

REPUBLIC OF LITHUANIA

LAW

ON THE CENTRAL ELECTORAL COMMISSION

20 June 20

02

No. IX-985

Vilnius

(As last amended on 22 September 2011 – No XI-1602)

Article 1. Purpose of the Law

This Law shall establish the legal status, tasks, powers, principles of activities of the Central Electoral Commission of the Republic of Lithuania (hereinafter referred to as “the Central Electoral Commission” ), as well as the procedure of its establishment, work organisation and financing.

Article 2. The Central Electoral Commission

1. The Central Electoral Commission is a permanent supreme state institution for organising and conducting elections and referendums, provided for in the Constitution of the Republic of Lithuania.
2. The Central Electoral Commission is a legal person and has a seal with the State emblem of the Republic of Lithuania and the name “Central Electoral Commission of the Republic of Lithuania “, as well as accounts with banks of the Republic of Lithuania.
3. The Central Electoral Commission has its seat in Vilnius.

Article 3. Tasks and Powers of the Central Electoral Commission

1. Tasks of the Central Electoral Commission shall be as follows:

- 1) to organise and conduct parliamentary, presidential and municipal elections

(hereinafter referred to as elections” ) and referendums;

- 2) to ensure that elections and referendums would be hold adhering to the principles of democratic elections, enshrined in the Constitution and laws of the Republic of Lithuania;
- 3) to guarantee uniform application of election laws and the Law on Referendum on the whole territory of the Republic of Lithuania;
- 4) to perform the functions of mandate commissions of the Seimas of the Republic of Lithuania and municipal councils during the period between elections to such institutions;
- 5) in the manner and forms prescribed by law, to control financing of political parties and political organisations (hereinafter referred to as “parties” ), political campaigns.

2. When implementing the tasks laid down in paragraph 1 of this Article, the Central Electoral Commission shall:

- 1) in the manner prescribed by law, set up electoral and referendum committees of constituencies, cities and regions;
- 2) control activities of electoral and referendum committees of constituencies, cities, regions and polling districts, hear their information on the preparedness for elections and referendums, their course, provide methodical and organisational technical assistance to the committees;
- 3) investigate complaints and make decisions regarding the decisions adopted by electoral and referendum committees of constituencies, cities and regions, and where necessary the decisions adopted by electoral and referendum committees of polling districts, reverse the decisions which do not meet the requirements of laws or other legal acts;
- 4) establish and proclaim final results of elections and referendums;
- 5) declare results of elections, referendums invalid, if election or referendum documents were falsified during them or other illegal actions were carried out which had an essential effect on the results of elections or referendums;
- 6) establish samples and forms of ballot-papers of elections and referendums, other documents, seals used in elections and referendums, samples for filling-in ballot-papers and documents, procedure of stamping them;

- 7) approve a model description of a polling station and the surrounding territory, and control whether electoral and referendum committees of constituencies, cities, regions have together with mayors of municipalities arranged for the conformity of polling stations, their equipment and surrounding territory to the set requirements;
- 8) in the manner prescribed by law, resolve all the disputes concerning election and referendum campaigning;
- 9) manage state funds appropriated for elections and referendums, direct financial activities of electoral and referendum committees of constituencies, cities, regions;
- 10) in compliance with the laws relating to elections and the Law on Referendum, organise the drawing-up of voter lists, constant revision and management thereof, as well as additional revision of voter lists prior to the beginning of voting in elections or referenda, so that the voters who died, lost citizenship of the Republic of Lithuania in accordance with the procedure established by law or have been declared incompetent by the court, would be struck off voter lists;
- 11) supervise the implementation of election laws and the Law on Referendum;
- 12) co-operate with international organisations, maintain relations with institutions of other states, which organise elections and referendums;
- 13) summarise and publish information on the elections and referendums held in the Republic of Lithuania, as well as their results and the candidates who participated in those elections;
- 14) generalise the experience of elections and referendums, have care of education of voters;
- 15) make arrangements about the improvement of election technologies;
- 16) in the manner prescribed by legal acts, transfer election and referendum documents to the state archives for preservation;
- 17) discharge other functions laid down in this and other laws.

3. When conducting elections to the Seimas of the Republic of Lithuania the Central Electoral Commission shall, apart from the functions specified in paragraph 2 of this Article:

- 1) divide the territory of the Republic of Lithuania into single-member constituencies;
- 2) accept application documents concerning the nomination of candidates for the Seimas, examine them; upon establishing that the documents are in conformity with the requirements of laws, register the candidates and lists of candidates, and make public the lists of nominees who will participate in the elections, the numbers they have been assigned, and the candidates nominated in single-member constituencies;
- 3) discharge the functions of a multi-member constituency electoral committee;
- 4) issue a certificate of Seimas member of the Republic of Lithuania to an elected candidate; and
- 5) announce the second poll in a single-member constituency.

4. When conducting presidential elections the Central Electoral Commission shall, apart from the functions specified in paragraph 2 of this Article:

- 1) register candidates for President of the Republic, issue them with forms for the collection of voter signatures;
- 2) check forms for the collection of voter signatures, register candidates for President of the Republic, issue them with certificates of candidates for President of the Republic;
- 3) issue an elected candidate with a certificate of President of the republic of Lithuania.

5. When conducting elections to municipal councils the Central Electoral Commission shall, apart from the functions specified in paragraph 2 of this Article:

- 1) set the number of members of municipal councils;
- 2) accept application documents of parties as well as applications pertaining to the withdrawal of such documents, inspect them, register parties for the participation in elections to municipal councils, register their representatives in the elections and issue them with certificates, publish lists of the parties participating in the elections, election numbers allotted to them, make decisions regarding the withdrawal of application documents of candidates to municipal councillors;
- 3) write a certificate of municipal councillor for an elected candidate and

submit it to a constituency electoral committee so that the latter would issue it to a municipal councillor.

6. When conducting referendums or when the citizens' right to initiate legislation is being implemented the Central Electoral Commission shall, apart from the functions specified in paragraph 2 of this Article:

1) register an initiative group of citizens of the Republic of Lithuania to conduct a referendum, issue forms for the collection of citizens' signatures;

2) inspect and establish whether there are 300 000 properly collected signatures of citizens of the Republic of Lithuania requesting to hold a referendum;

3) register an initiative group of citizens of the Republic of Lithuania regarding a proposal to the Seimas to adopt, amend or supplement the Constitution of the Republic of Lithuania or any other law, issue forms for the collection of citizens' signatures, submit conclusions to the Seimas specifying that the citizens' signatures have been collected in accordance with laws;

4) under the recommendation of an initiative group of citizens of the Republic of Lithuania, parties, register their representatives and observes at the Central Electoral Commission and issue certificates to them;

5) invalid from 26 May 2009.

7. When discharging the functions established in this and other laws the Central Electoral Commission shall have the right:

1) to obtain from all state and municipal institutions and agencies, as well as from other agencies, enterprises and organisations, electoral and referendum committees the data and documents necessary to discharge the functions of the Central Electoral Commission;

2) to request from all state and municipal institutions and agencies, as well as from other agencies, enterprises and organisations, electoral and referendum committees that violations of election laws and the Law on Referendum, as well as other legal acts regulating organisation and holding of elections and referendums, would be eliminated;

3) to request from the persons defined by laws to present reports on the funds, contributions and gifts received during political campaigns and the use thereof, and to publish them together with the findings of the tax



inspectorate;

4) where necessary to make a decision on any issue which is within the competence of electoral or referendum committees;

5) to exercise other powers provided for by laws.

8. During the period between elections to the Seimas the Central Electoral Commission shall, when discharging the functions of the Mandate Committee of the Seimas of the Republic of Lithuania:

1) adopt and announce decisions on the recognising of the Seimas member's powers as terminated;

2) acknowledge the powers of new Seimas members elected in the multi-member constituency;

3) announce by-election or run-off elections in a single-member constituency.

9. During the period between elections to municipal councils the Central Electoral Commission shall, when discharging the functions of the Mandate Committee of municipal councils:

1) adopt and announce decisions on the recognising of the municipal councillor's powers as terminated;

2) recognise the powers of new municipal councillors elected in the multi-member constituency;

3) make and announce decisions regarding the loss of a mandate of an elected municipal councillor.

10. When it is necessary to amend election laws and the Law on Referendum the Central Electoral Commission may apply to the Chairman of the Seimas for the initiation of amendment of such laws.

11. The Central Electoral Commission shall not have the right to construe the provisions of election laws and the Referendum law.

#### Article 4. Legal Grounds and Principles of Activities of the Central Electoral Commission

1. In its activities the Central Electoral Commission shall follow the Constitution of the Republic of Lithuania, this Law, election laws, the Law on Referendum and other laws and legal acts.

2. The activities of the Central Electoral Commission shall be based on the principles of legality, independence, collegiality, openness and impartiality.

#### Article 5. Independence of the Central Electoral Commission

1. When discharging its functions and making decisions on issues within its competence, the Central Electoral Commission shall be independent. No institution or officer may issue mandatory instructions regarding the making of the decision that is within the competence of the Central Electoral Commission.

2. It shall be prohibited for state institutions, Seimo members and other officers, the parties, non-governmental organisations or citizens to interfere in the activities of the Central Electoral Commission when organising and conducting elections or referendums.

3. The Chairman or a member of the Central Electoral Commission must immediately inform the Seimas and announce through the mass media about any attempt to influence the Central Electoral Commission, its Chairman or the member.

#### Article 6. Requirements for the Persons who may be Appointed as Chairman and Members of the Central Electoral Commission

A citizen of the Republic of Lithuania who, under the Law of Elections to the Seimas, is eligible to stand in election as a candidate for Seimas member and has not been dismissed during the last three elections to the Seimas, the President of the Republic, municipal councils or referendums from the an electoral or referendum committee due to violations of election laws or the Law on Referendum, may be nominated to the Central Electoral Commission.

#### Article 7. Formation of the Central Electoral Commission

1. The Seimas shall form the Central Electoral Commission for a four-year period. The Central Electoral Commission must be formed anew no later than 120 days and no earlier than 140 days in advance of regular elections to the Seimas. The Central Electoral Commission shall not be newly formed before early elections to the Seimas; it shall retain its powers until the Central Electoral Commission is formed before regular elections to the Seimas.

2. The Central Electoral Commission shall be composed of:

1) the Commission Chairman;

- 2) three persons with university law degrees who are chosen by drawing lots from among the six candidates nominated by the Minister of Justice;
  - 3) three persons with university law degrees who are chosen by drawing lots from among the six candidates nominated by the Lithuanian Bar Association; and
  - 4) the persons nominated by the parties which have received mandates of the Seimas members in the multi-member constituency.
3. The Minister of Justice and the Lithuanian Bar Association may nominate more candidates to the Central Electoral Commission.
  4. Drawing of lots during a Seimas sitting shall be organised by the Chairman or Deputy Chairman of the Seimas.
  5. Prior to the formation of the Central Electoral Commission, the parties (coalitions) which have received mandates of the Seimas members in the multi-member constituency shall each have the right to nominate one representative to the Central Electoral Commission from one list of candidates (joint list) nominated in the multi-member constituency.
  6. If the representatives meet the requirements specified in Article 6 of this Law, the Seimas may not reject the nominees.
  7. In all cases, persons appointed to the Central Electoral Commission from among the candidates nominated by the Minister of Justice and the Lithuanian Bar Association must make up more than 1/2 of the Commission members. If the number of such persons is smaller, the number of the members of the Commission shall be increased in equal numbers, according to the procedure established in this Article, by drawing lots, from among the candidates nominated by the Minister of Justice and the Lithuanian Bar Association. The number of the candidates must be twice as large as is necessary for the additional appointment of members to the Central Electoral Commission.
  8. Upon the recommendation of the Seimas Chairman, the Seimas shall appoint the Chairman of the Central Electoral Commission. The duties of the Commission Chairman shall not be compatible with any other duties in state institutions, agencies, as well as with work in business, commercial and other private enterprises or agencies. He may not receive any other payment except the salary fixed for him for the work in the Central Electoral Commission and the payment for creative activities as well as the payment for pedagogical and scientific activities. Payments made to the Commission Chairman for creative activities shall comprise royalties for the works of art and the performance thereof, for articles and books, for the material for radio and television programmes.



9. The Chairman of the Central Electoral Commission as well as the members thereof appointed to the Commission by nomination of the Minister of Justice and the Lithuanian Bar Association, must suspend their membership in any party of which they are members, and may not take part in the activities thereof during the period of their work on the Central Electoral Commission.

10. The Central Electoral Commission shall, with consent of the Deputy Chairmen of the Commission, determine whether they work only on the Central Electoral Commission according to their duties. The same restrictions on the work and payment for work set for the Chairman of the Central Electoral Commission shall apply to the Deputy Chairmen.

11. The duties of the Chairman of the Central Electoral Commission and his deputies shall not be compatible with the duties in other electoral or referendum committees, as well as with the status of a candidate for Seimas member, candidate to the office of the President of the Republic or his agent, candidates for municipal councillors and their representatives, observers of elections and referendums, as well as with the status of the member of an initiative group of citizens of the Republic of Lithuania for the holding of a referendum.

12. The Chairman of the Central Electoral Commission or its member who intends to be a candidate for Seimas member, candidate to the office of the President of the Republic, candidate for a municipal councillor or chairman or member of another electoral or referendum committee, an agent of the candidate to the office of the President of the Republic, a member of an initiative group of citizens of the Republic of Lithuania for the holding of a referendum, an observer of elections or a referendum, a representative for elections or a referendum, must, not later than 30 days before giving an appropriate consent or starting to collect citizens' signatures, submit to the Seimas a written application to resign from the position of the Chairman of the Central Electoral Commission or its member. The Chairman of the Central Electoral Commission or its member who has not met such requirement, shall, by decision of the Seimas, be dismissed from the position of the Chairman of the Central Electoral Commission or its member and shall not be registered as a candidate for Seimas member, candidate to the office of the President of the Republic or his agent, candidate for a municipal councillor, or such registration shall be cancelled.

#### Article 8. The Oath of a Member of the Central Electoral Commission

1. A member of the Central Electoral Commission and its chairman shall take an oath in the Seimas. The Chairman or Deputy Chairman of the Seimas shall

administer the oath. The person who is taking an oath shall have the right to choose one of the texts of the oath laid down in paragraph of this Article.

2. The texts of the oath of the Chairman of the Central Electoral Commission and its members shall be as follows:

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

So help me God.”

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

3. The person who has taken the oath shall sign the text of the oath. The text of the oath may not be altered. The oath shall be effective for the whole duration of the appointment to work in the Central Electoral Commission. The person, who does not take the oath within 15 days of the appointment to the Central Electoral Commission, shall not take office as the Chairman, a member of the Central Electoral Commission and a new person shall be appointed as Chairman of the Central Electoral Commission or its member.

4. The Seimas shall set the time when the Chairman of the Central Electoral Commission and its members have to take an oath in the Seimas.

5. The oaths of the members and the Chairman of the Central Electoral Commission shall remain in the custody of the Seimas.

Article 9. Revision of the Composition of the Central Electoral Commission after the Elections to the Seimas

The Seimas of the Republic of Lithuania shall, within 100 days after the first sitting of the newly elected Seimas, revise the composition of the Central Electoral Commission: it shall dismiss and newly appoint the Commission members nominated by the parties in order to include in the Commission representatives of the parties (coalitions) which have received mandates in the multi-member constituency. Where necessary, the Seimas may only increase the number of the Commission members only from the candidates nominated by the Minister of Justice and the Lithuanian Bar Association.

Article 10. Expiry of the Powers of the Chairman, his Deputy and the Members of the Central Electoral Commission

1. The powers of the Chairman of the Central Electoral Commission, his deputy and the Commission members shall be terminated in the following cases:

- 1) his term of office expires and a new Central Electoral Commission has been composed and has taken an oath;
- 2) upon his death;
- 3) upon his resignation;
- 4) he loses the citizenship of the Republic of Lithuania;
- 5) he is dismissed from the office by decision of the Seimas, under Article 9 of this Law;
- 6) he is dismissed from the office by decision of the Seimas, under paragraph 12 of Article 7 of this Law;
- 7) the court declares him legally incompetent;
- 8) if a conviction imposed on him by the court becomes effective;
- 9) the Seimas declares non-confidence in him by majority vote of all Seimas members;
- 10) the Seimas adopts a decision to terminate the powers of the Central Electoral Commission according to the findings of the Constitutional Court indicating that the essential election results established by the Central Electoral Commission are not accurate or that its activities are not in compliance with the Law on elections to the Seimas or the Law on Presidential Elections;
- 11) the Seimas adopts a decision to dismiss him from the office of the member of the Central Electoral Commission according to the grounded recommendation of the party (coalition) to recall the nominated representative.

2. In addition to the grounds laid down in paragraph 1 of this Article, the powers of the Chairman or Deputy Chairman of the Central Electoral Commission who works only in the Central Electoral Commission according to his duties, shall be terminated also when the Chairman or Deputy Chairman does not, within 14 days of the appointment to the said office, refuse the work, duties or status incompatible with the duties of the Chairman or Deputy Chairman of the Central Electoral Commission.

3. The Seimas may terminate the powers of the Chairman of the Central Electoral Commission and its members only on the grounds defined by this Law.

4. In the case specified in subparagraph 10 of paragraph 1 of this Article the Seimas shall, not later than within 7 days, compose a new Central Electoral Commission.

Valid before 1 January 2012

#### Article 11. Meetings of the Central Electoral Commission

1. The Central Electoral Commission shall consider issues that are within its competence and collegially adopt decisions at its meetings.

2. The Chairman of the Central Electoral Commission shall convene meetings of the Central Electoral Commission on his own initiative. Moreover, he must convene a meeting of the Central Electoral Commission if not less than 1/3 of the Commission members request so.

3. A meeting of the Central Electoral Commission shall be legal if not less than 3/5 of the Commission members participate in it.

4. Meetings and voting of the Central Electoral Commission shall be public. Information about a meeting of the Central Electoral Commission shall be announced in the billboard situated in the building in which the headquarters of the Commission is located, a well as in the Internet webpage, and the Commission members shall be individually informed about it not later than 24 hours before the beginning of a meeting.

5. The Central Electoral Commission shall announce agendas of the meetings in the Internet webpage when the following issues are planned to be considered and resolved:

- 1) the date of by-elections and run-off elections;
- 2) setting of the boundaries of constituencies;
- 3) the formation and change of the composition of electoral or referendum committees of constituencies, cities, regions;
- 4) registration of candidates or an initiative group of citizens of the Republic of Lithuania for the conducting of a referendum;



- 5) issues resolved by drawing lots;
- 6) determining of the results of calculation of votes of elections and referendums, the final results of elections and referendums;
- 7) recognition of the Seimas member's powers as being terminated;
- 8) recognition of the powers of a new Seimas member;
- 9) setting of the number of councillors;
- 10) registration of candidates for councillors;
- 11) recognition of the councillor's powers as being terminated;
- 12) recognition of the powers of a new councillor;
- 13) compliance of the registration of an initiative group of citizens of the Republic of Lithuania for the conducting of a referendum and the signatures of voters, collected by it, with the requirements, as well as disputes concerning violations of election or referendum campaigning, or election laws or the Law on Referendum.

6. Representatives and observers of the parties, candidates for Seimas members, candidates for President of the Republic, and candidates for councillors, an initiative group of citizen's of the Republic of Lithuania for the holding of a referendum may observe meetings of the Central Electoral Commission, upon presenting a certificate of an established form, as well as representatives of the mass media, upon presenting their authority or service cards.

7. A candidate for Seimas member, a candidate for President of the Republic and a candidate for councillor may participate in a meeting of the Central Electoral Commission matters concerning his personal activities or circumstances directly related to his person are being considered or if he has been invited to participate in the meeting by the Commission Chairman.

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



9. The Central Electoral Commission may prohibit anyone from entering the workroom of the secretariat staff of the Commission, document safe-keeping premises if it is necessary to guarantee undisturbed working conditions of the staff and to protect election and referendum documents.

10. If there are reasons to believe that during a meeting of the Central Electoral Commission a threat to the security of the participants of a meeting may arise, the Commission Chairman may instruct the police to check the documents and belongings of the persons entering the meeting room or carry out their personal search.

11. The Central Electoral Commission may remove from the meeting room persons who interfere with the work of the Commission.

12. Minutes of all meetings of the Central Electoral Commission shall be taken. The Chairman and the secretary of the Commission shall sign the minutes.

Valid as of 1 January 2012

#### Article 11. Meetings of the Central Electoral Commission

1. At its meetings the Central Electoral Commission shall consider issues that are within its competence and collegially adopt decisions.

2. The Chairman of the Central Electoral Commission shall convene meetings of the Central Electoral Commission on his own initiative. Moreover, he must convene a meeting of the Central Electoral Commission if not less than 1/3 of the Commission members request so.

3. A meeting of the Central Electoral Commission shall be legal if not less than 3/5 of the Commission members participate in it.

4. Meetings and voting of the Central Electoral Commission shall be public. Information about a meeting of the Central Electoral Commission shall be announced in the billboard situated in the building in which the headquarters of the Commission is located, a well as on the website, and the Commission members shall be individually informed about it not later than 24 hours before the beginning of a meeting.

5. The Central Electoral Commission shall announce agendas of the meetings on the website when the following issues are planned to be considered and resolved:

- 1) the date of by-elections and run-off elections;
- 2) setting of boundaries of the constituencies;
- 3) the formation and change of the composition of electoral or referendum committees of constituencies, cities, regions;
- 4) registration of candidates or an initiative group of citizens of the Republic of Lithuania for the conducting of a referendum;
- 5) issues resolved by drawing lots;
- 6) determining of the results of calculation of votes of elections and referendums, the final results of elections and referendums;
- 7) recognition of the Seimas member's powers as being terminated;
- 8) recognition of the powers of a new Seimas member;
- 9) setting of the number of municipal councillors;
- 10) registration of candidates for municipal councillors;
- 11) recognition of the municipal councillor's powers as being terminated;
- 12) recognition of the powers of a new municipal councillor;
- 13) compliance of the registration of an initiative group of citizens of the Republic of Lithuania for the conducting of a referendum and the signatures of voters, collected by it, with the requirements, as well as disputes concerning violations of election or referendum campaigning, or election laws or the Law on Referendum.

6. Representatives and observers of the parties, candidates for Seimas members, candidates for President of the Republic, and candidates for municipal councillors, an initiative group of citizens of the Republic of Lithuania for the holding of a referendum may observe meetings of the Central Electoral Commission, upon presenting a certificate of an established form, as well as representatives of the mass media, upon presenting their authority or service cards.

7. A candidate for Seimas member, a candidate for President of the Republic and a candidate for municipal councillor may participate in a meeting of the Central Electoral Commission where matters concerning his personal activities or circumstances directly related to his person are being considered or if he

has been invited to participate in the meeting by the Commission Chairman.

8. Persons present in the meeting room of the Central Electoral Commission may, from their seats, record, write down in shorthand or take down everything that is said at the meeting, photograph, film or make video recordings as well as conduct live radio or television broadcasting of meetings.

9. Live broadcasting of meetings of the Central Electoral Commission shall be conducted on the website of the Central Electoral Commission in accordance with the procedure laid down by the Central Electoral Commission.

10. The Central Electoral Commission may prohibit anyone from entering the workroom of the secretariat staff of the Commission, document safe-keeping premises if it is necessary to guarantee undisturbed working conditions of the staff and to protect election and referendum documents.

11. If there are reasons to believe that during a meeting of the Central Electoral Commission a threat to the security of the participants of a meeting may arise, the Commission Chairman may instruct the police to check the documents and belongings of the persons entering the meeting room or carry out their personal search.

12. The Central Electoral Commission may remove from the meeting room persons who interfere with the work of the Commission.

13. Minutes of all meetings of the Central Electoral Commission shall be taken. The Chairman and the secretary of the Commission shall sign the minutes.

## Article 12. Decisions of the Central Electoral Commission and Procedure of their Adoption

1. When exercising its powers the Central Electoral Commission shall adopt acts decisions. The Commission Chairman shall sign them.

2. Decisions of the Central Electoral Commission shall be adopted by open vote of the majority of the Commission members participating in the meeting. In the event of a tie vote, the Commission Chairman shall have the casting vote.

3. When making decisions on the registration of candidates for President of the Republic, Seimas member or municipal councillor, as well as for the determining of final election or referendum results, the Commission members shall vote "for" or "against" a submitted draft of a decision; it shall be prohibited to abstain.

4. Decisions of the Central Electoral Commission shall be published in the manner prescribed by law.
5. Decisions of the Central Electoral Commission adopted within the Commission's remit shall be mandatory for all electoral and referendum committees, state and municipal institutions and agencies, as well as other agencies, enterprises and organisations. They may be amended or repealed only by the Central Electoral Commission itself or the court.
6. Decisions of the Central Electoral Commission may be appealed against in the manner prescribed by law.
7. Results of calculation of votes of elections, referendums shall be entered in a vote calculation record. The Chairman and the members of the Central Electoral Commission shall sign it. Results of elections and referendums shall be determined in the decisions of the Central Electoral Commission.

#### Article 13. Chairman of the Central Electoral Commission

1. The Chairman of the Central Electoral Commission shall:

- 1) organise the work of the Central Electoral Commission;
- 2) represent the Central Electoral Commission in state institutions, the court and international organisations;
- 3) direct preparation of issues submitted to the Central Electoral Commission for consideration;
- 4) convene meetings of the Central Electoral Commission and preside over them;
- 5) with consent of the members of the Central Electoral Commission, post them to represent the Central Electoral Commission or to carry out other tasks abroad and in Lithuania;
- 6) submit to the Central Electoral Commission for approval its expenditure estimates, expenditure estimates of elections, referendums, the structure and positions of the secretariat of the Central Electoral Commission;
- 7) direct the work of the secretariat of the Central Electoral Commission, in the manner prescribed by law, appoint and dismiss staff employees of the secretariat, approve job descriptions of the employees;
- 8) where necessary, additionally hire the persons for carrying-out of concrete



economic or technical functions or for other auxiliary works the expenses related to the payment for which are provided for in the expenditure estimates approved by the Central Electoral Commission;

9) keep the seal of the Central Electoral Commission and be responsible for the use thereof;

10) exercise other powers granted by law.

2. The Chairman of the Central Electoral Commission shall enjoy all the rights of the member of the Central Electoral Commission.

3. The Chairman of the Central Electoral Commission shall, when solving the issues pertaining to the work of the secretariat of the Central Electoral Commission and the management of the staff of the secretariat, issue orders.

4. Issues concerning holidays and secondments of the Chairman of the Central Electoral Commission shall be solved in accordance with the procedure established by the Regulations of the Central Electoral Commission (hereinafter referred to as "the Regulations").

#### Article 14. Deputy Chairmen of the Central Electoral Commission

1. The Chairman of the Central Electoral Commission shall have two deputies. They shall be elected by the Central Electoral Commission in its meeting in the manner prescribed by the Regulations. The Minister of Justice or the Lithuanian Bar Association shall elect Deputy Chairmen from among the members who are nominated to the Central Electoral Commission.

2. In the absence of the Chairman of the Central Electoral Commission or when he is not able to carry out his duties, one of his deputies shall temporarily act as Chairman of the Commission.

3. In the event neither the Commission Chairman nor his deputy is able to carry out the duties of the Commission Chairman, such duties shall be carried out by the Commission member who is appointed by the Central Electoral Commission from among the members nominated by the Minister of Justice or the Lithuanian Bar Association.

4. When Deputy Chairman or another member of the Commission carries out the duties of the Commission Chairman, he shall be paid the salary of the Commission Chairman.

5. the Central Electoral Commission or its Chairman may task the Deputy Chairmen to have care of separate spheres of the activities of the Central



Electoral Commission.

#### Article 15. Secretary of the Central Electoral Commission

1. One of the Deputy Chairmen of the Commission shall be the secretary of the Central Electoral Commission. He shall be elected by the Central Electoral Commission in the manner prescribed by the Regulations. The Commission secretary shall sign minutes of the Commission meetings, have care of clerical work, and carry out other duties assigned by the Central Electoral Commission or its Chairman.

2. If the secretary of the Central Electoral Commission is not able to carry out the duties, he shall be temporarily deputised for by the member of the Central Electoral Commission who is appointed by the Central Electoral Commission.

#### Article 16. The Rights of the Member of the Central Electoral Commission

1. The member of the Central Electoral Commission shall have the right:

- 1) to participate in meetings of the Central Electoral Commission, to express his own opinion in them, to participate in discussions, to vote, to draw up drafts of decisions and other documents of the Central Electoral Commission;
- 2) to participate in all events of the Central Electoral Commission (sittings, briefings, conferences, seminars, etc.) and to view his own opinion in them;
- 3) together with other members of the Central Electoral Commission to request to convene a meeting of the Central Electoral Commission;
- 4) to participate in meetings, conferences and sittings of the Seimas Committees and Commissions, the Government, other state and municipal institutions, electoral and referendum committees when drafts of the amendment of election laws and the Law on Referendum, issues pertaining to organisation and conducting of elections or referendums, as well as other issues assigned to the competence of the Central Electoral Commission are being considered, to submit proposals regarding the solution of these issues in a prescribed manner;
- 5) to check the compliance with the requirements of election laws, the Law on Referendum and other laws and legal acts regulating the organisation and conducting of elections and referendums;
- 6) to enter all premises in which preparation for elections or referendums is carried out, as well as in which voting or vote calculation is carried out;

7) in the cases prescribed by law, to draft records of administrative violations of law.

2. The Chairman of the Central Electoral Commission and its members shall be prohibited from any election or referendum campaigning, or other attempts to influence voters' will.

Article 17. Payment for Work of the Chairman, Deputy Chairmen and Members of the Central Electoral Commission

1. The conditions of payment for work laid down in the Law on Remuneration of State Politicians and State Officers shall apply to the Chairman, Deputy Chairmen and members of the Central Electoral Commission.

2. At the end of each year the Chairman, Deputy Chairmen and members of the Central Electoral Commission shall, for the overtime work, work on rest days and public holidays, be paid a single allowance not exceeding the amount of their basic salaries as set by the Law on Remuneration of State Politicians and State Officers. It shall be paid without exceeding the remuneration funds appropriated for the Central Electoral Commission. If such funds are not sufficient, also if the Chairman, Deputy Chairman or a member of the Central Electoral Commission has not worked there the whole year, an allowance shall be calculated proportionally to the possessed remuneration funds or the time actually worked during that year. The Central Electoral Commission shall fix a concrete amount of allowances for the Chairman, Deputy Chairman and each member of the Commission.

3. Severance pay in the amount of their basic salary for 2 months shall be paid to the Chairman and members of the Central Electoral Commission who are dismissed from the Commission on the grounds established in subparagraphs 1, 5 and 7 of paragraph 1 of Article 10 of this Law.

4. The provisions of paragraph 3 of this Article shall not apply when the Chairman or a member of the Commission is appointed to a newly formed Central Electoral Commission or remains a member thereof after revision of the composition of the Central Electoral Commission under Article 9 of this Law.

Article 18. Secretariat of the Central Electoral Commission

1. The Central Electoral Commission shall have its secretariat. The employees of the secretariat shall be public servants to whom the Law on Public Service applies.

2. The structure of the secretariat, positions and regulations of activities

shall be approved by the Central Electoral Commission.

#### Article 19. Regulations of the Central Electoral Commission

Procedure for organising the work of the Central Electoral Commission, electing Commission Chairman, Deputy Chairmen and secretary, convening meetings, and procedures therein, clerical work and other issues shall be established by the Regulations of the Central Electoral Commission. The Central Electoral Commission shall approve it.

#### Article 20. Financing of the Central Electoral Commission

1. The Central Electoral Commission shall be a budgetary agency maintained from state budgetary funds.

2. The manager of state budgetary appropriations assigned to the Central Electoral Commission shall be the Chairman of the Central Electoral Commission. His rights, duties and responsibility when managing, using, including into accounting the state budgetary appropriations assigned for the Central Electoral Commission shall be established by law.

#### Article 21. Final Provisions

1. This Law shall come into force on 1 August 2002.

2. Upon the coming into force of this Law, the powers of the Central Electoral Commission set up prior to the coming into force of this Law shall continue until a new Central Electoral Commission shall be composed in compliance with Article 7 of this Law.

I promulgate this Law passed by the Seimas of the Republic of Lithuania.

PRESIDENT OF THE REPUBLIC VALDAS ADAMKUS

