or referendum at the place of their residence. Official confirmation of causes disabling the voter or the participant in the referendum to come to the voting premises on the day of elections or referendum is not required.

Early voting is carried out from 10 a.m. till 2 p.m. and from 4 p.m. till 7 p.m. in presence of not less than two members of the precinct commission.

On the first day of early voting the ballot boxes are sealed in the order determined by part three of Article 51 of this Code.

In the period of early voting daily after termination of voting, the chairperson or a deputy chairperson of the precinct commission glues the split for putting in the ballots in the ballot box with a sheet of paper. The chairperson or a deputy chairperson and a member of the district commission shall put signatures on this sheet. Opening of this split for putting in ballots in the ballot box shall be done daily before the beginning of early voting by the chairperson or a deputy chairperson of the precinct commission. When the split for putting in ballots in the ballot box is glued and opened, the observers, foreign (international) observers, representatives of mass media are entitled to be present. Keeping of the ballot-box is ensured by the chairperson of the precinct commission.

In the period of early voting, daily, the chairperson and a deputy chairperson of the precinct commission composes a protocol where the number of ballots received by the precinct commission, the number of citizens who received the ballots for voting (on the last day of early voting – the total number of citizens who have received ballots for voting), the number of spoiled ballots and the number of the ballots not used shall be indicated. The protocol is signed by the chairperson or a deputy chairperson and a member of the commission. A copy of the protocol is put up for general familiarization in the premises of the precinct commission.

When receiving the ballot the voter puts a signature with his own hand in the list of citizens having the right to participate in the elections and indicates the date of early voting.

Early voting is held with observance of the requirements of this Code.

Early voting is not held in the voting precincts formed in sanatoriums, preventoriums, rest houses, clinics and other healthcare organizations providing in-patient medical assistance, as well as before the second round of voting on the elections of the President of the Republic of Belarus.

Article 54. Voting at the place of location of the voter or the participant in referendum during elections or referendum

The precinct commission is obliged to provide an opportunity to participate in voting to the voters, participants in referendum who due to their state of health or any other reasonable excuse cannot come on the elections day to the premises of voting. For these purposes the precinct commission shall have not more than three portable ballot boxes.

The precinct commission, on request of the voters expressed in written or verbal form, assigns to not less than two members of the commission to organize voting at place of location of those persons on the elections day in the following order:

verbal and written requests from voters, participants in referendum about organisation of voting at their place of location on the elections day shall be put in a specially composed list signed by the chairperson or the secretary of the precinct commission where the data about those persons provided in the list of citizens having the right to participate in the elections shall be indicated. The official approval of reasons of the voter's lack of opportunity to come to the premises of voting is not required. Voters, participants in referendum may address a request about organisation of voting at their place on the elections day at any time after formation of the precinct commission and on the elections day not later than two hours prior to termination of voting;

members of the precinct commission receive ballots and prove the fact of receiving them by putting their signatures. The number of the issued ballots shall correspond to the number of the received requests of voters, participants in referendum;

to organize voting at the place of stay of voters, participants of referendum, the chairperson or the secretary of the precinct commission writes down into a separate supplementary sheet all data about those persons from the main list of the citizens having the right to participate in the elections, and signs it. In this supplementary sheet the voters who vote at their place of location when receiving the ballot shall sign with his own hand. Then in the main list of citizens having the right to participate in the elections shall be a mark done that those persons have voted at their place of location. Supplementary sheets of the list of citizens having the right to participate in the elections where the electors, participants of referendum are mentioned who have voted at their place shall be kept with the main list of the citizens having right to participate in the elections.

Voting at the place of location of voters or participants in the referendum is performed with the observance of the requirements of this Code.

CHAPTER 14

COUNT OF VOTES AT THE VOTING PRECINCT WHILE HOLDING ELECTIONS OR REFERENDUM

Article 55. Count of votes at the voting precinct when holding elections of the President of the Republic of Belarus, deputies of the House of Representatives and deputies of local Councils of Deputies and the referendum

The precinct commission shall open ballot boxes after the chairperson of the commission declares the voting closed. Opening of the ballot boxes before the end of voting shall be prohibited. Before opening the ballot boxes the number of the ballot not used shall be counted and announced, which then are cancelled, piled in packets and sealed. The way of cancellation of the ballots shall be determined by the precinct commission. On the packets the number of the voting precinct, the number of ballots not used shall be written. The packets shall be signed by the chairperson and the secretary of the precinct commission in presence of members of the commission.

Opening of the ballot boxes and counting of votes when holding the elections carried out in the following order: first the ballots kept in the ballot box used during early voting shall be counted, then those kept in portable boxes used for voting at the place of location of voters or participants in the referendum and, after that, in ballot boxes kept on the day of elections or referendum in the room of the voting precinct. The results of counting of votes are announced by the chairperson of the commission.

Counting of votes of the voters shall be performed directly by the members of the precinct commission without interruption till obtaining the results of the voting.

In case of elections of the President of the Republic of Belarus or a deputy of the House of Representatives the counting of votes at the voting precinct is performed separately for each candidate for the President and for deputy of the House of Representatives whereas in case of elections of deputies of local Councils of Deputies – separately for each electoral circuit and each candidate for deputy for elections to the respective local Council of Deputies.

The precinct commission establishes, according to the list of citizens who have the right to take part in elections or referendum, the total number of voters or participants in the referendum at the precinct whereas in case of elections for local Councils of Deputies – for each electoral circuit as well as the number of voters or participants in the referendum who have received ballots.

On the basis of the ballots that were in the ballot boxes mentioned in part two of this Article the precinct commission shall, firstly in a separate way and then by summarizing the data, establish:

in case of elections of the President of the Republic of Belarus and deputies of the House of Representatives – the total number of voters who have taken part in the voting, including the voters who have participated in early voting, the number of voters who have voted at their place of location and the number of voters who have taken part in voting at the premises of the voting precinct on the elections day; the number of votes given for each candidate for the President, deputies and the number of votes given against all candidates for the President, deputies (if voting was for one candidate, - the number of votes given against the candidate); the number of ballots recognized as invalid;

in case of elections of deputies of local Councils of Deputies – for each electoral circuit, the total number of voters who have taken part in the voting, including the number of voters who have voted at their place of location and the number of voters who have taken part in voting at the premises of the voting precinct on the elections day; the number of votes given for each candidate for deputy and the number of votes given against all candidates of deputies (if voting was for one candidate, - the number of votes given against the candidate), the number of ballots recognized as invalid;

in case of a referendum - the total number of participants in the referendum who have taken part in the voting, the number of participants in the referendum who have participated in early voting, the number of participants in the referendum who have voted at their place of location and the number of participants in referendum who have taken part in voting at the premises of the voting precinct on the elections day, the number of voters voted for the approval of the issue (draft of the decision) proposed for the referendum and the number of those who votes against its approval, and the number of ballots recognized as invalid.

To introduce changes in the lists of citizens having the right to participate in the elections after the counting has begun is prohibited.

In case of elections or referendum, ballots that differ from the established sample, ballots having no signatures of the persons who are members of the district commission on their reverse side shall be recognized as invalid, and in case of the holding of elections of the President of the Republic of Belarus and deputies of the House of Representatives and deputies of local Councils of Deputies – also ballots in which the name of only one candidate have been included or and , and when holding a referendum also ballots in which the sign is put in more than one square or in no square.

When doubts arise concerning the validity of a ballot the issue is to be solved by the precinct commission through voting. In that event on the reverse side of every of such ballots a note on recognition of this ballot either valid or rejected is to be made. That note is countersigned by not less than two persons composing the precinct commission. The invalid ballots are packed separately.

After completing the counting of votes, the sitting of the precinct commission shall be held where the results of the counting of votes shall be established and put in the protocol. In the protocol besides the data determined in parts five and six of this Article the number of ballots received by the precinct commission, the number of spoilt ballot, the number of ballot not used are to be mentioned. In case of elections of deputies of local Councils of Deputies, the protocol shall be made separately for each electoral circuit. When two or more referendums are held at the same time, a protocol is to be drawn up for each of them separately. Filling in the protocol with a pencil and introducing of any corrections are not

allowed. The protocol is signed by the chairperson, the deputy chairperson, the secretary and the members of the commission. At the sitting of the precinct commission special opinions, if any, as well as complaints and applications about violations by voting or by counting the votes are to be considered.

A copy of the protocol of the precinct commission after its signing shall be put up for general familiarization in the place determined by the commission.

In case of elections of the President of the Republic of Belarus or the republican or the regional or Minsk City referendum, the protocol shall be submitted, after establishment of the results of count of votes, in person by the chairperson or the deputy chairperson or the secretary of the precinct commission to the respective district, city or district-in-the-city commission on elections of the President of the Republic of Belarus and on the referendum, whereas in case of elections of deputies of the House of Representatives or deputies of local Councils of Deputies to the respective circuit or territorial electoral commission as well as to the body that formed the commission for information. The protocol forwarded to the superior commission is to be accompanied, if any, by special opinions of the members of the commission, declarations of the authorized persons of candidates and other persons on violations committed in the course of voting or during the count of votes and decisions take on them by the commission.

If the body that has formed the commission detects a violation of the requirements of this Code and other acts of legislation of the Republic of Belarus committed during voting or counting of votes, it shall be immediately informed to the relevant superior electoral commission, commission on referendum or the Central Commission.

SPECIAL PART

SECTION V

ELECTIONS OF THE PRESIDENT OF THE REPUBLIC OF BELARUS, OF DEPUTIES OF THE HOUSE OF REPRESENTATIVES AND DEPUTIES OF LOCAL COUNCIL OF DEPUTIES

CHAPTER 15

ORGANIZATION AND HOLDING OF ELECTIONS OF THE PRESIDENT OF DEPUTIES OF THE REPUBLIC OF BELARUS AND OF DEPUTIES

Article 56. Calling of elections of the President of the Republic of Belarus, of deputies

Elections of the President of the Republic of Belarus are called by the House of Representatives not later than five months and shall be held not later than two months prior to the expiration of the term of powers of the previous President.

Where the office of the President becomes vacant, elections shall be held not sooner than 30 days and not later than 70 days, from the day on which the office fell vacant. In this case the short-cut terms of holding the pre-election events shall be determined by the Central Commission.

Elections to the House of Representatives of a new convocation are called by the President of the Republic of Belarus not later than four months and shall be held not later than 30 days before expiration of the term of powers of the House of Representatives of the current convocation.

In case of dissolution of the House of Representatives in the cases and in the order provided for by the Constitution of the Republic of Belarus, the President simultaneously appoints elections for the House of Representatives of the new convocation. Extraordinary elections of the House of Representatives shall be held within three months from the day of early termination of powers of the House of Representatives of the current convocation.

Elections to local Councils of Deputies of a new convocation are appointed by the President of the Republic of Belarus not later than four months and shall be held not later than 30 days before expiration of the powers of the local Councils of Deputies of the current convocation. Elections to all local Councils of Deputies shall be held at the same time.

In case of dissolution of a local Council of Deputies, elections to that local Council of Deputies are appointed by the President of the Republic of Belarus not later than one month after the day of its dissolution and are held observing the requirements of this Code.

Announcement about the elections day is made public in mass media on the following day after calling the elections.

Article 57. Requirements to candidates for the President of the Republic of Belarus

Any citizen of the Republic of Belarus by birth of at least 35 years of age who is eligible to vote and permanently residing in the Republic of Belarus for at least ten years prior to the elections may be elected the President.

Person elected as deputy of the House of Representatives may be a citizen of the Republic of Belarus who has reached the age of 21 and permanently residing in the Republic of Belarus.

Person elected as deputy of a local Council of Deputies may be a citizen of the Republic of Belarus who has reached the age of 18.

Article 58. The right of citizens of the Russian Federation residing in the Republic of Belarus to participate in

elections of deputies of local Councils of Deputies

Citizens of the Russian Federation who permanently reside in the Republic of Belarus have the right in the order provided for by present Code, to take part in elections of deputies of local Councils of Deputies in conformity with the treaty of the Republic of Belarus and the Russian Federation.

Article 59. Incompatibility of the status of a deputy with an official post as well as with respective powers

It is not allowed to exercise at the same time duties of a deputy of the House of Representatives with the holding of the office of the President of the Republic of Belarus or of a judge.

A deputy of the House of Representatives may not be at the same time a member of the Council of the Republic or a deputy of a local Council of Deputies.

Chairperson of a regional, the Minsk City, district or city (except for cities of regional subordination) executive committees as well as judges may not be deputies of local Councils of Deputies.

A deputy of a local Council of Deputies may not be at the same time a deputy of the House of Representatives.

Persons mentioned in parts one to four of this Article may be registered as candidates for deputies if, in a respective application to the respective electoral commission, they specify that:

they relieve the post occupied by them or terminate powers of the member of the Council of the Republic or deputy of the local Council of Deputies if elected deputy of the House of Representatives;

they relieve the office occupied by them or terminate powers of the deputy of the House of Representatives if elected deputy of the local Council of Deputies.

Article 60. Right and terms of nominating candidates for the President of the Republic of Belarus

Candidates for the President of the Republic of Belarus are be nominated by citizens of the Republic of Belarus provided the signatures of not less than 100 thousand voters have been collected.

Nomination of candidates for the President of the Republic of Belarus starts 80 days and ends 50 days prior to the elections.

The right to nominate candidates for deputies belongs to political parties registered by the Ministry of Justice of the Republic of Belarus not later than six months before the appointment of election, labour groups as well as citizens by way of gathering signatures.

Nomination of candidates for deputies begins 70 days and ends 40 days prior to the elections.

A citizen may be nominated as candidate for deputy of the House of Representatives only in one electoral circuit, and as candidate for deputy of the local Council of Deputies - in one electoral circuit on elections to the local Councils of deputies of the respective territorial level.

Nominated as candidates for deputies of local Councils of Deputies may be citizens residing or working in the territory of the respective local Council of Deputies as well as those working in organizations located in the territory of another local Council of Deputies but connected with the satisfaction of needs of the population and social development of the given local Council of Deputies.

Nominated as candidates for the President of the Republic of Belarus or for deputies may not be citizens who have no right, in conformity with the legislation of the Republic of Belarus, to occupy offices in the state bodies and other state organizations in connection with their conviction.

Article 61. Order of nominating candidates for the President of the Republic of Belarus

Nomination of a candidate for the President of the Republic of Belarus by citizens is carried out by an initiative group of voters (hereinafter - the initiative group) in the number of not less than 100 persons.

To register the initiative group, the person having the intention to be nominated as candidate for the President of the Republic of Belarus shall, not later than 85 days before the elections, submit the following documents to the Central Commission:

a written application on registration of the initiative group indicating the surname, name and patronymic, date of birth, position (occupation), place of work and residence, term of residence in the territory of the Republic of Belarus, party membership of the person having the intention to be nominated as a candidate for the President of the Republic of Belarus;

copies of pages from the passport, confirming the citizenship of the Republic of Belarus and registration in the territory of the Republic of Belarus of the person having an intention to be nominated as a candidate for the President of the Republic of Belarus;

list of members of the initiative group indicating the head of the group and coordinators in districts, cities of regional subordination, in-the-city districts if the collecting of signatures is carried out in their territory. The list of members of the initiative group shall indicate the surname, name and patronymic, date of birth, place of residence, serial number and number of the passport of the Republic of Belarus in relation to each member of the initiative group. The

surname, name and patronymic of the person to be nominated as a candidate for the President of the Republic of Belarus are indicated in this list. The list of members of the initiative group is submitted in printed and electronic form.

The person having an intention to be nominated as a candidate for the President of the Republic of Belarus submits to the Central Commission documents mentioned in part two of this Article and produces the passport of the citizen of the Republic of Belarus. The documents may be submitted to the Central Commission by the authorized representative of the person having an intention to be nominated as a candidate for the President of the Republic of Belarus exercising his powers on the basis of a notarized power of attorney or a power of attorney certified in the order established by clause 3 and part one of clause 4 of Article 186 of the Civil Code of the Republic of Belarus.

The person having an intention to be nominated as a candidate for the President of the Republic of Belarus, or a head of the initiative group is entitled to introduce changes in the documents submitted for registration of the initiative group not later than one day before the Central Commission considers the issue on registration of the initiative group, as well as to familiarize himself with the materials of verification of those documents.

The Central Commission considers the application within five days from the day of its receipt, registers the initiative group and issues the members of the initiative group the relevant certificates and signature lists for gathering signatures of voters in support of the person proposed for nomination as a candidate for the President of the Republic of Belarus (hereinafter a signature list). The registration of the initiative group shall be denied when the requirements of this Code are violated. Rejection to register the initiative group may be appealed against within three days from the day of taking the decision on rejection to the Supreme Court of the Republic of Belarus by the person having intention to be nominated as a candidate for the President of the Republic of Belarus. The Supreme Court of the Republic of Belarus considers the complaint within three days.

The signature list indicates the surname, name and patronymic, date of birth, post (occupation), place of work and residence, party membership of the person proposed for nomination as a candidate for the President of the Republic of Belarus as well as the surname, name and patronymic of the member of the initiative group who collects signatures, and the registration number of the initiative group.

The signature list shall contain signatures of the voters residing in the territory of only one city of regional subordination, district, and in the cities with districts – of one district.

The voter has the right to sign in support of a person proposed for nomination as a candidate for the President of the Republic of Belarus only once.

The signature list, concerning a voter supporting a person proposed for nomination as a candidate for the President of the Republic of Belarus, shall indicate the surname, name and patronymic, date of birth, residence, series and number of the passport of the citizen of the Republic of Belarus or details of another document determined by the Central Commission. The data about the voter is to be handwritten on the signature list. The elector puts, by his own hand, the date of signing and his signature on the signature list. Signatures are enumerated.

Participation of administration of an organization in gathering signatures as well as enforcement during the gathering of signatures and rewarding of voters for putting their signatures is not allowed. Violation of these requirements may serve as the basis for rejection to register or revocation of the decision about registration of the candidate for the President of the Republic of Belarus.

Gathering of signatures may be carried out in the form of picketing. Acquisition of the permission for holding the picketing for the mentioned purposes is not required if it is held in places not prohibited by local executive and administrative bodies.

The signature list is verified by a member of the initiative group who has gathered signatures. The member of the initiative group while verifying of the signature list puts the signature and the date of its putting, as well as indicates the surname and initials.

The voters who have nominated a candidate for the President of the Republic of Belarus have the right prior to depositing signature lists to district, city and district-in-the-city commission on elections of the President of the Republic of Belarus to remove their signatures on the signature lists having submitted an application thereon to the indicated commissions.

Coordinators on districts, cities, city-districts should deposit the signature lists not later than 50 days prior the elections to the district, city, city-district commission on elections of the President of the Republic of Belarus which verifies within ten days the authenticity of signatures of voters on the signature lists and ensures authenticity of the data about the number of such signatures. Not less than 20 percent of voters' signatures on the signature lists submitted to the relevant commission are subject to verification.

The procedure for the selection of signature lists for verification is determined at a meeting of the respective commission. According to the results of verification of authenticity of the data on the signature lists the signature of a voter may be recognized as authentic or inauthentic.

The signatures of electors and the corresponding data thereabout which have been put on the signature lists but excluded (crossed off) by the member of the initiative group having collected the signatures prior to submission of the signature lists to the relevant commission are not subject to verification and recording if this exclusion has been specially mentioned by him in a written form. The signatures of voters and the corresponding data thereabout shall neither be the subject to verification and recording if there are no data on the signature list about a person nominated as the candidate.

If on the signature list having been submitted to a district, city, district-in-the-city commission there are signatures

of the voters residing in the territory of different districts, cities of regional subordination, districts in a city, only signatures which have been collected in the territory of that district, city, district in the city where the commission that have been formed to which the signature list is submitted, are subject to verification and recording. Other signatures are not verified and recorded.

The following signatures shall be considered inauthentic:

fictitious signatures (executed on behalf of non-existing persons and presented as authentic);

signatures of voters executed on behalf of different people by one person or on behalf of one person by another person;

signatures of persons having no electoral right;

signatures of persons who have indicated on the list the data that are contrary to fact;

signatures of voters collected prior to the terms of nomination of candidates;

signatures of voters if the information about them lacks one or several data required by this Code;

signatures of voters if the data have been put on the signature list not in a handwritten way or with a pencil as well as the signatures where the dates of putting the signatures were put not by the own hand of the voter;

all signatures of the voters on the signature list if they are collected by a person who is not a member of the initiative group or if the signature list is not certified by the member of the initiative group or is certified by another member of the initiative group who has not collected those signatures;

signatures of the voters which have been collected with violations of the requirements of part ten of this Article.

In case several signatures of the same voter in support of nomination of the same candidate are detected, only one signature is deemed to be authentic and all other signatures are considered inauthentic.

If the number of inauthentic signatures of voters detected during verification is more than 15 percent of the number of verified signatures, the additional verification of 15 percent of signatures of voters from the number of signatures on signature lists submitted to the relevant commission shall be carried out.

In case the total number of inauthentic signatures of voters detected during verification exceeds 15 percent of the total number of verified signatures on the signature lists, further verification of signatures on the signature lists by the regional, city, district-in-the-city commission is to be terminated, and all the signatures of voters on the submitted lists are not taken into account when determining the results of gathering signatures of voters in the district, city, district in the city.

A regional and the Minsk City commissions on elections of the President of the Republic of Belarus may also verify authenticity of signatures of the voters on the signature lists if required within five days.

On the basis of the protocols of regional, city, district-in-the-city commissions on elections of the President of the Republic of Belarus on establishment of the number of voters who have put on the signature lists their signatures for nomination of a candidate for the President of the Republic of Belarus, and the results of the verification of authenticity of signatures carried out by a regional, the Minsk City commission, the regional, Minsk City commission on elections of the President of the Republic of Belarus shall summarize the results over the region, the city of Minsk, draw up the protocol and immediately send it to the Central Commission.

Article 62. Order of nomination of candidates for deputies by political parties

Nomination of candidates for deputies of the House of Representatives from political parties is carried out by the supreme bodies of political parties.

Nomination of candidates for deputies of the regional, Minsk City, district and city (in the cities of regional subordination) Councils of Deputies from political parties is carried out respectively by their regional, Minsk city, district and city governing bodies of regional, Minsk city, district, city organizational structures created in the established order prior to the calling of elections.

Nomination of candidates for deputies of the city (in the cities of regional subordination), settlement or rural Councils of Deputies from the political parties is carried out respectively by governing bodies of district, city organizational structures created in the established order prior to the calling of elections. Candidates for deputies of the city (cities of district subordination), settlement and rural Councils of Deputies may be nominated by the primary organizations of political parties created in the established order on the territory of those local Councils of Deputies prior to the calling of elections.

A political party is entitled to nominate for each electoral circuit for elections to the House of Representatives and the respective local Council of Deputies only one deputy from the members of that political party.

The list of registered political parties is submitted by the Ministry of Justice of the Republic of Belarus to the Central Commission not later than five days after the calling of the elections.

Article 63. Order of nomination of candidates for deputies of the House of Representatives by labour collectives

Nomination of candidates for deputies of the House of Representatives from labour collectives of organizations is performed at meetings (conferences) of voters in labour collectives.

Meetings (conferences) of voters in labour collectives of organizations located in the territory of the electoral circuit including not less than 300 workers and having the right of the legal person are convened by the administration of

the organization, at their own initiative and at the initiative of the group of voters of not less than 150 persons working in the organization.

In case of rejection by the administration of the proposal on the holding of a meeting (conference) on the initiative of the group of voters, its initiators are given a copy of the motivated decision. That decision may be appealed, within a three-day period, to the district or city court (the appeal must be signed by the majority of the initiators of the meeting convocation). The decision of the court is final.

The meeting must be attended by more than half of the membership of the labour collective. Conferences of labour collectives are held if convocation of meetings is made difficult because of a great number of workers, the use of multi-shift working regime or territorial scatter of the structural subdivision and are competent if attended by not less than two thirds of the delegates elected according to the order established in the labour collective. Decisions of a meeting (conference) of the labour collectives are taken by the majority of votes of its participants.

A candidate for deputy of the House of Representatives may be nominated from several smaller groups with the total number of workers not less than 300 persons at their general meeting. In such case, more than half of the members must be present from each labour collective of the organization having the rights of the legal persons.

A labour collective may nominate only one candidate for deputy of the House of Representatives.

Article 64. Order of nomination of candidates for deputies of local Council of Deputies by labour collectives

Nomination of candidates for deputies of local Councils of Deputies from labour collectives of organizations is performed at meetings (conferences) of voters in labour collectives.

Nomination of candidates for deputies of regional and the Minsk City Councils of Deputies is performed by labour collectives located in the territory of the respective electoral circuit whereas nomination of candidates to the district, city, settlement and rural Councils of Deputies - by labour collectives located in the territory of the respective local Council of Deputies.

Meetings (conferences) of voters in labour collectives of organizations are convened by the administration of the organization both at their own initiative and at the initiative of a group of voters of not less than 10 persons who work in the organization. Meetings of voters in collectives groups for the nomination of candidates for deputies may be held:

when nominating candidates for deputies of regional or the Minsk City Councils of Deputies – in collectives having not less than 150 workers;

when nominating candidates for deputies of the district or city (in the cities of regional subordination) Councils of Deputies – in groups having not less than 75 workers;

when nominating candidates for deputies of the city (in the cities of regional subordination), settlement and rural Councils of Deputies – in groups having not less than 20 workers.

Appeal against denial by the administration of the holding of a meeting (conference) and determination of the competence of the meeting (conference) of the labour collective and of the decision taken is performed in the order provided for by parts three and four of Article 63 of this Code.

A candidate for deputy of a local Council of Deputies may be nominated from several smaller labour groups with the total number of workers established in part three of this Article at their general meeting. The meeting is competent if more than half of the members are present from each such collective of organization.

Meetings of voters for the nomination of candidates for deputies of the local Councils of Deputies may be held in structural subdivision of organizations provided that, when they nominate a candidate for deputy of the respective local Council of Deputies, their number meets the requirements of part three of this article. According to the order stipulated by part five of this article a candidate for deputy of the local Council of Deputies may be nominated from several structural subdivisions or from several labour collectives and structural subdivisions at their joint meeting. When a candidate for deputy is nominated in a structural subdivision (structural subdivisions), no candidate for deputy shall be nominated from the entire labour collective.

The labour collective of an organization or collectives of their structural subdivisions are entitled to nominate only one candidate for deputy of each territorial level of local Councils of Deputies observing the requirements of part three of this Article.

Article 65. Order of nomination of candidates for deputies by means of gathering signatures of voters

Nomination of a candidate for deputy of the House of Representatives by way of gathering signatures of voters is performed by a group of voters (the initiative group) including not less than 10 persons, whereas nomination of candidate for deputy of local Councils of Deputies by an initiative group including from 3 to 10 persons. To register the initiative group the person having the intention to be nominated as a candidate for the President of the Republic of Belarus shall, not later than 65 days before the elections, submit the following documents to the respective circuit electoral commission on elections of deputies of the House of Representatives, to circuit territorial electoral commission on elections of deputies of local Council of Deputies:

a written application on registration of the initiative group indicating the surname, name and patronymic, date of birth, position (occupation), place of work and residence, party membership of the person having the intention to be

nominated as a candidate for deputy;

copies of pages from the passport, confirming the citizenship of the Republic of Belarus and registration in the territory of the Republic of Belarus of the person having an intention to be nominated as a candidate for deputy;

list of members of the initiative group which specifies, in relation to each member of the initiative group and its head, the surname, name and patronymic, date of birth, place of residence, series and number of passport of the citizen of the Republic of Belarus. The list also specified the surname, name and patronymic of a person suggested for nomination as a candidate for deputy. This list of members of the initiative group is submitted in a printed form.

The person having an intention to be nominated as a candidate for deputy submits to the respective circuit, territorial electoral commission documents mentioned in part one of this Article and produces the passport of the citizen of the Republic of Belarus. The documents may be submitted to the circuit, territorial electoral commission by the representative of the person having an intention to be nominated as a candidate for deputy exercising his powers on the basis of a notarized power of attorney or a power of attorney certified in the order established by clause 3 and part one of clause 4 of Article 186 of the Civil Code of the Republic of Belarus.

The person who has intention to be nominated as candidate for deputy, or the head of the initiative group is entitled to put changes into the documents submitted for registration of the initiative group not later than one day before the consideration by circuit, territorial electoral commission of the issue on registration of the initiative group, as well as to familiarize with the materials of inspection of those documents.

The circuit, territorial electoral commission considers the application, within a five-day period from the day of its receipt, registers the initiative group and issues to the members of the initiative group the respective certificates and the signature lists for gathering signatures of voters in support of the person suggested for nomination as candidate for deputy (hereinafter – the signature list). The registration of the initiative group shall be denied when the requirements of this Code are violated.

The decision of the circuit electoral commission on refusal to register the initiative group on nomination of a candidate for deputy of the House of Representatives may be appealed against in the respective regional, the Minsk city territorial electoral commission by the person having the intention to be nominated as a candidate for deputy within three days, whereas the decision of the regional, the Minsk city territorial electoral commission may be appealed against, within the same time period, in the regional, the Minsk city court. The court considers the complaint in a three-day term and its decision thereupon is final.

The decision of the circuit, territorial electoral commission on denial to register the initiative group on nomination of a candidate for deputy of a local Council of Deputies may be appealed against by the person having the intention to be nominated as a candidate for deputy within three days in the superior territorial electoral commission, whereas the decision of the superior territorial electoral commission may be appealed against, within the same time period, in the regional, Minsk city, district court. The court considers the complaint in a three-day term and its decision thereupon is final.

A person suggested for nomination as candidate for deputy of the House of Representatives in the electoral circuit by a group of voters must have support of not less than 1000 electors who reside in the territory of that electoral circuit whereas a person suggested for nomination as candidate for deputy of a local Council of Deputies of voters who reside in the territory of the electoral constituency in the number of:

for the regional and the Minsk City Councils of Deputies – not less than 150;

for the district or city (in the cities of regional subordination) Councils of Deputies – not less than 75;

for the city (in the cities of regional subordination), settlement or rural Councils of Deputies – not less than 20.

The signature list shall include signatures of voters residing on the territory of the electoral circuit.

The gathering of signatures of voters for the nomination of a candidate for deputy and certification of the signature list is performed in the order provided for by parts six, eight to twelve of Article 61 of this Code. Violation of the requirements of part ten of Article 61 of this Code may be the ground for denial of registration of the candidate for deputy or revoking of the decision on his registration.

Article 66. Documents on the nomination of a candidate for deputy submitted to the circuit or territorial electoral commission

Supreme territorial governing bodies or primary organizations of political parties and meetings (conferences) of voters in labour collectives take decisions on nomination of a candidate for deputy that have to be recorded into a protocol. The protocol specifies the name of the supreme governing body, governing body of the organization subdivision of the political party, or of the primary organization of the political party, data on the labour collective, their addresses and telephone numbers, the number of members of the body of the political party and of the labour collective and the number of participants in the sitting of the body, the meeting of the primary organization of the political party or the meeting (conference) of the collective, the date of the sitting or meeting (conference), the results of the vote, the decision taken showing the surname, name and patronymic, date of birth, profession, office (occupation), place of work and residence and party membership of the person nominated as candidate for deputy and the electoral circuit in which he is nominated.

A person nominated as a candidate for deputy, not later than 40 days before the elections, submits to the respective circuit, territorial electoral commission simultaneously all documents for the registration of candidates and produces a passport of a citizen of the Republic of Belarus. The documents may be submitted to the circuit, territorial electoral

commission by the representative of the person nominated as a candidate for deputy exercising his powers on the basis of a notarized power of attorney or a power of attorney certified in the order established by clause 3 and part one of clause 4 of Article 186 of the Civil Code of the Republic of Belarus.

To register a candidate for deputy of the House of Representatives, a candidate of the local Council of Deputies the following documents shall be submitted to the circuit, territorial electoral commission:

written application on the consent to be put for vote in that electoral circuit;

copies of pages of the passport proving the citizenship of the Republic of Belarus and the registration on the territory of the Republic of Belarus - for persons nominated as candidates by political parties and labour groups;

biographical data of the person nominated as a candidate for deputy, in the form established by the Central Commission. If a person nominated as a candidate for deputy had and/or has previous convictions, the information thereabout is indicated in this biographical data;

copies of documents confirming information about education, about the place of work, position (occupation) of the person nominated as a candidate for deputy mentioned in the nomination documents;

written application on the consent to dismissal from occupied position or to termination of the respective powers upon being elected as a deputy – for the persons indicated in parts one–four of Article 59 of this Code.

declaration on income and property of the person nominated as a candidate for deputy of the House of Representatives, regional, Minsk City, district, city (city of regional subordination) of the Council of Deputies according to the form approved by the Council of Ministers of the Republic of Belarus; If there is no incomes of the person nominated as a candidate for deputy within the declared period, the source of income is indicated in the declaration. A person nominated as a candidate for deputy has the right to make corrections to a declaration of incomes and property before it is sent for check to the state bodies and organizations. Corrections are made via crossing out incorrect data and indicating of true data or additional data, or by submitting a revised declaration.

When the political party nominates a candidate for deputy of the House of Representatives by for registration, the following is submitted additionally to the documents specified in part three of this Article:

protocol of the supreme body of the political party on nomination of a candidate for deputy;

copy of a certificate on state registration of the political party;

copy of the statute of the political party;

copy of a document confirming the membership in the political party of the person being nominated for deputy.

When the labour collective of an organization nominates a candidate for deputy of the House of Representatives the following is submitted for registration additionally to the documents specified in part three of this Article:

protocol of the meeting (conference) of labour collective of organization on nomination of the candidate for deputy;

copy of the certificate on state registration of the organization.

When a candidate for deputy of the House of Representatives, candidate for deputy of the local Council of deputies is being nominated by means of gathering signatures of voters, the signature lists are submitted for registration additionally to the documents specified in part three of this Article.

When a political party nominates a candidate for deputy of local Council of Deputies the following is presented for registration additionally to the documents specified in part three of this Article:

protocol of the governing body of organizational structure (meeting of the primary organization) of the political party on nomination of a candidate for deputy;

copy of a certificate on state registration of the political party;

copy of the statute of the political party;

copy of the certificate on state registration (putting on record) of the organizational structure of the political party having nominated the candidate for deputy;

copy of a document confirming the membership in the political party of the person being nominated for deputy.

If the same political party nominated candidates for deputy of district, city, settlement or rural Council of Deputies in several or all of the electoral circuits, the documents specified in indents three to five of part seven of this Article are presented to the respective territorial electoral commission in one copy.

When the labour collective of an organization or the collective of its structural subdivision nominates a candidate for deputy of local Council of Deputies, the protocol of the meeting (conference) of labour collective of the organization or its structural subdivision is presented for registration additionally to the documents specified in part three of this Article.

Voters who have nominated the candidate for deputy by means of gathering signatures are entitled prior to depositing the signature lists to the circuit, territorial electoral commission to remove their signatures in signature lists having submitted an application thereon to the respective electoral commission.

Article 67. Verification of authenticity of signatures of voters in signature lists on elections of deputies

District and territorial electoral commissions verify authenticity of signatures of voters. In doing so, at least 20 per cent of the number of voters' signatures in the signature lists from the number of signatures required for registration of a candidate for deputy must be verified.

Authenticity of voters' signatures in signature lists on elections of deputies is verified according to the order provided for by parts fifteen, eighteen and nineteen of Article 61 of this Code. If the signature list contains signatures of

the voters not residing in the territory of electoral circuit, that signatures are not verified and accounted.

If the number of inauthentic voters' signatures detected during verification constitutes more than 15 per cent of the number of signatures verified, another 15 per cent of electors signatures from the number of signatures required for the registration of a candidate for deputy shall be verified.

In case when the total number of inauthentic voters' signatures found during verifications constitutes more than 15 per cent of the total number of the signatures verified in the signature lists, further verification of the signatures in the signature lists is terminated.

The circuit and territorial electoral commissions draw up protocols on the results of verification of authenticity of voters' signatures in the signature lists.

Article 68. Registration of candidates for the President of the Republic of Belarus, for deputy

Registration of candidates for the President of the Republic of Belarus is performed by the Central Commission whereas registration of candidates for deputy is performed by the respective circuit or territorial electoral commission.

Registration of candidates for the President of the Republic of Belarus begins 35 days and ends 25 days prior to the elections, whereas registration of candidates for deputy begins 40 days and end 30 days prior to the elections.

In certain cases the term of registration of candidates for the President of the Republic of Belarus and for deputy of the House of Representatives may be extended by a motivated decision of the Central Commission, but by not more than five days whereas the term of registration of candidates for deputy of local Councils of Deputies may be extended for the same period of time by the respective circuit, territorial or superior electoral commission.

A person nominated as a candidate for President of the Republic of Belarus, in the order established in part three of Article 61 of this Code, prior to registration shall submit to the Central Commission the following documents:

a written declaration of consent to run for the President of the Republic of Belarus;

biographical data of the person nominated as a candidate for the President of the Republic of Belarus, in the form established by the Central Commission. If a person nominated as a candidate for the President of the Republic of Belarus had and/or has previous convictions, the information thereabout is indicated in this biographical data;

copies of documents confirming information about education, about the place of work, position (occupation) of the person nominated as a candidate the President of the Republic of Belarus, mentioned in the nomination documents;

declaration on incomes and property of the person nominated as a candidate for the President of the Republic of Belarus, his spouse and full-age close relatives residing with him and sharing a common household, according to the form approved by the Council of Ministers of the Republic of Belarus. If there are no incomes of the person nominated as a candidate for the President of the Republic of Belarus within the declared period, the source of means of subsistence shall be indicated in the declaration. Persons who submitted declarations on incomes and property are entitled to make corrections therein before the mentioned declarations are sent for inspection to the state bodies and organizations. Corrections are made via crossing out incorrect data and indicating of true data or additional data, or by submitting a revised declaration.

A person nominated as a candidate for the President of the Republic of Belarus and having created the electoral fund submits to the Central Commission a financial report on spending means of this fund, within the time period established by part twenty-four of Article 48¹ of this Code.

The Central Commission, respective circuit, territorial electoral commission checks the conformity of the order of nomination of candidates for the President of the Republic of Belarus, deputies to the requirements of this Code and the accuracy of the information in the documents submitted for registration.

A person nominated as a candidate the President of the Republic of Belarus is entitled to familiarize himself with the materials of verification of documents submitted for the registration.

Decision on registration of a candidate for the President of the Republic of Belarus is taken if the documents mentioned in parts 4 and 5 of this Article are available and protocols of regional and the Minsk City commissions on elections of the President of the Republic of Belarus confirming availability of not less than 100 thousand signatures of voters of the Republic of Belarus for the nomination of the candidate for the President of the Republic of Belarus.

Decision on registration of a candidate for deputy is taken at the presence of the respective documents specified in Article 66 of this Code submitted to the circuit, territorial electoral commission prior to the beginning of registration.

The Central Commission, respective circuit or territorial electoral commission shall, after verifying the compliance of the order of nomination of candidates for the President of the Republic of Belarus or for deputy with the requirements of this Code, take decision on registration of candidates for the President or deputy and issue, within two days after the registration, respective certificates to the candidates.

The protocol on registration of candidates for deputy of the House of Representatives, regional and the Minsk City Council of Deputies is submitted respectively to the Central Commission, regional and the Minsk City territorial electoral commission.

Powers of the person nominated as candidate for the President of the Republic of Belarus who is a member of the Central Commission, or territorial or precinct commission on elections of the President of the Republic of Belarus are deemed to be terminated from the time of his registration as candidate for the President of the Republic of Belarus.

Powers of the person nominated as candidate for deputy of the House of Representatives, local Council of

Deputies, who is a member of the Central Commission, circuit, territorial or precinct electoral commission are deemed to be terminated from the moment of his registration as candidate for deputy.

The Central Commission, circuit or territorial electoral commission shall, not later than on the fourth day after registration of candidates for the President of the Republic of Belarus or deputies, send to mass media for publication an information on registration with indication, in relation to each candidate for the President of the Republic of Belarus or deputies, of the surname, name and patronymic, date of birth, profession, position (occupation), place of work and residence and party membership, as well as the data on incomes and property in the volume being determined by the Central Commission or otherwise inform the voters thereabout. If a candidate for the President of the Republic of Belarus or deputies had a previous conviction, the data thereabout is indicated in the information. While holding elections of the President of the Republic of Belarus, the Central Commission also sends to the press for publication the data on incomes and property of the persons specified in indent five of part four of this Article.

Article 68¹. Refusal to register of a candidate for the President of the Republic of Belarus, for deputy

The Central Commission, circuit, territorial electoral commission shall deny the registration of the candidate for the President of the Republic of Belarus, for deputies in the event of:

- non-conformity of the person nominated as the candidate to the requirements of this Code;
- previous conviction of the person nominated as a candidate;
- non-compliance with the requirements of this Code for the nomination of a candidate;
- failure to submit one or more documents necessary for the registration of the candidate;
- insufficient number of authentic voters' signatures collected in support of the nomination as a candidate;
- use in the interests of election of monetary means or other material assistance of foreign countries and organizations, international organizations, organizations with foreign investments, foreign citizens and stateless persons;
- presence of more than 15 percent of inauthentic signatures of the total number of verified signatures of voters, in whole for the Republic of Belarus, in the signature lists on nomination of the candidate for the President of the Republic of Belarus ;
- presence of more than 15 percent of inauthentic signatures of the total number of verified signatures of voters in the signature lists on nomination of the candidate for deputy;
- in other cases of non-compliance of the order of nomination with the requirements of this Code.

The Central Commission, circuit, territorial electoral commission is entitled to deny the registration of the candidate for the President of the Republic of Belarus, for deputies in the event of:

submission of the data having essential nature, which do not correspond to reality, in the declaration on incomes and property of the person nominated as a candidate for the President of the Republic of Belarus or other persons specified in indent five of part four of Article 68 of this Code, as well as of the persons nominated as candidates for deputies. The Central Commission gives explanations which data on incomes and property not corresponding to reality have an essential nature;

- using advantages of an official position in the interests of election, specified in part two of Article 73 of this Code;
- participation of the administration of an organization in gathering signatures, coercion in the course of gathering signatures and rewarding voters for putting their signatures;
- repeated violation by the person nominated as the candidate for the President of the Republic of Belarus, for deputies, or an initiative group of the requirements of this Code or other acts of legislation of the Republic of Belarus on elections, if they had been previously issued a warning.

The Central Commission is entitled to deny the registration of a candidate for the President of the Republic of Belarus in case of exceeding by the person nominated as a candidate for President of the Republic of Belarus for more than 20 percent of the maximum amount of spending of means of the electoral fund specified in part three of Article 48¹ of this Code, or use of other monetary means in the same amounts in addition to means of the electoral fund.

A decision of the Central Commission, circuit, territorial electoral commission to deny the registration as a candidate with indication of reasons of denial to register shall be issued not later than on the following day after its taking.

The decision of the Central Commission on denial of the registration as a candidate for the President of the Republic of Belarus may be appealed against by the person nominated as a candidate for the President of the Republic of Belarus , within a three-day period, in the Supreme Court of the Republic of Belarus. The Supreme Court of the Republic of Belarus considers the complaint within a three-day period and its decision is final.

The decision of the circuit electoral commission on denial of the registration as a candidate for deputy of the House of Representatives may be appealed against in the respective regional, the Minsk city territorial electoral commission by the person nominated as a candidate for deputy within three days from the day of adoption of the decision, and the decision of the regional, Minsk city territorial electoral commission may be appealed against, within the same time period, in the regional, Minsk city court. The court considers the complaint in a three-day term and its decision thereupon is final.

The decision of the circuit, territorial electoral commission on denial of the registration as a candidate for deputy of a local Council of Deputies may be appealed against by the person nominated as a candidate for deputy within three days in the superior territorial electoral commission, and the decision of the superior territorial electoral commission may be

appealed against, within the same time period, respectively in the regional, Minsk city, district court. The court considers the complaint in a three-day term and its decision thereupon is final.

Article 69. Withdrawal of one's own candidature by the candidate for the post of the President of the Republic of Belarus or for deputies

A candidate for the President of the Republic of Belarus or for deputy may withdraw his candidature at any time before the day of elections by submitting an application thereon to the Central Commission, circuit or territorial electoral commission, respectively. In the event of withdrawal by a candidate for the President of the Republic of Belarus or for deputy of his candidature without valid causes, which must be indicated in the decision of the commission, the candidate for the President or for deputy compensates to the Central Commission, the circuit or territorial electoral commission the expenses incurred by it for the candidate for the President or for deputies.

A decision of the Central Commission, circuit, territorial electoral commission on recognition of the withdrawal by a candidate for the President of the Republic of Belarus, for deputies of his candidature as having no valid causes may be appealed by the candidate for the President of the Republic of Belarus, for deputies respectively to the Supreme Court of the Republic of Belarus, the regional, Minsk city, district, city court within three days from the date of the decision. The court considers the complaint in a three-day term and its decision thereupon is final.

In case of refusal by a candidate to voluntarily compensate expenses determined by the Central Commission, the circuit or the territorial electoral commission in the case provided for by part one of this Article it is collected in court.

In the case of withdrawal of all candidates for the President of the Republic of Belarus, for deputy of the House of Representative or for deputy of a local Council of Deputies, new elections are held according to the order as stipulated by Articles 81, 87 and 94 of this Code.

Article 70. Cancellation of the decision of a political party, labour collective on the nomination of a candidate for deputy

A political party or labour collective that nominated a candidate for deputy have the right to cancel its decision on nomination of the candidate for deputy not later than five days prior to the elections. The candidate for deputy is informed about the time of the sitting of the supreme governing body of the political party, governing body of the organizational structure of the political party, the meeting of the primary organization of the political party or the meeting (conference) of the labour collective on cancellation of the decision on nomination of the candidate for deputy. Decision on that issue is taken according to the order provided for the nomination of candidates for deputy and is submitted immediately to the respective circuit or territorial electoral commission.

In the event of cancellation of the decision on nomination of a candidate for deputy without valid causes the political party or the organizational structure of the political party, the labour collective, that nominated the candidate for deputy compensate to the circuit or territorial electoral commission its expenses incurred for the candidate for deputy. In case of refusal to voluntarily compensate the expenses determined by the circuit or the territorial electoral commission, it is collected in court.

Article 70¹. Cancellation of a decision on the registration of a candidate for the President of the Republic of Belarus, for deputy for the violation of the requirements of this Code

The Central Commission, circuit, territorial electoral commission is entitled, without prior notice, to cancel the decision on registration of a candidate for the President of the Republic of Belarus, for deputies in the even of:

- non-observance of the restrictions while holding pre-election agitation, established by this Code;
- repeated violation of the requirements of this Code or other acts of legislation of the Republic of Belarus on elections, if a warning had been previously issued;
- exceeding by more than 20 percent of the maximum amount of spending of means of the electoral fund mentioned in part three of Article 48¹ of this Code, or use of other monetary means in the same amounts in addition to means of the electoral fund;
- participation of the administration of an organization in gathering signatures, coercion in the course of gathering signatures and rewarding voters for putting their signatures;
- submitting the data having essential nature in the declaration in incomes and property of persons mentioned in indent two of part two of Article 68¹ of this Code, which do not correspond to reality;
- using advantages of an official position in the interests of election, specified in part two of Article 73 of this Code;
- violation of the requirements established for the electoral program of a candidate.

The Central Commission, circuit, territorial electoral commission shall, without prior notice, cancel the decision on registration of a candidate for the President of the Republic of Belarus, for deputies:

upon use in the interests of election of monetary means or other material assistance of foreign countries and organizations, international organizations, organizations with foreign investments, foreign citizens and stateless persons;

in the event of loss of the right to be elected as the President of the Republic of Belarus, the deputy by the person registered as a candidate;

in the event of establishment, after the registration as a candidate for the President of the Republic of Belarus, for deputies, of the circumstances mentioned in part one of Article 68¹ of this Code.

The decision of the Central Commission, the circuit, territorial electoral commission to cancel the decision on registration of a candidate with indication of reasons of cancellation shall be issued not later than on the following day after its taking.

The decision of the Central Commission to cancel the decision on registration as a candidate for the President of the Republic of Belarus, for deputies may be appealed by the candidate to the Supreme Court of the Republic of Belarus within three days from the day of its taking. The Supreme Court of the Republic of Belarus considers the complaint within a three-day period and its decision is final.

The decision of the circuit electoral commission to cancel the decision on registration as a candidate for deputy of the House of Representatives may be appealed by the candidate to the respective regional and Minsk city territorial electoral commission within three days from the day of decision-making, and the decision of the regional and Minsk city territorial electoral commission may be appealed, within the same time period, to the regional and Minsk city court. The court considers the complaint in a three-day term and its decision thereupon is final.

The decision of the circuit, territorial electoral commission to cancel the decision on registration as a candidate for deputy of the local Council of Deputies may be appealed by the candidate to the superior territorial electoral commission within three days from the day of its taking, and the decision of the superior territorial electoral commission may be appealed, within the same time period, respectively to the regional, Minsk city, district court. The court considers the complaint in a three-day term and its decision thereupon is final.

In the event of taking a decision to cancel the registration of a candidate for deputy by the regional and Minsk city territorial electoral commission, the decision may be appealed by the candidate to the Central Commission within three days from the day of its taking. The decision of the Central Commission is appealed in the order established by part four of this Article.

Article 71. Order of nomination of candidates for deputy instead of those withdrawn

In the event of withdrawal of a candidate for deputy after expiration of the term of registration of candidates for deputy, if in the electoral circuit no other candidates remain, as well as when the persons nominated as candidates for deputy before the registration recalled their applications on the consent to run as deputies in the electoral circuit or those persons have been denied registration in view of violation of the requirements of this Code which left no other candidates for deputies in the electoral circuit, the circuit or territorial electoral commission addresses respectively to superior or territorial administrative bodies, primary organizations of political parties and labour groups with a proposal to nominate new candidates for deputies. Nomination of candidates instead of those who withdrew is made according to the order established by this Code. If candidates for deputy withdrew less than 20 days prior to the day of elections, repeated elections of the deputy of the House of Representatives or the deputy of a local Council of Deputies are conducted according to the order provided for by Articles 87 and 94 of this Code.

Article 72. Ballot for elections of the President of the Republic of Belarus and ballot for elections of deputies

The text of the ballot for elections of the President of the Republic of Belarus is approved by the Central Commission, whereas the text of the ballot for elections of deputy is approved by the respective circuit or territorial electoral commission.

The ballot includes, in the alphabetic order, all registered candidates for the President of the Republic of Belarus or for deputy specifying the surname, name and patronymic, date of birth, profession, office (occupation), place of work and place of residence and party membership of each candidate for the President or deputy. An empty square is placed on the right side of the data on each candidate. A line «Against all candidates» is placed at the end of the list of candidates with an empty square on its right side. If the ballot contains only one candidate for the Presidents of the Republic of Belarus, the text of the ballot shall have words “for” and “against” under which empty squares are placed.

Production of ballots for the elections of the President of the Republic of Belarus is ensured by the Central Commission and for the elections of deputies – by circuit or territorial electoral commissions. In the case of necessity circuit or territorial electoral commissions may apply with a request to produce ballots to the superior territorial commission.

When holding the elections of the President of the Republic of Belarus, deputies of the House of Representatives, it is allowed to produce ballots by precinct commissions located outside the Republic of Belarus.

The number of produced ballot may not be less than the number of voters included in the lists of citizens having the right to participate in the elections of the President of the Republic of Belarus or deputies. The number of reserve ballots shall not exceed 5 percent of the number of voters. The concrete number of produced ballots is determined by the respective commission.

Transfer of ballots from a higher electoral commission to a lower electoral commission including a precinct

commission is performed under an act. The precinct electoral commissions are provided with ballots not later than a day preceding the early voting day, and the precinct electoral commissions where early voting is not held – not later than on the day preceding the elections day. Chairpersons of the commissions carrying out obtainment, transfer and keeping of ballots bear responsibility for keeping the ballots.

Each ballot must contain explanations how to fill it in.

Ballots are printed in the Belarusian and Russian languages. The reverse side of the ballot must contain signatures of not less than two persons who are members of the precinct commission.

Ballots for elections of local Councils of Deputies of different territorial levels must have different color or another distinguishing sign.

In case of withdrawal of a candidate for the President of the Republic of Belarus or for deputy on the eve of the elections and if it is not possible to make new ballots, the Central Commission, circuit or territorial electoral commissions, respectively instructs the precinct commissions to make in each ballot with ink or a ball-pen a note «withdrew» against the surname of the candidate who withdrew. A notice on the above is also displayed in the premises for voting and this fact is reported to the voters when they receive ballots.

Ballots for the elections of the President of the Republic of Belarus, for the elections of deputies after establishing the results of voting shall be handed over, with the protocols of precinct electoral commissions, to the relevant territorial, circuit electoral commissions

CHAPTER 16

CUARANTEES OF ACTIVITIES AND THE RIGHTS OF A CANDIDATE FOR THE POST OF THE PRESIDENT OF THE REPUBLIC OF BELARUS AND FOR DEPUTIES

Article 73. Equality of rights and duties of candidates for the President of the Republic of Belarus and for deputy

All candidates for the President of the Republic of Belarus and for deputy have equal rights and bear equal duties.

A candidate for the President of the Republic of Belarus or for deputy has no right to use advantages of his office in the interests of election. Use of advantages of the office in this Code means:

engagement of persons who are in subordination or otherwise dependent through their work post for performing, during the working hours, activities that facilitate nomination and/or election;

use of the premises occupied by state bodies or organizations for performing activities that facilitate nomination and/or elections in case when other candidates for the President of the Republic of Belarus or for deputy who have applied in relation to the same issue are not able to use those premises on analogous conditions;

use of telephone and other types of communication and office equipment designed for support of the functions of state bodies and organizations, for performing activities that facilitate nomination and/or elections;

free-of-charge or privileged use of transport facilities owned by the state for performing activities that facilitate nomination and/or elections; and

gathering voters' signatures and election agitation in the course of business trips.

The provisions provided for by indent four and five of part two of this Article do not cover persons who use communication and transport facilities in conformity with the legislation of the Republic of Belarus on the state guard.

In the case of violation of the requirements of this Article the Central Commission, the circuit or territorial electoral commission have the right to reject registration of the candidate or to cancel the decision on his registration.

Article 74. Right of candidates for the President of the Republic of Belarus and for deputy to speak at meetings, use mass media and obtain information

Candidates for the President of the Republic of Belarus and for deputy, from the time of their registration, have the equal right to speak at pre-election and other meetings, conferences, sittings, in the press and on the state radio whereas a candidate for the President of the Republic of Belarus and for deputy of the House of Representatives also on the state television. Violation of that right may be appealed against in the circuit or territorial electoral commission and the Central Commission.

State bodies, public associations, heads of organizations and bodies of territorial public self-government are obliged to assist in the organization of meetings of candidates for the President of the Republic of Belarus and for deputy with the voters as well as to ensure the submission of the information materials that are required for them for holding the election campaign except for materials the use of which is restricted by the legislation of the Republic of Belarus.

Article 75. Election program of the candidate for the President of the Republic of Belarus and for deputy

A candidate for the President of the Republic of Belarus or for deputy has the right to present the program of his future activities. The program of a candidate must not contain propaganda of war or appeal to forced alterations of the constitutional system, violation of the territorial integrity of the Republic of Belarus, to social, national, religious or racial enmity, calls encouraging or having the aim to disrupt or cancel, or postpone the elections, set in accordance with the

legislative acts of the Republic of Belarus, as well as insults and slander in relation to official persons of the Republic of Belarus or other candidates for the President of the Republic of Belarus or for deputies.

When the requirements of this Article are violated, the Central Commission, circuit or territorial electoral commissions are entitled to cancel the decision on registration of the candidate.

Article 76. Authorized persons of the candidate for the President of the Republic of Belarus or for deputy

A candidate for the President of the Republic of Belarus may have up to 30 authorized persons, a candidate for deputy of the House of Representatives up to 15 authorized persons and a candidate for deputy of a local Council of Deputies up to 5 authorized persons.

Authorized persons help the candidate in carrying election campaign, agitate for his election and represent interests of the candidate in relationship with state bodies, public associations and voters as well as in commissions.

A candidate for the President of the Republic of Belarus or for deputy defines authorized persons at his discretion and inform about them in a written application respectively to the Central Commission, the circuit and the territorial electoral commissions for registration. In an application, in relation to each authorized person, the surname, name and patronymic, date of birth, place of residence, series and number of the passport of the citizen of the Republic of Belarus shall be indicated. The respective commission, within a three-day period from the day of receipt of the application, registers authorized persons and issue certificates to them.

Candidates for the President of the Republic of Belarus, for deputies may not act as authorized persons of a candidate for the President of the Republic of Belarus, for deputies.

A candidate for the President of the Republic of Belarus or for deputy has the right to recall authorized persons at any time prior to the elections day informing about it the respective commissions that cancels the certificates issued to them. An authorized person may renounce his powers at any time.

An authorized person of a candidate for the President of the Republic of Belarus may not be member of the Central Commission, territorial and precinct commissions on elections of the President of the Republic of Belarus, whereas a authorized person of a candidate for deputy of the House of Representatives or for deputy of a local Council of Deputies – a member of the Central Commission, the circuit, territorial and precinct electoral commissions in which he represents the candidate for deputy and, from the time of his registration by the respective commission, is considered relieved of the duties in the commission.

Authorized persons of a candidate for the President of the Republic of Belarus or for deputy may be relieved, on the request of the candidate, of labour (service) duties without preservation of the salary after their registration till the day of elections. The ground for such relief is a decision of the respective commission on registration of the authorized person and the application of the authorized person on granting to him a leave without retention of the salary for taking part in pre-election events.

Article 77. Relieving of the candidate for the President of the Republic of Belarus and for deputy from labour (service) duties for participation in pre-election events and guarantees of their activities

After registration, candidates for the President of the Republic of Belarus (except for the President of the Republic of Belarus who runs for a new term of office) and for deputies of the House of Representatives (except for the Chairperson of the House of Representatives) are relieved from labour (service) duties from the day of registration till the day of elections without preservation of the salary. The ground for such relief is a decision of the respective commission on registration as a candidate and the application of the candidate on granting to him a leave without retention of the salary for taking part in pre-election events.

Candidates for deputy of local Councils of Deputies, after their registration, when required and on their personal application, may be relieved from exercise of labour (service) duties without preservation of the salary.

Candidates for the President of the Republic of Belarus or for deputy may be given, on their personal application and for the same period of time, the labour leave.

A candidate for the President of the Republic of Belarus or for deputies may not be called for military service or military training from the day of registration till the day of elections, and a candidate for deputy of local Council of Deputies may not be sent for a long-term business trip without his consent.

CHAPTER 17

ORDER OF ESTABLISHMENT OF THE RESULTS OF VOTING AND SUMMARIZATION OF THE RESULTS OF ELECTIONS OF THE PRESIDENT OF THE REPUBLIC OF BELARUS

Article 78. Establishment of the results of voting in territorial commissions on elections of the President of the Republic of Belarus

The district, city and district-in-the-city commission on elections of the President of the Republic of Belarus, on the basis of the protocols received from the precinct commissions and compiled in accordance with the requirements of

Article 55 of this Code, establishes:

the total number of voter for the district, city or district in the city, the number of voters who have received ballots, the number of voters who have taken part in the voting, including the number of voters who have taken part in early voting, the number of voters who have taken part in voting at the place of location and the number of voters who have taken part in the voting on the day of elections in the premises of the voting precinct;

the number of votes given for each candidate for the President of the Republic of Belarus and the number of votes given against all candidates (if the voting was held by one candidate – the number of votes given against the candidate);

the number of ballots recognized as invalid;

the number of ballots issued to precinct commissions;

the number of spoiled ballots; and

the number of unused ballots.

The district, city and district-in-the-city commission establishes at its sitting the results of voting for the district, city and district in the city and draws the protocol. The protocol shall be signed by the chairperson, deputy chairperson, secretary and members of the commission and shall, not later than in the third day after the end of voting, be handed over in person by the chairperson or the deputy chairperson or the secretary of the commission to the respective regional or the Minsk City commission on elections of the President of the Republic of Belarus and to the bodies that formed the commission for information.

The regional or the Minsk City commission on elections of the President of the Republic of Belarus, on the basis of the protocols received from the respective district, city and district-in-the-city commissions, establishes:

the total number of voters for the region and the city of Minsk;

the number of voters who have received ballots;

the number of voters who have taken part in the voting, including the number of voters who have taken part in early voting at the place of location, and the number of voters who have taken part in voting on the day of elections in the premises of voting precinct;

the number of votes given for each candidate for the President of the Republic of Belarus and the number of votes given against all candidates (if the voting was held by one candidate – the number of votes given against the candidate);

the number of ballots recognized as invalid;

the number of ballots issued to the respective district, city and district-in-the-city commissions;

the number of spoiled ballots; and

the number of unused ballots.

The regional or the Minsk City commission establishes at its sitting the results of voting for the region and the Minsk city and draws up the protocol thereabout. The protocol shall be signed by the chairperson, deputy chairperson, secretary and members of the commission and shall, not later than four days after the end of voting, be handed over in person by the chairperson or the deputy chairperson or the secretary of the commission to the Central Commission and to the bodies that formed the regional or the Minsk City commission on elections of the President of the Republic of Belarus for information.

The protocols of the commissions forwarded to the superior commissions enclose, if any, special opinions of the members of the commission and statements of authorized persons of candidates for the President of the Republic of Belarus and of other persons on violations of the requirements of this Code and decisions of the commissions taken on them.

In case of detection by the bodies that formed the district, city, district-in-the-city, regional or the Minsk City commission of violations of the requirements of this Code and of other acts of legislation of the Republic of Belarus made in the course of the voting or during the count of votes, that information is immediately notified to the respective superior commission or the Central Commission.

Article 79. Establishment and publication of the results of elections of the President of the Republic of Belarus

The Central Commission, on the basis of records of regional and the Minsk city commissions on elections of the President of the Republic of Belarus, not later than ten days after the end of voting, establishes at its sitting and writes down in the protocol the following data:

the total number of voters for the Republic of Belarus;

the number of voters who have received ballots;

the number of voters who have taken part in the voting, including the number of voters who have taken part in early voting at the place of location, and the number of voters who have taken part in voting on the day of elections in the premises of voting precinct;

the number of votes given for each candidate for the President of the Republic of Belarus and the number of votes given against all candidates (if the voting was held by one candidate – the number of votes given against the candidate);

the number of ballots recognized as invalid;

the number of spoiled ballots; and

the number of unused ballots.

The protocol is signed by the chairperson, the deputy chairperson, the secretary and the members of the Central

Commission.

Elections of the President of the Republic of Belarus are deemed to have taken place if the voting has been attended by more than half of the citizens of the Republic of Belarus included into the list of voters.

The President of the Republic of Belarus is deemed to be elected if more than half of the citizens of the Republic of Belarus who took part in the voting have voted for him.

In the case of detection of mistakes and irregularities in the protocols of the precinct and territorial commissions as well as of other violations committed in the course of the voting or during the count of votes, the Central Commission has the right, on its own initiative or on the application of a candidate for the President of the Republic of Belarus, to take a decision on a recount of votes by the respective territorial commission. An application of a candidate for President of the Republic of Belarus on the recount of votes shall be submitted to the Central Commission not later than on the third day after elections. The recount of votes is performed by the territorial commission in the presence of the member (members) of the superior or Central Commission and if necessary – precinct commissions.

Elections of the President of the Republic of Belarus for the republic in whole or for separate voting precincts, districts, cities, districts in the city, regions or the City of Minsk may be recognized as invalid because of violations of the requirements of this Code made in the course of elections or during the count of votes if they affected the results of the elections for the Republic in whole. Decision on recognizing the elections invalid is taken by the Central Commission. The complaint about such violation is lodged by a candidate for the President of the Republic of Belarus with the Central Commission not later than on the third day following the elections. The decision of the Central Commission may be appealed against in the Supreme Court of the Republic of Belarus within ten days. The right of appeal against the decision on recognition of elections as invalid belongs to candidates for the President of the Republic of Belarus.

The Central Commission hands over an information on the results of elections of the President of the Republic of Belarus to mass media for making them public (publication) not later than three days from the time of signing of the protocol on the election results.

Article 80. Second round of voting

If none of the candidates for the President of the Republic of Belarus received the required number of votes, then, not later than within a two-week period, on decision of the Central Commission, a second round of voting is held on the two candidates who received the greater number of votes of the voters. Information on the second round of voting is published in the press and made public in other mass media on the next day after the appointment of the second round of voting. The second round of voting is held with the observance of the requirements of this Code. The lists of citizens having the right to participate in the elections of the President of the Republic of Belarus are to be updated by the precinct commission before the second round of voting.

Elections in the second round of voting are deemed to have taken place if more than half of the voters included into the list of citizens who have the right to take part in the elections participated in the voting. Elected is deemed to be the candidate for the President of the Republic of Belarus who received in the second round of voting more than half of the votes of the voters who took part in the voting.

If one of the candidates for the President of the Republic of Belarus included into the ballot in the second round of voting has withdrawn his candidature, the second round of voting is held on one candidature. In such case, the candidate for the President of the Republic of Belarus is also deemed to be elected if he received more than half of the votes of voters who took part in the voting.

Article 81. Repeated elections

If at the elections of the President of the Republic of Belarus not more than two candidates have run for and none of them has been elected as well as in case of dropping out of all candidates for the President of the Republic of Belarus, or recognition of the elections of the President of the Republic of Belarus as not having taken place or invalid, or the second round of voting has failed to determine the elected President of the Republic of Belarus, the Central Commission decides on fixing repeated elections with repeated nomination of candidates for the President of the Republic of Belarus. Herewith it may take a decision on holding the elections by territorial and precinct commissions in a new composition.

Repeated elections are held within three months after the main elections. Voting is held at the same voting precincts according to the lists compiled for the holding of the main elections and specified on the eve of the repeated elections.

Formation of commissions on the elections of the President of the Republic of Belarus, if according to part one of this Article the decision on holding the repeated elections by commissions in a new composition has been taken, nomination and registration of candidates for the President of the Republic of Belarus, other actions related to holding the repeated elections of the President of the Republic of Belarus, are carried out within the procedure established by this Code.

In case of holding the repeated elections, the citizens of the Republic of Belarus in relation to whom, in accordance with indents two – four, six and eight of part one of Article 70¹ of this Code, the decisions on cancellation of their registration as candidates for the President of the Republic of Belarus have been taken may nor stand as candidates for the President of the Republic of Belarus, as well as the citizens who have withdrawn their candidatures in the first round

without valid reasons.

Announcement about holding the repeated elections shall be published within three days in press and made public in other mass media.

CHAPTER 18

ORDER OF ESTABLISHMENT OF THE RESULTS AND SUMMARIZATION OF THE RESULTS OF ELECTIONS OF DEPUTIES OF THE HOUSE OF REPRESENTATIVES

Article 82. Establishment of the results of elections in the electoral circuit for elections of the deputy of the House of Representatives

On the basis of the protocols received from the precinct electoral commissions and compiled in accordance with the requirements of Article 55 of this Code, the circuit electoral commission establishes:

the total number of voters for the circuit;

the number of voters who have received ballots;

the number of voters who have taken part in the voting, including the number of voters who have taken part in early voting at the place of location, and the number of voters who have taken part in voting on the day of elections in the premises of voting precinct;

the number of votes given for each candidate for deputy and the number of votes given against all candidates for deputy (if the voting was held on one candidate – the number of votes given against the candidate);

the number of ballots recognized as invalid;

the number of ballots issued to the precinct electoral commissions;

the number of spoiled ballots; and

the number of unused ballots.

Elections are recognized as having taken place if more than half of the voters of the circuit included into the list of citizens having the right to participate in elections participated in the voting.

The candidate for deputy of the House of Representatives who received the greatest number of votes of the voters who took part in the voting is deemed to be elected. When voting is held for one candidature, the candidate is deemed to be elected if he has obtained more than half of votes of the voters who took part in the voting

The circuit electoral commission may recognize elections as invalid if violations of the requirements of this Code were committed in the course of elections or during the count of votes or determining of the results of elections that influenced the results of the elections. A complaint about such violation is submitted by the candidate for deputy to the circuit electoral commission not later than on the third day following the day of elections. The decision of the circuit electoral commission may be appealed to the regional, Minsk city territorial electoral commission within three days from the date of its adoption, and the decision of the regional and Minsk city territorial electoral commission – to the Central Commission within the same period.

The circuit electoral commission establishes at its sitting the results of elections for the electoral circuit and writes down the results in the protocol. The protocol shall be signed by the chairperson, deputy chairperson, secretary and members of the commission and shall be handed over, not later than on the fourth day after the end of voting, in person by the chairperson or he deputy chairperson or secretary of the commission to the regional and Minsk city territorial electoral Commission and to the bodies that formed the circuit electoral commission for information. The protocol forwarded to the regional or the Minsk City territorial commission encloses, if any, special opinions of the members of the commission, statements of the authorized persons of the candidates for deputy and of other persons on violations of the requirements of this Code and decisions taken on them by the circuit or territorial electoral commission.

In case when the bodies that formed the commission detect violations of the requirements of this Code and of other acts of legislation of the Republic of Belarus, committed in the course of the voting or during the count of votes, this fact shall be immediately notified to the regional, Minsk City territorial commissions or to the Central Commission.

The circuit electoral commission forwards information on the results of elections for the electoral circuit for publication in the press not later than on the fifth day after the elections. The information specifies the total number of voters included into the lists of citizens who have the right to take part in elections; the number of voters who took part in the voting; the number of votes given for each candidate and the number of votes given against all candidates for deputy (if the voting was held on one candidate – the number of votes given against the candidate); the number of invalid ballots; the surname, name and patronymic, date of birth, profession, office (occupation), place of work and place of residence and party membership of the elected deputy. If the elections are recognized as having not taken place or invalid, the circuit electoral commission shall indicate it in the information

Article 83. The establishment of the election results by the regional, Minsk city territorial electoral commissions on elections of deputies to the House of Representatives

The regional and Minsk city territorial electoral commission on the basis of the protocols of circuit electoral commissions establishes the results of elections of deputies of the House of Representatives in the territory of the region,

the city of Minsk and take the respective decision. The decision of the regional and Minsk city territorial electoral commission together with the protocols of circuit electoral commissions and the documents mentioned in part five of Article 82 of this Code shall be submitted to the Central Commission, in person, by the chairperson or deputy chairperson or secretary of the commission not later than on the sixth day after the elections.

In case of detection of mistakes and irregularities in the protocols of precinct, territorial or circuit electoral commissions as well as of other violations committed in the course of voting or during the count of votes, the regional, Minsk city territorial electoral commission, on its own initiative or the application of the candidate, is entitled to take a decision on a recount of votes by the respective territorial or circuit electoral commission. An application on a recount of votes is submitted to the regional, Minsk city electoral commission not later than on the third day after the elections. The recount of votes of the voters is made by the territorial or circuit electoral commission in the presence of a member (members) of the regional, Minsk city electoral commission and, if required, of the precinct electoral commissions.

The regional, Minsk city electoral commission may recognize elections as invalid if violations of the requirements of this Code were committed in the course of elections or during the count of votes or when determining the results of elections, which influenced the results of the elections. The decision of the regional and Minsk city territorial electoral commission may be appealed by the candidate for deputy to the Central Commission within three days from the day of its taking.

Article 84. Establishment of the results of elections by the Central Commission

The Central Commission, on the basis of received decisions of regional and Minsk city territorial electoral commissions and protocols of the circuit electoral commissions, determines the results of elections of deputies for the electoral circuits and registers the elected deputies of the House of Representatives.

The Central Commission may recognize the elections as invalid if violations of the requirements of this Code took place in the course of elections or during the count of votes or the determination of the results of the elections that affected the results of the elections or do not allow the true determination of the results of the expression of will of the voters, and deny registration of the deputy of the House of Representatives. The decision of the Central Commission on recognizing elections as invalid may be appealed against by the candidate for deputy to the Supreme Court of the Republic of Belarus within three days after its taking.

Article 85. Publication of the results of elections of deputies of the House of Representatives

The Central Commission shall, not later than within a three-day period from the day of establishment the results of the elections, forward to the press for publication an information on the results of elections of deputies of the House of Representatives for the Republic of Belarus and the list of elected deputies in each electoral circuit with indication of the surname, name and patronymic, date of birth, position (occupation), place of work and place of residence, party membership of the deputy.

Article 86. [Excluded]

Article 87. Repeated elections

If the elections that took place in the electoral circuit have been recognized as having not taken place or invalid, or only one candidate run for deputy, who did not receive the required number of the votes of the voters, as well as when all candidates for deputies have withdrawn, the Central Commission instructs, respectively, the regional, Minsk city and circuit electoral commission to hold repeat elections in the electoral circuit. In such case, it may take a decision on the necessity to hold elections by territorial, circuit and precinct electoral commissions in a new composition. In such case the formation of electoral commissions is made in the order established by this Code. Voting is held at the same voting precincts according to the lists compiled for the holding of the main elections and specified on the eve of the repeated elections.

Repeated elections are appointed by the Central Commission not later than three months prior to their holding and are organized with observance of the requirements of this Code.

Repeated elections are recognized as having taken place if more than half of the voters of the circuit included into the list of citizens having the right to participate in elections participated in the voting.

The candidate for deputy of the House of Representatives who received the greatest number of votes of the voters who took part in the voting is deemed to be elected. When voting is held for one candidature, the candidate is deemed to be elected if he has obtained more than half of votes of the voters who took part in the voting

In case of holding the repeated elections, the citizens of the Republic of Belarus in relation to whom, in accordance with indents two – four, six and eight of part one of Article 70¹ of this Code, the decisions on cancellation of their registration as candidates for deputies have been taken may not stand as candidates for deputies, as well as the citizens who have withdrawn their candidatures without valid reasons when the elections have been held.

Article 88. Holding of elections of deputies of the House of Representatives instead of those who withdrew

In case of a recall of a deputy of the House of Representatives or early termination of powers of a deputy for other reasons, new elections are held in the respective electoral circuit. The elections are appointed by the Central Commission not later than three months prior to their holding and are organized with the observance of the requirements of this Code.

When a deputy of the House of Representatives withdraws less than one year before expiration of the term of office of the deputies of the House of Representatives, elections of a new deputy of the House of Representatives instead of the one who withdrew are not held.

CHAPTER 19

ORDER OF ESTABLISHMENT OF THE RESULTS AND SUMMARIZATION OF THE RESULTS OF ELECTIONS OF DEPUTIES OF LOCAL COUNCILS OF DEPUTIES

Article 89. Establishment of the results of elections for the electoral circuit for elections of deputies of local Councils of Deputies

On the basis of the protocols received from the precinct electoral commission(s) and compiled in accordance with the requirements of Article 55 of this Code, the territorial or circuit electoral commission establishes:

the total number of voters for the circuit;

the number of voters who have received ballots;

the number of voters who have taken part in the voting, including the number of voters who have taken part in early voting at the place of location, and the number of voters who have taken part in voting on the day of elections in the premises of voting precinct;

the number of votes given for each candidate for deputy and the number of votes given against all candidates for deputy (if the voting was held on one candidate – the number of votes given against the candidate);

the number of ballots recognized as invalid;

the number of ballots issued to the precinct electoral commissions;

the number of spoiled ballots; and

the number of unused ballots.

The candidate for deputy of a local Council of Deputies, who received most votes of the voters who took part in the voting, is deemed to be elected. When voting is held for one candidature, the candidate is deemed to be elected if he has obtained more than half of votes of the voters who took part in the voting

The territorial or circuit electoral commission may recognize elections as invalid if violations of the requirements of this Code were made in the course of elections or during the count of votes or determination of the results of elections, which influenced the results of the elections. A complaint about such violation is submitted to the territorial or circuit electoral commission by a candidate to deputy not later than on the third day following the day of elections. The decision of the territorial, circuit electoral commission may be appealed against in the superior territorial electoral commission within three days after its taking.

The territorial or circuit electoral commission establishes at its sitting the results of elections for the each electoral circuit and record the results in the protocol. The protocol is signed by the chairperson, the deputy chairperson, the secretary and the members of the commission.

The circuit electoral commission on elections of the regional Council of Deputies and the territorial electoral commission that exercises powers of circuit electoral commissions for elections to the Minsk City Council of Deputies in a district of the City of Minsk, not later than on the fifth day after the end of the voting, hands over the protocol respectively to the regional or the Minsk City territorial electoral commission and the bodies that formed the commission for information. The chairperson of the deputy chairperson or the secretary of the commission hands over the protocol in person. The protocol forwarded to the regional or the Minsk City territorial commission encloses, if any, special opinions of the members of the commission, statements of the authorized persons of the candidates for deputy and of other persons on violations of the requirements of this Code and decisions taken on them by the respective circuit or territorial electoral commission.

The territorial electoral commissions on elections to the district, city, settlement and rural Councils of Deputies hand over the protocols on the results of the elections to the bodies that formed the commission for information.

In case when the bodies that formed the commission detect violations of the requirements of this Code and of other acts of legislation of the Republic of Belarus made in the course of the voting or during the count of votes, this fact is immediately notified to the respective superior commission or the Central Commission.

In case of detection of mistakes and irregularities in the protocols of precinct, territorial or circuit electoral commissions as well as of other violations committed in the course of voting or during the count of votes, the superior electoral commission, on its own initiative or the application of the candidate, is entitled to take a decision on a recount of votes by the respective territorial or circuit electoral commission. An application of the candidate for deputy on a recount of votes is submitted to the superior electoral commission not later than on third day after the elections. The recount of votes of the voters is made by the territorial or circuit electoral commission in the presence of a member (members) of the

superior territorial electoral commission and, if required, of the precinct electoral commissions.

Article 90. [Excluded]

Article 91. Establishment of the results of elections for local Councils of Deputies by territorial electoral commissions

The territorial electoral commission on elections to a regional or the Minsk City Council of Deputies, on the basis of respective protocols of the circuit electoral commissions on elections to a regional Council of Deputies or of territorial electoral commissions that exercise the powers of circuit electoral commissions on elections to the Minsk City Council of Deputies in the districts of the City of Minsk, whereas the territorial electoral commissions on elections of the district, city, settlement or rural Council of Deputies on the basis of the protocols of the precincts electoral commissions and the protocols on the results of elections in the electoral circuits summarize the results of elections to the respective local Council of Deputies and register the deputies elected for each electoral circuit.

The territorial electoral commission may recognize the elections as invalid if violations of the requirements of this Code took place in the course of elections or during the count of votes or determination of the results of the elections that influenced the results of the elections or do not allow the true determination of the results of the expression of will of the voters and may deny registration of the deputy. The decision of the territorial electoral commission on recognizing the election as invalid may be appealed against by the candidate for deputy respectively in the regional, Minsk city, district, city court within three days after its taking.

Article 92. Publication of the results of elections of deputies of local Councils of Deputies

The regional, Minsk city, district, city, settlement and rural territorial electoral commissions forward, not later than on the fifth day after the elections, an information on the results of the elections and the list of deputies of the regional, Minsk city, district, city, settlement and rural Councils of Deputies elected in each electoral circuit with indication of the surname, name and patronymic, date of birth, position (occupation), place of work and place of residence, party membership of each deputy to the press for publication or otherwise inform the voters thereabout. The information includes the total number of voters included into the lists of citizens who have the right to take part in the elections, the number of voters who took part in the voting, the number of voters who took part in the voting; the number of votes given for each candidate and the number of votes given against all candidates for deputy (if the voting was held on one candidate – the number of votes given against the candidate); and the number of invalid ballots.

In case of recognition of election as invalid the territorial electoral commission informs about it in its report.

Article 93. [Excluded]

Article 94. Repeated elections

If elections that took place in the electoral circuit have been recognized invalid or only one candidate for deputy of the local Council of Deputies stand for elections who did not receive the required number of the votes of the voter well as when all candidates for deputies have withdrawn, the regional or the Minsk City territorial electoral commission instructs respectively the circuit electoral commission or the territorial electoral commissions that exercises powers of circuit electoral commissions on elections to the Minsk city Council of Deputies in the district of the city of Minsk to hold in the electoral circuit repeated elections, whereas the district, city, settlement or rural territorial electoral commission takes decision on the holding of repeated elections in the electoral circuit. In such case, the commissions may take a decision on the necessity to hold elections by the respective circuit, territorial and precinct electoral commissions in a new composition. In such case the formation of electoral commissions is made in the order established by this Code. Voting is held at the same voting precincts according to the lists compiled for the holding of the main elections and specified on the eve of the repeated elections.

Repeated elections are called by the territory electoral commission not later than three months prior to their holding and are organized with the observance of the requirements of this Code.

In case of holding the repeated elections, the citizens in relation to whom, in accordance with indents two – four, six and eight of part one of Article 70¹ of this Code, the decisions on cancellation of their registration as candidates for deputies have been taken may nor stand as candidates for deputies, as well as the citizens who have withdrawn their candidatures without valid reasons when the elections have been held.

Article 95. Holding of elections of deputies of local Councils of Deputies instead of those who withdrew

In case of a recall of a deputy of the local Council of Deputies or early termination of deputy powers for other reasons, new elections are held in the respective electoral circuit. The elections are appointed by the respective local Council of Deputies not later than three months prior to their holding and are organized with the observance of the

requirements of this Code.

When a deputy of the local Council of Deputies withdraws less than six months before expiration of the term of powers of the deputies of the local Council of Deputies, elections of a new deputy instead of the one who withdrew are not held.

If during the holding of elections of a deputy of the city (city of regional subordination), settlement or rural Council of Deputies instead of the one who withdrew, the territory of the electoral circuit is smaller than the territory of the voting precinct or equal to it, the precinct electoral commission is not formed. In that event the powers of the precinct electoral commission are exercised by the territorial electoral commission on elections to the given local Council of Deputies. Voting may be declared terminated before 20 hours if all voters included into the list have voted.

Article 96. Holding of elections of deputies of local Councils of Deputies in newly formed administrative territorial units and when the boundaries of administrative territorial units have been changed

Elections of deputies of local Councils of Deputies in newly formed administrative territorial units is held in cases when the formation of a local Council of Deputies is impossible in view of the absence or insufficient number of deputies elected for the local Council in the territory included into the newly formed administrative territorial unit.

If as result of changing boundaries of the administrative territorial unit the local Council of Deputies can not carry out its activities in view of insufficient number of deputies, new elections are to be called to the respective local Council of Deputies.

Elections in the cases specified in part one and two of this Article are called by the President of the Republic of Belarus and held in the order established by this Code. The number of electoral circuits to be formed for elections to the local Council of Deputies in the newly formed territorial administrative unit and the average number of voters in the electoral circuit for elections to the local Council of Deputies are established by the respective superior local Council of Deputies whereas the territorial electoral commission for elections to the local Council of Deputies is formed by the superior state bodies in the order established by Article 34 of this Code.

In case of elections of deputies of a regional Council of Deputies in a newly formed region the number of electoral circuits to be formed and the average number of voter per electoral circuit are established by the Central Commission. The regional territorial and the circuit electoral commissions are also formed by the Central Commission.

SECTION VI ELECTIONS OF MEMBERS OF THE COUNCIL OF THE REPUBLIC

CHAPTER 20 THE ORDER OF CALLING THE ELECTIONS OF MEMBERS OF THE COUNCIL OF THE REPUBLIC. NOMINATION OF CANDIDATES FOR MEMBERS OF THE COUNCIL OF THE REPUBLIC

Article 97. Calling of elections of members of the Council of the Republic

Elections of members of the Council of the Republic of a new convocation are called by the President of the Republic of Belarus not later than four months and held not later than 30 days before the expiration of the term of office of the Council of the Republic of the current convocation.

Every region and the city of Minsk elect on eight members of the Council of the Republic by secret voting at the meetings of deputies of local councils of deputies of base level of every region (oblast) and the city of Minsk.

In the event of early termination of the term of office of the Council of the Republic, extra-ordinary elections are called by the President of the Republic of Belarus within three months of the date of the early termination of the term of office of the Chamber.

The election date is made public through mass media not later than three days from the date when the elections were called.

Article 98. Requirements for candidates to members of the Council of the Republic

Every citizen of the Republic of Belarus who has reached the age of 30 and has been a resident of a respective region or the city of Minsk for the period of not less than five years may be candidate to members of the Council of the Republic.

Citizens who have no right in accordance with the legislation of the Republic of Belarus to occupy offices in state bodies and other state organizations in connection with their conviction may not be candidates to members of the Council of the Republic.

Article 99. Incompatibility of the status of the member of the Council of the Republic with an official post and powers of the deputy of the House of Representatives

A member of the Council of the Republic may not be simultaneously the President of the Republic of Belarus, a deputy of the House of Representatives, member of the Government of the Republic of Belarus, or a judge.

Article 100. Nomination of candidates for members of the Council of the Republic

Nomination of the candidates to members of the Council of the Republic begins 90 days and ends 60 days prior to the expiration of the term of office of the Council of the Republic of the current convocation.

The right to nominate the candidates for members of the Council of the Republic belongs to the Presidiums of local Councils of Deputies of the base level and respective executive committees - district and city executive committees (in the cities of regional subordination), and in the City of Minsk - to the Presidium of the Minsk City Council of Deputies and to the Minsk City Executive Committee. Not less than two thirds of the number of members of the respective presidium of the Council of Deputies and of the executive committee must participate in the joint sitting of those bodies.

The decision of the joint session of the Presidium of the local Council of Deputies of the base level and the respective executive Committee to nominate a candidate for member of the Council of the Republic is adopted by the majority of the votes of their members.

The Presidium of the district, city (in the cities of regional subordination) Council of Deputies and the respective executive committee may nominate only one candidate for member of the Council of the Republic. The same candidate for member of the Council of the Republic may be nominated by several presidiums of district or city (in the cities of regional subordination) Councils of Deputies and respective executive committees.

The decision to nominate a person as a candidate for member of the Council of the Republic shall specify the surname, name and patronymic, date of birth, post (occupation), place of birth, place of residence, party membership and the period of residence in the territory of the region or the city of Minsk.

The decision to nominate a person as a candidate for member of the Council of the Republic is signed by the Chairperson of the local Council of Deputies and the Chairperson of the respective executive committee and is submitted to the Central Commission not later than within three days from the date of the decision-making together with the following documents:

a written application of the person nominated as a candidate for member of the Council of the Republic with his consent to be a candidate for member of the Council of the Republic from the region or the City of Minsk;

biographical data of the person nominated as a candidate for member of the Council of the Republic, according to the form approved by the Central Commission;

declaration on incomes and property of the person nominated as candidate for member of the Council of the Republic, according to the form approved by the Council of Ministers of the Republic of Belarus;

written application on the consent to be released from his position in case of being elected as member of the Council of the Republic or to terminate the powers of a deputy of the House of Representatives – for persons specified in Article 99 of this Code.

Article 101. Registration of candidates for members of the Council of the Republic

Candidates for members of the Council of the Republic are registered by the Central Commission. The decision on registration of a candidate for member of the Council of the Republic is made on the basis of the documents specified in part six of Article 100 of this Code which have been received prior to the beginning of the registration

The registration of the candidates for members of the Council of the Republic begins 60 days and ends 55 days before the expiry of the term of office of the Council of the Republic of the current convocation.

The Central Commission verifies the compliance of the order for the nomination of candidates for members of the Council of the Republic, makes a conclusion thereon and takes a decision to register candidates for members of the Council of the Republic, or a motivated decision to deny registration. The decision of the Central Commission on denial of registration may be appealed by a person nominated as a candidate for member of the Council of the Republic against within three-day period from the day of taking the decision in the Supreme Court of the Republic of Belarus. The Supreme Court of the Republic of Belarus considers the complaint within three days, and its decision is final. The registered candidates for members of the Council of the Republic are issued respective certificates.

A candidate for members of the Council of the Republic, from the date of his registration to the date of publication of the election results, may not be sent on a business trips or called for military service or military training.

The Central Commission, not later than on the fourth day after registration of the candidates for members of the Council of the Republic, sends an information on the registration of the candidates for members of the Council of the Republic to the press for publication with indication of the surname, name and patronymic, date of birth, office (occupation), place of birth and place of residence, party membership and the period of residence in the territory of the region or the City of Minsk of each candidate.

CHAPTER 21

HOLDING OF THE SITTING OF DEPUTIES OF LOCAL COUNCILS OF DEPUTIES OF A BASE LEVEL AND OF DEPUTIES OF THE MINSK CITY COUNCIL OF DEPUTIES ON ELECTIONS OF MEMBERS OF THE COUNCIL

OF THE REPUBLIC

Article 102. Order for calling and holding a sitting of deputies of local Councils of Deputies of a base level of the region and of deputies of the Minsk city Council of Deputies on Elections of Members of the Council of the Republic

The sitting of deputies of the local Councils of Deputies of a base level of the region and the deputies of the Minsk City Council of Deputies on the elections of the members of the Council of the Republic are called not later than 35 days prior to the expiration of the term of office of the Council of the Republic upon a joint decision of presidiums of a regional Council of Deputies or the Minsk City Council of Deputies and a regional or the Minsk City Executive Committee, adopted by a majority of votes of its members. Not less than two thirds of the number of members of the respective presidium of the Council of Deputies and of the executive committee must participate in the joint sitting of those bodies. The decision sets the date of the sitting.

The sitting of deputies of local Councils of Deputies of a base level of the region and of the deputies of the Minsk City Council of Deputies is competent, if not less than a half of the total number of deputies elected to local Councils of Deputies of a base level of the region or to the Minsk City Council of Deputies participate in it. In so doing, the sitting of the deputies of the local Councils of Deputies of a base level must be attended by not less than one fourth of the number of deputies elected to each local Council of Deputies of the base level.

The oldest deputy opens the sitting of the deputies of local Councils of Deputies of the base level of the region, of the deputies of the Minsk City Council of Deputies and presides it till the election of the Chairperson.

A sitting elects the secretariat, the counting committee and the mandate committee to ensure conduct of the sitting.

Upon thisation made by the mandate committee, the sitting of the deputies of the local Councils of Deputies of the base level of the region and of the deputies of the Minsk City Council of Deputies takes decision on declaring the sitting competent.

The sitting hears the conclusion by the Central Committee on the legality of nomination of candidates for members of the Council of the Republic from the region and the city of Minsk and its information on registration of the candidates.

A decision of the sitting of deputies of local Councils of the base level and of the deputies of the Minsk City Council of Deputies is passed by a majority vote of the deputies present at the sitting of those Councils.

Article 103. Discussion of candidatures being proposed for election to members of the Council of the Republic

The sitting of deputies of local Councils of the base level and of the deputies of the Minsk City Council of Deputies on the election of members of the Council of the Republic considers the candidates for election to the Council of the Republic nominated at the joint sessions of Presidiums of the local Councils of the base level of the region or the Minsk City Council of Deputies and the respective executive committees. Nomination of other candidates for election to members of the Council of the Republic at the sitting of the deputies of local Councils of Deputies of the base level of the region and of the deputies of the Minsk City Council of Deputies are not held.

The candidate for members of the Council of the Republic present their programs at the sitting.

Each deputy taking part in the sitting has the right to ask questions to the candidate for members of the Council of the Republic, to express his opinion, and agitate for or against the nominated candidature.

The discussion of candidatures is stopped by a decision of the sitting.

The candidate for members of the Council of the Republic may withdraw his candidature at the sitting.

The sitting takes decision on inclusion of the candidates for members of the Council of the Republic into the ballots for secret voting.

Article 104. Organization of voting on elections of the members of the Council of the Republic

To hold a secret voting on election of the members of the Council of the Republic and to determine the results, the deputies taking part in the sitting elect the Counting Commission including 9 to 15 of deputies. The candidates for members of the Council of the Republic may not be included in the counting commission.

The counting commission elects its chairperson, deputy chairperson and secretary from among its members. The counting commission takes its decisions by a majority vote.

The ballots for voting are made by the counting commission according to the form established by the Central Commission and in the amount correspondent to the number of the sitting participants. The text of the ballot is approved by the counting commission.

The ballot includes, in the alphabetical order, the candidates for members of the Council of the Republic indicating the surname, name and patronymic, date of birth, post (occupation), place of work and place of residence, party membership and the period of residence in the territory of the region or in the City of Minsk. An empty square is placed on the right side of the data about each candidate. A line «Against all candidates» is placed at the end of the list of candidates with empty square on its right side. If when holding repeated elections or the elections of the member of the Council of the Republic instead of withdrawn one the ballot contains only one candidate for members of the Council of the Republic, the

text of the ballot shall include words “for” and “against” under which empty squares are placed.

The reverse side of the ballot has signatures of at least two persons who are members of the counting commission.

The voting on the election of the members of the Council of the Republic is conducted in specially assigned premises where a sufficient number of booths or rooms for conducting secret voting, and the desks for issuing ballots are determined. The ballot boxes are placed so that the voters approach them only through the booths or premises assigned for secret voting.

The time, place and order for voting are established by the counting commission and declared by its chairperson.

Prior to the commencement of the voting, the ballot boxes are inspected and sealed by the chairperson of the counting commission in the presence of all members of the counting commission.

A voting ballot is issued to each deputy participating in the session. The ballots are issued by the members of the counting commission according to the list of deputies taking part in the sitting upon presentation by a deputy of his Deputy Certificate. The deputy confirms the receipt of a ballot by putting his signature in the list of deputies.

Article 105. Holding of voting on the elections of the members of the Council of the Republic

While holding the elections of members of the Council of Republic each participant of the sitting votes in person. It is not allowed to vote for other deputies.

The ballots are filled in inside a booth or a room for secret voting. When voting the participant of the sitting puts any sign in an empty squares placed on the right from the surname of the candidates he votes for, but not more than in eight squares or in the square placed on the right from the line “Against all candidates”. If the ballot contains the surname of only one candidate, during the voting for the candidate the participant of the sitting puts any sign in the square under the word «for» and while voting against the candidate puts any sign in the square under the word «against».

A deputy drops the filled ballot into the ballot box. The ballot boxes shall be in sight of all members of the declarations on income and property and of the persons mentioned in part four of Article 13 of this Code.

Article 106. Establishment of the results of voting on elections of members of the Council of the Republic

The votes cast by the deputies are counted by the members of the Counting Commission without break till the obtainment of the results of the voting.

The counting commission, on the basis of the list of deputies registered for participation in the sitting, determines the total number of deputies taking part in the sitting and the number of deputies who received the ballots. On the basis of the ballots contained in the ballot box, the Counting Commission determines the total number of deputies who took part in the vote, the number of votes for each of the candidates for members of the Council of the Republic and the number of votes given against all candidates for deputy (if the voting was held on one candidate – the number of votes given against the candidate), and the number of ballots declared invalid.

The ballots differing from the established form and also ballots in which the sign is put in more squares than the number of members of the Council of the Republic that shall be elected from the region or the city of Minsk or the sign is not put in no one of them, or ballots in which the surname of only one candidate is included and the sign is put in two squares or not put in any of them, and also the ballotg the reverse side of which does not have signatures of the persons who are members of the Counting Commission are declared invalid.

The results of vote counting are considered at the sitting of the counting commission and put down in the protocol. It is not allowed to fill in the protocol in pencil or make any correction in it.

The protocol is drawn up in two copies signed by all members of the counting commission.

Following thisation of the report by the counting commission, the sitting of deputies takes a decision by open voting on approval of the voting results.

The candidate who has received more than half of the votes of deputies who have taken part in the ballot is deemed to be elected member of the Council of the Republic.

If when holding elections the established number of members of the Council of the Republic to be elected from the region or the city of Minsk was not elected in the term determined by the Central Commission, the repeated elections are held in the order specified in Section VI of this Code.

The protocol of the counting commission encloses the list of deputies of local Council of Deputies of the base level of the region or of the deputies of the Minsk City Council of Deputies who have taken part in the sitting, and separate opinions, if any, of the members of the counting commission and statements of other persons about the violations of the provisions of this Code, committed in the course of the voting and vote counting and decisions taken thereon.

The original copies of the decision of the sitting of deputies of local Council of Deputies of the base level of the region or of deputies of the Minsk City Council of Deputies, approving the results of the voting for the election of the members of the Council of the Republic, the protocol of the sitting of the counting committee with the list of the deputies who have taken part in the sitting are submitted to the Central Commission within two days.

Article 107. Establishment of the results of elections of members of the Council of the Republic by the Central Commission

On the basis of the submitted documents specified in part ten of Article 106 of this Code, the Central Commission establishes the results of elections of the members of the Council of the Republic from the regions and the city of Minsk and registers the elected members of the Council of the Republic.

The Central Commission may declare elections of a member of the Council of the Republic invalid in the event if any violations of the requirements of this Code, that have affected the election results, have been registered in the course of the elections and the count of votes or at the establishment of the results and refuse to register such person as a member of the Council of the Republic. Decision of the Central Commission on recognizing elections as invalid may be appealed against by the candidate for members of the Council of the Republic and the Supreme Court of the Republic of Belarus within three days from the day of its taking.

If the elections of a member (members) of the Council of the Republic from the region or from the city of Minsk have been declared invalid, the repeated elections are held within a period established the Central Commission. The repeated elections are called by the Central Commission and held in the order established by Section VI of this Code.

Article 108. Publication of results of elections of members of the Council of the Republic

The information on the results of elections of members of the Council of the Republic and the list of the members elected to the Council of the Republic from the regions and from the city of Minsk, stating in the alphabetical order the surname, name and patronymic, date of birth, office (occupation), place of birth, place of residence and party membership of each member of the Council of the Republic is forwarded by the Central Commission to the press within three days from the day of establishing the results of elections of members of the Council of the Republic.

Article 109. Certificate of being elected as a member of the Council of the Republic

The Central Commission, after the registration, issues to every member of the Council of the Republic a certificate on his election.

Article 110. Holding of elections of a member of the Council of the Republic instead of that who withdrew

In the event of recall or an early termination of the term of office by other reasons of an elected member of the Council of the Republic, new elections of a member of the Council of the Republic are held in the term established by the Central Commission. The elections to replace the withdrawn member are called by the Central Commission and held in the order established by Section VI of this Code.

If a member of the Council of the Republic withdrew less than one year before the expiration of the term of powers of the Council of the Republic, the elections of a new member of the Council of the Republic instead of the withdrawn are not held.

SECTION VII REFERENDUM

CHAPTER 22 DEFINITION, TYPE AND PURPOSE OF THE REFERENDUM ISSUES PROPOSED TO THE REFERENDUM

Article 111. Notion, types and purpose of the referendum

The referendum is a way of adoption by the citizens of the Republic of Belarus of decisions on the most important issues of state and public life.

The Republic of Belarus may hold republican and local referendums.

Article 112. Issues proposed to the referendum

The issues, which may be submitted to a republican referendum, include the most important issues of the state and public life of the Republic of Belarus.

The issues, which may be submitted to a local referendum, include the most important issues for the population of respective administrative territorial units, which fall within the competence of the respective local Councils of Deputies, and executive and administrative bodies.

The following issues may not be submitted to the republican referendum:

any issues which may lead to violation of the territorial integrity of the Republic of Belarus;

any issues concerning the elections and dismissal of the President of the Republic of Belarus and appointment (election or dismissal) of officials whose appointment (election or dismissal) is within the competence of the President of the Republic of Belarus and the Chambers of the National Assembly of the Republic of Belarus;

any issues on adopting and amending the budget and introducing, changing and cancelling taxes (duties); and any issues on amnesty or pardon.

The issues, which may not be submitted to the local referendum, include those specified in the part three of this Article, the issues of importance for the Republic of Belarus as a whole, and the issues, relating to approval and dismissal of officials, which are within the competence of a respective local executive and administrative body or the head of such body.

CHAPTER 23 INITIATION AND CALLING OF THE REPUBLICAN REFERENDUM

Article 113. Right of the initiative for holding the republican referendum

The right of initiative for holding the republican referendum belongs to the President of the Republic of Belarus, the House of Representatives and the Council of the Republic, and the citizens of the Republic of Belarus.

The initiative of the House of Representatives and the Council of the Republic for holding a republican referendum is expressed in the form of a proposal which is adopted at the separate sittings of those bodies by the majority of the total number of members of each of the chambers and submitted to the President of the Republic of Belarus.

The initiative of citizens for holding a referendum is expressed in the form of a proposal, which is put forward by not less than 450 thousand citizens, enjoying voting right, including not less than 30 thousand citizens from each region and the city of Minsk.

Article 114. Initiative group for holding the republican referendum

In case an initiative to hold the republican referendum is put forward by the citizens, they form a group for holding the referendum (hereinafter referred to as the «initiative group»), which includes not less than 100 citizens, enjoying voting right, from each region and the City of Minsk on the basis of approximately equal representation.

The initiative group applies to the Central Commission with an application to register the initiative group and the issue (draft decision), which it proposes to submit to the referendum. The application is appended with the protocol of the meeting of the initiative group at which a decision has been taken to form the initiative group to put forward the initiative to hold the referendum, to approve the issue (draft decision) proposed for submission to the referendum, to elect the initiative group chairperson and coordinators for the regions and the city of Minsk, the list of participants in the meeting, signed by the chairperson and the secretary of the meeting as well as the list of the members of the initiative group who agreed to take part in the initiative group, which shall be confirmed by their own signatures the authenticity of which is to be certified by a notary.

The meeting of the initiative group is competent if it has been attended by more than half of the members of the initiative group. Decisions of the meeting are taken by the majority of votes of its participants.

The list of the initiative group shall indicate the surname, name and patronymic, date of birth, place of residence, serial number and number of the passport of the Republic of Belarus of each group member. The list of the initiative group shall specify the group chairperson and group coordinators in the regions, cities of regional subordination, city-districts in case the collecting of signatures will be in their territory.

The issue (draft decision) offered for the referendum shall be worded by the initiative group in a clear and definite manner so that it shall be possible to give an unambiguous answer to such issue. The wording of the issue (draft decision), which is offered for the referendum, may be amended with the consent of the initiative group, and the protocol of the meeting of the group confirming such consent is to be submitted.

The documents on the holding of the republican referendum submitted by the initiative group, and the issue (draft decision) offered for the referendum are submitted by the Central Commission for consideration and conclusion to the Ministry of Justice and the General Prosecutor's Office of the Republic of Belarus, which verify the compliance of the issue (draft decision) with the legislation of the Republic of Belarus and observance of the order of formation of the initiative group.

The issue (draft decision) offered for the referendum, with regard to the conclusion of the Ministry of Justice and the General Prosecutor's Office of the Republic of Belarus, and the composition of the initiative group is registered by the Central Commission. Registration is denied in the event of a violation of the requirements of legislation of the Republic of Belarus. An appeal against a denial to register the initiative group may be filed within a month with to the Supreme Court of the Republic of Belarus by the head of the initiative group.

Following the registration of the initiative group the Central Commission issues to it a registration certificate and a sample sheet for gathering the signatures of the citizens supporting the proposal on holding the referendum, (hereinafter – “list of signatures”) and the respective certificates to the initiative group members.

Article 114¹. Fund of the initiative group on holding the republican referendum

Financing the expenditures related to the collection of signatures in support of the proposal on holding a republican

referendum and campaigning on the initiation of the republican referendum by citizens is carried out at the expense of means of the fund of the initiative group on holding the republican referendum (hereinafter - the initiative group fund).

Initiative group fund may be formed from the following monetary means:

1) voluntary donations of members of the initiative group and other citizens of the Republic of Belarus. The amount of donation of one citizen may not exceed 15 base units;

2) voluntary donations of legal persons. The amount of donation of a legal person shall not exceed 30 base units.

The maximum amount of all expenditures from means of the initiative group fund shall not exceed 3000 base units.

The subjects mentioned in part four of Article 48¹ of this Code are not entitled to make donations in the initiative group fund.

For the formation of the initiative group fund, the head of the initiative group, not later than in a ten-day term from the date of registration of the initiative group must open a special account for holding the referendum (hereinafter - the special account) in a branch of the Joint Stock Company "Belarusbank Savings Bank". The ground for opening a special account shall be an application of the head of the initiative group and a copy of the decision of the Central Commission on the registration of the initiative group.

The head of the initiative group is entitled to open only one special account. No payment shall be exacted for the services of the bank in opening the special account and performing transactions through the account. The bank pays no interest for using the monetary funds deposited into the special account. The Central Commission shall send to the press for publication information on the opening of special electoral account.

The procedure for opening the special account, performing operations through the account, and closing the account shall be determined by the Central Commission in agreement with the open joint stock company – Belarusbank Savings Bank.

The right to dispose of means of the initiative group funds belongs to the head of the initiative group.

The head of the initiative group is entitled to appoint a representative of the initiative group on financial matters (hereinafter - the representative on financial matters). The registration of the representative on financial matters is carried out by the Central Commission on the basis of an application of the head of the initiative group. The application shall indicate the surname, first name and patronymic, date of birth, place of residence of the representative on financial matters, series, number and date of issue of the passport of the citizen of the Republic of Belarus. The Central Commission, within three days from the day of receipt of the application, registers the representative on financial matters and issues a certificate for him.

The candidate's representative on financial matters is entitled to open a special electoral account, to dispose of the funds available on this account, and to submit reports on the receipt to the account and expenditures. The head of the initiative group has the right to revoke a representative on financial matters at any time, reporting to the Central Commission, as well as to the branch of the bank which opened the special account.

Means of the initiative group fund may be used to cover expenses and services related to the collection of signatures of citizens, including the payment for members of the initiative group who collect signatures in support of the proposal on holding a republican referendum, as well as to cover other expenses directly related to the campaigning on the referendum in the order established by the Central Commission.

The branch of the bank in which the special electoral account has been opened shall, on weekly basis, report to the Central Commission the data on receiving and spending the means being on the special account. The Central Commission shall, within two days after receiving the data, forward to the press for publication the information on the total sum of the means received by the initiative group fund and on the total sum of spent means.

Control over receipts and expenditures of the means of the initiative group fund is exercised by the Central Commission and the financial authorities.

Making donations to the initiative group fund, return of donations and termination of banking operations on the special account is carried out in accordance with the requirements of parts eight, eleven, sixteen and seventeen of Article 48¹ of this Code.

The head of the initiative group is obliged to submit financial reports on spending means of the initiative group fund to the Central Commission according to the following time scale:

the first report – in 20 days after the registration of the initiative group;

the second report – not later than within a five-day period from the final day of collecting signatures of the citizens;

the third report – in 20 days after the appointment of the referendum;

the final report – not later than within a five-day period from the day on voting on the referendum.

The report shall be accompanied by primary financial documents that confirm entry, return and spending of the means of the initiative group fund, statement about the remaining means and/or about the closure of the special account. In case the Central commission rejects the proposal to hold a referendum, the head of the initiative group submits the financial report to the Central commission not later than within a five-day period from the day of rejection of the proposal on holding the referendum.

In case of rejection of the proposal to hold a referendum by the Central Commission, the Central Commission shall inform in writing the branch of the bank which terminates all operations on the special account.

Article 115. Citizens' signatures gathering

Gathering signatures of the citizens for supporting the proposal on holding of a referendum is performed only by the initiative group members within two months from the day of registration of the initiative group.

The signature lists shall contain the wording of the registered issue offered for the referendum, and/or the summary of the proposed decision (draft law), and also the surname, name and patronymic of the person collecting the signatures and specify the number of the registration certificate issued to the initiative group, and the body which issued the registration certificate. The initiative group member collecting the signatures is obliged to provide the complete text of the decision (draft law) offered for the referendum at the request of any citizen for his familiarization.

The signature list may include only the signatures of the citizens residing in the territory of only one city of regional subordination, district, and in the cities with districts – of one district.

With regard to a citizen supporting the proposal on holding the referendum the signature list shall indicate the surname, name and patronymic, date of birth, place of residence, passport number and serial number, or details of another document determined by the Central Commission. The data about the citizen is filled in the signature list in handwriting. The citizen puts the date of signing and the signature in the signature list by his own hand. Signatures are enumerated.

A citizen has the right to sign in support of the proposal on the holding of the referendum only once.

The signature list is verified by a member of the initiative group who has gathered signatures. The member of the initiative group while verifying of the signature list puts the signature and the date of its putting, as well as indicates the surname and initials.

It is prohibited to coerce the citizens of the Republic of Belarus with the purpose of obtaining their signatures in signature lists, and to use illegal practices for collecting signatures.

Article 116. Consideration of the initiative of the citizens on the holding of the republican referendum

Signature lists shall be submitted by the coordinators in districts, cities, city-districts not later than the date of expiry of the term established for gathering signatures to the district or city executive committee, or local district administration which, within a ten-day period, verifies authenticity of citizens' signatures in the signature lists. In doing so, at least 20 per cent of the citizens' signatures in the signature lists submitted by the initiative group shall be verified.

The order of verification and account of citizens' signatures in the signature lists submitted to the bodies indicated in part one of this Article are determined and the inauthentic citizens' signatures are recognized inauthentic as provided for by parts sixteen and eighteen of Article 61 of this Code. Signatures of citizens collected before registration of the initiative group are also considered to be inauthentic. Signatures of the citizens are not subject to the verification and accounting if the signature list has not the wording of the issue put forward to the referendum, and/or formulation in essence of the proposed decision (draft law). If the signature list received by the district, city executive committee, local administration contains signatures of the citizens residing on the territory of different districts, cities of regional subordination, city-districts, the verification and accounting cover only the signatures gathered on the territory of the region, city, city-district, in the executive committee of which or in the local administration that signature list was handed in.

When several signatures of the same citizen have been found, the only one signature considered to be authentic whereas the remainder of the signatures is considered to be inauthentic.

If the number of citizens signatures found inauthentic during verification constitutes more than 15 per cent of the number of the signatures verified, another 15 per cent of the signatures in the signature lists submitted to the respective district or city executive committee or the local administration to be verified.

If the total number of inauthentic citizens' signatures found during verifications constitutes more than 15 per cent of the total number of signatures verified in the signature lists, a further verification of the signatures in the signature lists by the district or city executive committee or by the local administration is terminated and all signatures of citizens in the submitted signature lists are not taken into account in determining the results of gathering signatures in the region, city or city-district.

The respective district or city executive committee, or the local administration, takes the decision on the results of gathering citizens' signatures in the signature lists in support of the initiative on the holding of the republican referendum which is forwarded to the regional or the Minsk City Executive Committee, respectively. The decision specifies the total number of signatures in the signature lists received from the initiative group; the number of signatures verified for authenticity; the number of signatures recognized as authentic and the number of signatures recognized as inauthentic.

The regional or the Minsk City Executive Committee may, when required, also verify, within a five-day period, authenticity of citizens' signatures in the signature lists. On the basis of the decisions of the district or city executive committees or of the respective local administrations on the establishment of the number of citizens who put their signatures in the signature lists in support of the initiative for the holding of the referendum and of the results of verification of authenticity of citizens signatures in the signature lists made by the regional or the Minsk City Executive Committee, the regional or the Minsk City Executive Committee summarizes the results of gathering signatures for the region or the city of Minsk, takes decision thereon and forward it to the Central Commission. The decision specifies the data provided for by part six of this Article. A copy of the decision is handed over to the coordinator of the initiative group in the region, city of Minsk.

After the regional and Minsk city Executive Committees have taken decisions, the initiative group makes the final act on gathering signatures and submits it to the Central Commission.

The Central Commission:

verifies the compliance of the final act of the initiative group and of the received decisions of the regional or Minsk City Executive Committees with the requirements of this Code and of other acts of legislation of the Republic of Belarus;

draws up a conclusion on the observance by the initiative group of the requirements of this Code and a protocol on the results of gathering signatures confirming availability of at least 450 thousand citizens' signatures, including at least 30 thousand citizens' signatures from each region and from the city of Minsk.

The Central Commission transfers the final statement of the initiative group, together with its conclusion and the protocol, if there are no grounds for rejection of the proposal on the holding of the referendum, to the President of the Republic of Belarus.

The Central Commission rejects the proposal on the holding of the referendum and informs about that the initiative group and the President of the Republic of Belarus in the cases of:

violation of the term of gathering citizens' signatures;

absence of the required number of signatures;

detection of violations of the voluntary principle in the course of gathering signatures stated as established by the Central Commission;

submission by the initiative group of more than fifteen per cent of inauthentic signatures of the total number of citizens' signatures verified in the signature lists;

absence of the special bank account;

exceeding by more than 20 per cent of the maximum amount of spending of means of the initiative group fund mentioned in part three of Article 114¹ of this Code, or use of other monetary means in the same amounts in addition to means of the electoral fund;

finding out in the submitted documents of other violations of the requirements of this Code and of other legislation acts of the Republic of Belarus.

The decision of the Central Commission on rejection of the proposal for the holding of the referendum may be appealed against within a month period in the Supreme Court of the Republic of Belarus by the head of the initiative group.

A repeated initiation by citizens of the holding of a referendum on one and the same issue is allowed not earlier than one year after the rejection of the proposal on the holding of the referendum and not earlier than three years after the holding of a referendum on that issue.

Article 117. Decision on calling of the republican referendum

The President of the Republic of Belarus calls a republican referendum on his own initiative or, within two-month period after submission to his consideration, in accordance with this Code, of proposals by the Chambers of the National Assembly of the Republic of Belarus or the citizens.

The edict of the President of the Republic of Belarus on calling of the referendum, as a rule, provides for:

the date of the referendum;

the legal force of the decision adopted by the referendum;

the wording of the issue (issues) put forward to the referendum;

other organizational measures required to ensure the holding of referendum.

If a draft law is offered to the referendum, it is appended to the edict of the President of the Republic of Belarus on calling the referendum.

The date of the referendum is set not later than three months from the date of the edict of the President of the Republic of Belarus on calling the referendum.

The edict of the President of the Republic of Belarus on calling the referendum, the text of the draft law or the draft of any other decision offered for the referendum, is published in the press and made public through other mass media in accordance with the order established by the President of the Republic of Belarus.

The President of the Republic of Belarus has the right to reject the proposal on holding a referendum if it fails to comply with the requirements of this Code and other acts of legislation of the Republic of Belarus. Decision of the President of the Republic of Belarus on rejection of the referendum is made in the form of an edict.

Article 118. Voting ballot

The voting ballot contains the exact wording of the issue (draft decision) offered for the referendum and specifies the voting options of the voting person by the words "for" and "against" under which empty squares are placed.

In the event of several issues being offered for the referendum, those issues are included into the same ballot and numbered in the successive order. Any alternative draft decisions (draft laws) proposed for the same issue, or the options proposed for any item of the draft decision (draft law) are also enumerated in the successive order.

In the event of a draft law being offered for the referendum, the Central Commission may take a decision to publish

the text of the draft law offered for the referendum and the current law, which is proposed to be revoked, changed or added, in the press. The above texts should also be kept in the premises of each voting precinct for the public notice.

In the event of a republican referendum and a local referendum being held simultaneously, the voting ballots used in each of those referendums shall differ in color or bear some other distinctive mark.

Printing of voting ballots for voting on the republican referendum is ensured by the Central Commission.

When holding the republican referendum it is allowed to print ballots by the district commissions located outside the Republic of Belarus.

The number of the ballots being printed may not be less than the number of the participants of referendum included into the lists of citizens having the right to participate in the referendum. The number of reserve ballots shall not exceed 5 percents from the number of the participants of referendum. The concrete number of the ballots being printed is determined by the Central Commission.

Transfer of ballots to the subordinate commissions on holding the republican referendum, including the precinct commissions is performed according to the act. Precinct commissions are provided with the ballots not later than the day preceding the day of early voting whereas the precinct commissions which do not hold early voting – not later than the day preceding the day of referendum. Chairpersons of the commissions carrying out obtainment, transfer and keeping of ballots bear responsibility for keeping the ballots.

The ballots are printed in the Belarusian or Russian languages.

The ballot for voting shall contain the explanation on the order to fill it in.

The reverse side of a ballot bears the signatures of at least two members of the precinct commission on referendum.

Ballots for voting in the republican referendum after establishment of the results of voting together with the protocols of precinct commissions are handed to the district, city, city-district commissions.

CHAPTER 24

DETERMINATION OF RESULTS AND SUMMARIZING THE OUTCOME OF THE REPUBLICAN REFERENDUM

Article 119. Establishment of referendum results for a district, a city or a city district

On the basis of the protocols received from precinct commissions on the referendum and drawn up in accordance with the requirements of Article 55 of this Code, the district, city, and city-district commissions on the referendum establish:

the total number of citizens in the district, city, and city district, having the right to participate in the referendum;

the number of citizens who received ballots;

the number of citizens who have taken part in the voting, including the number of citizens who have taken part in the early voting, the number of citizens who have taken part in the voting at the place of location and the number of citizens who have taken part in the voting on the day of the referendum at the voting precinct;

the number of persons who voted in favor of the issue (draft decision) submitted to the referendum, and the number of persons who voted against its approval;

the number of ballots recognized as invalid;

the number of ballots issued to precinct commissions on the referendum;

the number of spoiled ballots; and

the number of unused ballots.

The referendum results for districts, cities and city districts are determined at the sittings of the district, city and city-district committees on the referendum and put down in the protocol. The protocol is signed by the chairperson, the deputy chairperson, the secretary and the members of the respective commission on the referendum and submitted, not later than on the third day after the end of the voting, by the chairperson, or the deputy chairperson, or the committee secretary, in person, to the regional or the Minsk City Commission on the referendum, and to the bodies which formed the commission, for information. The protocol forwarded to the regional or the Minsk City Commission on the referendum encloses, if any, special opinions of the members of the commissions and statements of other persons on violations made in the course of the voting or during the count of votes and the decisions taken on them by the commission.

In case when the bodies that formed the commission detect violations of the requirements of this Code and of other acts of legislation of the Republic of Belarus made in the course of the voting or during the count of votes, that is immediately notified to the respective superior commission or the Central Commission.

Article 120. Establishment of referendum results for regions and the city of Minsk

On the basis of the protocols received from the district, city or city-district commissions on the referendum, the regional or the Minsk City commissions on the referendum determine:

the total number of citizens in the region or the City of Minsk, having the right to participate in the referendum;

the number of citizens who received ballots;

the number of citizens who have taken part in the voting, including the number of citizens who have taken part in the early voting, the number of citizens who have taken part in the voting at the place of location and the number of

citizens who have taken part in the voting on the day of the referendum at the voting precinct;

the number of persons who voted in favor of the issue (draft decision) submitted to the referendum, and the number of persons who voted against its approval;

the number of ballots recognized as invalid;

the number of ballots issued to district, city and city-district commissions on the referendum;

the number of spoiled ballots; and

the number of unused ballots.

The referendum results for the regions or the city of Minsk are determined at the sittings of the regional or the Minsk City commissions on the referendum and put down in the protocol. The record is signed by the chairperson, the deputy chairperson, the secretary and the members of the regional or the Minsk City commissions on the referendum and submitted not later than on the fourth day after the end of the voting by the chairperson, or the deputy chairperson, or the commission secretary, in person, to the Central Commission and to the body which set up the regional or the Minsk City commissions on the referendum, for information. The protocol forwarded to the Central Commission encloses, if any, special opinions of the members of the commissions and statements of other persons on violations made in the course of the voting or during the count of votes and the decisions of the commission, taken on them.

In case when the bodies which set up the regional or the Minsk City commissions on the referendum, detect violations of the requirements of this Code or other acts of legislation of the Republic of Belarus made in the course of the voting or counting of votes, that is immediately notified to the Central Commission.

Article 121. Summarizing the results of referendum

On the basis of the protocols received from the regional or the Minsk City commissions on the referendum the Central Commission establishes:

the total number of citizens having the right to participate in the referendum;

the number of citizens who received ballots;

the number of citizens who have taken part in the voting, including the number of citizens who have taken part in the early voting, the number of citizens who have taken part in the voting at the place of location and the number of citizens who have taken part in the voting on the day of the referendum at the voting precinct;

the number of persons who voted in favor of the issue (draft decision) submitted to the referendum, and the number of persons who voted against its approval;

the number of ballots recognized invalid.

The referendum is deemed to have taken place if more than a half of the citizens included in the lists of citizens having the right to take part in the referendum, have taken part in the voting. The decision is deemed to be adopted by the referendum, if it was voted for, over the Republic of Belarus as a whole, by more than half of the total number of citizens who have taken part in the voting.

The decision on the adoption, changing and adding of the Constitution of the Republic of Belarus is deemed to be adopted if it was voted for by the majority of the citizens included in the voting lists.

The results of the referendum are established at the sitting of the Central Commission and put down in the protocol. The protocol is signed by the chairperson, the deputy chairperson, the secretary and the members of the commission.

On the basis of a presentation made by the respective commissions on the referendum and the bodies which set up the commissions, as well as on the grounds established by the Central Commission, the Central Commission may declare the referendum results in an region, a district, a city or a city district and in a precinct invalid because of the violations of the requirements of this Code and other acts of legislation of the Republic of Belarus.

The information on the referendum results is published by the Central Commission in the press within seven days. The information states the total number of citizens having the right to take part in the referendum; the number of citizens who received ballots, the number of citizens who took part in the voting, the number of persons who voted in favor of the issue (draft decision) submitted to the referendum, and the number of persons who voted against its approval; and the number of ballots recognized invalid.

Article 122. Holding of repeated voting

On the basis of a presentation made by the Prosecutor General of the Republic of Belarus on the violations committed in the course of the referendum, the Central Commission has the right to take a decision on either holding a repeated voting, within one month, in the voting precincts and other territories, where violations were committed, or on holding a repeated voting within one year over the entire territory of the Republic of Belarus.

Article 123. Publication and entry into force of the decision adopted by the referendum

The decision adopted by the referendum is signed by the President of the Republic of Belarus and is subject to the immediate and obligatory official publication after its signing.

The decision adopted by the referendum enters into force in 10 days after its official publication, unless other term

is established therein.

The date of adoption of the decision by the referendum is deemed to be the date of the referendum.

Article 124. Legal force of the decision adopted by the referendum

Legal force of the decision adopted by a referendum is determined by the edict of the President of the Republic of Belarus on calling the referendum.

The decisions adopted by the referendum may be cancelled or changed only by means of a referendum, unless otherwise determined by the referendum.

If implementing the decision, adopted by the referendum, requires the issuance of a legal act, such act shall be adopted within five months from the date of entry into force of the decision adopted by the referendum.

CHAPTER 25 ORDER FOR CALLING AND HOLDING OF LOCAL REFERENDUM

Article 125. Order of preparation and holding of local referendum

The realization of the right of citizens to hold a local referendum, consideration of the initiative of citizens on holding a local referendum, its preparation and holding, the order and the terms of formation of the voting precincts and respective commissions on the referendum, their powers and organization of their activities, the preparation of the lists of citizens having the right to participate in the referendum, procedure for voting, summarizing and publication of the referendum results are carried out having regard to the norms of legislation on the republican referendum, unless otherwise established by Chapter 25 of this Code.

Article 126. Right of initiative for holding the local referendum

The right of initiative for holding the local referendum belongs to the local representative bodies and the citizens of the Republic of Belarus permanently residing in the territory of the respective region, district, city, city-district, settlement, or rural council. The citizen express their initiative in the form of a proposal put forward by at least 10 per cent of the citizens possessing electoral right and residing in the respective territory.

If the citizens put forward the initiative to hold a local referendum, they form an initiative group from among the persons having the right to take part in the referendum, including the following number of members:

- in a region and the city of Minsk – not less than 50 persons;
- in a district, city or city district – not less than 20 persons; and
- in a settlement or rural council – not less than 10 persons.

Documents on holding of the local referendum submitted by the initiative group and the issue proposed for the referendum are forwarded by the local executive and administrative body for conclusion to the respective regional or the Minsk City department of justice which verifies the compliance of the issue proposed for the referendum with the requirements of the legislation and the observance of the order of formation of the initiative group.

The issue proposed for the local referendum, with regard to the conclusion of the respective regional or the Minsk City body of justice, and the initiative group composition is registered by the respective local executive and administrative body.

Within 30 days of the date of application for registration, the initiative group is issued a registration certificate, a sample signature list, and members of the initiative group are issued the respective certificates.

Registration of the initiative group on holding the local referendum is denied in the case of violation of the requirements of this Code and other acts of legislation of the Republic of Belarus. The denial may be appealed against within a month in district or city court.

If the executive and administrative body has established that the required number of authentic signatures have been gathered, the initiative group on holding the local referendum makes a final act and submits it to the respective executive and administrative body which hands it over to the local Council of Deputies.

Article 127. Decision on calling of the local referendum

The decision to call a regional, Minsk City, district, city, settlement or rural referendum is taken by the respective local Council of Deputies and the decision on calling of a district referendum in a city divided into districts – by the city Council of Deputies, not later than thirty days after submitting such proposal in accordance with the requirements of this Code and other acts of legislation of the Republic of Belarus.

The legal force of the decision taken by local referendum is determined in the decision of local Council of Deputies on calling the referendum.

The local Council of Deputies, taking a decision to call the referendum, ensures that the content of the issue (draft resolution) submitted to the referendum is made known to the citizens.

The date of the referendum is to be set not later than three months from the date of taking a decision to call the referendum.

The decision of the local Council of Deputies on calling of the referendum is published in the press and may be made public through other mass media.

The decisions taken by the local referendum, is signed by the head of the respective local executive and administrative body.

Article 128. Holding of the local referendum

Preparation and holding of the referendum on the territory of a region, city, district, city district, settlement and rural council are carried out by the respective commissions on the referendum formed in accordance with Articles 34 to 37 of this Code.

Article 128¹. Fund of the initiative group on holding the local referendum

Financing the expenditures related to the collection of signatures in support of the proposal on holding a regional, Minsk city, district, city (in the city of regional subordination) referendum and campaigning on the initiation of a referendum by citizens is carried out at the expense of the initiative group fund.

Initiative group fund for holding a regional, Minsk city, district, city (in the city of regional subordination) referendum may be formed from the following monetary means:

1) voluntary donations of members of the initiative group and other citizens of the Republic of Belarus. The amount of donation of one citizen to the fund on holding a regional, Minsk city referendum may not exceed 10 base units, whereas on holding district, city (in city of regional subordination) referendum – 5 base units;

2) voluntary donations of legal persons. The amount of donation of a legal person to the fund on holding a regional, Minsk city referendum may not exceed 20 base units, whereas on holding district, city (in city of regional subordination) referendum – 10 base units;

The maximum amount of all expenditures from means of the initiative group fund on holding a regional, Minsk city referendum may not exceed 500 base units, on holding district, city (in city of regional subordination) referendum – 100 base units.

The initiative group on holding city (in city of district subordination), settlement and rural referendum is entitled to establish the initiative group fund which may be formed from the following monetary means:

1) voluntary donations of members of the initiative group and other citizens of the Republic of Belarus. The amount of donation of one citizen may not exceed 2 base units;

2) voluntary donations of legal persons. The amount of donation of a legal person shall not exceed 5 base units.

The maximum amount of all expenditures from means of the initiative group fund on holding city (in city of district subordination), settlement and rural referendum may not exceed 50 base units.

The subjects mentioned in part four of Article 48¹ of this Code are not entitled to make donations in the initiative group fund.

Control over receipts and expenditures of means of the initiative group fund is exercised by the financial authority of the local executive and administrative body which registered the initiative group.

Opening a special account, making donations to the initiative group fund, return of donations, termination of banking operations on the special account and submission of financial reports is carried out having regard to the requirements of Article 114¹ of this Code.

SECTION VIII

THE ORDER OF RECALL OF A DEPUTY OF THE HOUSE OF REPRESENTATIVES OR A DEPUTY OF LOCAL COUNCIL OF DEPUTIES

CHAPTER 26

GROUNDINGS AND ORDER OF INITIATING AN ISSUE ON THE RECALL OF A DEPUTY

Article 129. Grounds for recalling a deputy

A deputy of the House of Representatives or a deputy of a local Council of Deputies, who has not justified the trust of the voters, which has manifested itself in failure to execute the deputy's duties as stipulated by law, in violating the Constitution of the Republic of Belarus and the laws of the Republic of Belarus, acts of the President of the Republic of Belarus, in committing actions discrediting the deputy, may be recalled by the voters in the order established by this Code.

Article 130. Right of initiating the issue on recalling of a deputy

The right to initiate the issue of recalling a deputy belongs to the voters of the electoral circuit (hereinafter – circuit) from which the deputy was elected.

The issue of recalling a deputy of the House of Representatives, a deputy of the local Council of Deputies may not be initiated less than a year before the termination of their term of office.

Article 131. Initiating of the issue on the recall of a deputy

The issue on the recall of a deputy may be initiated at the meeting of voters of the circuit from which the deputy was elected.

Meetings of voters may be held both in the place of their residence and in organizations located within the boundaries of the circuit.

A group of voters who reside on the territory of the circuit from which the deputy was elected has the right to initiate convening of the meeting, in the number of at least:

150 voters – on the issue of recalling a deputy of the House of Representatives;

50 voters – on the issue of recalling a deputy of the regional or the Minsk City Council of Deputies;

40 voters – on the issue of recalling a deputy of a district or city (city of regional subordination) Council of Deputies;

15 voters – on the issue of recalling a deputy of a city (city of district subordination), settlement or rural Council of Deputies.

Initiators of convening of the meeting of voters apply to the Chairperson of the local Council of Deputies, on the territory of which it is planned to hold the meeting of voters, with a written petition to convene such meeting at the place of their residence, and on convening of meeting of voters in an organization – to the administration thereof, respectively.

An application to hold a meeting of voters must be signed by all initiators of holding the meeting with indication of the motives which served as a ground to initiate the issue of recalling a deputy, as well as surnames, names, patronymics, dates of birth, and places of residence of each initiator of holding the meeting of voters.

The issue of convening a meeting of voters is considered, respectively, by Chairperson or Presidium of the local Council of Deputies, by administration of the organization, and decision is taken within ten days, which is notified to the initiators of convening a meeting. In case the proposal of the initiators of convening the meeting is accepted, the date, the time and the place to hold it is appointed, which is notified to the voters within three days.

In the case the proposal to hold a meeting of voters is rejected, a copy of motivated decision is issued to the initiators. That decision may be appealed against, within three days, by the initiators of convening of the meeting in district or city court (the complaint must be signed by the majority of the initiators of convening the meeting). The decision of the court is final.

Powers being entrusted to the chairperson of the local Council of Deputies in accordance with this Code, in case the issue is initiated to recall him personally, are exercised by his deputy.

Article 132. Competence of the meeting of voters when initiating the issue on the recall of a deputy and the order of its holding

A meeting of voters in the place of residence, when initiating the issue of recalling a deputy, is competent if it is attended by the voters residing on the territory in the number of at least:

300 voters - when initiating the issue of recalling a deputy of the House of Representatives;

150 voters - when initiating the issue of recalling a deputy of the regional or the Minsk City Council of Deputies;

75 voters - when initiating the issue of recalling a deputy of the district or city (city of regional subordination) Council of Deputies; and

20 voters - when initiating the issue of recalling a deputy of the city (city of district subordination), settlement or rural Council of Deputies.

A meeting of voter in a labour collective of the organization being a legal person having at least 300 persons, at the initiating of the issue of recalling a deputy of the House of Representatives is competent if attended by more than a half of the collective.

Initiation of the issue of recalling a deputy of the House of Representatives may be carried out at the general meeting of several smaller labour collectives of organizations being legal persons, with a total number of employees of at least 300 persons. In that case, from every such collective more than half of its members shall be present.

Meetings of voters in the labour collectives for initiating the issue of recalling a deputy of a local Council of Deputies may be held in groups enlisting at least:

150 employees - when initiating the issue of recalling a deputy of the regional or the Minsk City Council of Deputies;

75 employees - when initiating the issue of recalling a deputy of the district or city (city of regional subordination) Council of Deputies; and

20 employees - when initiating the issue of recalling a deputy of the city (city of district subordination), settlement or rural Council of Deputies.

The meeting is competent if more than a half of members of the collective take part in it.

In the order provided for by part four of Article 63 of this Code the initiation of the issue of recalling a deputy of the House of Representatives or a deputy of the local Council of Deputies may be also performed at a conference of the labour collective.

The initiators of calling up the meeting shall, not later than ten days before holding the meeting of voters, notify in writing the deputy in relation to whom they are going to initiate the issue of recall, as well as inform, respectively, the House of Representatives or the local Council of Deputies, from which it is proposed to recall the deputy, about the date, the place of holding the meeting of voters and the motives that served the ground for initiating the issue of recalling the deputy.

Before beginning the meeting of voters, a registration of its participants with indication of surnames, names, patronymics, dates of birth and places of residence is to be held. Each participant in the meeting signs with his own hand in the list of voters taking part in the meeting.

At the meeting of voters the presidium is elected comprising the chairperson, the secretary and members, and, if necessary, the counting commission, proposals are considered to initiate the issue of recalling a deputy, to start gathering signatures of the voters of the electoral circuit in support of that proposal, and to form an initiative group for gathering signatures in support of the proposal to initiate the issue of recalling a deputy and for performing the agitation (hereinafter - initiative group). The initiative group is formed in the number of at least five persons. The head of the initiative is elected at the meeting. Decisions of the meeting are taken by the majority of votes.

The number of meetings of voters held in the circuit, at which the issue may be initiated to recall a deputy and initiative groups formed, is not limited, but they shall take place within 30 days since the registration date of the first initiative group.

The meeting of voters may be attended by deputies of the House of Representatives, local Councils of Deputies, official persons authorized by the chairperson of the local Council of Deputies in the territory of which the meeting of voters is held, or by the chairperson of the local Council of Deputies from the composition of which it is proposed to recall a deputy as well as representatives of mass media.

A protocol is drawn up on the holding of the meeting of voters. The protocol indicates the date and the place of the meeting, the number of participants, the subject of the issues considered, the results of voting and the decisions taken, the composition of the initiative group formed with indication of surnames, names, patronymics and the residence of each of the members and the head of the initiative group.

The protocol is signed by the chairperson and secretary of the meeting, and submitted, not later than in five days period, together with the lists of participants in the meeting and the list of the initiative group, to:

the Central Commission - when initiating the issue of recalling a deputy of the House of Representatives;

the regional, Minsk City, district, city, settlement and rural territorial electoral commission - when initiating the issue of recalling a deputy of the respective local Council of Deputies.

Article 133. Guarantees of deputy's rights while initiating the issue on his recall

The deputy, in relation to whom the issue of recalling is initiated, has the right to be present at the meeting of voters or to send the persons authorized by him to take part in it. Powers of those persons shall be confirmed in writing.

The chairperson of the meeting of votes is obliged to provide the deputy with the time for a speech sufficient to give explanations on the issue discussed. Deputy's explanations shall be reflected in the protocol of the meeting. Upon the deputy's instruction, a person authorized by him has the right to speak to the meeting in his stead. Upon termination of discussing the proposal to initiate the issue of recalling a deputy, the deputy or the person authorized by him has the right to speak prior to the voting.

The deputy in relation to whom it is proposed to initiate the issue of recalling, may, not later than seven days before the appointed date of the meeting of voters, direct to the initiators of holding the meeting and to the chairperson of the local Council of Deputies, in the territory of which it is planned to hold the meeting of voters, to the administration of the organization, which have taken decision to call up the meeting, a written statement containing explanation of a valid cause which makes impossible for him to take part in the meeting of voters on the date appointed, and propose another date to hold the meeting within the following 15 days after the appointed date. The initiators of calling up the meeting, the chairperson of the local Council of Deputies, or the administration of the organization must satisfy the deputy's request and agree another date of the meeting with him. The repeated adjournment of the date of the meeting on the deputy's request is not allowed.

In case of the deputy's illness confirmed by the respective document, the meeting of voters, upon a written application of the deputy, is adjourned to another date, but not later than 15 days from the date of his recovery. The deputy shall send a written notification about his recovery, within three days, to initiators of calling up the meeting, to the chairperson of the local Council of Deputies, and to the administration of the organization. The meeting of voters may be held, irrespective of the state of health of the deputy, upon expiry of four months after the first appointed date of the meeting.

Refusal of the deputy to take part in the meeting of voters, as well as his failure to attend the meeting without valid causes, being timely notified, is not an obstacle to consider the proposal about initiating the issue of his recalling.

The meeting of voters may be adjourned upon request of its initiators to any other date if there is deputy's written consent for that. Adjournment of the meeting of voters on request of its initiators may take place only once. The date of the meeting of voters is adjourned with observance of the requirements of Articles 131 and 132 of this Code.

In the case the circumstances which have served the ground for initiating the issue of recalling a deputy are the subject of proceedings in the court, the chairperson of the local Council of Deputies, the administration of the organization suspend the consideration of the issue to hold the meeting of voters pending the decision (sentence) of the court.

The persons who have knowingly provided false information, that served the ground to initiate the issue of recalling a deputy, bear liability in accordance with the legislation of the Republic of Belarus.

Article 134. Registration of an initiative group

An initiative group formed at the meeting of voters, when initiating the issue of recalling a deputy of the House of Representatives, is registered by the Central Commission, and when initiating the issue of recalling a deputy of a local Council of Deputies, – by the respective territorial electoral commission.

In order to register an initiative group, the following are submitted to the Central Commission or the respective territorial electoral commission: the protocol of the meeting of voters, the list of participants in the meeting, the list of members of the initiative group, a copy of a written notification of the deputy about holding the meeting of voters, and a document to prove that the notification was directed to the deputy.

The Central Commission or the respective territorial electoral commission, within 15 days after receipt of necessary documents, registers the initiative group, or may take decision to deny registration, if in the process on initiating the issue of recalling a deputy, the order established by Section VIII of this Code was not observed. When the issue of registering the initiative group is considered, its representatives, as well as the deputy in relation to whom it is proposed to initiate the issue of recalling, or the person authorized by him have the right to be present.

Refusal to register the initiative group for recalling a deputy of the House of Representatives may be appealed against within three days by the initiative group to the Supreme Court of the Republic of Belarus, and for recalling a deputy of the regional or the Minsk City, district, city, settlement or rural Council of Deputies within the same period, respectively, in the regional, Minsk City, district or city court.

After registration of the initiative group, its representative is given, within three days, a certificate on registration of the initiative group, identifications of members of the group and signature lists for gathering voters' signatures in support of the proposal to initiate the issue of recalling a deputy (hereinafter – signature lists), and is informed about the minimum number of voters' signatures needed in accordance with the requirements of part one of Article 135 of this Code for supporting the proposal to initiate the issue of recalling a deputy. The forms of the certificate, identification document of the member of the initiative group, and signature lists are established by the Central Commission.

The Central Commission, within two days, notifies the House of Representatives about registration of the initiative group, and the respective territorial electoral commission – to the local Council of Deputies from the composition of which it is suggested to recall a deputy.

Article 135. Collecting of voters' signatures in support of the proposal to initiate the issue on the recall of a deputy

A proposal to initiate the issue of recalling a deputy, passed at the meeting of voters, must be supported by at least 20 percent of citizens who have the electoral right and residing in the territory of the respective circuit. The number of voters needed to support the proposal to initiate the issue of recalling a deputy shall be determined based on the number of voters in the circuit as on the date of elections.

The initiative group has the right, starting from the date of receiving the certificate of its registration, to perform gathering of voters' signatures in the signature lists on the whole territory of the circuit. Voters' signatures gathered prior to registration of the initiative group are not considered. Expenses for gathering of voters' signatures are borne by the initiative group.

The signature lists shall contain the wording of the proposal to recall a deputy with indication of the motives of recalling, the surname, name and patronymic of the deputy, date of birth, office (occupation), place of work and place of residence, the year of election as the deputy (of the House of Representatives or of the respective local Council of Deputies), party membership, as well as the surname, name, patronymic of the member of the initiative group who is gathering signatures, and the certificate number of registration of the initiative group. The list of signatures shall indicate the latest date of gathering signatures.

The period for gathering voters' signatures in support of the proposal to initiate the issue of recalling a deputy is 45 days from the date of receipt of the certificate of registration of the initiative group. If several initiative groups have been formed and registered in an electoral circuit, the period for gathering signatures for each of them, irrespective of their registration date, is limited by 45 days from the registration date of the first initiative group.

In case the necessary number of signatures has not been gathered within 45 days, further gathering of the signatures is terminated.

Article 136. Order of collecting voters' signatures in support of proposal to initiate the issue on the recall of a

deputy

Gathering of voters' signatures is performed only by the members of the initiative group. A signature list shall contain only the signatures of the voters residing on the territory of the electoral circuit in which the issue to recall a deputy has been initiated

Concerning a voter supporting the proposal to initiate the issue of recalling a deputy, the signature list shall indicate the surname, name and patronymic, date of birth, place of residence, series and number of the passport of the citizen of the Republic of Belarus or details of another document being determined by the Central Commission. Data about the voter are included into the signature list in handwriting. The voter puts down, by his own hand, the date of signing and the signature. Signatures are enumerated.

The signature list is verified by a member of the initiative group who has gathered signatures. The member of the initiative group while verifying of the signature list puts the signature and the date of its putting, as well as indicates the surname and initials.

The voter is entitled to put his signature only in one signature list and on his own behalf only.

Article 137. Order and terms of presenting signature lists to the local Councils of Deputies. Determination of the results of voters' signatures collecting

The completed signature lists, during the period envisaged for gathering signatures by part four of Article 135 of this Code, but not later than on the next day after expiration of this period, are presented to:

the chairperson of the Minsk City Council of Deputies - when initiating the issue of recalling a deputy of the House of Representatives or a deputy of the Minsk City Council of Deputies;

the chairperson of the respective regional Council of Deputies - when initiating the issue of recalling a deputy of the House of Representatives or a deputy of a regional Council of Deputies; and

the chairperson of the district, city (city of region and district subordination), settlement or rural Council of Deputies - when initiating the issue of recalling a deputy of district, city, settlement or rural Council of Deputies.

The chairperson of the respective local Council of Deputies organizes verification of authenticity of voters' signatures in the signature lists in which deputies and other persons engaged by the chairperson of the local Council of Deputies may take part. Verification is made not later than within a month period after the submission of the signature lists.

Recognition as authentic of voters' signatures in support of the proposal on initiation of the issue on recall of a deputy is made according to the order provided for by parts sixteen and eighteen of Article 61 of this Code. Signatures of electors gathered before the registration of the initiative group are also considered to be inauthentic. If the signature list contains signatures of the voters not residing in the territory of electoral circuit, that signatures are not verified and accounted. Signatures of voters are also not subject to the verification and accounting if the signature list does not contain the wording of the proposal on the recall of a deputy and/or of data about the deputy in relation to which the issue of recall has been initiated.

When several signatures of the same voter in support of the proposal on the initiation of the issue on recall of a deputy have been found, only one signature is considered to be authentic whereas the remainder of the signatures is considered to be inauthentic.

Upon completion of verification of the signature lists, the chairperson of the respective local Council of Deputies indicated in part one of this Article who received the signature lists from the initiative group makes a protocol on the results of gathering signatures, indicating the total number of signatures in the signature lists received from the initiative group, the number of signatures verified for their authenticity, the number of signatures recognized as authentic and the number of signatures recognized as inauthentic. The protocol is signed by the chairperson of the local Council of Deputies.

If the gathering of signatures was performed by several initiative groups, the protocol on results of gathering of signatures is made separately for each initiative group, and then a final protocol is made which is signed by the chairperson of the local Council of Deputies.

The protocol on the results of signature gathering is submitted, within three days, to:

the Central Commission - when initiating the issue of recalling a deputy of the House of Representatives;

a respective territorial electoral commission - when initiating the issue of recalling a deputy of the local Council of Deputies.

CHAPTER 27

VOTING AND SUMMARIZING OF THE RESULTS

Article 138. Adoption of the decision on calling of voting on the recall of a deputy

The Central Commission, the respective territorial electoral commission is entitled, within 15 days after the date of receipt of necessary documents (protocols and signature lists), to make a selective or complete inspection of observance of the requirements of Section VIII of this Code when the issue of recalling a deputy was initiated.

Upon establishing that the gathering of the necessary number of signatures of voters and all other measures have been undertaken in accordance with the requirements of Section VIII of this Code, the Central Commission takes a decision to appoint voting for recalling a deputy of the House of Representatives, and the respective territorial electoral commission – to appoint voting to recall a deputy of the local Council of Deputies.

The voting is appointed not earlier than one month and not later than two months after the date when the decision to appoint the voting was taken.

If substantial violations of the requirements of Section VIII of this Code took place during initiation of the issue of recalling a deputy and during gathering of voters' signatures, or the necessary number of voters' signatures was not collected in support of the proposal to initiate the issue of recalling a deputy, the decision is taken to refuse appointment of the voting on recalling a deputy.

The decision of the Central Commission to refuse appointment of the voting on recalling a deputy may be appealed against, within three days, by the head of the initiative group in the Supreme Court of the Republic of Belarus, while the decision of the regional, Minsk city, district, city, settlement or rural territorial electoral commission - in the regional, Minsk city, district or city court, respectively.

The decision of the Central Commission to appoint voting on recalling a deputy of the House of Representatives is forwarded to the House of Representatives, and submitted to mass media for making public (publication), while the decision of the respective territorial electoral commission on appointment of the voting on recalling a deputy of a local Council of Deputies is published in local mass media or otherwise made known to the voters.

The decision of the Central Commission or of the respective territorial electoral commission on appointment of the voting on recalling a deputy is cancelled if the powers of the deputy have been terminated before expiry of his term on the grounds established by the legislation of the Republic of Belarus.

Article 139. The ballot for voting on the recall of a deputy

The ballot for voting on the recall of a deputy shall include the name and the number of the electoral circuit from which the deputy has been elected, the wording of the proposal to recall the deputy with indication of the motives of recalling, the surname, name and patronymic of the deputy, office (occupation), place of work and place of residence, the year of being elected as a deputy (of the House of Representatives or of the respective local Council of Deputies), party membership, and the versions of the answer – «for the recall» and «against the recall» under which empty squares are placed.

The text of the ballot is to be approved by the respective circuit or territorial commission.

The ballots for voting on the recall of a deputy are printed in the Belarusian and Russian languages.

The ballot for voting shall contain the explanation on the order to fill it in.

Signatures of at least two persons of the precinct commission are put on the reverse side of the ballot.

Article 140. Authorized persons of the deputy

The deputy while solving the issues related to his recall, after the decision has been taken to appoint the voting on recalling, may have authorized persons to represent his interests in relations with voters, initiative groups, state bodies and commissions on the holding of voting on the recall of the deputy. Registration of authorized persons and their work is carried out in accordance with the order provided for by this Code for electing deputies.

Article 141. Order of holding of voting on the recall of a deputy and summarization of its results

Voting on the recall of a deputy of the House of Representatives or of a deputy of a local Council of Deputies is secret and performed in accordance with the order provided for by Articles 50, 51, 52 and 54 of this Code.

Voting is deemed to be valid, if more than a half of the voters included into the lists of citizens having the right to participate in the voting on the recall of a deputy took part in it. The deputy is deemed to be recalled if more than a half of the voters of the circuit who took part in the voting have voted for his recall.

The recall of a deputy is deemed to be rejected, if less than a half of the voters who took part in the voting have voted for the recall, as well as if less than a half of the voters included into the lists of citizens who have right to take part in voting for the recall of a deputy participated in the voting. In the case of equality of votes given for and against the recall of a deputy, the latter preserves his powers.

On the basis of the protocols received from precinct commissions and drawn up in conformity to the requirements of Article 55 of this Code, the results of voting are established at the sitting of the circuit or territorial commission and put down into the protocol.

The protocol of the circuit commission for holding the voting on the recall of a deputy of the House of Representatives shall, after the results of voting have been established, be forwarded to the Central Commission, and the protocol of the circuit commission for holding voting on the recall of a deputy of a regional Council of Deputies - to the regional territorial commission.

The Central Commission or the respective territorial commission, upon the expiration of five days after the date of

voting, if more than a half of the voters who took part in the voting have voted for the recall of the deputy, and there are no grounds to consider the issue of recognizing the voting results invalid, takes the decision to recognize the deputy to be recalled by the voters.

In case the voters of the circuit have not voted for the recall of the deputy, the decision of the Central Commission or of the respective territorial commission specifies that the proposal to recall the deputy has been rejected by the voters. The materials on the fact are submitted, respectively, to the House of Representatives or the local Council of Deputies.

The Central Commission as well as the circuit or territorial commission, in the case of violating the requirements of this Code which has affected the voting outcome is entitled to recognize the voting results invalid. The complaint on recognizing the results of voting on the recall of a deputy to be invalid is submitted respectively to the Central Commission, circuit, territorial commission not later than on third day after the voting. The decision of the Central Commission, territorial, circuit commission on recognizing the results of the voting to be invalid may be appealed against, in three-day term from the day of taking the decision, respectively in the Supreme Court of the Republic of Belarus, regional, Minsk City, district or city court.

When mistakes or discrepancies are detected in the protocols of the precinct, circuit or territorial commissions, as well as other violations made during the voting or vote counting, the Central Commission or the superior territorial commission is entitled, on its own initiative or on an application of the deputy, to take decision on the recount of votes by the respective circuit or territorial commission. Application of the deputy on the recount of votes is submitted respectively to the Central Commission, or the superior territorial commission not later than on the third day after the voting of the recall of a deputy. The recount of votes is performed by the circuit, territorial commission in the presence of the member (members) of the Central Commission, superior territorial commission and if necessary – precinct commissions.

The decision of the Central Commission on the results of voting on the recall of a deputy of the House of Representatives may be appealed against, within three days, by the deputy or the head of the initiative group in the Supreme Court of the Republic of Belarus.

The decision of the territorial commission on the results of the voting on the recall of a deputy of the regional, Minsk City, district, city, settlement or rural Council of Deputies may be appealed against, in the same order and during the same period, respectively, in the regional, Minsk City, district or city court.

Article 142. Inadmissibility of repeated initiation of the issue on the recall of a deputy within one year

Repeated initiation of the issue on the recall of a deputy on the same grounds within one year after the date of voting on the recall of a deputy is not allowed.

SECTION IX

THE ORDER OF THE RECALL OF A MEMBER OF THE COUNCIL OF THE REPUBLIC

CHAPTER 28

GROUND AND THE ORDER OF INITIATING THE RECALL OF A MEMBER OF THE COUNCIL OF THE REPUBLIC

Article 143. Grounds and order of the recall of a member of the Council of the Republic

A member of the Council of the Republic who has failed to be up to the trust given to him by neglecting the duties of the member of the Council of the Republic provided for by the law, violating the Constitution of the Republic of Belarus, laws of the Republic of Belarus or acts of the President of the Republic of Belarus, or committing actions discrediting the member of the Council of the Republic may be recalled.

Recall of a member of the Council of the Republic elected from a region or the city of Minsk is carried out in the order established by Section IX of this Code.

The order of recall of the member of the Council of the Republic appointed by the President of the Republic of Belarus is established by the President of the Republic of Belarus.

The issue of recalling a member of Council of the Republic may not be initiated less than a year before the termination of his term of office.

Article 144. Initiation of raising the issue on the recall of a member of the Council of the Republic

The raising of the issue on the recall of a member of the Council of the Republic elected from a region or the city of Minsk may be initiated by:

the presidium of the district or city (city of regional subordination) Council of Deputies and the district or the city executive committee which nominated the respective candidate to the Council of the Republic - before the presidium of the regional Council of Deputies and the regional executive committee; and

not less than ten deputies of the Minsk City Council of Deputies - before the presidium of Minsk City Council of Deputies or the Minsk city executive committee.

The initiators of the raising of the issue on the recall of a member of the Council of the Republic submit the reasons serving as grounds to discuss that issue.

The raising of the issue on the recall of a member of the Council of the Republic elected from a region is initiated at the joint sitting of the presidium of the district or city (city of regional subordination) Council of Deputies and the district or city executive committee. The joint sitting of the presidium of the district or city Council of Deputies and the respective executive committee is considered to be competent if attended by at least two thirds of the members of the presidium and the executive committee.

The decision of the joint sitting of the presidium of the district or city Council of Deputies and the respective executive committee is passed by a simple majority of votes of their members.

The application of deputies of the Minsk City Council of Deputies on initiation of the raising of the issue on the recall of a member of the Council of the Republic shall be signed by all initiators.

Materials on the initiation of the raising of the issue on the recall of a member of the Council of the Republic are forwarded: concerning the recall of a member of the Council of the Republic elected from a region – to the presidium of the Council of Deputies and the regional executive committee, and concerning the recall of a member of the Council of the Republic elected from the city of Minsk – to the presidium of the Minsk City Council of Deputies and the Minsk City Executive Committee.

Article 145. Order of consideration of the initiative on raising the issue on the recall of a member of the Council of the Republic by the presidium of a regional or the Minsk City Council of Deputies and the regional or the Minsk City Executive Committee

The presidium of a regional or the Minsk City Council of Deputies and the regional or the Minsk City Executive Committee notifies the member of the Council of the Republic, within five days, on the fact of initiation of the issue of his recall and specifies the reasons and the date of consideration of the issue at their sitting. The member of the Council of the Republic is notified in writing on the date, time and place of the sitting not later than 15 days prior to the sitting.

In case the member of the Council of the Republic with regard to whom the issue of recalling is initiated is not able, due to a valid reason, to take part in the sitting on the appointed day he sends to initiators, not later than seven days prior to the appointed day of the sitting, a written statement explaining the reason and propose another day for the sitting within the subsequent 15 days following the appointed date. The initiators of the sitting shall satisfy the request of the member of the Council of the Republic and agree with him another day of the sitting. Repeated adjournment of the sitting date upon the request of the member of the Council of the Republic is not allowed.

The refusal of the member of the Council of the Republic to take part in the sitting or his failure to appear at the sitting without a valid reason upon a timely notification is not an obstacle for consideration of the proposal to raise the issue on his recall.

The member of the Council of the Republic is entitled to appoint an authorized person (persons) for participation in the sitting. The powers of such person (persons) shall be confirmed in writing.

In the course of the sitting of the presidium of a regional or the Minsk City Council of Deputies and the regional or the Minsk city Executive Committee the member of the Council of the Republic is given sufficient time to provide explanations on the essence of the initiative on the issue of his recall. The explanations of the member of the Council of the Republic shall be reflected in the protocol of the sitting. Upon the instructions of the member of the Council of the Republic, his authorized person is entitled to speak instead of him at the sitting.

The joint sitting of the presidium of the regional or the Minsk City Council of Deputies and the regional or the Minsk City Executive Committee is deemed to be competent if attended by at least two thirds of the members of the presidium and the executive committee. The decision of the joint sitting containing the opinion of those bodies about the initiative on raising the issue on the recall of the member of the Council of the Republic is passed by a simple majority of their votes.

The protocol of the sitting together with all the available materials is submitted to the Central Commission for making a conclusion on the observance of the requirements of Section IX of this Code when initiating the raising of the issue on the recall of a member of the Council of the Republic.

Article 146. Inspection by the Central Commission of observance of the requirements of this Code when initiating the raising of the issue on the recall of a member of the Council of the Republic

The Central Commission, within ten days from submission of the protocol of the sitting of the presidium of the regional or the Minsk City Council of Deputies and the regional or the Minsk City Executive Committee, inspects the observance of the requirements of Section IX of this Code when initiating the raising of the issue on the recall of a member of the Council of the Republic, considers the issue at its sitting, approves the conclusion and immediately sends it to the presidium of the regional or the Minsk City Council of Deputies and the regional or the Minsk City Executive Committee.

Article 147. Raising of the issue on the recall of a member of the Council of the Republic

The presidium of a regional or the Minsk City Council of Deputies and the regional or the Minsk city Executive Committee, within five days upon receiving the conclusion of the Central Commission, sets the date of their sitting for considering the proposal on raising the issue on the recall of the member of the Council of the Republic. The member of the Council of the Republic, who is entitled to be present at the sitting personally or to send an authorized person (persons) for participation, is notified in writing on the date, time and place of the sitting not later than 15 days prior to the sitting.

If the actions on the initiation of the of raising the issue on the recall of a member of the Council of the Republic have been performed in accordance with the requirements of Section IX of this Code and there are grounds for raising the issue of his recall, the presidium of the regional or the Minsk City Council of Deputies and the regional or the Minsk City Executive Committee take a decision on raising the issue on the recall of the member of the Council of the Republic elected from the region or the city of Minsk and on appointing the date of voting on his recall.

In the case if the circumstances that have served as ground for initiating the raising of the issue on the recall of a member of the Council of the Republic are subject for consideration in the court, the bodies specified in part two of this Article suspend further consideration of the issue until the decision (sentence) of the court is taken.

Article 148. Order of appointment of voting on the recall of a member of the Council of the Republic

The voting on the recall of a member of the Council of the Republic elected from a region or the city of Minsk is to be appointed not earlier than one month and not later than two months from the day of taking the decision on appointing the voting.

In the case of illness of the member of the Council of the Republic as confirmed by an appropriate document, the voting is postponed to another date but not later than 15 days from the day of his recovery. The member of the Council of the Republic, within three days of his recovery, must send a written notification to the presidium of the regional or the Minsk City Council of Deputies and the regional or the Minsk City Executive Committee. The voting may take place irrespective of the state of health of the member of the Council of the Republic upon the expiration of four months from the start of his illness.

The decision of the presidium of the regional or the Minsk City Council of Deputies and the regional or the Minsk City Executive Committee on the appointment of voting on the recall of the member of the Council of the Republic is sent to the Council of the Republic and made public (published) in mass media.

If during the initiation of the raising of the issue on the recall of a member of the Council of the Republic there have been significant violations of the requirements of Section IX of this Code, a decision on cancellation of the voting on the recall of the member of the Council of the Republic is to be taken. The decision may be appealed against by the initiators of raising of the issue on the recall of the member of the Council of the Republic within three days in the Supreme Court of the Republic of Belarus.

Article 149. Agitation for or against the recall of a member of the Council of the Republic

Upon the appointment of the voting on the recall of a member of the Council of the Republic elected from a region or the city of Minsk, deputies of local Councils of Deputies of the base level in the region and deputies of the Minsk City Council of Deputies are entitled to a free and comprehensive discussion of the issues connected with the recall of the member of the Council of the Republic, his business and personal qualities, and conduct agitation for or against the recall of the member of the Council of the Republic.

The state mass media, the mass media partially financed from the state budget and the mass media one of the founders of which is state bodies or organizations are obliged to ensure equal opportunities for expressing opinions for and against the recall of the member of the Council of the Republic to deputies of local Councils of Deputies of the base level in the region or to deputies of the Minsk City Council of Deputies, as well as to the member of the Council of the Republic with regard to whom the issue of recall has been initiated.

CHAPTER 29

THE ORDER OF HOLDING THE SITTING OF DEPUTIES OF LOCAL COUNCIL OF DEPUTIES OF A BASE LEVEL IN THE REGION AND OF DEPUTIES OF THE MINSK CITY COUNCIL OF DEPUTIES ABOUT THE ISSUE ON THE RECALL OF A MEMBER OF THE COUNCIL OF THE REPUBLIC

Article 150. Holding of the sitting of deputies of the local Council of Deputies of a base level in the region or deputies of the Minsk City Council of Deputies considering the issue on the recall of a member of the Council of the Republic

The day of the sitting of deputies of local Councils of Deputies of the base level in the region or deputies of the Minsk City Council of Deputies (hereinafter, the sitting of deputies) is to be announced not later than within five days from passing the decision on appointing the vote on the recall of a member of the Council of the Republic elected from the region or the City of Minsk by the presidium of the regional or the Minsk city Council of Deputies and the regional and the Minsk City Executive Committee.

The sitting of deputies is considered to be competent if attended by more than half of the total number of deputies elected to the local Councils of Deputies of a base level in the region or of deputies of the Minsk City Council of Deputies. The sitting shall be attended by not less than one quarter of deputies from each local Council of Deputies of a base level in the region.

The oldest deputy opens the sitting of deputies of and presides it till the election of the chairperson of the sitting.

In order to support the work of the sitting, the secretariat and counting commission are to be elected.

The sitting of deputies is held with the participation of the member of the Council of the Republic with regard to whom the issue on the recall has been raised or his authorized person (persons).

The refusal of the member of the Council of the Republic to participate in the sitting or his failure to appear at the sitting without a valid reason upon a timely notification is not an obstacle for consideration of the issue on his recall.

The ground and reasons for the voting on the recall of the member of the Council of the Republic are reported by a person authorized by the bodies which taken the decision on the appointment of the voting.

The chairperson of the sitting is obliged to give enough time to the member of the Council of the Republic for submitting his explanations.

Upon the instructions of the member of the Council of the Republic, his authorized person has the right to speak at the sitting. Upon the completion of discussion of the issue on the recall, the member of the Council of the Republic or his authorized person has the right to speak prior to the beginning of the voting.

Members of the Council of the Republic, the Central Commission, deputies of Councils of Deputies of all territorial levels and representatives of mass media are entitled to be present at the sitting.

Article 151. Organization of voting on the recall of a member of the Council of the Republic

The recall of a member of the Council of the Republic is performed by secret voting. In order to organize voting and counting its results, a counting commission is elected from among the deputies at the sitting.

The counting commission elects its chairperson, deputy chairperson and secretary from among its members. The decision of the counting commission is taken by the majority of votes of its members.

The ballots for voting are made by the counting commission according to the form established by the Central Commission and in the amount correspondent to the number of the sitting participants.

The time and the venue of the voting and the order of its holding are established by the counting commission and announced by its chairperson.

Each deputy taking part in the sitting of deputies is given one ballot for voting.

The ballots are handed out by the counting commission according to the list of deputies taking part in the sitting of deputies upon presenting a deputy's identity card.

The counting commission draws up the protocol of the voting results which is then signed by all members of the counting commission.

Upon the report of the counting commission, the sitting of deputies passes the decision on adopting the results of the voting by an open ballot.

The recall of the member of the Council of the Republic is deemed to have taken place if more than half of the total number of deputies of the local Councils of Deputies of a base level of the region or of deputies of the Minsk City Council of Deputies took part in the voting and more than half of the deputies who took part in the voting voted in favor of the recall. When the number of votes cast for and against the recall of the member of the Council of the Republic is equal, he retains his powers.

The protocol of the counting commission and other materials concerning the recall of the member of the Council of the Republic are sent to the Central Commission within two days.

Article 152. Consideration by the Central Commission of the results of the voting on the recall of a member of the Council of the Republic

Upon 10 days from the date of voting on the recall of a member of the Council of the Republic, if more than half of the deputies of the local Councils of Deputies of a base level of the region or of the deputies of the Minsk City Council of Deputies who took part in the voting voted in favor of the recall, and there are no grounds for considering issue on invalidating the voting results, the Central Commission adopts a decision on recognizing the member of the Council of the Republic to be recalled and notifies the Council of the Republic about that.

The decision of the Central Commission may be appealed against by the member of the Council of the Republic in the Supreme Court within three days.

SECTION X. FINAL PROVISIONS

Article 153. Entry into force of this Code

This Code enters into force in one month after its publication.

Article 154. Bringing acts of legislation in conformity with this Code

The Council of Ministers of the Republic of Belarus, within three months from the entry into force of this Code, shall:

prepare and submit, under the established procedure, to the House of Representatives the proposals on bringing the acts of legislation of the Republic of Belarus in conformity with this Code; and
bring the decisions of the Government of the Republic of Belarus in conformity with this Code;
ensure reviewing and revoking by the republican bodies of state administration subordinated to the Council of Ministers of the Republic of Belarus of their normative acts contradicting this Code.

Article 155. Basic terms used in this Code

The following basic terms are used in this Code:

agitation materials mean printed and other materials containing signs of pre-election agitation, agitation on the referendum or recall or a deputy intended for mass dissemination during the holding of elections, referendum or recall of a deputy;

election agitation means an activity of citizens of the Republic of Belarus, political parties, other public associations, labour collectives, candidates, their authorized persons and initiative groups collecting signatures for nomination of candidates and making agitation for their election aimed at inducement or inducing voters to participate in elections and to vote for or against certain candidates;

agitation for the referendum means activity of citizens of the Republic of Belarus, initiative group for the holding of the referendum, political parties, other public associations and labour groups aimed at inducement or inducing participants in the referendum to hold the referendum or to reject its holding or to vote «for» or «against» the issue (draft decision) submitted for the referendum;

elections mean elections of the President of the Republic of Belarus, deputies of the House of Representatives, members of the Council of the Republic and deputies of local Councils of Deputies held on the basis of the Constitution of the Republic of Belarus and this Code;

deputy means a person elected by the voters of the respective electoral circuit to the House of Representatives or the local Council of Deputies on the basis of universal, equal and direct suffrage through the secret voting;

voter means is a citizen of the Republic of Belarus having the right to elect to the state bodies in accordance with the Constitution of the Republic of Belarus and this Code;

election campaign means a period from the day of official publication of the decision of the President of the Republic of Belarus or of the state body authorized by the Constitution of the Republic of Belarus or by this Code on the appointment of elections till the day of official publication of the election results;

commissions mean electoral commissions, commissions on the referendum and commissions on holding of voting on the recall of a deputy;

electoral commissions mean commissions on elections of the President of the Republic of Belarus, commissions on elections of deputies of the House of Representatives and commissions on elections of deputies of local Councils of Deputies ;

electoral circuit means the territory from which citizens of the Republic of Belarus directly elect the President of the Republic of Belarus, deputies of the House of Representatives and deputies of the local Councils of Deputies ;

candidate means a person registered by the respective commission as candidate for the President of the Republic of Belarus, candidate for the deputy of the House of Representative, candidate for the member of the Council of the Republic or candidate for the deputy of of the local Council of Deputies ;

observer means a deputy of the House of Representatives, a member of the Council of the Republic, a member of a local Council of Deputies, an authorized person of a candidate for the President of the Republic of Belarus, for the deputy as well as a representative of a political party, other public association, labour collective, of citizens, carrying out observance over preparation and holding of the elections, a referendum, a recall of a deputy or a member of the Council of the Republic according to the order established by this Code;

foreign (international) observer means a person representing a foreign state or an international organization acquiring the right to carry out observance of preparation and holding the elections, a referendum, a recall of a deputy or a member of the Council of the Republic according to the procedure determined by this Code;

participant in the referendum means a citizen of the Republic of Belarus possessing the electoral right and taking part in holding of the referendum.

TV debates mean statements of two or more candidates for the President of the Republic of Belarus, for the deputy of the House of Representatives about a wide range of essential social problems including the messages concerning the electoral programs of other candidates, made on TV in the course of public exchange of opinions or questions;

voluntary donation of a citizen means a gratuitous contribution by a citizen of the Republic of Belarus of his own financial means to a special electoral account of a candidate for the President of the Republic of Belarus, for deputies, to

the special account of an initiative group on holding the referendum or to a non-budgetary fund established by the Central Commission;

voluntary donation of a legal person means a gratuitous remittance by a legal person of monetary means from its current account to the special electoral account of a candidate for the President of the Republic of Belarus, for deputy, to the special account of an initiative group on holding the referendum or to a non-budgetary fund established by the Central Commission.

Article 155¹. Order of keeping of documents on elections, referendum, recall of a deputy, a member of the Council of the Republic

The order of keeping and transferring documents to the archives of the Central Commission is carried out in accordance with the legislation of the Republic of Belarus in the sphere of archives and records management.

Documents of commissions on the elections of the President of the Republic of Belarus, deputies, commissions on referendum, on voting on the recall of a deputy are kept after the elections, a referendum, a voting on the recall of a deputy in the order mentioned in parts three to eight of this Article.

Protocols and documents to them of sittings of:

regional and Minsk city commissions on elections of the President of the Republic of Belarus, regional and Minsk city territorial electoral commissions on elections of deputies of the House of Representatives, circuit electoral commissions on elections of deputies of the House of Representatives, regional and Minsk city territorial electoral commissions on elections of deputies of local Councils of Deputies, as well as circuit electoral commissions on elections to the regional Councils of deputies and territorial electoral commissions exercising in parts of Minsk powers of circuit electoral commissions on elections to the Minsk City Council of Deputies, regional and Minsk city commissions on referendum, circuit commissions on voting on the recall of a deputy are kept in the regional, Minsk city executive committees for 10 years and then as a part of the funds of these bodies shall be deposited in the state archives;

district, city (in the cities of regional subordination), city-district commissions on elections of the President of the Republic of Belarus are kept in the respective district, city executive committees, local administrations for 5 years, and then as a part of the funds of these bodies shall be deposited in the state archives;

district, city, settlement and rural territorial electoral commissions on elections of deputies of local Councils of Deputies, as well as district, city, settlement and rural, city-district commissions on referendum are kept in the respective district, city, settlement and rural executive committees, local administrations for 4 years, and then with the funds of these agencies shall be deposited in the state archives;

precinct commissions on elections of the President of the Republic of Belarus are kept in the bodies that established the commissions, for 5 years, and precinct commissions on elections of deputies, on referendum, on voting on the recall of the deputy are kept in the bodies that established the commissions for 4 years, and then as a part of the funds of these bodies shall be deposited to the state archives.

Signature lists for the collection of signatures of citizens to support:

nomination of candidates for the President of the Republic of Belarus are kept in the respective district, city executive committees, local administrations;

persons suggested for nomination as candidates for deputies are kept in the bodies that formed the respective circuit, territorial electoral commissions;

proposals on holding a republican, a local referendum are kept in the respective district, city executive committees, local administrations;

proposals on holding the vote on recall of a deputy are kept in the regional, Minsk city, district, city, settlement and rural executive committees.

Ballots:

on elections of the President of the Republic of Belarus, deputies are kept in the respective district, city, settlement and rural executive committees, local administrations;

on elections of members of the Council of the Republic, voting on the recall of a member of the Council of the Republic are kept in the respective regional and Minsk city executive committees;

for voting on a referendum vote and for voting on the recall of a deputy are kept in the respective district, city, settlement and rural executive committees, local administrations.

The term of keeping of the signature lists for the collection of signatures, as well as ballots on the elections, for voting on a referendum, voting on the recall of a deputy - six months after the day of elections, referendum, voting on the recall of deputy.

The financial reports on receiving and spending of means of:

electoral funds of candidates for the President of the Republic of Belarus, funds of the initiative group on holding a republican referendum are kept in the Central Commission for 5 years;

electoral funds of candidates for deputies are kept in the respective regional, Minsk city, district, city, settlement and rural executive committees for 4 years;

initiative group funds on holding a local referendum are kept in the respective local executive and administrative bodies for one year.

Lists of citizens having the right to participate in the elections, referendum, voting on recall of a deputy are submitted by the precinct commissions to the executive and administrative bodies which formed the respective precinct commissions, where they are kept until new elections, referendum.

Protocols of sittings and the joint decisions of presidiums of local Councils of Deputies and the respective executive committees, decisions of the sittings of deputies of local Councils of Deputies of the base level of the region, the Minsk City Council of Deputies on the elections of members of the Council of the Republic, recall of a member of the Council of the Republic, as well as documents thereto are kept in the respective regional, Minsk city executive committees for 10 years, in the district, city executive committees - for 4 years, and then as a part of the funds of these agencies shall be deposited in the state archives.

The documents mentioned in parts four, five, seven and eight of this Article shall, at the end of terms of keeping, be destroyed according to the legislation of the Republic of Belarus in the sphere of archives and records management.

Article 156. Recognition as invalid of some legislative acts
[Translation not given]

President of the Republic of Belarus

A. Lukashenko