Text consolidated by Valsts valodas centrs (State Language Centre) with amending laws of:

6 April 2006 [shall come into force on 9 May 2006];

17 July 2008 [shall come into force on 1 July 2009];

30 October 2008 [shall come into force on 27 November 2008];

23 April 2009 [shall come into force on 1 May 2009];

13 December 2012 [shall come into force on 11 January 2013];

12 September 2013 [shall come into force on 1 January 2014];

31 October 2013 [shall come into force on 15 December 2013];

3 March 2016 [shall come into force on 29 March 2016];

25 October 2018 [shall come into force on 28 November 2018];

23 May 2019 [shall come into force on 24 May 2019];

27 October 2022 [shall come into force on 25 November 2022];

25 May 2023 [shall come into force on 15 June 2023].

If a whole or part of a section has been amended, the date of the amending law appears in square brackets at the end of the section. If a whole section, paragraph or clause has been deleted, the date of the deletion appears in square brackets beside the deleted section, paragraph or clause.

The *Saeima*1 has adopted and

the President has proclaimed the following law:

**Election to the European Parliament Law**

**Chapter I**

**General Provisions**

**Section 1.**This Law shall prescribe the procedures by which election to the European Parliament shall take place in the Republic of Latvia.

**Section 2.**(1) In the Republic of Latvia the following shall have the right to elect the European Parliament:

1) a citizen of Latvia;

2) a citizen of the European Union who is not a Latvian citizen but who resides in the Republic of Latvia.

(2) A person who has reached the age of 18 years on the election day has the right to vote if the information on such person is included in the electoral roll in Latvia and if none of the restrictions referred to in Section 3 of this Law apply to such person.

**Section 3.**In the Republic of Latvia, the following persons do not have the right to elect the European Parliament:

1) [31 October 2013];

2) [30 October 2008];

3) persons who do not have the right to vote in the Member State of the European Union of which they are citizens.

[*30 October 2008; 31 October 2013*]

**Section 4.**(1) In the Republic of Latvia, the following shall have the right to stand as candidates in elections to the European Parliament:

1) a citizen of Latvia;

2) a citizen of the European Union who is not a Latvian citizen but who resides in the Republic of Latvia.

(2) A person who has reached the age of 21 years on the election day has the right to stand as a candidate if the information on such person is included in the electoral roll in Latvia and if none of the restrictions referred to in Section 5 of this Law apply to such person.

**Section 5.**(1) A person may not be nominated as a candidate in elections to the European Parliament and may not be elected to the European Parliament if he or she in the Republic of Latvia:

1) is a person upon whom the court has established trusteeship in accordance with the procedures laid down in law;

2) is serving a sentence in a prison;

3) has been convicted of a serious or very serious crime and whose conviction has not been extinguished or set aside, except for the case when the person has been exonerated;

4) at the time of committing the offence provided for in the Criminal Law was in a state of mental incapacity, a state of diminished mental capacity, or also after committing a criminal offence has become ill with a mental illness which has deprived him or her of the capacity to understand his or her actions or to control them and on whom a compulsory measure of a medical nature in relation thereto has been imposed which has not been revoked;

5) has been punished with a prohibition to stand as a candidate in the *Saeima*, European Parliament, local government council elections, except for the person who has been exonerated or whose criminal record has been extinguished or set aside.

(2) A citizen of the European Union who does not have the right to stand as a candidate and be elected in the Member State of the European Union of which he or she is a citizen may not be nominated as a candidate in elections to the European Parliament in the Republic of Latvia and elected to the European Parliament.

(3) A European Union citizen who has been in a permanent staff position in the State security service, intelligence or counter-intelligence service of the USSR, the Latvian SSR (except for the persons who have been only the employees of the planning and finance, administrative and economic departments of the Committee for State Security of the USSR or the Latvian SSR), as well as a person who, after 13 January 1991, has worked in the CPSU (LCP), the International Front of the Working People of the Latvian SSR, the United Work Collective Council, the Organisation of War and Labour Veterans or the All-Latvia Salvation of Society Committee or its regional committees may not be nominated as a candidate in elections to the European Parliament in the Republic of Latvia.

[*6 April 2006; 17 July 2008; 31 October 2013; 27 October 2022; 25 May 2023*]

**Section 6.**(1) If a citizen of the European Union votes or stands as a candidate in the elections to the European Parliament in another Member State of the European Union, he or she shall lose the right to vote, to stand as a candidate and be elected to the European Parliament in the Republic of Latvia.

(2) If a citizen of the European Union who is not a Latvian citizen wishes to exercise his or her voting rights in elections to the European Parliament in the Republic of Latvia, he or she shall, in person or by post not later than 30 days before the elections, submit a submission to the Central Election Commission regarding a wish to vote in the Republic of Latvia and an undertaking not to exercise voting rights in another Member State of the European Union.

(3) The submission by a person shall specify the following information:

1) given name, surname;

2) personal identity number assigned in the Register of Natural Persons (if any);

3) citizenship (citizenships);

4) information regarding the personal identification document (type of document, number and series, date of issue, term of validity, issuing state and issuing authority);

5) place of residence in the Republic of Latvia;

6) [25 May 2023];

7) the electoral district in a Member State of the European Union where the person until now was entered in the list of participating voters, if any;

8) an undertaking to exercise his or her voting rights only in the Republic of Latvia.

(4) The Central Election Commission shall examine the submission of a person regarding his or her wish to vote in the Republic of Latvia and inform the person of the decision taken. If a person has been refused participation in voting, the decision of the Central Election Commission may be contested before court in accordance with the procedures specified in the Administrative Procedure Law.

(5) The Central Election Commission is entitled to verify in the home country of the person whether the right of the relevant person to elect the European Parliament has not been restricted.

(6) The Central Election Commission shall provide the necessary information regarding a Latvian citizen to the relevant Member State of the European Union in which he or she wishes to exercise his or her voting rights in elections to the European Parliament if such information is requested by the relevant Member State of the European Union.

[*25 May 2023*]

**Section 7.**The President, a member of the *Saeima*, a member of the Cabinet, a councillor of a local government council may be nominated as a candidate in elections to the European Parliament, however, if the relevant person is elected, he or she shall lose the position of a State official as well as the relevant member or councillor mandate on the 30th day after the approval of election results.

[*17 July 2008; 31 October 2013; 25 May 2023*]

**Section 8.**The Republic of Latvia is a single electoral district.

**Chapter II**

**Submission of Lists of Candidates**

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

1) a political party registered in the Republic of Latvia that has at least 500 members;

2) an alliance of political parties registered in the Republic of Latvia if there are at least 500 members in total in the alliance of political parties.

(11) The number of members of a political party or alliance of political parties shall be determined according to the latest register of party members submitted to the Party Register institution that has been submitted to the Party Register institution within the last 12 months prior to the day of submission of the list of candidates. Information referred to in this Paragraph shall be obtained by the Central Election Commission from the Party Register institution.

(2) Lists of candidates shall be submitted to the Central Election Commission. The list of candidates shall be submitted by a person who has been authorised by the executive board of the relevant political party or alliance of political parties.

(3) Lists of candidates may be submitted starting from the one hundred and thirty-fifth day prior to the election day. The last day for the submission of lists of candidates is the one hundred and twentieth day prior to the election day.

[*17 July 2008; 3 March 2016; 25 May 2023*]

**Section 10.**(1) The list of candidates shall indicate the given name, surname, personal identity number (if none – the voter code) of each candidate.

(2) The number of candidates nominated in the list may not be more than twice the number of members of parliament to be elected.

(3) One and the same candidate may be nominated only to a list of candidates of one name. If a candidate has been nominated to lists of candidates of various names, his or her candidacy shall be deleted from all the lists of candidates.

(4) The name of a list of candidates shall correspond to:

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

2) the name of the relevant alliance of political parties if the list of candidates is submitted by an alliance of political parties.

(5) A list of candidates and the documents attached thereto (Section 11) shall be drawn up in the official language and in accordance with the procedures specified by the Central Election Commission.

[*17 July 2008; 31 October 2013*]

**Section 11.**(1) The following documents shall be attached to the list of candidates:

1) a statement signed by every candidate included in the list that they agree to stand as candidates in the relevant elections, they do not stand as candidates in another Member State of the European Union and agree to the processing of their personal data which is to be carried out in accordance with the requirements of this Law. A citizen of the European Union who is not a Latvian citizen shall additionally indicate in the statement that he or she has not been deprived of the right to stand as a candidate in elections to the European Parliament in his or her home Member State by a court ruling or an administrative act;

2) a pre-election programme signed by all the candidates included in the list of candidates, the size of which may not exceed 10000 characters;

3) a declaration signed by every candidate included in the list of candidates that he or she conforms to the requirements of Section 4 of this Law and the restrictions referred to in Section 5 of this Law do not apply to him or her;

4) information signed by every candidate included in the list of candidates, specifying the following data on the candidate:

a) given name, surname, date of birth and sex;

b) personal identity number or voter code;

c) citizenship;

d) place of residence (State city or municipality);

e) places of employment and positions held (including positions in political parties, alliances of political parties, religious organisations, trade unions, associations and foundations) or, if there is no place of employment, occupation, status;

f) education (basic, secondary, higher), degree acquired, vocational qualification, educational institution, and year of graduating from the educational institution;

g) [25 May 2023];

h) whether he or she has or has not co-operated with the State security service, intelligence or counter-intelligence service of the USSR or Latvian SSR as a non-staff employee of these services, an agent, a resident or keeper of safe house;

i) [25 May 2023];

j) a citizen of the European Union who is not a citizen of the Republic of Latvia shall additionally indicate his or her last address in the home Member State and the place of birth.

(2) If a candidate wishes, the following information signed by him or her shall be attached to the list of candidates:

1) nationality;

2) marital status;

3) self-assessment of the proficiency in the Latvian language and other official languages of the European Union.

[*6 April 2006; 17 July 2008; 31 October 2013; 25 May 2023*]

**Section 12.**(1) The Central Election Commission shall register only such lists of candidates the submitters of which have paid the security deposit of EUR 8000 in the deposit of the Central Election Commission.

(2) A bank shall issue the person who paid in the security deposit with a document on which is indicated the name of the list of candidates regarding which the security deposit was paid in for, the payer and the time of payment.

(3) The security deposit that has been paid in for a list of candidates from which in the relevant elections at least one member has been elected to the European Parliament shall be returned to the payer.

(4) The security deposit that has been paid in for a list of candidates from which in the relevant elections none were elected to the European Parliament shall be paid by the Central Election Commission into the State budget.

[*12 September 2013; 25 May 2023*]

**Section 13.**(1) The Central Election Commission shall, not later than 60 days prior to the election day, send to the competent authorities of other Member States of the European Union the lists of those citizens of the European Union who are registered in the Republic of Latvia as candidates, indicating the information given by the candidate on citizenship, place of residence, place and date of birth, address of the last place of residence in the home Member State.

(2) The Central Election Commission shall, not later than 19 days prior to the election day, send to other Member States of the European Union lists of those citizens of the European Union who are registered in the Republic of Latvia as voters.

(3) The Central Election Commission, having received lists of candidates from other Member States of the European Union, shall verify whether any of the candidates registered in another Member State of the European Union has been registered as a candidate also in the Republic of Latvia. If any of the candidates registered in another Member State of the European Union is also registered as a candidate in the Republic of Latvia, the Central Election Commission shall delete such person from the list of candidates.

(31) The Central Election Commission shall evaluate the notification sent by the competent authorities of the European Union Member States about the right of a citizen of Latvia to stand as a candidate in another European Union Member State, acquire information in accordance with Section 14, Paragraph three of this Law and:

1) provide information to the competent authority of the European Union Member State regarding the right of a citizen of Latvia to stand as a candidate in elections to the European Parliament within five working days from the moment of receipt of the notification (or within the shortest possible time period if it is requested by the relevant competent authority) whether the person can stand as a candidate and be elected in accordance with this Law or he or she cannot stand as a candidate and be elected in accordance with Section 5, Paragraph one, Clause 5 of this Law;

2) within five working days from the moment of receipt of the notification, take the decision on the prohibition on the person to stand as a candidate in elections to the European Parliament if he or she cannot stand as a candidate and be elected in accordance with Section 5, Paragraph one, Clauses 1, 2, 3, and 4 of this Law. This decision shall be immediately sent to the respective person, and the information on the decision shall be provided to the competent authority of the Member State of the European Union.

(4) If the Central Election Commission receives from another Member State of the European Union information that a voter registered in the Republic of Latvia has applied to vote in another Member State of the European Union, a notation in respect of this shall be made in the electoral roll.

[*31 October 2013*]

**Section 14.**(1) The Central Election Commission shall examine the submitted lists of candidates and decide on registration of each list of candidates. Lists of candidates, which have been submitted in compliance with the requirements of this Law, shall be registered in the Central Election Commission and the submitters of the list of candidates shall be informed of the decision taken.

(2) Registered lists of candidates cannot be withdrawn, and only the Central Election Commission in one of the following ways may make amendments to them:

1) by deleting the nominated candidate if it is determined that:

a) the person does not have the right to stand as a candidate in elections to the European Parliament;

b) one and the same person has been nominated in lists of candidates under different names or has also been nominated in a list of candidates in another Member State of the European Union;

c) the candidate has died;

2) by making corrections of a technical nature.

(3) A candidate shall be deleted from a list of candidates on the basis of the information provided by the relevant State institution or a court judgment. The fact that the candidate:

1) is not a citizen of the European Union – shall be certified by the competent institution of the Member State of the European Union the citizen of which the candidate claims to be (in the Republic of Latvia – the Office of Citizenship and Migration Affairs);

2) is nominated in the list of candidates of another Member State of the European Union in the relevant elections – shall be certified by the competent institution of the relevant Member State of the European Union;

3) is not entitled to stand as a candidate in the Member State of the European Union of which he or she is a citizen – shall be certified by the competent institution of the relevant Member State of the European Union;

4) is a person upon whom the court has established trusteeship in accordance with the procedures prescribed by law shall be certified by the Office of Citizenship and Migration Affairs;

5) is serving a sentence in a prison or has been convicted of a serious or very serious crime and the conviction has not been extinguished or set aside – shall be certified by the Information Centre of the Ministry of the Interior;

6) at the time of committing the offence provided for in the Criminal Law was in a state of mental incapacity, a state of diminished mental capacity, or also after committing a criminal offence has become ill with a mental illness which has deprived him or her of the capacity to understand his or her actions or to control them and on whom a compulsory measure of a medical nature in relation thereto has been imposed which has not been revoked – shall be certified by the Information Centre of the Ministry of the Interior;

7) has not reached 21 years of age by the election day or information regarding him or her has not been included in the electoral roll – shall be certified by the Office of Citizenship and Migration Affairs;

8) has died – shall be certified by the Office of Citizenship and Migration Affairs;

9) has been in a permanent staff position in the State security service, intelligence or counter-intelligence service of the USSR, the Latvian SSR (except for the persons who have been only the employees of the planning and finance, administrative and economic departments of the Committee for State Security of the USSR or the Latvian SSR) – shall be certified by the judgment of the relevant court;

10) after 13 January 1991 has worked in the CPSU (LCP), the International Front of the Working People of the Latvian SSR, the United Work Collective Council, the Organisation of War and Labour Veterans, the All-Latvia Salvation of Society Committee or its regional committees – shall be certified by the judgment of the relevant court.

(4) The State administration institutions of the Republic of Latvia referred to in Paragraph three of this Section shall submit the relevant information to the Central Election Commission without charge within three working days after receipt of its request.

(5) If information that a nominated candidate does not have the right to stand as a candidate in the elections to the European Parliament is received by the Central Election Commission later than the fiftieth day before the elections and it is not possible to produce new ballot papers of the relevant list of candidates, voters shall be issued with ballot papers of the relevant list of candidates with the given name and surname of this candidate. In counting the votes and calculation of election results the votes cast for the relevant person shall not be counted.

[*31 October 2013; 25 October 2018; 25 May 2023*]

**Section 15.**(1) The Central Election Commission shall number the lists of candidates, determining their numbers by drawing lots. The drawing of lots shall take place in the order of registration of the lists.

(2) The Central Election Commission shall ensure the printing of the lists of candidates on separate forms – ballot papers – and the conveyance thereof to election commissions.

(3) The ballot paper shall indicate:

1) the number of the list of candidates;

2) the name of the list of candidates;

3) the given name and surname of the nominated candidates.

(4) Against the surname of each candidate on the ballot paper there is a space for the voter to make a mark.

**Section 16.**The Central Election Commission shall, not later than 19 days prior to the election day, publish the following information on its website and in the official gazette *Latvijas Vēstnesis*:

1) the pre-election programmes;

2) all lists of candidates and other information referred to in this Law on candidates, except for the personal identity number of candidates and the information specified in Paragraph one, Clause 4, Sub-clause “j” of Section 11;

3) the information referred to in Clauses 1 and 2 of this Section in audio format;

4) the information on the accessibility of polling stations for voters in a wheelchair.

[*31 October 2013; 25 May 2023*]

**Chapter III**

**Election Procedures**

**Section 17.**At least five days prior to the election day, the information referred to in Section 16 of this Law shall be available at each polling station.

[*13 December 2012; 31 October 2013*]

**Section 18.**The elections shall take place once every five years on the second Saturday of June from 8.00 till 20.00.

[*25 May 2023*]

**Section 19.**Starting with the opening of a polling station, the secretary of the polling station commission or – in his or her absence – another member of the commission authorised by the chairperson of the polling station commission shall write up the election procedure log in accordance with the procedures specified by the Central Election Commission.

[*31 October 2013*]

**Section 20.**(1) On the election day at 8.00, the chairperson or the secretary of the polling station commission shall, in the presence of the polling station commission, ascertain that the ballot boxes into which the ballot papers are to be placed are empty. After this, the ballot boxes shall be sealed.

(2) Without interfering with the work of the polling station commission, the election procedures at the polling station may be concurrently observed by no more than two authorised observers from each political party or alliance of political parties that has submitted a list of candidates for the respective elections, and also members of the Central Election Commission and the relevant local government election commission, and persons authorised by these commissions, mass media representatives. A candidate may not act as an authorised observer.

[*17 July 2008; 25 May 2023*]

**Section 21.**During the election, the chairperson of the polling station commission shall supervise the procedures in the polling premises. He or she shall ascertain that in the polling premises and not closer than 50 metres from the entrance to the building where the polling station is located restrictions of election freedoms and disturbances to order, as well as campaigns, do not occur.

**Section 22.**(1) A voter, upon presenting a personal identification document valid in the Republic of Latvia, may vote at any polling station.

(2) A voter may vote only in person, except for the cases provided for in Section 25 of this Law.

[*25 May 2023*]

**Section 23.**(1) Voting in the elections shall be by secret ballot.

(2) Inside the polling premises, a member of the polling station commission, having previously ascertained that information on the person has been included in the electoral register and that there is no notation therein on the participation of this person in the relevant election, shall make a notation in the electoral register on the participation of the voter in the relevant election and enter the given name, surname, and personal identity number of the voter in the list of participating voters. The voter shall sign the list of participating voters.

(21) If there is a notation in the electoral register on the participation of the voter in the elections, however, he or she denies that, the polling station commission shall contact the polling station commission in which the voter, according to the information in the electoral register, has voted and shall clarify whether there is the signature of the voter in the list of participating voters of the polling station. If the absence of the signature is confirmed, the voter may vote. If the presence of the signature is confirmed, the voter shall be refused voting.

(3) Each voter shall receive from the polling station commission ballot papers of all the nominated lists of candidates and a special ballot envelope that is stamped with the seal of the relevant polling station commission. The issuing of separate ballot papers is prohibited.

(4) Members of the polling station commission are prohibited from conducting campaigns for or against candidates or lists of candidates.

[*31 October 2013; 25 May 2023*]

**Section 24.**(1) A separate room or booth shall be installed in the polling premises where a voter alone shall place in the ballot envelope one ballot paper and seal the envelope.

(2) On the ballot paper alongside the surnames of the candidates, a voter may at his or her discretion make a mark “+”, not make a mark or strike out the given name or surname of the candidate.

(3) A voter shall make a “+” mark opposite the surname of a candidate if he or she especially supports the election of such a candidate. If the voter does not support a candidate from the existing candidates in the ballot paper, he or she shall strike out the given name or surname of such candidate. The voter may also place an unchanged ballot paper (without marks) into the ballot envelope.

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

(5) If a voter has damaged the paper or the envelope prior to placing the ballot paper in the ballot envelope and sealing it, he or she shall be issued with a new envelope or new ballot papers of all nominated lists of candidates. The voter shall sign in the list of participating voters for the receipt of new ballot papers or ballot envelope.

[*25 May 2023*]

**Section 25.**If a voter cannot vote or sign the list of participating voters himself or herself due to a handicap, marks on the ballot paper shall be made or the list of participating voters shall be signed by either a family member of the voter or another person whom the voter trusts or who has been authorised by the voter in the presence of the voter and according to his or her instructions. A relevant notation thereon shall be made in the list of participating voters. Such person may be a member of the relevant polling station commission if he or she has been trained according to the procedures stipulated by the Central Election Commission and has confirmed in writing that he or she will not influence and disclose the vote of the voter.

[*25 May 2023*]

**Section 26.**On the election day after 20.00, ballot papers may be placed only by those voters who were in the polling premises prior to 20.00. After that, the polling premises shall be closed.

[*25 May 2023*]

**Section 27.**A voter may submit a complaint regarding the election procedures to the chairperson of the polling station commission and it shall be registered in the election procedure log. Any complaint regarding the election procedures shall be examined without delay and a reply shall be given to the submitter of the complaint, but the content of the complaint and reply shall be recorded in the election procedure log.

[*31 October 2013*]

**Chapter IV**

**Exceptions to General Voting Procedures**

**Section 28.**(1) On the basis of a written submission from a voter or his or her authorised person or trustee, the polling station commission shall organise voting at the location of the voter, ensuring secrecy, for the following persons:

1) voters who are unable to come to the polling premises due to their state of health and carers of such voters;

2) carers of persons who are ill;

3) voters who are in an inpatient medical treatment institution due to their state of health;

4) voters on whom a security measure related to deprivation of liberty has been imposed or who serve a sentence of deprivation of liberty;

5) voters who are in a place of temporary detention.

(2) [31 October 2013]

(3) [25 May 2023]

(4) The polling station commission shall continue to accept written submissions on the election day regarding voting at the location of the voter. Submissions accepted after 12.00 shall be satisfied by the polling station commission if it is possible to arrive at the location of the voter up to 20.00.

(5) Information on the voters who, in accordance with this Section, vote at their location shall be entered on a separate list of participating voters and the sealed ballot envelopes shall be placed in a separate sealed ballot box.

(6) The polling station shall be contacted by members of the polling station if it is not possible for members of the polling station to ascertain at the location of a voter that the information on the person is included in the electoral register and that there is no notation on the participation of this person in the relevant election. If it is not possible, the voting shall take place by using a registration envelope in accordance with the procedures laid down in Section 33.1 of this Law.

[*31 October 2013; 25 October 2018; 25 May 2023*]

**Section 29.**Observers authorised for such purpose are entitled to supervise voting at the location of voters.

**Section 30.**(1) A voter who is subject to deprivation of liberty as the security measure or who is serving a sentence related to deprivation of liberty and who wishes to vote at the prison shall submit a submission to the prison administration, indicating his or her given name, surname, and personal identity number therein. Application for voting may be made not later than on the second day before the election day.

(2) The prison administration shall ascertain in the electoral register whether the person who wishes to vote at the prison has the right to vote and shall register the submission in the list of voting at a prison. The prison administration shall verify the identity of the person in the Register of Natural Persons if a personal identification document has not been appended to his or her file.

(3) On the day before the election day, the prison administration shall deliver the list referred to in Paragraph two of this Section to the relevant polling station commission.

(4) On the election day, after the polling station has been opened and ballot boxes have been sealed, the polling station commission shall deliver the forms for the list of participating voters, the ballot papers of all the lists of candidates, ballot envelopes bearing a stamp of the relevant polling station commission, and a sealed ballot box to the prison administration.

(5) The Office of Citizenship and Migration Affairs shall ensure that the prison administration has access to the electoral register.

(6) The prison administration shall enter the given name, surname, personal identity number of a voter in the list of participating voters and make a notation in the electoral register online on the participation in the relevant election. If it is not possible for the prison administration to ascertain that the information on the person has been included in the electoral register and a notation on the participation of such person in the relevant election has not already been made, a notation in the electoral register on the participation of the person in the election shall be made by the relevant polling station commission after receipt of the list of participating voters in accordance with Paragraph nine of this Section. The voter shall sign the list of participating voters confirming the receipt of a complete set of ballot papers containing the lists of candidates and the ballot envelope.

(7) A voter shall select a ballot paper corresponding to the list of candidates for which he or she shall vote, if he or she so wishes, shall make the marks referred to in Section 24 of this Law, and shall place the ballot paper in the ballot envelope and seal the envelope. The voter shall insert the sealed ballot envelope into the ballot box.

(8) The prison administration is prohibited from campaigning for or against candidates or lists of candidates.

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

[*25 May 2023*]

**Section 31.**(1) If the voter is unable to vote on the election day, he or she may cast the vote in advance at any polling station.

(11) On the days of advance voting, it shall be possible to vote in polling stations on: Monday before the election day – from 8.00 to 13.00; on Thursday – from 16.00 to 20.00; on Friday – from 13.00 to 18.00. During this time the polling station commission shall work in a composition of not less than three persons.

(2) Voters voting before the general election day shall place the ballot envelope in a separate sealed ballot box and they shall be entered in a separate list of participating voters.

(3) The notifications on the location and working hours of polling stations established in the administrative territory shall be displayed by the local government election commissions at the building of the relevant council (or at the place of provision of information), at the building where the election commission is located, provided that its location is not in the building of the council, at buildings where polling stations established in the administrative territory are located not later than 10 days before the elections. This information shall be posted also on the website of the council (indicating the relevant page of the website of the Central Election Commission).

[*23 April 2009; 31 October 2013; 25 October 2018; 23 May 2019; 25 May 2023*]

**Section 31.1**Voting for soldiers and national guardsmen who fulfil service duties in international military operations shall be organised in accordance with the procedures determined by the Central Election Commission.

[*31 October 2013*]

**Section 32.**(1) Voters staying in foreign countries may participate in the elections by voting by post or in a polling station. Voting in polling stations established in foreign countries shall take place in accordance with the procedures laid down in Chapter III of this Law.

(2) Application for postal voting shall take place from the thirty-fifth to the eighth day before the general election day, using the electronic service available on the portal of State administration services.

(3) [25 May 2023]

(4) [25 May 2023]

(5) [25 May 2023]

(6) [25 May 2023]

(7) [25 May 2023]

[*30 October 2008; 25 October 2018; 25 May 2023*]

**Section 32.1**[31 October 2013]

**Section 33.**(1) A voter who has accessed the portal of State administration services shall print out the voting materials, select the ballot paper which corresponds to the list of candidates for which he or she shall vote, if he or she so wishes, he or she shall make the marks referred to in Section 24 of this Law, and shall place the ballot paper in the ballot envelope and seal the envelope.

(2) A voter shall place the sealed ballot envelope into the postal envelope on which the given name, surname of the voter, the sequential number in the list of postal voters, and the address of the polling station commission for postal voting shall be indicated and shall send the envelope, taking into account that the polling station commission shall open only those envelopes which are received before the counting of the votes commences.

(3) If a voter arrives at a polling station on the election day, he or she may vote in accordance with the procedures laid down in Chapter III of this Law. The polling station commission shall, in accordance with the procedures specified by the Central Election Commission, inform the polling station commission for postal voting thereof.

[*31 October 2013; 25 May 2023*]

**Section 33.1**(1) If it is not possible for the polling station commission to ascertain that the information on the person is included in the electoral register and a notation has not already been made on the participation of this person in the election, voting shall take place by using a registration envelope, and the relevant voters shall be entered by the polling station commission in a separate list of participating voters.

(2) A voter shall, on his or her own, perform the activities specified in Section 24 of this Law, place the sealed ballot envelope in the registration envelope on which the polling station commission has indicated his or her given name, surname, and sequence number in the list of participating voters, seal the registration envelope, and hand it over to the polling station commission which shall stamp it with the seal of the relevant polling station commission and throw it in a sealed ballot box.

(3) As soon as it is possible to ascertain that the information on the person has been included in the electoral register and a notation has not been made therein on the participation of the person in the election, the polling station commission shall, without interfering with the voting, verify this information according to separate lists of participating voters, make a notation in the electoral register on the participation of the voter in the election, and mark in the lists of participating voters whether the vote of the person is countable.

[*25 May 2023*]

**Chapter V**

**Counting of Votes and Determination of Election Results**

**Section 34.**(1) The counting of votes shall commence immediately after the closing of the polling station. Counting is done by the polling station commission in an open meeting.

(2) Without interfering with the work of the commission, the meeting may be concurrently attended by no more than two authorised observers from each political party or alliance of political parties that has submitted a list of candidates for the respective election, and also members of the Central Election Commission, the relevant local government election commission and persons authorised by these commissions, mass media representatives.

[*17 July 2008; 25 May 2023*]

**Section 35.**Immediately after closing the polling station, the polling station commission shall, in accordance with the procedures stipulated by the Central Election Commission, seal the ballot boxes, close the lists of participating voters, and prepare the premises for the counting of votes. Election materials not used in voting shall be packed or placed in a manner that does not hinder the counting of votes.

[*25 May 2023*]

**Section 36.**(1) The polling station commission shall prepare a vote counting report regarding the counting of votes. After completion of the counting of votes, the authorised observers also have the right to become acquainted with the vote counting report.

1) [31 October 2013];

2) [31 October 2013].

(2) Prior to the opening of ballot boxes, the polling station commission shall establish the number of received, used and spare ballot envelopes, the number of voters at the polling station and at locations of voters. Sealed ballot envelopes which have not been used in voting shall be cancelled.

(3) The ballot boxes shall be opened subsequent to the establishment of the information referred to in Paragraph two of this Section and the packaging of the materials and ballot envelopes not used in the counting of votes. The ballot boxes shall be opened one by one and the ballot envelopes shall be counted.

(4) Ballot envelopes taken out of each ballot box, without opening them, shall be sorted into valid and invalid ballot envelopes.

(5) Torn ballot envelopes and ballot envelopes which are not sealed with a seal of the relevant polling station commission shall be deemed to be invalid.

(6) Invalid ballot envelopes shall be counted and packaged unopened, specifying that the pack contains invalid ballot envelopes and the number thereof. The total number of invalid ballot envelopes shall be entered in the election procedure log.

(7) The number of valid ballot envelopes taken out of each ballot box shall be equal to or less than the relevant number of voters.

(8) If a ballot box contains ballot papers which are not inserted in ballot envelopes, they shall be cancelled and packaged in accordance with the procedures specified by the Central Election Commission.

[*31 October 2013; 25 May 2023*]

**Section 36.1**(1) If voting with registration envelopes has taken place (Section 33.1), the polling station commission shall open the ballot boxes containing the registration envelopes and shall sort the registration envelopes into two groups – valid and invalid envelopes. The registration envelope shall be invalid if:

1) it is not possible to identify the voter – the envelope does not bear the voter’s given name, surname, and sequential number in the list of participating voters;

2) it has not been stamped with the seal of the relevant polling station commission;

3) the relevant person cannot be found in the electoral register;

4) a notation on the participation of the voter in the election has already been made in the electoral register.

(2) The invalid registration envelopes shall be counted and packaged unopened. The polling station commission shall open the valid registration envelopes and count the votes in accordance with the procedures laid down in this Chapter.

[*25 May 2023*]

**Section 36.2**(1) If, after entering of the information referred to in Section 36, Paragraph two of this Law in the vote counting report, the polling station commission establishes, prior to opening the ballot box containing registration envelopes, that there remains a significant number of voters in respect of whom it has not been verified whether the information on the person has been included in the electoral register and whether a notation has already been made therein on the participation of the person in the relevant election, the polling station commission may announce a break with the permission of the election commission of the relevant local government. If the permission of the local government election commission has been received to announce a break, the polling station commission shall package or place lists of participating voters in a separate sealed box prior to announcing the break. The relevant election commission of the local government may determine another place where to resume the counting of the votes and to invite additional specialists from among the voters to ensure the counting of votes.

(2) If voting has taken place by using registration envelopes in a polling station abroad, the polling station commission shall act in accordance with the procedures stipulated by the Central Election Commission.

[*25 May 2023*]

**Section 37.**(1) Subsequent to the counting of the valid ballot envelopes they shall be opened and concurrently their content shall be determined:

1) the envelope contains one ballot paper of the relevant district;

2) the envelope contains more than one ballot paper;

3) the envelope contains a ballot paper of another district;

4) the envelope contains a torn ballot paper;

5) there is no ballot paper in the envelope.

(2) Envelopes which contained one ballot paper of the relevant district do not have to be kept after ballot papers are taken out. Ballot papers from these envelopes shall be placed together for counting.

(3) Empty ballot envelopes, as well as ballot envelopes which contained more than one ballot paper or a torn ballot paper, or a ballot paper of another district shall, together with their contents, be placed separately.

**Section 38.**(1) When all the valid ballot envelopes are opened, the polling station commission shall decide on the validity of those ballot papers which were in the ballot envelopes with several ballot papers, torn ballot papers and ballot papers of another district.

(2) If a ballot envelope contains several absolutely identical ballot papers, one of them shall be deemed to be valid and added to the valid ballot papers for counting, but others shall be deemed to be invalid.

(3) Ballot envelopes containing torn ballot papers, as well as empty ballot envelopes shall be deemed to be ballot envelopes without valid ballot papers.

(4) If a ballot envelope contains more than one ballot paper and these ballot papers are not identical as concerns their content (also as concerns the marks made), it shall be deemed to be an envelope without a valid ballot paper.

(5) Differences of opinion regarding the validity of ballot papers shall be resolved by the polling station commission by majority vote. In case of a tied vote, the chairperson of the commission shall have the deciding vote.

(6) Valid ballot papers shall be grouped according to the names of the lists of candidates in accordance with the procedures specified by the Central Election Commission. Afterwards the votes cast for each list of candidates shall be counted.

(7) The number of votes cast for each list of candidates shall be entered in the vote counting report. Information regarding the number of votes cast for each list of candidates shall be provided in accordance with the procedures specified by the Central Election Commission.

**Section 39.**[31 October 2013]

**Section 40.**(1) Divide the ballot papers of each list into two groups – changed and unchanged ballot papers. Changed ballot papers shall be considered to be those on which the voter, opposite the surname of a candidate in the place provided therefor, has made a “+” mark or has struck out the given name or surname of a candidate. Other ballot papers shall be considered to be unchanged. The changed ballot papers shall be counted in relation to each candidate in which:

1) alongside his or her surname in the place provided therefor a mark “+” has been made;

2) his or her given name or surname has been struck out.

(2) The final results of the counting of votes shall be entered by the polling station commission in the vote counting report.

(3) Differences of opinion regarding the marks made by voters on ballot papers shall be resolved by the polling station commission by majority vote. In the case of a tied vote, the chairperson of the polling station commission shall have the deciding vote.

[*31 October 2013*]

**Section 41.**(1) The postal envelopes received at the polling station for postal voting shall be registered and stored unopened until commencing the counting of votes. The envelopes received by post shall be opened and counted after the voting has been completed in all polling stations established abroad.

(2) The envelopes received by post shall be counted separately, preparing a separate vote counting report.

(3) When starting to count the postal envelopes received, they shall be sorted into two groups without opening – valid and invalid postal envelopes.

(4) Such postal envelopes shall be deemed invalid which:

1) have been sent by voters who have not applied for postal voting;

2) have been sent by voters who have voted at the polling station;

3) do not bear the voter’s given name, surname, and sequential number in the list of participating voters by post and therefore it is not possible to identify the voter;

4) have been received after the commencement of the counting of votes;

5) have been sent from the Republic of Latvia;

6) have been received from voters who have sent several postal envelopes.

(5) Valid postal envelopes shall be placed together and a notation shall be made in the list of participating voters by post that a valid postal envelope has been received. The total number of valid postal envelopes shall be recorded in the election procedure log. Invalid postal envelopes shall not be opened but the total number thereof shall be recorded in the election procedure log.

(6) In opening a valid postal envelope, it shall be verified whether it contains only one ballot envelope. If there are several ballot envelopes in the postal envelope, all of them shall be deemed invalid. A ballot envelope shall be deemed invalid if it does not contain a signed form confirming that the voter has voted in person.

[*25 May 2023*]

**Section 42.**After the counting of votes and the completion of the vote counting report, all valid ballot papers given, as well as the invalid ballot papers, together with ballot envelopes, unused and invalid ballot envelopes and one copy of the vote counting report of the polling station commission shall be packaged and sealed. The procedures for storing the election materials shall be determined by the Central Election Commission.

[*17 July 2008; 31 October 2013*]

**Section 43.**[17 July 2008]

**Section 44.**(1) The members elected shall be determined by the Central Election Commission. Lists of candidates which have received less than five per cent of the total number of votes cast shall not take part in the distribution of member seats. The number of valid ballot envelopes shall be deemed to be the total number of votes given (the total number of voters participating in the election).

(2) In order to distribute the number of member of European Parliament seats between the other nominated lists of candidates, the following procedure shall be applied:

1) the number of valid ballot papers given for each list of candidates shall be determined;

2) the number of ballot papers given for each list of candidates shall be then sequentially divided by 1, 3, 5, 7 and so on until the number of divisions is the same as the number of candidates nominated in the list of candidates;

3) all the acquired divisions for all lists of candidates shall be numbered in common descending order;

4) seats of members shall sequentially be received by those lists of candidates which conform to the largest divisions. If the division the sequential number of which is equal to the number of members of parliament to be elected is equal to one or more following divisions, the member of parliament seat shall be received by the list of candidates which was registered first.

**Section 45.**In each list of candidates, the nominated candidates shall be listed according to the number of votes received. The number of votes received by a candidate shall be equal to the number of votes which were received by the list of candidates in which this candidate was included, minus the number of ballot papers in which the given name or surname of this candidate was struck out, plus the number of those ballot papers in which voters made a “+” mark alongside the surname of this candidate. If two or more candidates of one list of candidates have received an equal number of votes, they shall be mutually listed in the order provided for by the submitters of the list of candidates. Those candidates who have received the largest number of votes shall be elected, but the remainder shall be recorded as candidates in such order as they were listed according to the number of votes, which were received by them.

**Section 46.**If the elected member of the European Parliament has died, resigned or has lost or laid down his or her mandate due to other reasons, the next candidate from the same list of candidates from which the previous member of parliament was elected shall come in his or her place.

**Section 46.1**A member of the European Parliament who is convicted of a criminal offence shall lose his or her mandate and the next candidate from the same list of candidates from which the previous member was elected shall come in his or her place.

[*27 October 2022*]

**Section 47.**If, due to the reasons provided for in Section 46 of this Law, a list of candidates has insufficient candidates, the procedures laid down in Section 44 of this Law shall be used to decide from which list of candidates the next member shall be selected.

**Chapter VI**

**Final Provisions**

**Section 48.**(1) The final election results, also the results on the number of votes received by each candidate in each list of candidates in each polling station shall be compiled within a period of three months in a separate publication to be published on the website of the Central Election Commission.

(2) Lists of the persons who were candidates and who were elected shall be compiled within a period of two months and sent to the European Parliament.

[*31 October 2013*]

**Section 49.**After the end of the time limit for contesting the election results, the vote counting reports and lists of participating voters of the polling station commissions shall be transferred to the National Archives of Latvia.

[*31 October 2013; 25 May 2023*]

**Section 50.**(1) The submitters of the lists of candidates, as well as the nominated candidates have the right to appeal this decision in court within a period of seven days from the day when the Central Election Commission has taken the decision.

(2) Submission of application to a court shall not suspend the operation of the decision referred to in Paragraph one of this Section.

(3) The application shall be submitted to the Administrative Regional Court.

(4) The court shall examine the case as the court of first instance. The case shall be examined in the composition of three judges.

(5) The court shall examine the case and take a ruling within seven days from receipt of the application.

(6) An applicant shall specify the justification for the application. The burden of proof shall lie with the participants to the administrative proceedings.

(7) A ruling of the court, as well as other decisions which are taken in performing procedural actions for the examination of the submitted application or initiated case shall not be subject to appeal.

[*31 October 2013*]

**Section 51.**The persons who hinder voters from participation in elections or from conducting campaigns with violence, fraud, threats, bribery or in other illegal ways, or have voted or stood as candidates several times in the same elections, or have knowingly submitted false information on themselves in the documents referred to in Section 11 of this Law, or in any other way falsified election documents, or have knowingly incorrectly counted votes, or have not respected the secrecy of voting, or have in other ways violated this Law shall be held liable as provided for by laws and regulations.

**Section 52.**Expenditures associated with the preparation and holding of elections shall be covered from the State budget funds allocated to the Central Election Commission.

**Transitional Provision**

Citizens of the Czech Republic, the Republic of Estonia, the Republic of Cyprus, the Republic of Lithuania, the Republic of Malta, the Republic of Poland, the Republic of Slovakia, the Republic of Slovenia and the Republic of Hungary may be registered as voters or candidates at 2004 elections to the European Parliament in the Republic of Latvia. If any of these countries has not become a Member State of the European Union on the election day, its citizens – voters – shall be deleted from the electoral roll (register) and candidates shall be deleted from the list of candidates.

**Informative Reference to European Union Directive**

[*31 October 2013*]

The Law contains legal norms arising from:

1) Council Directive 93/109/EC of 6 December 1993 laying down detailed arrangements for the exercise of the right to vote and stand as a candidate in elections to the European Parliament for citizens of the Union residing in a Member State of which they are not nationals;

2) Council Directive 2013/1/EU of 20 December 2012 amending Directive 93/109/EC as regards certain detailed arrangements for the exercise of the right to stand as a candidate in elections to the European Parliament for citizens of the Union residing in a Member State of which they are not nationals.

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

The Law has been adopted by the *Saeima* on 29 January 2004.

President V. Vīķe-Freiberga

Rīga, 11 February 2004