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].

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 18 years of age on the election day has the right to vote if information regarding this person has been entered in the electoral roll in Latvia and none of the restrictions referred to in Section 3 of this Law applies 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 21 years of age on the election day has the right to stand as a candidate if information regarding this person has been entered in the electoral roll in Latvia and none of the restrictions referred to in Section 5 of this Law applies 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 crime provided for in the Criminal Law was in a state of mental incapacity or state of diminished mental capacity, or also after committing the criminal offence has become ill with a mental illness which has removed his or her ability to understand his or her actions or to control them and on whom a compulsory measure of medical nature has been imposed in relation to this and such measure has not been revoked;

5) has been sentenced with a prohibition to stand as a candidate in the *Saeima*, European Parliament, the city and municipality 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.

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

**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 (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) address in the foreign country to which documents for postal voting shall be sent if he or she wishes to vote by post;

7) the electoral district in a Member State of the European Union where the person until now was entered on an electoral roll, 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 the person is refused participation in the voting, the decision of the Central Election Commission may be disputed in court in accordance with the procedures set out 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.

**Section 7.** The President, a member of the *Saeima*, a member of the Cabinet, a councillor of a city or municipality 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*]

**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 association of political parties registered in the Republic of Latvia if there are at least 500 members in total in the association of political parties.

(11) The number of members of a political party or association 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 decision-making body of the relevant political party or association of political parties.

(3) Lists of candidates may be submitted commencing from the eightieth day prior to the election day. The last day for the submission of lists of candidates is the sixty-fifth day prior to the election day.

[*17 July 2008; 3 March 2016*]

**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 association of political parties if the list of candidates is submitted by an association 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 4000 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 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 (a city or municipality);

e) place of employment;

f) education, indicating the education level: basic, secondary or higher; in relation to the acquired education of highest level – which educational institution and in which year he or she has graduated, what speciality he or she has acquired;

g) whether he or she is or has been in staff positions in the State security service, intelligence or counter-intelligence service of the USSR, the Latvian S.S.R. or of foreign countries;

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 S.S.R. as a non-staff employee of theses services, an agent, a resident or keeper of safe house;

i) whether after 13 January 1991 he or she has or has not worked in the C.P.S.U. (L.C.P.), the Working People’s International Front of the Latvian S.S.R., the United Work Collective Council, the Organisation of War and Labour Veterans, the All-Latvia Salvation of Society Committee or its regional committees;

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) positions (including positions in associations, trade unions, political and religious organisations);

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*]

**Section 12.** (1) The Central Election Commission shall register only such lists of candidates the submitters of which have paid a security deposit of EUR 1400 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. This document shall be submitted to the Central Election Commission.

(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*]

**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 examine the statement sent by competent authorities of the Member States of the European Union on the rights of a Latvian citizen running for elections in another Member State of the European Union to stand as a candidate, shall obtain information according to Section 14, Paragraph three of this Law and shall:

1) within five working days from the time of receipt of the statement (or within as short period as possible if it is requested by the particular competent authority), provide information to the competent authority of the Member State of the European Union on the rights of a Latvian citizen to stand as a candidate in elections to the European Parliament if a person is eligible to stand as a candidate and be elected according to this Law or he or she is not eligible to stand as a candidate and be elected according to Section 5, Paragraph one, Clause 5 of this Law;

2) within five working days from the time of receipt of the statement, take the decision to prohibit a person to stand as a candidate in elections to the European Parliament if he or she is not eligible to stand as a candidate and be elected according to 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 a statement issued 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 crime provided for in the Criminal Law was in a state of mental incapacity or state of diminished mental capacity, or also after committing the criminal offence has become ill with a mental illness which has removed his or her ability to understand his or her actions or to control them and in relation to this a compulsory measure of a medical nature has been imposed on such person and such measure 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.

(4) The State administration institutions of the Republic of Latvia referred to in Paragraph three of this Section shall submit the relevant information in writing to the Central Election Commission without charge within a period of 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*]

**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 the candidates, except for the personal identity number of candidates and the information specified in Paragraph one, Clause 4, Sub-clause “j” of Section 11.

[*31 October 2013*]

**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 every polling station.

[*13 December 2012; 31 October 2013*]

**Section 18.** The elections shall take place once every five years on the fourth Saturday of May from 7.00 in the morning till 8.00 in the evening.

[*31 October 2013; 25 October 2018*]

**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 7.00 in the morning 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 association 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 city or municipality election commission, and persons authorised by these commissions, mass media representatives. A candidate may not act as an authorised observer.

[*17 July 2008*]

**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, shall vote at the polling station in the electoral roll of which he or she is registered.

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

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

(2) In the polling premises, a member of the polling station commission shall, having previously ascertained that the information regarding the person is included in the electoral roll and it does not contain a notation regarding participation of this person in the relevant elections, shall enter a notation on the electoral roll regarding the participation of the voter in the relevant elections. The voter shall sign the electoral roll.

(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*]

**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 a separate list for the receipt of new ballot papers or ballot envelope.

**Section 25.** If a voter cannot vote or sign the electoral roll himself or herself due to a handicap, marks on the ballot paper shall be made or the electoral roll 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 shall be made in the electoral roll regarding this. Such person may not be a member of the relevant polling station commission.

**Section 26.** On the election day after 8.00 in the evening ballot papers may be placed only by those voters who were in the polling premises prior to 8.00 in the evening. After that, the polling premises shall be closed.

[*31 October 2013*]

**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 such voter or his or her authorised person or trustee, the polling station commission shall organise voting on a day of advance 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) Voting on the election day shall be ensured at the location of the voter:

1) for the voters referred to in Paragraph one, Clauses 1 and 2 of this Section if they are located in the territory of the polling station on the electoral roll of which information regarding them has been included;

2) for the voters who have been placed in an inpatient medical treatment institution due to their state of health after the advance voting has been completed.

(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 noon shall be satisfied by the polling station commission if it is possible to arrive at the location of the voter up to 8.00 in the evening.

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

[*31 October 2013; 25 October 2018*]

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

**Section 30.** (1) Voting on days of advance voting at the location of voters shall be organised for the voters referred to in Section 28, Paragraph one of this Law in compliance with Section 31, Paragraph one of this Law.

(2) Voting on days of advance voting at the location of voters shall be organised for the voters referred to in Section 28, Paragraph one, Clauses 3, 4, and 5 of this Law for whom voting cannot be ensured in compliance with the conditions of Section 31, Paragraph one, Clause 2 of this Law, and also for the voters referred to in Section 28, Paragraph three of this Law in compliance with the procedures laid down in Paragraphs three and four of this Section.

(3) 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 sealed ballot envelope shall be placed in a registration envelope on which the voter’s given name, surname, sequential number under which the voter is registered in the electoral roll shall be indicated. The registration envelope shall be sealed and handed over to the polling station commission.

(4) In accordance with the procedures specified by the Central Election Commission, a polling station commission shall register the registration envelopes and keep them unopened until the counting of the votes is commenced (Chapter V).

(5) [30 October 2008]

[*30 October 2008; 17 July 2008; 31 October 2013; 25 October 2018*]

**Section 31.** (1) If the voter will not be able to vote on the election day, he or she may vote in advance – within three days prior to the general election day:

1) at the polling station in the electoral roll of which he or she is registered;

2) at any other polling station, except for the polling stations that cannot:

a) ensure, in accordance with the procedures laid down by the Central Election Commission, electronic exchange of information included in the list of voters with the polling station in the electoral roll of which the voter is registered;

b) receive confirmation that the voter has not voted from the polling station in the electoral roll of which the voter is registered;

c) include the voter in its electoral roll because the polling station commission in the electoral roll of which the voter is registered cannot delete the voter from its electoral roll.

(11) On the days of advance voting, it shall be possible to vote in polling stations on Wednesday – from 17.00 to 20.00; on Thursday – from 9.00 to 12.00; on Friday – from 10.00 to 20.00. During this time the polling station commission shall work in a composition of not less than four persons.

(2) Voters voting before the general election day shall place the ballot envelope in a separate sealed ballot box. The election commission shall make a notation in the electoral roll that a voter has voted in advance.

(3) The notifications on the location and working hours of polling stations established in the administrative territory shall be displayed by the city and municipality 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*]

**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 specified in Chapter III of this Law.

(2) A voter shall submit an application for voting by post to the diplomatic or consular missions specified by the Central Election Commission not later than 42 days prior to the election day, by arriving in person or sending it by post. In the application the voter shall specify his or her given name, surname, personal identity number, residential address and address in the foreign country to which voting materials are to be sent.

(3) A diplomatic or consular mission of the Republic of Latvia shall send the applications of voters to the polling station for postal voting.

(4) The application may be sent by post or handed over directly at the polling station for postal voting.

(5) The commission of the polling station for postal voting shall examine applications which it has received not later than 30 days prior to the elections.

(6) Having received the applications, the polling station commission for postal voting shall:

1) verify whether the submitter is a voter who has not yet been registered for postal voting;

2) make a notation in the electoral roll regarding the application by the person to participate in the relevant elections by postal voting;

3) not later than 24 days prior to the election day, send to the voter, by registered letter, to the address specified in the application ballot papers of all lists of candidates nominated, a ballot envelope stamped with the seal of the polling station commission for postal voting, a registration envelope and information regarding the procedures as to how voting is done, indicating also the sequential number with which the voter is registered in the electoral roll for postal voting and the address of the polling station to which the ballot envelope is to be sent.

(7) If the applicant exceeds the time limit prescribed in Paragraph five of this Section or is not a voter, the polling station commission shall, by a reasoned decision, refuse to send election documents. This decision shall be sent in a registered letter to the applicant to the address specified by him or her.

[*30 October 2008; 25 October 2018*]

**Section 32.1.** [31 October 2013]

**Section 33.** (1) A voter who has received the documents for postal voting shall 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 registration envelope on which the given name, surname of the voter and the sequential number under which he or she is registered in the electoral roll shall be indicated and the address of the polling station commission for postal voting 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 the voter comes to the polling station on the election day and denies having voted by post, he or she may vote in accordance with the procedures specified 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*]

**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 association 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 city or municipality election commission, and persons authorised by these commissions, mass media representatives.

[*17 July 2008*]

**Section 35.** Immediately after the closing of the polling station, the polling station commission shall, in accordance with the procedures specified by the Central Election Commission, seal the ballot boxes, close the electoral rolls 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.

**Section 36.** (1) In respect of the counting of votes, the polling station commission shall write a vote counting report in two copies. 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*]

**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 ditrict 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 validity of the received registration envelopes shall be determined prior to commencing the counting of votes at the polling station for postal voting and the polling stations organising voting at the location of the voter in accordance with the procedures specified in Section 30.

(2) Registration envelopes which have been received from voters recorded on the electoral roll who have not voted in person at their polling station shall be deemed to be valid. Registration envelopes shall be deemed to be invalid if:

1) they have been sent in postal voting by persons who are not registered on the electoral roll;

2) they have been sent in postal voting by voters who have arrived at their polling station on the election day or on a day of advance voting and have denied having voted by post;

3) they do not bear the voter’s given name, surname and sequential number in the electoral roll for postal voting;

4) they have been received after commencement of the counting of votes at the relevant polling station;

5) they have been submitted by voters who have voted at their polling station on the election day or on a day of advance voting.

(3) If one and the same voter has sent by post or has submitted at the location of the voter several registration envelopes, the polling station commission shall open none of them.

(4) The registration envelopes referred to in Paragraphs two and three of this Section shall be registered and kept in accordance with the procedures specified by the Central Election Commission.

[*31 October 2013*]

**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 47.** If due to the reasons referred to in Section 46 of this Law, a list of candidates has insufficient candidates, the procedures specified in Section 44 of this Law shall be used to decide from which list of candidates the next member of parliament 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 electoral rolls of the polling station commissions shall be transferred to the National Archives of Latvia.

[*31 October 2013*]

**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.** Persons who hinder voters from participation in elections or conducting campaigns with violence, fraud, threats, bribery or in other illegal ways, or who have voted or been candidates several times in the same elections, or have knowingly submitted false information about 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 in 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