

ELECTORAL CODE OF THE REPUBLIC OF ARMENIA

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PART 1

SECTION 1. GENERAL PROVISIONS

CHAPTER 1

MAIN PROVISIONS

Article 1. Electoral Basics

1 In accordance with the Constitution of the Republic of Armenia, elections of the President, elections to the National Assembly, elections to local self-government bodies in the Republic of Armenia shall be held through universal, equal, direct suffrage, by secret ballot.

2 Citizens of the Republic of Armenia, who have the right to vote, shall participate in elections directly, by freely expressing their will, on voluntary basis.

3 The state shall encourage presidential, National Assembly and local self-government elections be held under the principles of competitiveness and alternative.

4 The state, the government and local self-government bodies, as well as bodies and officials forming the Central Electoral Commission, shall bear responsibility, within the framework of the powers given to them by the legislation, for the legality of preparation, organization and conduct of elections.

(amend. of 03.07.02 HO-406-N, 19.05.05 HO-101-N)

Article 2. Citizens' Electoral Rights

1. Citizens of the Republic of Armenia, who have attained the age of 18 years, shall have the right to elect in the Republic of Armenia. In local self-government elections, the right to elect shall also belong to everyone registered in and actually living in the respective community for at least one year. The rights and obligations of citizens of the Republic of Armenia, accorded by this Code during local self-government elections, shall also apply to persons who do not have citizenship of the Republic of Armenia, and who have the right to elect.

2. Diplomatic and consular missions of the Republic of Armenia shall, in accordance with the procedure stipulated by this Code and by the Central Electoral Commission, ensure the exercise of electoral rights by Republic of Armenia citizens living or residing abroad.

3. Citizens' electoral rights shall be regulated by the Constitution of the Republic of Armenia and this Code.

4. People with disabilities, as well as voters who have difficulties participating in elections, shall present themselves at precinct centers and participate in the voting process in accordance with procedure established by the Central Electoral Commission.

5. Citizens who have been recognized as incapacitated by a court ruling, as well as those that have been sentenced to imprisonment by a court ruling that has entered into legal force and are currently serving their prison terms, may not elect and be elected.

6. Citizens who are considered military servicemen performing their military service or taking part in military exercises may not participate in local self-government elections and National Assembly elections under majoritarian system.

(amend. of 19.03.99 HO-286, 13.10.99 HO-2, 05.04.00 HO-47, 03.07.02 HO-406-N)

Article 3. Universal Suffrage

Citizens with electoral rights shall have the right to elect and be elected, regardless of their nationality, race, gender, language, religion, political and other views, social origin, property or other status. Any restriction of electoral rights on the basis of the above-mentioned criteria shall be prosecuted by law.

Article 4. Equal Electoral Rights

1 Citizens shall participate in elections on an equal basis.

2 The state shall ensure equal conditions for the exercise of the citizens' electoral rights.

(amend. of 19.03.99 HO-286)

Article 5. Direct Electoral Rights

The President of the Republic, National Assembly members and local self-government bodies shall be elected directly. Voting by proxy shall be prohibited.

Article 6. Voting by Secret Ballot

Voting in elections shall take place by secret ballot. Secrecy of the vote is not only a right, but also a responsibility of the voter. Control over the free expression of voters' will shall be prohibited and prosecuted by law.

Article 7. Transparency of Elections

- 1 Elections shall be prepared and conducted in a transparent fashion.
- 2 Decisions of electoral commissions, national government and local self-government bodies, related to the preparation and conduct of elections, shall be published in the official press within three days of taking these decisions.
- 3 In the course of sessions of electoral commissions and during the voting process, chairmen of electoral commissions shall ensure, in accordance with procedures set out in this Code, that proxies, observers and representatives of the mass media participate in the activities of electoral commissions and that necessary and equal working conditions have been provided to them.
- 4 The authorized agency compiling the national Voter Registry of the Republic of Armenia shall publish the total number of voters included in the Republic of Armenia Voter Register on the day preceding the voting in presidential or National Assembly elections.
- 5 Citizens shall be informed, in accordance with procedures set out in this Code, about the composition, location and working hours of electoral commissions, the formation of electoral precincts and precinct centers, the deadlines for submitting appeals about inaccuracies in voter lists, the nomination and registration of candidates, the voting day and the election results.
- 6 On the voting day, Precinct Electoral Commissions shall report to Territorial Electoral Commissions the voter turnout every three hours. Territorial Electoral Commissions shall sum up these reports, make them public and forward them to the Central Electoral Commission every three hours by electoral districts. In national elections (national elections are either presidential elections or National Assembly elections under proportional contest), the Central Electoral Commission shall publish information on the voting progress at 9:00 on the voting day, and then, from 12:00 till 21:00, every three hours, it shall publish information on voter turnout as of the preceding hour and about applications and complaints received. The Central Electoral Commission shall, by 10:00 of the day following the voting day, officially publicize summative data on the voter turnout in nationwide elections on the basis of data received by telecommunication means from Territorial Electoral Commissions.
- 7 Proxies, accredited observers and representatives of the mass media shall have the right to be present at precinct centers during electoral commission sessions and throughout the voting process.
- 8 In the cases stipulated by Part 6 of this Article, the Central Electoral Commission shall publicize the data by means of live radio and television broadcast of the Public Radio and the Public Television of Armenia from the administrative building of the Central Electoral Commission.

(ed. of 19.03.99 HO-286, 03.07.02 HO-406-N, 19.05.05 HO-101-N)

Article 8. Expenses for Preparation and Conduct of Elections

1. Expenses for preparation and conduct of elections (including expenses for training of commission members, notification of voters, compilation and maintenance of voter lists) shall be covered from the state budget.
2. The procedures for spending by candidates during pre-election campaign and their reimbursement shall be set out by this Code.

(mod. of 19.05.05 HO-101-N)

CHAPTER 2 VOTER LISTS

Article 9. Compilation and Maintenance of Voter Lists

- 1 The Republic of Armenia Voter List shall be compiled and maintained by the Passport and Visa Department of the Republic of Armenia Police (hereinafter, "the Authorized Agency") that registers citizens by their place of residence.
- 2 The voter List shall be a continuously maintained document, and the Authorized Agency shall be responsible for its compliance with the requirements of this Code.
- 3 The Authorized Agency shall compile and maintain the Republic of Armenia Voter List by marzes and communities as a single list, i.e. the Republic of Armenia Voter Register (National Voter Register).

4. Community leaders, heads of respective units of the Republic of Armenia Ministry of Defense, and heads of civil acts registration authorities and detention facilities shall submit to the Authorized Agency information necessary for the compilation and maintenance of the Voter List.

5. In cases and in accordance with procedures set out in this Code, voter lists shall also be compiled by head of the Republic of Armenia diplomatic or consular missions abroad, heads of detention facilities, and commanders of the Republic of Armenia military units.

6. Twice a year—once in July and once in January—the authorized body shall update the Republic of Armenia Voter Register and submit it in electronic form, broken down by communities and marzes (regions), and, in case of nationwide elections, also by precincts, at least 41 days in advance of the voting day, to the Central Electoral Commission for posting on the website of the Central Electoral Commission. The Republic of Armenia Voter Register is a permanent and integral part of the website of the Central Electoral Commission, which shall contain lists of voters broken down by marzes and communities and, in cases stipulated by this Code, also by precincts, provided that such lists shall meet the requirements of Article 11(2) of this Code regarding voter lists.

Article 10. Inclusion of Citizens in the Voter Lists

1. Persons who have the right to vote in accordance with Article 2 of this Code shall be included in the Republic of Armenia Voter List.

2. The same person may be included in one community voter list only, and only once.

3. Everyone that has the right to vote under Article 2 of this Code shall be included in the community voter list. Citizens that have the right to vote, but do not have registration, shall, in accordance with the procedure defined by the Central Electoral Commission, submit a request to be included in the voter list to their community head up to 21 days prior to the voting day or, up to 15 days prior to the voting day—also to the head of the authorized body or of its respective division. Citizens that do not have registration shall be included in the voter list on the basis of a statement on the place of residence.

Prior to 14:00 of no later than the 3rd day prior to the voting day, the Republic of Armenia Police shall present to the head of the authorized body or to the head of its respective territorial division a list of police officers delegated to serve at the precinct centers on the voting day, specifying the citizen's surname, name, patronymic (if the patronymic is specified in the passport), date (day, month, year) of birth, and registered address.

The head of the authorized body or its respective division shall, based on the presented lists, remove the names of the police officers from the voter lists of their registration place and, in accordance with the provisions of Article 11 of this Code regarding voter lists, compile an additional list of police officers voting in the precinct center, sign and seal each page of that list and, two days prior to the voting day, submit it to the Chairman of the relevant Precinct Electoral Commission together with the final voter list.

4. Everyone with the right to vote in local self-government elections shall be included in voter lists compiled during local self-government elections, on general grounds.

5. With the exception of local government elections, military servicemen (citizens) in their regular term of duty or those engaged in military exercises, who have been temporarily released from their service in accordance with the laws, may be included in the voter list in their place of permanent residence in accordance with procedures set out in Paragraph 3 of this Article, upon their application to be included in the voter list.

6. Citizens of the Republic of Armenia residing or traveling outside of the Republic of Armenia who have the right to vote and have applied in accordance with procedures defined by the Central Electoral Commission shall be included in voter lists compiled outside of the Republic of Armenia.

7. If there is no Republic of Armenia diplomatic or consular mission in a given foreign country, then citizens of the Republic of Armenia traveling or residing in that country may apply to be included in voter lists in a neighboring country that has a Republic of Armenia diplomatic or consular mission.

8. During national elections, military servicemen on a regular tour of duty, military servicemen residing on the territory of military units and their family members who have the right to vote, as well as citizens who are engaged in military exercises, shall be included in the voter list in their respective military unit.

9. During national elections, heads of military units shall report the number of eligible voters registered in their military units to the respective community head, to the head of the Authorized Agency, and to the Territorial Electoral Commission, at least 45 days before the voting day.

10. Military servicemen and their family members, who are registered outside the territory of the military compound, shall be included in the voter list on general grounds.

11. Voter lists of detainees shall be compiled by heads of the detention facilities, with participation of a member of the Territorial Electoral Commission, three days before the voting day. During National Assembly elections under majoritarian system, only detained citizens registered in that particular district's communities shall be included in the voter list of detainees. (ed. of 19.05.05 HO-101-N)

Article 11. Criteria Concerting Voter Lists

1. Voter lists shall be compiled on the basis of voters' registered addresses.
2. Voter lists shall contain the name of the marz and community, and (in separate columns) the following information on citizens who have the right to vote:
 - 1) Voter's number in the voter list;
 - 2) Last name, first name and patronymic (patronymic is included only if it appears in the voter's passport);
 - 3) Day, month, and year of birth; and
 - 4) Registered address or residence address, if the voter has no registration.
3. In the voter lists submitted to Precinct Electoral Commission, the numbering referred to in Part 2(1) of this Article shall be done according to precincts; each page of the list shall also contain the precinct number; four additional columns shall be designated—one for each of the following: the series and number of the voter's personal identification document, the voter's signature, the signature of the commission member responsible for registering voters, and additional notes.
4. If there is concurrent voting in more than one election, there shall be separate columns for voter's signatures for each of the voting events.
5. Voter lists shall be prepared in the form of registers, and pages shall be numbered for up to 1,000 voters. The voter list shall be compiled and numbered, each page of the voter list shall be signed and sealed by the head of the respective division of the Authorized Agency.
(ed. of 19.05.05 HO-101-N)

Article 12. Provision of Voter Lists to Electoral Commissions and Precinct Centers

1. At least 40 days before the voting day, the head of the Authorized Agency or its respective division shall provide separate copies of voter lists, broken down by precincts, to the heads of institutions in charge of the premises where appropriate precinct centers are located, to be posted in precinct centers.
2. The final voter lists, by precincts, and the addresses of buildings (houses) included in the precinct, printed in two copies (the first copy of the voter lists—compiled in the form of a journal, and the second copy of the voter lists—for posting in the precinct center), as well as the forms needed to compile additional voter lists as per Article 14¹ of this Code shall be submitted by the authorized body or by the head of its respective division to the chairmen of the respective precinct electoral commissions two days prior to the voting day.
- 2¹. Within the term stipulated by Parts 1 or 2 of this Article, the head of the authorized body or of its respective division shall provide the voter lists to the chairman of the respective Territorial Electoral Commission on an electronic carrier.
3. The lists of voters registered in military units shall be provided to the chairmen of the appropriate Territorial Electoral Commission by the heads of those military units three days before the voting day, in sealed envelopes, which shall be opened only on the voting day in the Precinct Electoral Commission.
4. Heads of detention facilities shall submit their voter lists to the chairmen of Precinct Electoral Commissions formed in their facilities, two days before the voting day.
(ed. of 19.05.05 HO-101-N)

Article 13. Access to Voter Lists

1. The Republic of Armenia Voter List, with the exception of lists compiled in military units and detention facilities and signed by voters, shall be open to access. Lists signed by voters may not be published and copied.
2. The authorized body shall post in the Internet the Republic of Armenia Voter List, which shall correspond to the requirements of Article 11(2) of this Code regarding voter lists, broken down by marzes and communities and, in cases stipulated by this Code, also by precincts
3. Everyone and every party shall have the right, within three days of applying, upon payment of an appropriate fee, to receive from the authorized body or its divisions voter lists in electronic or paper form, by marzes and communities and, in case of elections, also by precincts, which are included in the National Voter Register and comply with the requirements of Article 11(2) of this Code regarding voter lists.
4. Forty days before the voting day, the heads of institutions in charge of precinct center premises shall post a copy of the list in a place visible for everyone in the precinct center.
5. It is compulsory that voter lists posted in precinct centers be accompanied by announcements about the place and deadline for submitting applications concerning errors in the lists, and the procedures, timeframe and conditions for reviewing such applications.

6. Chairmen of Precinct Electoral Commissions shall post the final version of voter lists, including additional lists, in a place visible for everyone in precinct centers two day before the voting day. The lists shall remain posted in precinct centers until the day of termination of Precinct Electoral Commissions' authority.
7. The list of voters registered in military units shall be posted in a place visible for military servicemen in military units ten days before the voting day.
8. The Authorized Agency or its appropriate divisions shall send written notifications to voters, informing them of the day, place and time of the voting no later than 3 days prior to voting day.
(ed. of 19.05.05 HO-101-N)

Article 14. Procedures for Reviewing Applications Concerning Errors in Voter Lists and for Correcting Voter Lists

1. No later than seven days before the voting day, everyone shall have the right to apply to his or her community head about errors in voter lists, or with a request to add him/her to the lists or to remove him/her from the lists. Anyone may apply for the same purpose to the head of the Authorized Agency or its appropriate divisions no later than five days before the voting day.

Parties also shall have the right to apply within the period set by this Part and ask to correct mistakes in the voter lists.

2. Within two days of receiving such an application, the community head shall forward the application and his/her opinion on the matter to the head of the appropriate division of the Authorized Agency.
3. Within one day of receiving the application, the head of the Authorized Agency or its appropriate division shall make the appropriate changes or corrections in the voter lists (provided there are sufficient grounds for doing so, as set out in this Code) and notify the applicant about it in writing.
4. The head of the appropriate division of the Authorized Agency shall inform the Authorized Agency of changes made in the voter list in order for the Authorized Agency to make appropriate changes or corrections in the Republic of Armenia Voter Register.
5. Disputes about errors in voter lists may be appealed to courts of the first instance. Courts shall reach a verdict within a three-day period; the verdict shall be final and may not be appealed.
6. Verdicts on applications about adding the applicant to voter lists, which were submitted within five days before the voting day or on the voting day, shall be reached in such a time period as to enable to voter to cast his/her vote.
7. Charges to voter lists, based on verdicts to add the applicants in voter lists, which were reached within five days before the voting day or on the voting day, shall be made by the appropriate Precinct Electoral Commissions, on the voting day, by means of compiling supplementary lists in accordance with procedures defined in Article 14.1 of this Code.
8. Electoral commissions shall have no right to make any changes (corrections or additions) to voter lists, including the supplementary lists, by their own initiative.
(ed. of 19.05.05 HO-101-N)

Article 14¹. Supplementary Voter Lists

1. Precinct Electoral Commissions shall compile supplementary voter lists in accordance with procedures defined in this Code.

Supplementary lists of precinct voters shall include citizens who have presented court verdicts in accordance with Paragraph 6 of Article 14 of this Code, as well as citizens registered in the district of the precinct, but not included in the voter list, on the basis of a statement issued by the respective division of the authorized body. The Central Electoral Commission shall approve the form of the statement issued by the division of the authorized body for submission to the precinct electoral commission to certify that a voter is not included in the voter list.

2. Supplementary voter lists shall be compiled in accordance with criteria for voter lists submitted to Precinct Electoral Commission for voting, as set out in Article 11 of this Code, but they shall also have an additional column to record the number, day, month and year of the court verdict or the statement issued by the respective division of the authorized body to add the person in the voter lists.
3. Each page of supplementary voter lists shall be signed and sealed by the chairman of the appropriate the Precinct Electoral Commission; after the voting is finished, commission chairmen shall write down the total number of voters in that supplementary voter list at the end of the list. Documents supporting the inclusion of citizens in supplementary lists shall be attached to those lists.

(mod. of 19.05.05 HO-101-N)

CHAPTER 3

ELECTORAL PRECINCTS AND PRECINCT CENTERS

Article 15. Electoral Precincts

1. Electoral precincts shall be formed and numbered consecutively for the purpose of organizing the voting and summarizing of voting results.
2. The Authorized Agency or its appropriate regional division shall, with the participation of community heads and a representative of the Territorial Electoral Commission, form election precincts no later than 45 days before the voting day, taking into consideration local and other conditions, with the purpose of creating the most favorable conditions for voters to exercise their electoral rights.
3. Heads of military units shall submit the number of registered voters in their military units to the head of the Authorized Agency or its appropriate regional division, at least 45 days before the voting day.
4. At least 45 days prior to voting day, precinct centers shall be formed in diplomatic or consular missions of the Republic of Armenia abroad in accordance with procedures defined by the Central Electoral Commission, except for local self-government and National Assembly elections under majoritarian system. During the same period, precinct centers shall also be formed in detention facilities, in accordance with procedures defined by the Central Electoral Commission.
5. removed.
6. Each electoral precinct shall include no more than 2,000 voters. The number established by this Part may be changed in case of updates to the voter lists, but not by more than 1%.”
7. An electoral precinct may not include residential areas from different communities.
(amend. of 03.07.02 HO-406-N, 19.05.05 HO-101-N)

Article 16. Precinct Centers

1. A precinct center shall be formed at an electoral precinct.
2. The head of the respective community shall be responsible for furnishing the precinct center in such a way as to ensure that the voting takes place normally.
3. Precinct centers may not be formed in buildings occupied by national or local self-government bodies, military educational institutions, military units or healthcare facilities. Precinct centers may be formed in detention facilities and in electoral precincts created in diplomatic or consular missions.
4. Precinct centers shall be as close as possible to apartment blocks and houses located in that electoral precinct.
5. Local self-government bodies shall take necessary measures in precinct centers in order to facilitate the exercise of electoral rights by the disabled.
(mod. of 19.05.05 HO-101-N)

Article 17. Formation of Precinct Centers

1. Precinct centers shall be formed by community leaders no later than 45 days before the voting day.
2. In the event of impossibility of holding the voting at the precinct center, the community leader shall change the location of the precinct center at the request of the chairman of the Precinct Electoral Commission, at least 3 days before the voting day or, in the case of emergency (natural disaster, accidents, fire), on the voting day or within two days before it, with the consent of the chairman of the appropriate Territorial Electoral Commission.
3. Community leaders shall inform citizens about the formation of electoral precincts and precinct centers within two days and in accordance with procedures defined by the Central Electoral Commission; the same information shall also be provided to heads of institutions in charge of the premises where precinct centers are located.
4. Community leaders shall immediately inform the citizens, if the location of their precinct center changes in accordance with procedures described in Paragraph 2 of this Article.
(amend. of 03.07.02 HO-406-N)

CHAPTER 3¹

ELECTORAL DISTRICTS

(mod. of 03.07.02 HO-406-N)

Article 17¹ Electoral Districts

1. Districts, the number of which equals to the number of seats in the National Assembly under majoritarian system, shall be formed in the territory of the Republic of Armenia for the purpose of organizing and holding elections.
2. Districts shall be formed and numbered by the Central Electoral Commission on the basis of the number of voters included in the Republic of Armenia National Voter Register.
3. Districts shall constitute a single territory. Precincts with no common border may not be included in one district.
4. The boundaries of each district shall be set in such way as to make sure that all districts have approximately the same number of voters, taking into consideration the geographic, topographic and physical characteristics of the area, availability of means of communication, social and administrative factors; the deviation for each electoral district caused by the aforementioned characteristics may not exceed 10 percent of the ratio of the total number of eligible voters to the number of districts or, in exceptional cases, 15 percent. If the difference between the number of voters in a district and the ratio of the total number of voters to the number of districts, in absolute terms, exceeds 10% of the ratio of the total number of voters to the number of districts, then the Central Electoral Commission shall specify in its decision all the factors supporting such a decision and justify their impact.
5. The Central Electoral Commission shall publish the list and the plan of the numbered electoral districts in the official bulletin, on its website and in a print medium with circulation of at least 3,000 copies within 30 days of the change in the number of electoral districts, set out by this Code, going into effect.
6. Boundaries of electoral districts shall not change during extraordinary elections or National Assembly by-elections under majoritarian system.
7. The Central Electoral Commission's decision on the formation and numbering of electoral districts may be appealed in a court of law within seven days of the official publication of that decision. (ed. of 19.05.05 HO-101-N)

CHAPTER 4 PRE-ELECTION CAMPAIGN

Article 18. Basic Principles of Pre-Election Campaign

1. The state shall ensure the free exercise of citizens' right to campaign before elections. Pre-election campaign shall be carried out on the basis of equality. It shall be ensured by state bodies, upon the request of electoral commissions, by providing halls and other premises for pre-election meetings, meetings of voters with candidates and other election-related events. These shall be provided to candidates and parties, running in elections, on an equal basis and free of charge, in accordance with the timetable and procedures defined by the Central Electoral Commission.
2. Citizens, parties and party alliances (hereinafter referred to as parties) of the Republic of Armenia shall have the right to campaign for or against any candidate or party in ways not prohibited by law.
3. Candidates and parties shall be guaranteed equal conditions for access to mass media, i.e. broadcasting time or space, price, etc.
4. Campaigning and disseminating any kind of campaign materials to the following individuals or bodies shall be prohibited: 1) national and local self-government bodies and their employees while they are carrying out their official duties; 2) members of the Constitutional Court, judges, employees of the Police and National Security Service of the Republic of Armenia, employees of prosecutorial bodies (servicemen), and military servicemen; 3) charities and religious organizations; 4) foreign citizens and organizations; 5) members of electoral commission.
5. Pre-election campaign shall start on the day after the deadline for registration of candidates and parties and end one day before the voting day. Any campaign on the voting day and the day preceding it shall be prohibited. Campaign materials that are not at the precinct center shall remain where they are on the voting day.
6. Pre-election campaign may be carried out through the mass media, election-related public events (pre-election meetings and meetings with voters, public discussions, debates, rallies, marches, demonstrations), by printing various materials and disseminating audio and video materials.
7. During pre-election campaign, it shall be prohibited for candidates (parties) to give (promise) - personally or through other means - any money, food, securities, or goods to citizens free of charge or on favorable terms, or to render (promise) any services.
8. Candidates and parties (party blocs) shall be required to observe the procedures for organizing their pre-election campaign. Adherence to the established procedures for pre-election campaign shall be monitored by electoral commissions. If any candidate or party, party bloc violates these procedures, the electoral commission that has registered that candidate or the party, party bloc shall notify the appropriate authorities in order to prevent such

violations; it shall also take the case to a court of law, asking it to invalidate the registration of the candidate or the party, party bloc electoral list. Once such an application is received from an electoral commission, the court shall be required to pass a verdict within five days, or immediately, if the application is received within five days of the day before the voting day.

9. Candidates who are under arrest or detention shall conduct their pre-election campaign through their proxies. For that purpose, during pre-election campaign, candidates who are under arrest or detention have the right to meet with no more than three of their proxies for up to two hours every day at the place of their arrest or detention.

(amend. of 19.03.99 HO-286, 03.07.02 HO-406-N, 19.05.05 HO-101-N)

Article 19. Impermissibility of Abusing the Right to Campaign

During the electoral campaign, it shall be prohibited to advocate violence, war, or overthrowing of the constitutional order, to incite ethnic, racial, or religious hatred, and to publish or disseminate materials causing racial, ethnic, or religious hatred.

(amend. of 03.07.02 HO-406-N)

Article 20. Pre-Election Campaign Through Mass Media

1. Presidential candidates and parties (party alliances) running for the National Assembly shall have the right to use paid and free air time (including live broadcasts) on Public Radio and Public Television, on equal conditions.

2. For every national election, the procedures for allocating free air time on Public Radio and Public Television to presidential candidates and parties (party alliances) running for the National Assembly, as well as the scheduling of such air time shall be set by the Central Electoral Commission on the following day after the deadline for registration of candidates.

3. Public Television and Public Radio shall be required to provide equal conditions for all candidates and parties (party alliances) running in any given election. News programs broadcast on Public Television and Public Radio shall present impartial and non-judgmental information about pre-election campaign run by candidates, parties or party alliances, making sure that fair and equal conditions are in place. The fact that certain candidates, parties or party alliances do not hold any campaign events or the lack of information about such events may not serve as grounds for the mass media to refrain from reporting on other participants' campaigns.

4. The price per minute of paid airtime on Public Radio and Public Television shall be announced no later than within ten days of setting the date for national elections. That price may not change during the pre-election campaign phase.

5. Candidates and parties (party alliances) running for the National Assembly shall have the right to make use, on equal conditions, of air time on other radio and television stations, regardless of their form of ownership. The provisions of Paragraphs 3 and 4 of this Article shall equally apply to other radio and television stations, regardless of their form of ownership.

6. Pre-election campaign through the mass media shall be conducted in the form of public debates, round-tables, press conferences, interviews, political advertisement, and other forms not prohibited by law.

7. Interruption of campaign-related radio and television programs with advertisement of goods and services shall be prohibited.

8. Campaign-related radio and television programs shall be audio and video recorded, when they are being broadcast. All such recordings shall be kept for at least three months.

9. The television and radio companies' compliance with pre-election campaign procedures shall be monitored by the National Television and Radio Commission, which shall have the right to apply to a court of law if it discovers any violations of campaign procedures. The Central Electoral Commission shall have the right to submit to the court its opinion on the violations.

10. Newspapers and magazines, regardless of who their founders are, except for newspapers and magazines founded by political parties, shall be required to ensure equal conditions when publishing pre-election campaign materials. (ed. of 19.05.05 HO-101-N)

Article 21. Procedures for the Use of Campaign Posters and Other Materials

1. Parties and candidates shall have the equal right to freely publish and disseminate posters, leaflets and other printed campaign materials.

2. Community leaders shall allocate special places in their communities for putting up campaign posters, no later than within five days after the beginning of pre-election campaign. These places shall be conveniently accessible for voters. Each precinct shall have at least one such place. Candidates and parties shall be provided with equal amount of space in these special places.

3. The depiction of the flag or the coat of arms of the Republic of Armenia on campaign posters shall be prohibited.

4. Tearing down or ripping the campaign posters displayed in special places, as well as writing on them shall be prohibited.
5. Community leaders shall ensure that campaign posters of candidates and parties, who are not included in the ballots, are promptly removed.
6. Printed campaign materials shall contain information about organizations and persons responsible for their publication, as well as about the printing company and the number of copies printed.
7. Dissemination of anonymous printed campaign materials shall be prohibited. If an electoral commission becomes aware of any anonymous or false printed campaign materials, it shall take measures to stop such activities and notify the appropriate authorities to stop the illegal activities.

Article 22. Prohibition of Influencing the Free Expression of Citizens' Will

1. Journalists and editorial staff of the Public Radio and the Public Television, as well as of other radio companies and television companies, which are registered as candidates, shall be prohibited from covering the elections and moderating radio and television programs.
2. During pre-election campaign, national and local self-government officials and employees, as well as employees of public media and media founded by local self-government bodies shall be prohibited from using their authority (rights) with the purpose of influencing the free expression of citizens' will by creating unequal conditions for candidates and showing partiality. If nominated as candidates, these individuals shall make use of public media and media founded by local self-government bodies in accordance with procedures set out in this Code.
3. When publishing results of sociological surveys on the ratings of candidates and parties (party alliances), the mass media, citizens, or organizations publishing such results shall be required to specify the name of the organization that has conducted the survey, the timing of the survey, the number of respondents, the sample type, the data collection method and location, the exact wording of the question, the statistical estimate of the possible margin of error, as well as who has commissioned the survey, and who has financed the publication of its results. Publication of results of sociological surveys on the ratings of candidates and parties (party alliances) during the seven days preceding the voting day, including until 8:00 pm on the voting day, shall be prohibited.
(amend. of 03.07.02 HO-406-N, 19.05.05 HO-101-N)

Article 22¹. Restrictions on Pre-Election Campaigning by Candidates Who Occupy Political or Discretionary Positions or Are State Servants, Civil Servants or Local Self-Government Servants

Candidates, who occupy political or discretionary positions or are state servants, shall conduct their pre-election campaign on general grounds, subject to restrictions imposed by this Article:

- 1) Campaigning in the process of performing one's official duties or any abuse of official position in order to gain advantage in elections shall be prohibited;
- 2) The use of premises, vehicles, communication means, material and human resources, which are provided for the performance of one's official duties, for campaign purposes shall be prohibited, with the exception of measures applied to high-level officials who are subject to protection under the Republic of Armenia Law on "Security of Persons Subject to Special State Protection." Such candidates shall use state property for campaign purposes on general grounds.
- 3) Coverage of the activities of such candidates by the mass media shall be prohibited, with the exception of cases described in the Constitution, official visits and receptions, as well as actions taken by such candidates during natural disasters. (mod. of 19.05.05 HO-101-N)

Article 23. Prohibition of Pre-Election Campaigning on the Voting Day and the Day Before

1. Influencing voters orally or in writing, with music or visual means, collecting signatures and campaigning in any other way inside or outside the buildings where precinct centers are located, or directly in front of the entrances, shall be prohibited on the voting day and the day before.
2. Announcing the results of exit polls until the end of the voting shall be prohibited.
3. Assembling in groups within a 50-meter radius around precinct centers on the voting day shall be prohibited.

CHAPTER 5

ELECTION FINANCING

Article 24. Financing of Organization and Conduct of Elections

1. Expenses for organization and conduct of elections, including for compilation of voter lists, as well as expenses that are required for the activities of electoral commissions, shall be covered from the state budget. Such expenses shall be reflected in a separate line in the state budget.
2. Financing means allocated for elections shall be provided within five days of setting the date for elections.
3. In the case of extraordinary elections, such elections shall be financed from the state budget's reserve fund; if this is impossible, then they shall be financed from the Central Bank's reserve fund on the condition of future reimbursement from the state budget. If the Central Electoral Commission does not receive state budget financing on time, or there are no funds available in the RA Central Bank's reserve fund, or the allocated means are insufficient for covering the extraordinary elections or the second round of elections, then the Central Electoral Commission shall have the right to seek a loan from private banks on competitive basis, on the condition that the government will repay the loan within a three-month period.
4. Financial means earmarked for elections, including funds for running electoral commissions, shall be allocated to "The Central Electoral Commission Staff" state administrative institution, in accordance with procedures defined by the Government of the Republic of Armenia. "The Central Electoral Commission Staff" state administrative institution shall manage the financial means in accordance with procedures set out by legislation of the Republic of Armenia and shall be responsible for using the funds in accordance with the estimates approved by the Central Electoral Commission.
(amend. of 03.07.02 HO-406-N, 19.05.05 HO-101-N)

Article 25. Pre-Election Funds

1. Candidates, parties and party alliances shall have the right to set up pre-election funds for financing their campaign, as well as for paying the election deposit required by this Code. Candidates running for the National Assembly under proportional system only may not set up pre-election funds. The financial means in pre-election funds of presidential candidates, parties and party alliances shall be accumulated at the Central Bank of the Republic of Armenia, whereas the financial means in pre-election funds of other candidates shall be accumulated in commercial banks with branches in all marzes of the Republic of Armenia and designated by the Central Bank of the Republic of Armenia. Within a day after candidates, parties and party alliances submit all documents required by appropriate electoral commissions to be nominated as candidates, they shall receive documents confirming their nomination as candidates in order to set up pre-election funds. Banks shall open special temporary accounts on the basis of those documents and written applications by candidates, parties and party alliances, or on the basis of written applications alone in the case of registered candidates and parties (party alliances). Pre-election funds shall be made up of: 1) the candidate's personal means; 2) means provided to the candidate by the party that has nominated him/her; 3) the party's own means; 4) voluntary contributions by physical persons and legal entities.
2. The following shall have no right to make contributions to pre-election funds: 1) state and local self-government bodies; 2) budgetary institutions (organizations); 3) foreign physical persons and legal entities; 4) persons without citizenship; 5) economic institutions, in the charter or share capital of which the Republic of Armenia or communities have shares; 6) organizations with more than 30 percent of their share capital in foreign means; 7) charities and religious organizations, international organizations and international non-governmental movements; 8) State non-commercial organizations. All the contributions by the above-mentioned physical persons and legal entities to pre-election funds shall be transferred to the state budget.
3. The procedures for making voluntary contributions to pre-election funds shall be defined by the Central Electoral Commission.
4. The maximum amount of pre-election fund contributions by physical persons and legal entities shall be set by this Code. Any contributions in excess of the maximum limit, as well as the amounts left in pre-election funds in case the candidates, parties or party alliances are not registered, or after elections, except in cases specified in this Code, shall be transferred to the state budget.
5. The means in pre-election funds shall be spent through authorized representatives of candidates and parties.
6. The banks, where special temporary accounts have been opened, shall report regularly, every three days, to the appropriate electoral commission about contributions to the candidates' and parties' pre-election funds. The banks shall return to the people and entities, who have the right to make contributions to pre-election funds, all the amounts received after the maximum limit for a pre-election fund set by this Code is reached.
7. If candidates or parties use other resources for their campaign, in addition to pre-election funds, then a court may annul the registration of that candidate or party list on the basis of an application by the Central Electoral Commission.
8. All transactions with accounts of candidates' and parties' pre-election funds shall stop starting on the voting day.

9. The Central Electoral Commission may allow candidates and parties to make payments from their pre-election funds after the voting day as well, provided the payments are based on transactions carried out before the voting day.

10. In the event if elections are declared failed, the means in pre-election funds shall be frozen until the registration of candidates or parties for new elections. Candidates or parties re-registered for new elections may use the means remaining in their pre-election funds. In the case if candidates or parties do not register for new elections, the means remaining in their pre-election fund shall be transferred to the state budget.

11. Candidates and parties running for National Assembly shall submit declarations about contributions to their pre-election funds and the ways they were used; the declarations shall be submitted to electoral commissions that had registered the candidates or parties, no later than six days after the end of elections. The form of the declaration and the procedures for submitting it shall be defined by the Central Electoral Commission.

The declaration shall contain:

- 1) the chronology of all contributions to the pre-election fund, the first and last names of all contributors, their registered addresses, and the size of their contribution;
- 2) all the expenses, the day when they were made, and information on documents confirming the expenses;
- 3) the amount remaining in the pre-election fund (if any).

During National elections electoral commissions shall forward the declarations to the Central Electoral Commission's Oversight and Audit Service within three days of receiving them. Declarations submitted by presidential candidates, parties and party alliance participating in presidential and National Assembly elections shall be posted on the Central Electoral Commission's website within three days, whereas copies of other candidates' declarations may be made available to proxies, representatives of mass media, and observers.

(amend. of 19.03.99 HO-286, 03.07.02 HO-406-N, 19.05.05 HO-101-N)

Article 26. Oversight and Audit Service

On the day the election date is announced, the Central Electoral Commission shall set up an Oversight and Audit Service within the Commission to oversee the use of means allocated to electoral commissions for organization and conduct of national elections and to monitor the contributions to pre-election funds, their accounting and use. Relevant specialists may be involved in the work of the Service on contractual basis. Once the Oversight and Audit Service receives declarations of candidates, parties and party alliances about the use of the means in their pre-election funds from electoral commission that had registered them, as stipulated in Article 25, Paragraph 11 of this Code, it shall check them within 20 days and forward the materials to the Central Electoral Commission for discussion. Materials about violations discovered as a result of these discussions shall be sent to a court of the first instance within three days, pursuant to a decision by the Central Electoral Commission. The procedure of formation and operation of the Oversight and Audit Service shall be defined by the Central Electoral Commission.

The authority of the Oversight and Audit Service shall be terminated on the 45th day after the announcement of the final results of elections.

(amend. of 03.07.02 HO-406-N, 19.05.05 HO-101-N)

CHAPTER 6

PROXIES, OBSERVERS AND REPRESENTATIVES OF MASS MEDIA

Article 27. Proxy Status

1. Parties, after registering their election lists, and candidates, after registering themselves, may have proxies for protecting their interests in electoral commissions and in their relations with state and local self-government bodies, organizations and mass media. Only citizens of the Republic of Armenia with the right to vote may serve as proxies.

2. Once party lists and candidates are registered, proxies shall be issued with stamped ID cards, based on the submitted lists, but no more than triple the number of precincts. The ID cards shall be issued within five days of submitting the request. The appropriate commission shall include the candidate's first name, patronymic, last name and the name of the party on the cards. The cards shall be filled out and given to proxies by the candidate or his/her authorized representatives or an authorized representative of the party.

3. The procedures for registration of proxies shall be established by the Central Electoral Commission. Candidates or their authorized representatives, and authorized representatives of parties may recall their proxies and appoint new ones at any time upon providing written notification to the appropriate electoral commission.

4. Members of the Constitutional Court, judges, employees of the Republic of Armenia Police and National Security Service, Ministry of Defense, Prosecutor's Office, tax and customs agencies, social security agencies (services), military servicemen, clergymen, members of electoral commissions, leaders of state-owned mass media and foreign citizens may not serve as proxies. (amend. of 03.07.02 HO-406-N, 19.05.05 HO-101-N)

Article 27¹. Rights and Responsibilities of Proxies, and Safeguards for their Activities

1. Proxies shall have the right:
 - 1) to participate in commission sessions with an advisory vote, and be present in the voting room during the voting;
 - 2) To examine electoral documents, including the relevant court verdicts and the respective statement issued by the authorized body;
 - 3) to examine freely all documents under the authority of the relevant commission, the electoral commission's decisions and protocols in the presence of the electoral commission's chairman, deputy chairman, secretary or any other commission member designated by the commission chairman, to receive copies of the aforementioned documents, take excerpts from them, as well as to examine voted ballots in accordance with the same procedures. Copies of or excerpts from decisions, protocols and other records shall be stamped and signed by the chairman and the secretary of the commission. Documents received from Precinct Electoral Commissions shall be stamped on the voting day only;
 - 4) to appeal commission's decisions, actions or inaction;
 - 5) to observe the process of printing, transporting, storing and counting the ballots in accordance with procedures defined by the Central Electoral Commission;
 - 6) Without interfering with the work of a commission member, be physically present next to the commission members performing the voter registration, allocation of ballots and voting envelopes, the stamping of voting envelopes, and the supervision of the ballot box, and to observe their work;
 - 6¹) On the voting day, observe the commission work and make comments and suggestions to the commission chairman regarding such work, in respect of which the commission chairman shall undertake necessary measures;
 - 7) to examine freely the voted ballots and marks made on them in the presence of the electoral commission's chairman, deputy chairman, secretary or any other commission member designated by the commission chairman, and to be present during the counting of ballots and summarization of voting results; 8) to exercise other rights prescribed by this Code.
2. Proxies shall exercise their rights in accordance with procedures defined in this Code.
3. One proxy for each candidate and each party (party alliance) running in the National Assembly elections may be present during an electoral commission's session (with an advisory vote) and during the voting.
4. No limitation of the rights of the proxies shall be allowed. No one, including electoral commissions, shall have the right to ask the proxies to leave the voting room or to isolate them in any other way from being present at the commission's activities, except in the case of their arrest or detention.
5. Proxies shall not be prosecuted for their opinions about the course of the elections or the summarization of their results.

(mod. of 19.05.05 HO-101-N)

Article 28. Right to Carry Out Observation Missions

1. The following shall have the right to carry out observation missions:
 - 1) international organizations;
 - 2) representatives of foreign states;
 - 3) the Republic of Armenia and foreign non-governmental organizations, whose objectives, according to their bylaws, include democracy and protection of human rights, and who do not support any of the candidates or parties.

1¹. International organizations, representatives of foreign states, and foreign non-governmental organizations may carry out observation mission in case of having an appropriate invitation.

The following shall have the right to send to the aforementioned organizations and individuals an invitation to carry out observation mission:

- 1) The President of the Republic;
 - 2) The National Assembly of the Republic of Armenia;
 - 3) The Government of the Republic of Armenia;
 - 4) And The Central Electoral Commission
2. The procedures for carrying out observation missions shall be established by the Central Electoral Commission.

Article 29. Accreditation of Observers

1. Organizations and persons specified in Article 28 of this Code may carry out observation missions after being accredited by the Central Electoral Commission.
2. Applications for accreditation shall be submitted to the Central Electoral Commission after the day when the election date is announced, but no later than ten days before the voting day.
3. The Central Electoral Commission shall issue the credentials for the observation mission, as well as stamped ID cards for observers on the basis of submitted lists, to the appropriate organization within no more than seven days after receiving the application. In the case of non-governmental organizations registered in the Republic of Armenia, the ID cards of observers shall also be stamped by the appropriate organizations that have received accreditation to carry out an observation mission.
4. removed
5. In the case if observers support any candidate or party after having received their accreditation, the Central Electoral Commission shall have the right to deprive the appropriate organization of its right to carry out an observation mission.
6. The authority of persons carrying out observation missions shall be terminated on the 8th day following the official announcement of the election results, unless such results are being contested in court. In case the election results are being contested in court, the authority shall terminate on the day following the day on which the judicial act is published, unless repeated voting or a new election is ordered by court. In case of repeated voting or a new election, the observer organizations shall not be required to re-register.
(amend. of 03.07.02 HO-406-N, 19.05.05 HO-101-N)

Article 30. Rights and Responsibilities of Local and International Observers (Henceforth - "Observers) and Representatives of Mass Media, and Safeguards for their Activities

1. Observers and Representatives of Mass Media shall have the right: 1) to be present at electoral commission sessions, as well as in precinct centers during the voting; to observe the process of printing, transporting, storing and counting the ballots in accordance with procedures defined by the Central Electoral Commission; 2) to freely examine electoral documents, sample ballots, electoral commission decisions and protocols of meetings under the authority of the relevant commission, and to receive their copies and make excerpts from them. (2nd para excluded by 19.05.05 HO-101-N) 3) (excluded by 03.07.02 HO-406-N) 4) to move freely in precinct centers for observation of ballots and ballot boxes, in accordance with procedures defined by the Central Electoral Commission;
2. Observers and representatives of mass media shall have no right to interfere with the work of electoral commission.
3. (excluded by 19.05.05 HO-101-N)
4. On the voting day, observers shall observe the work of electoral commissions. They may make comments and suggestions about the work to the commission chairmen, and the latter shall take appropriate measures.
5. No limitation of the rights of observers and representatives of mass media shall be allowed in all electoral processes.
6. Observers and representatives of mass media shall not be prosecuted for their opinions about the course of the elections or the summarization of their results.
(amend. of 03.07.02 HO-406-N, 19.05.05 HO-101-N)

SECTION 2. ELECTORAL COMMISSIONS

CHAPTER 7

THE SYSTEM OF ELECTORAL COMMISSIONS, THE STATUS OF ELECTORAL COMMISSION MEMBERS

Article 31. The System of Electoral Commissions

1. A three-tier system of electoral commissions shall be established in the Republic of Armenia for the purpose of organizing and conducting elections: the Central Electoral Commission, Territorial Electoral Commissions and Precinct Electoral Commissions.
2. A Territorial Electoral Commission shall be formed for each electoral district. The location of Territorial Electoral

Commissions shall be determined by the Central Electoral Commission, though its decision on forming electoral districts for National Assembly elections under majoritarian system.

3. If the territory of a community lies in more than one electoral district, then the Central Electoral Commission shall determine which Territorial Electoral Commission would have the authority to organize and conduct elections to local self-government bodies in that community, at least 65 days before the voting day. The electoral district of that particular commission shall include the biggest number of voters in that community. (2nd para was revoked by 19.05.05 HO-101-N)

4. If a district includes communities from different marzes, then the Territorial Electoral Commission shall organize and conduct elections to local self-government bodies only in the communities of the marz where the Territorial Electoral Commission is located.

5. Elections to local self-government bodies in communities located in another marz shall be organized and conducted by the Territorial Electoral Commission in that marz, which is nearest to those communities. These Territorial Electoral Commissions shall be designated by the Central Electoral Commission at least 65 days before the voting day.

6. State and local self-government bodies shall provide Territorial Electoral Commissions with office space free of charge and support them to ensure their normal operation.

(amend. of 31.07.2002, HO-406-N, 19.05.05 HO-101-N)

Article 32. Electoral Commissions

1. Electoral commissions shall ensure the exercise and the protection of citizens' electoral rights. Electoral commissions shall be independent of state and local self-government bodies in the exercise of their authority.

2. Electoral commissions shall act on the basis of principles of legality, collegiality and openness.

3. Decisions, adopted by electoral commissions within the framework of their power, shall be binding.

(amend. of 03.07.02 HO-406-N, 19.05.05 HO-101-N)

Article 33. Status of Electoral Commission Members

1. Electoral commission members shall be exempt from military musters and training exercises and, in the period of national elections - from military draft.

2. Members of the Central Electoral Commission (during the entire period of the Commission's operation) and members of Territorial and Precinct Electoral Commissions (during national elections) may be detained or subjected to administrative or criminal prosecution by courts with the consent of the Central Electoral Commission only.

3. The chairman, deputy chairman, secretary and members of the Central Electoral Commission shall work on a permanent basis and shall have no right to do any other paid work, except research, teaching and creative work. Judicial servants appointed in accordance with procedures defined in this Code shall work free of charge.

4. Members of the Central Electoral Commission shall fulfill their duties until a new Central Electoral Commission and Territorial Electoral Commissions are formed.

5. Electoral commission members shall have the right to examine in advance the issues and documents to be discussed at commission meetings, to make speeches in commission meetings, submit proposals and require that they be voted on, ask questions to participants of the meeting and receive complete answers.

6. Electoral commission members shall be required to perform all tasks assigned by the commission chairman within the limits of his/her authority.

7. Members of a higher electoral commission shall have the right to participate, if requested by the chairman of the appropriate commission, in the meetings of a lower electoral commission with an advisory vote and be present at a precinct center on the voting day.

8. Electoral commission members may be released from the fulfillment of their job related duties (in production or services) for the period of their activities as commission members.

9. In case of nationwide elections, in case of new or additional elections of a member of the parliament under the majority contest, in case of local government elections running concurrently in 5 or more communities of the same electoral district, and/or in case of local government elections in a community with more than 10,000 voters, the Territorial Electoral Commission Chairman, his deputy, and the commission secretary shall be remunerated for each month of the period of conducting elections (60 days) in the amount of 50% of the remuneration of the central electoral commission chairman, deputy chairman, and secretary, respectively; the Territorial Electoral Commission members, respectively, shall be remunerated for the same period in the amount of 50% of the monthly remuneration of the deputy chairman of the Territorial Electoral Commission. Judicial servants appointed to Territorial Electoral Commissions shall work in such commissions on public grounds (without remuneration).

During the election period, the chairman of a precinct electoral commission shall be paid in the amount of twice the minimum salary established by the Republic of Armenia legislation; the deputy commission chairman, the commission secretary and the members shall be remunerated in the amount of 15,000 Armenian drams each, with the exception of the members of precinct electoral commissions formed in overseas diplomatic or consular missions of the Republic of Armenia.

A member of a precinct electoral commission shall be obliged to take part in the commission work and perform duties placed on him by law. Failure to perform obligations without an excusable reason shall result in liability prescribed by law."

(amend. of 19.03.99 HO-286, 03.07.02 HO-406-N, 19.05.05 HO-101-N)

CHAPTER 8

FORMATION OF ELECTORAL COMMISSIONS

Article 34. The Principles of Formation of Electoral Commissions

1. Electoral commissions shall be made up of citizens of the Republic of Armenia, who have electoral rights and have passed professional training on how to conduct elections and received appropriate certificates of completion, in accordance with procedures defined by the Central Electoral Commission, with the exception of the members of precinct electoral commissions formed in overseas diplomatic or consular missions of the Republic of Armenia.

1¹. Specialized training courses on how to conduct elections shall be organized by the Central Electoral Commission. The Central Electoral Commission shall, at least 10 days prior to the date of accepting applications for participation in specialized training courses on how to conduct elections, make an announcement over the mass media about the deadline and procedure of applying. Republic of Armenia citizens that have voting rights and have applied in accordance with the procedure established by the Central Electoral Commission shall have the right to participate in the specialized training courses on how to conduct elections. Passing a test upon completion of the training course shall be a basis for a qualification certificate to be issued to citizens

2. Information about the composition of electoral commissions shall be published in accordance with procedures defined by the Central Electoral Commission.

3. A citizen may be included in one electoral commission only.

4. Members of the National Assembly, members of the Constitutional Court judges, government ministers and their deputies, marzpets (governors), the Mayor of Yerevan, community leaders, employees of the national security, police and defense agencies, prosecutor's offices, judicial enforcement department, penitentiary department, customs service and the banking sector, proxies, observers, candidates, as well as persons convicted of crimes described in Articles 149-154 of the Criminal Code of the Republic of Armenia, may not serve as members of electoral commissions. (amend. of 19.05.05 HO-101-N)

Article 35. Procedures for Formation of the Central Electoral Commission

1. The Central Electoral Commission shall be made up of: 1) One member from each party or alliance with a faction in the National Assembly, appointed by a decision of the permanent body of that party or, in the case of alliances, the joint decision of permanent bodies of parties within the alliances, passed by majority vote. If parties (alliances) fail to nominate their candidates within the time period set by this law for forming the Central Electoral Commission, in accordance with the requirements of sub-paragraph 1 of this Paragraph, then the vacancy in the Commission shall be filled by the appropriate faction; 2) One member appointed by the President of the Republic of Armenia; 3) One member appointed by a decision of the parliamentary group announced as of the first session of the incumbent National Assembly. After National Assembly elections following the adoption of this law, as well as in the case of dissolution of the parliamentary group operating in the National Assembly, the power to appoint a Central Electoral Commission member under this sub-paragraph shall be transferred to the Board of Chairmen of the Republic of Armenia Courts, from among judicial servants. 4) One judicial servant appointed by the Council of Court Chairmen of the Republic of Armenia.

2. The information on the Central Electoral Commission members shall be submitted to the Staff of the President of the Republic of Armenia by 18:00, no earlier than 40 days, but no later 10 days before the expiration of the Central Electoral Commission's term. Entities mentioned in Paragraph 1 of this Article shall be notified about the expiration of the Central Electoral Commission's term by the Chairman of the Central Electoral Commission, no later than 50 days before the expiration date. The new Central Electoral Commission shall be formed and shall assume its powers on the 60th day after the opening of the new National Assembly's session. The new Central Electoral Commission shall be considered formed, if at least two thirds of the total number of its members have been appointed. If the minimum number of Commission members have not been appointed by the deadline for formation of the Central Electoral Commission, in accordance with requirements set out in Paragraph 1 of this Article, then they will be appointed by the

President of the Republic of Armenia from among judicial servants, until the minimum number is achieved.

3. The composition of the Central Electoral Commission shall be approved by a decree of the President of the Republic of Armenia on the basis of nominations made by the entities responsible for forming the Central Electoral Commission with a 10-day period of making the nomination.

4. (removed by 03.07.02 HO-406-N)

5. (removed by 03.07.02 HO-406-N)

6. The Central Electoral Commission's activities shall be directed by the Commission Chairman or, as assigned by him/her, the Deputy Chairman. The Central Electoral Commission's Chairman, the Deputy Chairman and the Secretary shall be elected by the Central Electoral Commission during at its first session. The Central Electoral Commission's first session shall be held at 12:00 (noon) on the day the Commission is formed, and it may continue until 24:00. It shall be held in the Central Electoral Commission's administrative building. The first session shall be chaired by the member of the Central Electoral Commission that is senior by age.

7. The right to nominate candidates for the position of the Central Electoral Commission Chairman shall belong to members of the Central Electoral Commission.

8. If only one nominee for the position of the Central Electoral Commission Chairman is voted on, then he/she shall be considered elected, if he/she receives more than half of the votes cast.

9. If two nominees for the position of the Central Electoral Commission Chairman are voted on, then the nominee that receives more than half of the votes shall be considered elected to the post of the Central Electoral Commission Chairman.

10. If more than two nominees for the position of the Central Electoral Commission Chairman are voted on, and none of them receives more than half of the votes cast, then a second vote shall be held between nominees who received the most votes.

11. If the Central Electoral Commission fails to elect a Chairman during its first session, in accordance with the established procedures, then the Government shall appoint a Chairman, within three days, from among members of the Central Electoral Commission.

12. Elections of the Deputy Chairman and the Secretary of the Central Electoral Commission shall be held in accordance with procedures for election of the Central Electoral Commission, set out in this Article.

(amend. of 19.03.99 HO-286, 03.07.02 HO-406-N, 19.05.05 HO-101-N)

Article 36. Procedures for Formation of Territorial Electoral Commissions

1. Members of Territorial Electoral Commissions shall be appointed by members of the Central Electoral Commission, based on the principle of "one member of Territorial Electoral Commission per one member of the Central Electoral Commission," from among persons who have participated in professional training and received appropriate qualifications, with the exception of Central Electoral Commission members appointed by the Cassation Court and the Board of Chairmen of the Republic of Armenia Courts, who shall appoint members of Territorial Electoral Commissions from among judges of courts of general jurisdiction" with the words "with the exception of judicial servants that are Central Electoral Commission members, who shall appoint members of the Territorial Electoral Commissions from among the number of judicial servants. Territorial Electoral Commissions shall be formed and assume their powers 15 days after the Central Electoral Commission assumes powers. Territorial Electoral Commissions shall be considered formed if at least two thirds of the total number of their members have been appointed.

If the minimum number of Commission members have not been appointed by the deadline for formation of Territorial Electoral Commissions, in accordance with requirements set out in Paragraph 1 of this Article, then they will be appointed by the President of the Republic of Armenia from among the number of judicial servants, until the minimum number is achieved.

The composition of Territorial Electoral Commissions shall be approved by a decree of the President of the Republic of Armenia on the basis of nominations made by the entities responsible for forming Territorial Electoral Commissions. within a ten-day period of making the nomination.

2. The information on members of Territorial Electoral Commissions shall be submitted to the Central Electoral Commission at least ten days before Territorial Electoral Commissions are formed; the Central Electoral Commission shall forward that information to the Staff of the President of the Republic of Armenia within two days.

3. Activities of Territorial Electoral Commissions shall be directed by Commission Chairmen or Deputy Chairmen, as assigned by the Chairmen.

4. The Chairmen, Deputy Chairmen and Secretaries of each Territorial Electoral Commission shall be elected by members of that Territorial Electoral Commission from among Commission members, at the first session of Territorial Electoral Commission. The first session of Territorial Electoral Commission shall take place at 12:00 (noon) on the day

the Territorial Electoral Commission is formed. The first session of the Territorial Electoral Commission shall be chaired by the Commission member that is senior by age.

5. The right to nominate candidates for the position of Chairman of a Territorial Electoral Commission shall belong to members of that Territorial Electoral Commission.
6. Chairmen, Deputy Chairmen and Secretaries of Territorial Electoral Commissions shall be elected in accordance with procedures for electing the Chairman of the Central Electoral Commission.
7. If a Territorial Electoral Commission fails to elect a Chairman in accordance with the established procedures and within the required timeframe, then the Government shall appoint a Chairman, within three days, from among that Territorial Electoral Commission members.
8. (removed by 03.07.02 HO-406-N)
(amend. of 03.07.02 HO-406-N, 19.05.05 HO-101-N)

Article 37. Procedures for Formation of Precinct Electoral Commissions

1. Members of Precinct Electoral Commissions shall be appointed by members of appropriate Territorial Electoral Commissions, based on the principle of "one member of Precinct Electoral Commission per one member of Territorial Electoral Commission."
2. In order to form Precinct Electoral Commissions in accordance with these procedures, members of Territorial Electoral Commissions shall submit their nominations to the Chairman of their respective Commission by 18:00, no earlier than 19 days and no later 16 days before the voting day.
3. If Precinct Electoral Commissions fail to be formed in accordance with the aforementioned procedures, the remaining vacancies in them shall be filled by the Chairman of the appropriate Territorial Electoral Commission within three days. The number of members of each Precinct Electoral Commission shall not be less than nine. If the number of members of a Precinct Electoral Commission is less than two thirds of what is required at 8:00 am on the voting day, then the Chairman of that Precinct Electoral Commission shall notify the Chairman of the appropriate Territorial Electoral Commission thereof, using any available means of communications.

Chairman of the Territorial Electoral Commission shall appoint members of Precinct Electoral Commission from among persons who have passed training on how to conduct elections and received certificates for working in Precinct Electoral Commissions, taking into consideration their place of territorial-administrative affiliation.

4. The first session of a Precinct Electoral Commission shall be called by the Chairman of the appropriate Territorial Electoral Commission, at the precinct center, at 12:00 (noon) on the day the commission is formed; it shall be chaired by the oldest member of the Precinct Electoral Commission.
5. At their first sessions, Precinct Electoral Commissions shall elect their Chairmen, Deputy Chairmen and Secretaries from among themselves.
6. Chairmen, Deputy Chairmen and Secretaries of Precinct Electoral Commissions shall be elected in two days, in accordance with procedures for electing the Chairman of the Central Electoral Commission.
7. If a Precinct Electoral Commission fails to elect a Chairman within the required timeframe then the Chairman shall be appointed by the Chairman of the appropriate Territorial Electoral Commission from among members of the appropriate commission, no later than two days after the date specified in Paragraph 6 of this Article.
8. The authority of the Precinct Electoral Commission shall terminate 14 days after the voting day, or, in the event repeated voting is held, then 14 days after the repeated voting day.
(amend. of 03.07.02 HO-406-N, 19.05.05 HO-101-N)

Article 38. Procedures for Dismissal of Chairmen, Deputy Chairmen and Secretaries of Electoral Commissions and Early Termination of Commission Members

1. The Chairmen, Deputy Chairmen and Secretaries of electoral commissions may be dismissed by a decision of that commission, if at least two thirds of that commission members vote for that decision. A Chairman of an electoral commission may be dismissed no later than four days before the election day. A new chairman of the commission shall be elected in accordance with procedures set out by this Code, at the same session.
2. Members of electoral commissions shall be terminated in the following cases:
 - 1) if they lose their electoral rights;
 - 2) (removed by 03.07.02 HO-406-N)
 - 3) (removed by 03.07.02 HO-406-N)
 - 4) (removed by 03.07.02 HO-406-N)
 - 5) in the event of their death;

6) on the basis described in Article 39, Paragraph 10;

7) on the basis of their letter of resignation;

8) if they are drafted to the military.

2¹. In case of the early termination of the authority of a member of an electoral commission, the person or entity that has the power to appoint an electoral commission member may not nominate the same person as an electoral commission member for the second time during a three-month period

3. In the case of early termination of electoral commission members, vacancies left by them shall be filled upon the nomination of persons or entities who have the power to appoint members of that commission, except in cases specified by this Code, and, in case of the Central or Territorial Electoral Commissions, by decree of the Republic of Armenia President.

3¹. In the case of early termination of electoral commission members in accordance with sub-paragraphs 1, 5, 6, 7 and 8 of Paragraph 2 of this Article, vacancies left by them shall be filled by the entity that has appointed that particular commission member. In the case of early termination of electoral commission members in accordance with sub-paragraph 7 of Paragraph 2 of this Article, vacancies left by them shall be filled in accordance with the following procedure:

1) In the case of early termination of a member of the Central Electoral Commission, the vacancy shall be filled by a decree of the President of the Republic of Armenia, on the basis of a nomination by the entity, which had appointed that particular member. In the case of early termination of Central Electoral Commission members within the period of 20 days before the voting day but before adopting a decision on the results of elections, if the number of vacancies exceeds the one-third of the total number of Commission members, then the vacancies shall be filled by the President of the Republic of Armenia from among the number of judicial staff, provided that, as a result, the Commission is able to take all decisions under its authority defined by this Code. After ten days following the day when the decision approving the election results enters into effect, these positions shall be considered vacant and shall be filled within 20 days by the President's decree on the basis of nomination by an appropriate body.

2) In the case of early termination of a member of a Territorial Electoral Commission, the vacancy shall be filled by a decree of the President of the Republic, on the basis of a nomination by the member of the higher electoral commission, which had appointed the terminated member. In the case of early termination of a member of a Territorial Electoral Commission in the period of 20 days before the voting day, the vacancy shall be filled 15 days before the voting day by a decree of the President of the Republic of Armenia, on the basis of a nomination by the Central Electoral Commission member who had appointed the terminated member. If no appointment is made within the aforementioned period of time, prior to taking a decision on the results of elections, and if the number of vacancies exceeds one-third of the total number of Commission members, then the vacancies shall be filled by a decree of the President of the Republic of Armenia, based on nominations by the Central Electoral Commission, from among the number of judicial staff, provided that, as a result, the Commission is able to take all decisions under its authority defined by this Code. After 10 days following the day when the decision approving the election results enters into effect, these positions shall be considered vacant, and shall be filled within 20 days by a decree of the President of the Republic of Armenia, on the basis of nominations by an appropriate body.

3) In the case of early termination of a member of a Precinct Electoral Commission, the vacancy shall be filled on the basis of a nomination by the member of a higher Electoral Commission, who had appointed the terminated member. The change shall be subject to approval by the Chairman of the Territorial Electoral Commission. In the case of early termination of a member of a Precinct Electoral Commission in the period of 15 days before the voting day, the vacancy shall be filled 5 days before the voting day on the basis of a nomination by the member of a higher Electoral Commission, who had appointed the terminated member. If no appointments are made within the aforementioned period of time, the vacancies shall be filled by the Chairman of the Territorial Electoral Commission by drawing a lot (in the period of up to one day before the voting day) or without drawing a lot (on the voting day), from among persons who have passed training on how to conduct elections and received certificates for working in Precinct Electoral Commissions, taking into consideration their place of territorial-administrative affiliation.

4) Vacancies in the central and territorial commissions shall be filled upon nomination by the body that appointed the respective member, by a decree of the Republic of Armenia President, within a 10-day period.

4. (removed by 03.07.02 HO-406-N)

(amend. of 03.07.02 HO-406-N, 19.05.05 HO-101-N)

Article 39. Organization of Work of Electoral Commissions

1. Electoral Commissions shall operate based on the principle of collegiality.

2. The work of every electoral commission shall be directed by the Commission Chairman or, as assigned by

him/her, the Deputy Chairman.

3. (removed)
4. The schedule for regular sessions shall be established by the commission chairman.
5. Extraordinary sessions shall be called by the commission chairman, on his/her own initiative or upon a written request of at least one-third of the commission members, within the time period specified by them. The commission chairman shall inform all the commission members in writing of the day of the extraordinary session.
6. A commission session shall be in legal force if more than half the commission members are present, with the exception of regular sessions that take place during the period from the date of scheduling nationwide elections to the date of taking a decision summarizing the results of the elections.

During the period from the date of scheduling nationwide elections to the date of taking a decision summarizing the results of the elections, regular sessions shall have authority to act, regardless of the number of members present in the session, if all the possibilities of ensuring the participation of the number of commission members necessary to convene a session have been exhausted.
7. A vote shall be considered valid, if more than half the total number of commission members have taken part in the vote. A commission member shall be obliged to take part in the voting. A decision shall be considered adopted if more than half of the total number of commission members have voted for it.

During the period from the date of scheduling nationwide elections to the date of taking a decision summarizing the results of the elections, a decision shall be considered taken, if the number of commission members that voted for such decision is greater than the number of commission members that voted against it.

8. Electoral commissions shall get a register with numbered pages, stamped by a higher electoral commission, where they shall record all activities related to reparation and conduct of elections, with appropriate dates. The requirements for such registers, as well as the procedures for filling them out, shall be established by the Central Electoral Commissions.

9. The registers shall contain information about commission members' attendance in sessions. Commission members present at the session shall sign under appropriate records.

10. Members of electoral commissions shall be required to attend the sessions of their appropriate electoral commissions. If a commission member is absent three times without a compelling reason, the commission shall have the right to terminate that member early by a decision adopted by the majority of the total number of commission members.

(amend. of 03.07.02 HO-406-N, 19.05.05 HO-101-N)

Article 40. Complaints against Decisions, Actions or Inaction of Electoral Commissions

1. Complaints about decisions or actions (inaction) of Precinct Electoral Commissions, including requests for a recount of the precinct voting results, shall be submitted to the appropriate Territorial Electoral Commission.
2. Complaints about decisions or actions (inaction) of Territorial Electoral Commissions, except the ones concerning decisions on results of National Assembly elections under the majority contest and of local government elections, shall be submitted to the first instance court of the place where the respective Territorial Electoral Commission is located.
3. Decisions or actions (inaction) of the Central Electoral Commission, except decisions on election results, may be appealed in a court of appeals.
4. The Central Electoral Commission shall have the right to eliminate any decision of a Territorial Electoral Commission, which contradicts the requirements of this Code, and pass an appropriate decision on the issue; the execution of such decision shall be binding for the Territorial Electoral Commission. The requirement in this Part shall not apply to the Territorial Electoral Commissions' decisions on elections of National Assembly members under the majority contest, elections of heads of local government bodies, or community council elections.

If such violations of this Code's requirements occur during the voting process, which may have affected the outcome of the vote, the Territorial Electoral Commission may void the results of the vote in that particular precinct. In case of voiding voting results in a precinct in accordance with the procedure stipulated by this paragraph, available materials on the matter shall be presented to the prosecutor's office for opening a criminal case.

5. Decisions of electoral commissions and actions or inaction of an electoral commission and/or any of its officials may be appealed within two days after the decision is announced, the action is performed, or the violation of law caused by such inaction is discovered, but no later than by 12:00 (noon) of the fifth day following the voting day, except in cases described in paragraphs 6, 9 and 12 of this Article.
6. A request for a recount of the voting results in a Precinct Electoral Commission may be submitted only to the respective Territorial Electoral Commission on the day following the voting day, by 14:00.

7. During the period from scheduling elections to summarizing the election results, electoral commissions shall respond to all complaints received or, in cases specified by this Code, adopt decisions regarding such complaints, within five days. Complaints, which are received during five days prior to the voting day or to the deadline set for summarizing the election results, shall be reviewed and, in cases specified by this Code, decisions regarding them shall be taken before the voting day or before the summarization of the election results, respectively.

8. Courts shall adjudicate on complaints regarding decisions and actions (inaction) of electoral commission within the timeframe set in Part 7 of this Article. Such court verdicts shall be final and shall enter into force from the moment they are announced.

9. Disputes related to decisions on the outcome of elections, except in the case of local government elections, shall be resolved by the Constitutional Court of the Republic of Armenia.

10. A Territorial Electoral Commissions' decision on the outcome of election of a head of local government may be appealed:

- 1) To a first instance court in case of rural communities;
- 2) To an appellate court in the case of urban communities (and the district communities of Yerevan).

11. Decisions of Territorial Electoral Commissions on the outcome of community council elections may be appealed in courts of the first instance.

12. Decisions of Territorial Electoral Commissions on the outcome of local government elections may be appealed within three days of adopting such decisions.

If the voting results in a precinct have been voided, then the voter turnout in that precinct shall be reported as the magnitude of inaccuracies in that precinct, and shall be taken into consideration in accordance with the procedure stipulated by this Code when summarizing the election results

(ed. of 19.05.05 HO-101-N)

Article 40¹. Procedures for Reviewing the Applications (Complaints) and Suggestions in Electoral Commissions

1. Electoral commissions shall review applications (complaints) and suggestions and reply to them within the timeframes established by the Republic of Armenia legislation, except for cases specified by this Code.

2. Electoral commissions shall receive, register and review only applications (complaints) and suggestions (hereinafter "applications") addressed to that particular electoral commission.

3. An application shall be signed by the applicant and contain his/her first name, last name, residence address, and the filing date (day, month and year). The applicant shall clearly state his/her demand, provide justifications, and attach any possible evidence. Applications without the information on the applicant and/or applications containing false information shall be not reviewed.

4. If an application contains formal mistakes, which can be corrected, then the electoral commission shall point them out to the applicant, giving the latter an opportunity to correct such mistakes, or the commission itself shall correct them and notify the applicant in advance of or after making such correction. If the list of documents attached to the application is not complete, then the electoral commission shall recommend that the applicant complete the list within the established deadline.

5. An application shall be given to the electoral commission that has jurisdiction over the matter raised. The receipt of the application shall be registered by the electoral commission. The commission chairman or, in his absence, the deputy chairman, shall forward the application to a commission member. The commission member shall study the matters raised in the application and present suggestions on how to resolve them. The applicant may take part in the discussion of his application in the electoral commission and, if necessary, present evidence to support the facts stated in the application.

6. Electoral commissions shall take appropriate measures on issues that need to be addressed urgently. In case of complaints against the election results submitted in accordance with the procedure stipulated by this Code, the party filing such complaint shall, in addition to other documents, have the right to become familiar with the lists signed by voters. The party filing the complaint shall not have the right to publicize, print, take excerpts from, or make copies of such lists.

7. The reply to an application shall be sent to the applicant with the signature of the commission chairman or deputy chairman. The commission member that prepared the reply shall sign the copy of the reply retained by the commission.

8. Commission members, proxies, observers, and representatives of mass media shall be notified regularly about the transparent and fair discussion of applications received by electoral commissions and about their progress."

(mod. of 19.05.05 HO-101-N)

Article 40². Procedures for Recounting Electoral Commission Voting Results in Territorial Electoral Commissions

1. Candidates, members of a Precinct Electoral Commission who have authored a special opinion and proxies registered in that precinct shall have the right to appeal the voting results in that particular precinct, in accordance with procedures and within the timeframe set by this Code, by submitting to the appropriate Territorial Electoral Commission a request to recount the voting results in that particular precinct.
2. The applicant shall submit his/her recount request to the Territorial Electoral Commission in person; at that time, he or she shall also be required to show a personal identification document or , in the case of a proxy, his/her proxy ID as well.
3. The recount request shall contain the first and last names of the applicant, his/her residence address and the number of the precinct where recount is requested, as well as the specific voting results (if several voting events have taken place concurrently) that are requested to be recounted.
4. If several voting events have taken place concurrently, then a member of the Precinct Electoral Commission may submit a request to recount the results of only that voting event, for which he/she had produced a special opinion.
5. If more than one voting events have taken place concurrently, a separate recount request shall be submitted for each of the voting events.
6. Territorial Electoral Commission shall log the recount requests in their registers in the order of their receipt, marking the time of their receipt.
7. Territorial Electoral Commissions shall receive and log recount requests in accordance with the established procedures on the day after the voting, by 14:00. Territorial Electoral Commissions shall start the recount activities at 9:00, two days after the voting day. When recounting the votes, Territorial Electoral Commissions shall work without days off, from 9:00 to 18:00, unless the Commission passes a decision to extend the working hours.
8. Territorial Electoral Commissions shall recount the voting results in the order in which recount requests have been logged, in accordance with this Code's requirements for summarizing the voting results in precincts.
9. The time for recount of voting results in each precinct may not exceed five working hours.
10. Based on the recount results, Territorial Electoral Commissions shall compile a protocol on the recount of voting results in the Precinct Electoral Commission. Commission members, observers and proxies may request copies of the summary protocols.
11. Persons who, under this Code, have the right to be present in electoral commission sessions, shall have the right to be present at the recount of voting results in Territorial Electoral Commissions. The absence of the person who had submitted the recount request shall not constitute a ground for either not holding the recount or terminating it.
12. The recount activities in Territorial Electoral Commissions shall stop at 14:00, five days after the voting day.
13. If a recount of votes in a precinct has been requested in violation of this Article's provisions, the Territorial Electoral Commission shall turn down that recount request and shall not do the recount.
(mod. of 19.05.05 HO-101-N)

CHAPTER 9 POWERS OF ELECTORAL COMMISSIONS

Article 41. Powers of the Central Electoral Commission

1. The Central Electoral Commission is the state body in charge of organizing elections and ensuring their legality, which shall operate on a permanent basis, in accordance with its bylaws. The Central Electoral Commission shall:
 - 1) oversee state budget resources allocated for organizing and holding elections and ensure that electoral commissions have necessary premises, furniture and other material/technical equipment;
 - 2) make decisions on working procedures for itself and lower electoral commissions;
 - 3) oversee the uniform application of this Code;
 - 4) (revoked by 19.05.05 HO-101-N)
 - 5) oversee that the mass media ensure equal opportunities for campaigning;
 - 6) approve the specimen of ballots and other electoral documents, procedures for filling them out and storing them; provide electoral commissions with necessary electoral documents;

- 7) publish instructions on implementation of this Code and other normative acts that are mandatory for electoral commissions organizing and holding elections; oversees their implementation;
 - 8) (revoked by 19.05.05 HO-101-N)
 - 9) ensure equal conditions for pre-election activities of presidential candidates, parties running for the National Assembly under proportionate system and candidates running for the National Assembly under majoritarian system;
 - 10) take decisions, within the framework of its powers, that are mandatory for state and local self-government bodies, non-governmental organizations, parties, institutions, organizations and officials;
 - 11) discuss applications and complaints about decisions and actions of electoral commissions, review or overturn decisions of electoral commissions that contradict this Code and decisions of higher electoral commissions;
 - 12) hear reports by electoral commissions and appropriate state bodies on preparation and conduct of elections;
 - 13) accredit representatives of mass media, register representatives of foreign states, NGOs and international organizations as observers, and issue them IDs on the basis of submitted lists;
 - 14) approve the form of ballot boxes;
 - 15) approve the specimen of electoral commissions' stamps, order them and provide them to the commissions, and define procedures for returning the stamps after the end of elections;
 - 16) register and issue appropriate certificates to persons nominated to run for presidency of the Republic of Armenia; in cases specified by the law, refuse registration, annul or invalidate it. It shall also issue presidential candidates or their representatives with sufficient number of ID cards for their proxies;
 - 17) register parties and initiative groups nominating presidential candidates;
 - 18) organize the publication of presidential candidates' biographic data;
 - 19) declare presidential elections invalid or failed, if grounds specified by the law exist, and make decision on the election of President;
 - 20) summarize and approve the results of presidential elections and National Assembly elections under proportionate system;
 - 21) register parties that have submitted applications to run for the National Assembly under proportionate system, and publish the lists of candidates nominated by them;
 - 22) register the elected members of the National Assembly and issue them with Member of Parliament certificates;
 - 23) call by-elections and new elections to the National Assembly of the Republic of Armenia;
 - 24) refer cases of violation of this Code to appropriate state bodies;
 - 25) resolve other issues related to the implementation of this Code;
 - 26) set out procedures for organizing trainings for candidates for electoral commission membership and issuing members with qualification certificates;
 - 27) set out procedures for drawing lots in electoral commissions;
 - 28) number electoral districts for National Assembly elections under majoritarian system;
 - 29) set out procedures related to pre-election funds and electoral deposits;
 - 29¹) it may set up institutions in accordance with procedures defined by the law;
 - 30) exercise other powers prescribed by this Code.
2. If the an electoral district includes communities from more than one territory/district, then the Central Electoral Commission shall determine which Territorial Electoral Commission would have the authority to organize and hold elections in that community, at least 65 days before the voting day.
 3. The Chairman of the Central Electoral Commission or any other member of the Central Electoral Commission, as assigned by the Chairman, shall make a statement at the National Assembly on the organization and holding of elections within thirty days after every national election.
 4. The Central Electoral Commission may submit to the Government of the Republic of Armenia draft recommendations on legislative amendments to improve the administration of elections.
(amend. of 19.03.99 HO-286, 03.07.02 HO-406-N, 19.05.05 HO-101-N)

Article 42. Powers of Territorial Electoral Commissions

1. A Territorial Electoral Commission is a state body operating permanently in accordance with bylaws adopted by the Central Electoral Commission. Territorial Electoral Commissions shall:
 - 1) organize training for persons involved in Precinct Electoral Commissions;
 - 2) oversee state budget resources allocated for organizing and holding elections;
 - 3) approve precincts, noting the latter's voting places (precinct centers). This information shall be forwarded to the Central Electoral Commission within two days;
 - 4) number the precinct, in accordance with procedures set by the Central Electoral Commission and specify the place of voting (the precinct center), and, within a two-day period, submit such data to the Central Electoral Commission.;
 - 5) provide Precinct Electoral Commission's with necessary material/technical equipment and electoral documents; organize events required for preparation and holding of elections, in accordance with the set procedures; ensure that Precinct Electoral Commissions have the necessary premises, furniture, transport, communication and other means;
 - 6) provide information on their and Precinct Electoral Commissions' activities to the Central Electoral Commission;
 - 7) discuss applications and complaints about decisions and actions of Precinct Electoral Commissions, review and overturn decisions of Precinct Electoral Commissions that contradict this Code;
 - 8) publish preliminary results of elections by precincts, based on information in the Precinct Electoral Commissions' protocols;
 - 9) (revoked by 19.05.05 HO-101-N)
 - 10) set the date for local self-government elections;
 - 11) follow the compilation of voter lists and their presentation in precincts for public inspection;
 - 12) ensure the preparation of precinct centers, voting booths, ballot boxes and other means necessary for the voting;
 - 13) (revoked by 19.05.05 HO-101-N)
 - 14) register candidates running for the National Assembly under majoritarian system and issue them with certificates approved by the Central Electoral Commission; in cases specified by the law, refuse their registration, annul or invalidate it; provide representatives of candidates running for community heads and community councils with proxy ID cards in the amount specified by the law;
 - 15) register and issue certificates to candidates running for community heads and community councils;
 - 16) clarify, summarize and approve the results of local self-government elections; in cases specified by the law, conduct verifications, declare elections as valid, invalid or failed;
 - 17) summarize the results of community leaders' and community council elections;
 - 18) issue certificates to elected community leaders and community council members;
 - 19) clarify and summarize the result of National Assembly elections under majoritarian system and local self-government elections, and forward them to the Central Electoral Commission;
 - 20) monitor the implementation of this Code by Precinct Electoral Commissions;
 - 21) refer cases of violations of this Code to appropriate state bodies;
 - 22) exercise other powers prescribed by this Code.
(amend. of 03.07.02 HO-406-N, 19.05.05 HO-101-N)

Article 43. Powers of Precinct Electoral Commissions

1. Precinct Electoral Commissions shall:
 - 1) manage the state budget resources allocated for organizing and holding elections;
 - 2) organize the voting, summarize its results, post the results in the precinct center and forward them to the Territorial Electoral Commission;
 - 3) resolve issues of disputed ballots by voting;
 - 4) create conditions for free elections in the precinct, enforce election procedures set out by this Code;

- 5) refer cases of violations of this Code to appropriate state bodies;
 - 6) exercise other powers prescribed by this Code.
2. Precinct Electoral Commissions shall operate on the basis of bylaws adopted by the Central Electoral Commission.
(amend. of 03.07.02 HO-406-N, 19.05.05 HO-101-N)

Article 44. Submitting and Receiving Electoral Documents in Electoral Commissions

1. All electoral documents submitted to and received by Electoral Commissions shall be logged in registers and signed by the persons submitting and receiving them; a receipt shall be provided.
2. For preparation and conduct of elections, electoral commission shall be supplied with ballots, forms, other documents, stationary and other materials; chairmen of appropriate electoral commissions shall be responsible for their receipt, transportation and storage.
3. Once elections results are summarized and appropriate protocols are prepared, all electoral documents shall be immediately transported from Precinct Electoral Commissions to the appropriate Territorial Electoral Commissions, accompanied by the Precinct Electoral Commission Chairman or Deputy Chairman.
4. Territorial Electoral Commissions shall submit all electoral documents, except documents related to local self-government elections, to the Central Electoral Commission, once the election results are finalized. The Central Electoral Commission shall store the document and, two months after the official announcement of election results (or after reaching the final decision, in case of a court dispute), shall deposit in the Armenian State Archives to be kept in accordance with the established procedures.
5. Within two months after official announcement of local self-government election results (or after reaching the final decision, in case of a court dispute) Territorial Electoral Commissions shall deposit them in the Armenian State Archives to be kept in accordance with the established procedures.
(amend. of 03.07.02 HO-406-N)

Article 45. Cooperation Between Electoral Commissions and Law Enforcement Authorities

The national and regional bodies of the Republic of Armenia Police, their services and divisions shall make sure that elections proceed in a natural fashion and that electoral commissions' work is unimpeded; at the commissions' request, they shall support the commission in order to establish due order during election-related events, as well as to provide security during transportation of electoral documents from Precinct Electoral Commissions to Territorial Electoral Commission. The vehicle transporting the electoral documents may be escorted by proxies, international and local observers, and representatives of the mass media, by their own vehicles.

Upon discovering any violations of the Electoral Code, the member (members) of the electoral commission shall be required to report them to the appropriate authorities within five days.

Violations of this Article's provisions shall be prosecuted in accordance with the law.
(mod. of 03.07.02 HO-406-N, 19.05.05 HO-101-N)

SECTION 3. VOTING. SUMMARIZATION OF VOTING RESULTS

CHAPTER 10.

ORGANIZATION OF VOTING

Article 46. The Venue and Time of the Voting

Voting shall be held in precinct centers, from 8:00 to 20:00. Citizens, who are in the voting room by 20:00 but have not voted yet, shall have the right to vote.

Voting of citizens undergoing in-patient treatment in medical institutions carrying out in-patient treatment, which are unable on their own to attend the precinct center on the voting day, may be organized in such institutions.

Before 14:00 of at least the 3rd day prior to the voting day, the head of the medical institution carrying out in-patient treatment shall present to the head of the authorized body or to the head of its respective territorial division a list of citizens undergoing in-patient treatment, which have voting rights and wish to take part in the voting, and specify in the list each such citizen's surname, name, patronymic (if the patronymic is specified in the passport), birth date (day, month, and year), and registration address.

The head of the authorized body or to the head of its respective territorial division shall, based on the presented lists, remove the names of citizens undergoing in-patient treatment from the voter lists of such citizens' places of registration, and, in accordance with the requirements of Article 11 hereof on voter lists, shall compile an additional list of voters taking part in the voting in a medical institution carrying out in-patient treatment, and, after signing and stamping each page of such list, present it to the chairman of the respective Precinct Electoral Commission 2 days prior to the voting day, together with the final voter list.

On the voting day, one member of the precinct electoral commission, decided by a draw held in a session of the precinct electoral commission, shall organize, within the boundaries of the precinct center, using a mobile ballot box, the voting by citizens that have the right to vote and are undergoing in-patient treatment in medical institutions carrying out in-patient treatment. The voting shall be performed with respect for the confidentiality of the vote, in accordance with the procedure established by the Central Electoral Commission. Proxies, observers, and representatives of the mass media may be present in the organization of the voting of voters in medical institutions carrying out in-patient treatment.

Article 47. The Voting Room

1. Voting shall take place in specially furnished rooms, based on the principle of one room per each electoral precinct.
2. Voting rooms shall be as spacious as possible and meet the following requirements:
 - 1) all members of the Precinct Electoral Commission and everyone who has the right to be present at the voting must be able to carry out their duties properly and concurrently;
 - 2) all members of the Precinct Electoral Commission, proxies and observers must be able to keep within their sight the voting booths, the ballot box, entrances and exits to voting booths and the area between the booths and the ballot box. 3) The process of summarizing the voting results may be videotaped by proxies, observers, and representatives of the mass media, without any hindrance.
3. The furnishing of voting rooms shall be completed at least 24 hours before the beginning of the voting.
(amend. of 03.07.02 HO-406-N)

Article 48. Voting Booths

1. Voting booths shall be furnished in such a way as to allow citizens to fill out their ballots privately from other persons present at the precinct center.
2. A table with a pen on it shall be installed in each voting booth. Voting rooms shall have sufficient lighting.
3. At least one booth or room per 750 voters shall be provided for voting.
4. Voting booths shall be located in the area between the tables for handing out ballots and the ballot box.
5. Voting booths shall be placed at least 1 meter away from one another. If a voting booth is affixed to a wall, then an appropriate zone with a restrictive tape, with one entrance and one exit, shall be set up 2 meters away from the booth or, if it is impossible, then 1.5 meters away from the booth. It shall be prohibited for the number of voters inside such zone to be greater than the number of voting booths

Article 49. Ballots, Ballot Boxes and Electoral Commission Stamps

(revoked by 19.05.05 HO-101-N)

Article 49¹. The Ballot, Voting Envelope

1. The form and the content of ballots shall be established by the Central Electoral Commission.
2. If different elections are held concurrently, ballots papers shall be prepared in such a way as to be obviously different from each other.
3. Ballots shall be perforated and contain the name of the printing house and instructions on how to mark them. Ballots shall be made of non-transparent paper.
4. On the stub of the ballot, above the cutting line, the periodic number of the ballot shall be marked; below the line, on the left, names of the last name, first name and patronymic of candidates, names of parties and party alliances shall be marked in alphabetical order; on the right, blank squares shall be provided for marks.
5. If only one candidate is voted, then below the candidate's last name, first name and patronymic, words "for" and "against" shall be written, with blank squares in front of each of the words, on the right.
6. The Central Electoral Commission shall approve the ballot specimen and ensure the printing and preparation of ballots for presidential and National Assembly elections.
7. In the case of local self-government elections, the ballot specimen shall be approved and printing and preparation shall be ensured by Territorial Electoral Commissions.
8. Ballots shall be issued not earlier than nine and no later than three days before the voting day.
9. Ballots shall be provided to Precinct Electoral Commissions the day before the voting day, in the amount that of the number of voters in the given precinct, plus up to three percent of that number.
10. In the event if registration of a candidate or a party (party alliance) list is invalidated, or a party alliance is dissolved after ballots are issued, the name of that candidate, party or party alliance shall be removed from ballots in accordance with procedures set by the Central Electoral Commission.
11. The Central Electoral Commission shall ensure the preparation of voting envelopes. If different votes are conducted concurrently, separate ballots shall be prepared for each vote, provided that their colors make them obviously different, and provided that their colors match the colors of the ballots.

The number of voting envelopes, which shall be allocated to the precinct electoral commission on the day preceding the voting day, shall be up to 3% greater than the number of voters in the precinct.

(mod. of 19.05.05 HO-101-N)

Article 49². Electoral Commission Stamps and the Ballot Box

1. Specimen of electoral commissions' stamps shall be approved by the Central Electoral Commission.
2. Electoral commissions' stamps shall be prepared by the order of the Central Electoral Commission in accordance with the specimen approved by the Central Electoral Commission.
3. Stamps of Precinct Electoral Commissions shall bear a four-digit number.
4. The Central Electoral Commission shall put the stamps of Precinct Electoral Commissions in non-transparent packaging, stamp the packages without marking them and distribute them among Territorial Electoral Commissions no earlier than five days and no later than three days before the voting day, in a way so that each Precinct Electoral Commission gets one package. The Central Electoral Commission shall maintain records of only the number of stamps provided in that way.
5. Territorial Electoral Commissions stamp the packaged and distribute them to Chairmen of Precinct Electoral Commissions on the day before the voting day one for each precinct.
6. Once the voting is over, the voting results are summarized at the results summarization session, precinct protocols are prepared and approved, the appropriate packages of used ballots are sealed and stamped, copies of protocols are posted in precinct centers, verified copies of protocol duplicates are provided to proxies and observers (at their request) and Precinct Electoral Commissions' registers are approved, the stamps of Precinct Electoral Commissions shall be returned to the Central Electoral Commission, in accordance with procedures set by the Central Electoral Commission, where they shall be recorded, packaged in special parcels and stamped, and a protocol shall be made to that effect. In the case of a second round of voting or new elections, Precinct Electoral Commissions shall receive new stamps.
7. Ballot box shall be made of transparent material. The specimen (the size) of the ballot box shall be approved by the Central Electoral Commission.
8. More than one ballot box may be used at a precinct center, in accordance with procedures defined by the Central Electoral Commission.

(mod. of 19.05.05 HO-101-N)

Article 50. Preparation for Voting

1. Voting shall be prepared by Precinct Electoral Commissions.
2. Ballots, voting envelopes and stamp package shall be kept in a special fireproof safe box in the voting room.
3. Chairmen of Precinct Electoral Commissions shall be required to ensure compliance with the requirements of this Code and establish proper rule and order at precinct centers during the voting.
4. Desks for voter registration, handing out ballots and voting envelopes to voters and stamping the voting envelopes shall be provided in precinct centers.
5. Ballot boxes and commission members' desks shall be placed in a place visible to all those who have the right to be present at the precinct center.
6. Sample ballots shall be displayed either at precinct centers or at their entrances.
7. Posters displaying pictures of presidential candidates and their brief biography and, in the event of National Assembly elections under proportional system, electoral lists of parties and party alliances running in the election shall be posted in a visible place in precinct centers on the voting day.

(ed. of 19.05.05 HO-101-N)

Article 51. Organization of Voting in Diplomatic and Consular Missions

Citizens of the Republic of Armenia residing or traveling abroad, who have electoral rights, may vote in presidential and National Assembly elections under proportional system at diplomatic and consular missions of the Republic of Armenia. Seven days before the voting day, the Central Electoral Commission shall forward to diplomatic and consular missions of the Republic of Armenia, through the Ministry of Foreign Affairs, information on registered presidential candidates and the electoral lists of registered parties running for the National Assembly under proportional system, as well as specimen of ballots and other electoral documents. Heads of diplomatic or consular missions shall ensure the preparation of ballots in compliance with the requirements of this Code. Heads of diplomatic or consular missions of the Republic of Armenia shall prepare, organize and hold elections, summarize the voting results, prepare protocols and immediately forward them officially to the Central Electoral Commission, in accordance with procedures defined by this Code and the Central Electoral Commission. The protocols, together with electoral documents, shall be sealed and sent to the Central Electoral Commission by special pouch.

Article 52. Organization of Voting for Arrested or Detained Citizens

1. Arrested citizens shall vote in precincts set up in their places of registration. The procedures for voting by arrested citizens shall be established by the Central Electoral Commission.
2. Elections in detention facilities shall be prepared, organized and conducted by heads of these facilities, in accordance with procedures established by this Code and the Central Electoral Commission.

CHAPTER 11

VOTING PROCEDURES

Article 53. Beginning of Voting

1. On the day preceding the voting, at its session the precinct electoral commission shall, by means of a draw, determine the three commission members signing ballots, which shall be obliged to sign all ballots and all pages of the voter lists prior to 24:00 (the signatures shall be placed on the opposite side of the ballots and of each page of the voter lists), and making an appropriate note in the register. Signed ballots, voting envelopes, voter lists, and the seal package shall be stored in a special fireproof box. The procedure of storing ballots, voting envelopes, voter lists, and the seal shall be established by the Central Electoral Commission."
2. On voting day, at 17:00, the precinct electoral commission shall, in its session held in the precinct center, hold a draw to decide the commission members registering voters, provided that there is at least one commission member per 1,000 voters; it shall also decide the commission members to hand out ballots and voting envelopes, provided that there is at least one commission member per 1,000 voters; it shall also decide the commission member responsible for stamping the voting envelopes and for the ballot box, the commission member conducting voting by means of a mobile ballot box, as well as the shift of functions to rotate between precinct electoral commission members at 2 hour intervals. The commission chairman and secretary shall not participate in the draw. They shall replace the other commission members in case of their absence/
3. In the presence of commission members and those who have the right to be present at the voting, the Chairman of Precinct Electoral Commission shall open the fireproof safe box, remove the ballots, voting envelopes, voter lists and the packaged stamp, open the packaged stamp, stamp the register and announce the stamp number. Then, he or

she shall make sure that the ballot box is empty, close it and stamp it, give voter lists to commission members responsible for voter registration, give ballots and voting envelopes (in batches of 100) to the commission member responsible for handing out ballots and voting envelopes; and give addresses of residential buildings (houses) included in the electoral precinct and the stamp to the commission member responsible for stamping the envelopes and for the ballot box. The Precinct Electoral Commission Chairman shall record all the aforementioned actions in the register, following which he or she shall declare the precinct center open.

(amend. of 19.03.99 HO-286, 03.07.02 HO-406-N, 19.05.05 HO-101-N)

Article 54. Entering the Precinct Centers

1. Military servicemen and servicemen from the Republic of Armenia Police and National Security Service shall enter precinct centers not in a marching line and unarmed. Entering a precinct center with weapons and ammunition shall be prohibited, except in cases when the normal course of elections is threatened. In such cases, entering the precinct center with weapons and ammunition shall be authorized by the Chairman or Deputy Chairman of the Precinct Electoral Commission.

2. In addition to Precinct Electoral Commission members and voters, candidates' proxies, observers, representatives of mass media and members of higher electoral commissions shall have the right to be present at the precinct center.

3. Voters shall promptly leave the precinct center after casting their vote.

4. The electoral commission chairman shall have the right to ask voters to enter the voting room one by one in order to ensure the normal course of the voting. No more than 15 voters can be present in the voting room at the same time.

(amend. of 19.05.05 HO-101-N)

Article 55. Voter Registration

1. Every voter, who has arrived to vote, shall be registered in the list by the commission member responsible for voter registration.

2. The commission member responsible for voter registration shall verify the voter's personal identification documents, find his or her first name, patronymic, last name and number in the voter list, fill out the personal identification document's details, following which the voter shall sign in front of the data. The responsible member shall sign next to the voter's signature in the column designated for such member's signature; in case of military servants registered in military compounds, such member shall also stamp the military certificate or military book in accordance with the procedure established by the Central Electoral Commission. If a voter is unable to sign the voter list himself or herself, he or she shall have the right to seek help from other citizens, except electoral commission members and proxies.

3. Personal identification documents shall include a passport, document replacing the passport, military certificate (for military officers and sub-officers) or military book (for other military servicemen). The voter's passport validity being expired is not a ground for not permitting him or her to vote.

(amend. of 03.07.02 HO-406-N, 19.05.05 HO-101-N)

Article 56. Voting

1. During voting, every citizen shall receive one ballot and one voting envelopes (or ballots and voting envelopes, if several elections are taking place concurrently).

2. Immediately after getting registered, the voter shall approach the commission member responsible for giving out ballots and voting envelopes. The latter shall tear the stub of the ballot (or of ballots—in case of more than one votes being held concurrently), and give the bottom part of the ballot, together with the voting envelope, to the voter, who shall proceed to the voting booth to vote. The commission member responsible for giving out ballots shall put the ballot stubs in sequence, in accordance with procedures established by the Central Electoral Commission, and give them to the Precinct Electoral Commission Chairman. The latter shall place them in separate stacks in the fireproof safe box.

3. The voter shall mark the ballot in the privacy of a voting booth.

4. Citizens, who are unable to mark the ballots on their own, shall have the right to invite another person (but never a proxy) into the voting booth with them, after notifying the Commission Chairman. Except for this case, the presence of another person in the voting booth (room), when a voter is marking the ballot, shall be prohibited.

5. If the voter believes that he or she has marked the ballot incorrectly, he or she may turn to the commission chairman or, in his/her absence, the deputy chairman, and ask for a new ballot. Upon receiving instructions from the commission chairman or, in his absence, the deputy chairman, the appropriate commission member shall give out a new ballot, make an appropriate note in the voter list, next to the first and last name of that voter. The incorrectly marked (damaged) ballot shall be cancelled immediately, and an appropriate protocol shall be made to that effect.

6. Citizens registered at diplomatic and consular missions, as well as citizens in detention or under arrest shall vote

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in accordance with requirements of this Article, whereas military servicemen shall vote in accordance with the requirements of Articles 54-56 of this Code. (ed. of 19.05.05 HO-101-N)

Article 57. Procedures for Marking the Ballot and Stamping the Voting Envelope

1. The voter shall put a uniform mark on the ballot, in accordance with procedures established by the Central Electoral Commission, next to the name of the candidate, party or party alliance he or she is voting for.
2. If only one candidate is being voted, the voter shall mark the square next to the word “for”, if he or she wants to vote for the candidate, or next to the word “against”, if he or she wants to vote against the candidate.
3. After marking the ballot, the voter shall fold the ballot while in the voting booth, place it inside the voting envelope, and approach the ballot box. The commission member responsible for stamping voting envelopes and for the ballot box shall seal the voting envelope, open the slot of the ballot box, and enable the voter to drop the voting envelope into the ballot box. The commission member responsible for stamping voting envelopes and for the ballot box may, at his initiative or if so demanded by a proxy, proceed to check whether a voter is registered in that precinct. After dropping the voting envelope in the ballot box, the voter shall leave the precinct center.
4. If more than one voting is held concurrently, the voter shall place each ballot in the envelope designated for the respective voting
5. (removed)
6. It shall be forbidden to inquire in any way about how the voter has voted.
7. At the request of one commission member or one proxy, all cases of violations of voting procedures stipulated by this Code, during the voting process, as well as decisions adopted by the Precinct Electoral Commission shall be recorded in the register.

(ed. of 19.05.05 HO-101-N)

Article 58. Validity of Ballots

1. A ballot of the established specimen shall be considered invalid, if:
 - 1) it contains marks in favor of more than one candidate (party);
 - 2) it contains marks both “for” and “against” the candidate, if only one candidate is being voted;
 - 3) it does not contain any marks;
 - 4) it contains marks revealing the voter’s identity;
 - 5) it is not signed;
 - 6) the procedure of marking the ballot set out in Article 57 of this Code was violated.
2. A ballot is valid if the voter’s intention is clear and unambiguous, and if it contains no marks that may reveal the voter’s identity.

(ed. of 19.05.05 HO-101-N)

Article 59. Ballots of Non-Established Specimen

Ballots differing from the established specimen, as well as the following ballots shall be considered ballots of non-established specimen:

- a) Ballots found in voting envelopes that differ from voting envelopes of the established specimen;
- b) All ballots found in a voting envelope of the established specimen, if there is more than one ballot in such envelope; and
- c) Ballots found in the ballot box, which are not in voting envelopes

(ed. of 19.05.05 HO-101-N)

Article 59¹. Voting Envelopes of Non-Established Specimen

Voting envelopes differing from the established specimen, voting envelopes that are not sealed, and voting envelopes that are sealed with a different seal, as well as the following voting envelopes shall be considered voting envelopes of non-established specimen:

- a) A voting envelope that does not contain a ballot;
- b) A voting envelope that contains more than one valid ballot or contains an invalid ballot;
- c) A voting envelope that contains a ballot of non-established specimen; and
- d) A voting envelope that contains notes disclosing the voter’s identity.”

CHAPTER 12

PROCEDURES FOR SUMMARIZATION AND TABULATION OF VOTING RESULTS, CALCULATING THE INACCURACIES AND SUMMARIZATION OF ELECTION RESULTS

(ed. of 19.05.05 HO-101-N)

Article 60. Procedures for Summarization of Voting Results in an Electoral Precinct

1. At 20:00, the Chairman of the Precinct Electoral Commission shall forbid the entry of voters into the precinct center, allow the voters already at the precinct center to cast their votes, after which he or she shall close the ballot box slot, ask all the persons, who have no right to be present at the session of the Precinct Electoral Commission, to leave, and close the precinct center. The Precinct Electoral Commission shall then start its session for summarizing the voting results. To this end, the Precinct Electoral Commission shall: 1) count the total number of unused voting envelopes, as well as unused, incorrectly filled and returned ballots, and cancel such ballots and voting envelopes in accordance with procedures defined by the Central Electoral Commission, package them and stamp the packages; 2) stack the stubs of used ballots in sequence by numbers and count the number of these stubs, then package the used ballot stubs and stamp the package; 3) count the total number of voters, based on the voter lists, including supplementary lists; 4) count the number of voters who received ballots (i.e. who participated in the voting), based on the signatures in the voter lists, including supplementary lists, package the aforementioned lists and stamp the package.

2. The results of sub-paragraphs 1-4 of paragraph 1 of this Article shall be announced and recorded in the register. The precinct electoral commission shall file a protocol on the number of voters participating in the vote. The form of the protocol on the number of voters participating in the vote shall be approved by the Central Electoral Commission.

The Commission Chairman shall open the ballot box, take one voting envelope out of the ballot box, announce out loud whether the envelope is of established or non-established specimen. If so demanded, he shall pass the envelope on to other commission members. In the event of disagreement with the opinion expressed by the Commission Chairman, a commission member shall raise an objection. Based on the results of a vote by all the commission members (if an objection is raised) or the original announcement of the Commission Chairman (if no objection is raised), the Chairman shall take the ballot out of the voting envelope of established specimen, announce whether the ballot is valid, invalid, or of non-established specimen, and, in case of a valid ballot, also announce what vote has been cast. If so demanded, the ballot shall be passed on to other commission members. In the event of disagreement with the opinion expressed by the Commission Chairman, a commission member shall raise an objection. Based on the results of a vote by all members (if an objection is raised) or the original announcement of the Commission Chairman (if no objection is raised), the Chairman shall put the ballot in the stack of ballots cast for the respective candidate (party, party alliance) or, if there is only one candidate, in the stacks of "for" or "against" ballots. The voting envelope shall be placed in the package of envelopes of established specimen. Thereafter, he shall pull the next envelope out of the ballot box.

If the voting envelope contains more than one ballot for the same voting, or if it contains a ballot or ballots of non-established specimen, the ballot/-s shall be placed in the envelope, and the envelope shall be placed in the package of voting envelopes of non-established specimen.

In case of voting envelopes of non-established specimen, the ballots shall not be taken out of the envelope, and the envelope shall be placed in the package of voting envelopes of non-established specimen.

Voting envelopes of non-established specimen, together with the ballots inside them, shall be immediately cancelled.

If an envelope of established specimen contains one invalid ballot, the ballot shall be placed in the package of invalid ballots, and the envelope shall be placed in the package of envelopes of established specimen.

This action shall be repeated for all the envelopes present in the ballot box. During the sorting of ballots and voting envelopes, commission members shall be prohibited from making any notes, and from having any pens, pencils, or other objects for making notes

3. Having sorted all the voting envelopes and ballots in the ballot box, in the presence of commission members, the Commission Chairman shall count one by one all voting envelopes of established specimen, the invalid ballots, ballots cast for every candidate and party (party alliance), or, if there is only one candidate, the ballots cast for or against the candidate. These numbers shall be announced and recorded in the register.

4. Ballots and voting envelopes of non-established specimen shall not be taken into consideration when summarizing the results.

5. The counted and sorted ballots and voting envelopes shall be packaged and the packages shall be stamped, in accordance with procedures established by the Central Electoral Commission.

Article 61. Precinct Electoral Commission's Protocol on Voting Results

1. Based on calculations made in accordance with procedures set out in Article 60 of this Code, the Precinct Electoral Commission shall prepare a protocol on precinct voting results, which shall include the following:
 - 1) the total number of voters as per voter lists;
 - 1¹) the number of voting envelopes allocated to the Precinct Electoral Commission;
 - 2) the number of ballots allocated to the Precinct Electoral Commission (A) and the ballot stub number;
 - 2¹) the number of unused voting envelopes;
 - 3) the total number of ballots cancelled in the Precinct Electoral Commission (G);
 - 4) the number of voters who registered and received ballots, according to signatures (B);
 - 5) the number of invalid ballots (d_2);
 - 6) the number of used ballot stubs (E);
 - 7) the number of ballots cast for each candidate, party and party alliance;
 - 8) the total number of ballots cast for all candidates, parties or party alliances (this line is left blank if only one candidate is running);
 - 9) the number of ballots cast against the candidate (this line is filled out when only one candidate is running);
 - 9¹) the number of voting envelopes of established specimen (Z)."
 - 10) the number of valid ballots (d_1);
 - 11) the amount of inaccuracies.
2. The protocol shall be signed by all commission members present at the session and stamped by the Commission Chairman.
3. If any commission member has a special opinion about the data in the protocol, he or she shall present his/her opinion in writing, which shall be attached to the protocol, and he or she shall make a note next to his/her signature to that effect.
4. If a commission member refuses to sign the protocol, the protocol shall include a note about that.
5. The Precinct Electoral Commission's session may not be interrupted from the moment the voting is over until a protocol on precinct voting results is prepared.
6. The commission shall complete the protocol at the end of the session, but no later than 10 hours after the end of the voting, and the Commission Chairman shall make public the protocol on precinct voting results.
7. The protocol shall be made in four copies. One copy shall be packaged with documents used as a basis for the protocol, the package shall be stamped and placed in a special sack, which is numbered in advance and which may not be reused once it is opened. Another copy of the protocol shall be posted at the precinct center in a clearly visible place, immediately upon completing the steps described in this Article, but no later than before removing the documents and the sealed package referred to in this paragraph from the precinct center. The package and the sack shall bear signatures of three commission members; other commission members and proxies shall also have the right to sign on the packages, which shall be duly recorded in the commission's register.
8. An excerpt from the protocol on precinct voting results shall be provided to the commission members, proxies of candidates, parties and party alliances, or observers, at their request; the excerpt shall be endorsed by the signatures of the Commission Chairman (Deputy Chairman) and the Secretary, and bear the Commission's stamp.
9. The Precinct Electoral Commission's Chairman and Secretary shall submit the electoral documents packaged and bagged as required by Articles 60 and 61 of this Code, two copies of the protocol on voting results, the register and the stamp to the appropriate Territorial Electoral Commission, in accordance with procedures defined by the Central Electoral Commission, within no more than 12 hours of the end of the voting.
10. The formats of the protocol on precinct voting results and the excerpts from the protocols shall be approved by the Central Electoral Commission.

Article 62. Procedures for Calculating the Inaccuracies

1. In order to calculate the amount of inaccuracies in a precinct:
 - 1) compare the number of ballots allocated to the Precinct Electoral Commission (A) with the number of cancelled

ballots (G) and the sum (D) of the number of valid ballots (d_1) and the number of invalid ballots (d_2) in the ballot box. The difference (its absolute value) shall be noted as the amount of the first inaccuracy;

2) compare the number of signatures in the voter list (B) with the sum (D) of the number of valid and invalid ballots in the ballot box. If the sum (D) of the number of valid and invalid ballots in the ballot box is greater than the number of signatures in the voter list (B), then the difference shall be noted as the amount of the second inaccuracy. If the sum (D) of the number of valid and invalid ballots in the ballot box is smaller than or equal to the number of signatures in the voter list (B), then the amount of the second inaccuracy is 0;

3) compare the number of used ballot stubs (E) with the sum (D) of the number of valid and invalid ballots in the ballot box. The difference (its absolute value) shall be noted as the amount of the third inaccuracy;

3¹) the number of voting envelopes of established specimen (Z) shall be compared with the sum (D) of the number of valid and invalid ballots in the ballot box. The difference (its absolute value) shall be noted as the amount of the fourth inaccuracy;

4) add the amounts of inaccuracies mentioned in sub-paragraphs 1, 2, 3 and 4 of this paragraph. The sum of this number shall be considered the amount of inaccuracies in that precinct.

2. The results of every step set out in paragraph 1 of this Article shall be noted in the protocol of the appropriate precinct's voting results.

Article 63. Actions of Territorial Electoral Commissions After Receiving Precinct Electoral Commission Protocols

1. Territorial Electoral Commission shall check the validity of protocols on the precinct voting results; if arithmetical errors are found, the Chairman and the Secretary of the appropriate Precinct Electoral Commission shall correct them and endorse the corrections with their signatures. The original data shall not be modified.

2. Territorial Electoral Commission shall input the data in protocols on the precinct voting results into a computer, in accordance with procedures defined by the Central Electoral Commission. The Commission shall regularly, but not less frequently than every three hours, tabulate the voting results by precincts with the help of the computer. The Territorial Electoral Commission shall complete the input of data in precinct protocols on voting results into the computer within no more than 18 hours of the end of the voting. In the Territorial Electoral Commission, the voting results, by precincts, shall be tabulated, stamped, and endorsed by the Chairman (Deputy Chairman) and Secretary of the Territorial Electoral Commission. If a proxy so demands, he shall be provided the tabulated data on the voter turnout in a precinct, endorsed by the Commission Chairman.

3. A copy of tabulated district voting results, endorsed with the signatures of the Commission Chairman (Deputy Chairman) and Secretary and the Commission seal, shall be immediately posted in the Commission in a place that is visible for everyone. Upon their request, commission members, proxies, or observers shall be given a copy of tabulated district voting results, endorsed with the signatures of the Commission Chairman (Deputy Chairman) and Secretary and the Commission seal. Within 24 hours of the end of the voting, seals of Precinct Electoral Commissions shall be submitted from the Territorial Electoral Commissions to the Central Electoral Commission in accordance with the procedure defined by the Central Electoral Commission.

4. During national elections, the Territorial Electoral Commission shall not make a protocol on summarization of voting results in a precinct.

Article 63¹. Procedures for Territorial Electoral Commission's Summarization of Results of National Assembly Elections under Majoritarian System and Local Self-Government Elections

1. Within no more than 18 hours after the end of the voting, in compliance with requirements of this Article and based on protocols on precinct voting results, the Territorial Electoral Commission shall summarize the preliminary results of National Assembly elections under majoritarian system and local self-government elections in the precinct and verify them in the form of a protocol.

2. If there is a complaint in the Territorial Electoral Commission on the precinct voting results, the Territorial Electoral Commission shall summarize the elections results in the precinct and verify them by a protocol, based on the protocols on precinct voting results, court rulings and the results of recounts in electoral districts, no later than five days after the voting day.

3. Protocols on the results of National Assembly elections under majoritarian system and local self-government elections shall include the following information:

1) the total number of voters as per voter lists;

1¹) the number of voting envelopes allocated to the Precinct Electoral Commission;

- 2) the number of ballots allocated to Precinct Electoral Commissions (A) and the number of stubs;
- 2¹) the number of unused voting envelopes;
- 3) the total number of ballots cancelled in Precinct Electoral Commissions (G);
- 4) the number of voters who registered and received ballots, according to signatures (B);
- 5) the number of invalid ballots (d₂);
- 6) the number of used ballot stubs (E);
- 7) the number of ballots cast for each candidate;
- 8) the total number of ballots cast for all candidates (this line is left blank if only one candidate is running);
- 9) the number of ballots cast against the candidate (this line is filled out when only one candidate is running);
- 9¹) the number of voting envelopes of established specimen (Z);
- 10) the number of valid ballots (d₁);
- 11) the amount of inaccuracies.

The amount of inaccuracies in an electoral district (community) shall be equal to the sum of the amounts of inaccuracies in precincts included in that electoral district (community).

4. The protocol shall be signed by all commission members present at the session and stamped by the Commission Chairman.
5. If any commission member has a special opinion about the data in the protocol, he or she shall present his/her opinion in writing, which shall be attached to the protocol, and he or she shall make a note next to his/her signature to that effect.
6. If a commission member refuses to sign the protocol, the protocol shall include a note about that.
7. Once the protocol is signed, the Territorial Electoral Commission shall adopt a decision on the election results, based on the data in the protocol.
8. The Chairman of the Territorial Electoral Commission shall make the protocol public and officially send copies of the protocol and the adopted decisions to the Central Electoral Commission.
9. A copy of the protocol shall be posted in a visible place at the Commission, immediately after all the steps described in this Article are taken.
10. A copy of the protocol, signed by the Commission Chairman (Deputy Chairman) and Secretary and stamped by the Commission stamp, shall be provided to proxies or observers and commission members, upon their request.
11. The format of the protocol on the results of National Assembly elections under majoritarian system and local self-government elections, to be prepared by Territorial Electoral Commissions, shall be approved by the Central Electoral Commission.

Article 63². Procedures for the Central Electoral Commission's Summarization of Results of Presidential Elections and National Assembly Elections under Proportional System

1. Within no more than 24 hours after the end of the voting, in compliance with the requirements of this Article and based on precinct voting results received from Territorial Electoral Commissions, the Central Electoral Commission shall summarize the preliminary results of national elections, verify them in the form of a protocol and officially announce the preliminary election results in a live broadcast on Public Radio and Public Television.
2. The session of the Central Electoral Commission shall not be interrupted until the preliminary election results are announced.
3. If there is a complaint in a Territorial Electoral Commission on the precinct voting results, the Central Electoral Commission shall summarize the results of the national elections and verify them by a protocol, based on the protocols on precinct voting results received from Territorial Electoral Commissions, court rulings and the results of recounts in electoral districts, no later than seven days after the voting results.
4. Protocols on the results of national elections shall include the following information:
 - 1) the total number of voters as per voter lists;
 - 1¹) the number of voting envelopes allocated to the Precinct Electoral Commission;
 - 2) the number of ballots allocated to Precinct Electoral Commissions (A) and the number of stubs;

- 2¹) the number of unused voting envelopes;
- 3) the total number of ballots cancelled in Precinct Electoral Commissions (G);
- 4) the number of voters who registered and received ballots, according to signatures (B);
- 5) the number of invalid ballots (d_2);
- 6) the number of used ballot stubs (E);
- 7) the number of ballots cast for each candidate, party or party alliance;
- 8) the total number of ballots cast for all candidates, parties or party alliances (this line is left blank if only one candidate is running);
- 9) the number of ballots cast against the candidate (this line is filled out when only one candidate is running);
- 9¹) the number of voting envelopes of established specimen (Z);
- 10) the number of valid ballots (d_1);
- 11) the amount of inaccuracies.

In the case of national elections, the amount of inaccuracies shall be equal to the sum of the amounts of inaccuracies in all precincts.

5. The protocol shall be signed by all commission members present at the session and stamped by the Commission Chairman.
6. If any commission member has a special opinion about the data in the protocol, he or she shall present his/her opinion in writing, which shall be attached to the protocol, and he or she shall make a note next to his/her signature to that effect.
7. If a commission member refuses to sign the protocol, the protocol shall include a note about that.
8. Once the protocol is signed, the Central Electoral Commission shall adopt a decision on the election results, based on the data in the protocol.
9. The session of the Central Electoral Commission shall not be interrupted until the decision is made under Paragraph 8 of this Article, based on the elections results. Within no more than 3 hours after the end of the session, the Chairman of the Central Electoral Commission or any other member of the Commission (as assigned by the Chairman) shall officially announce the final results of the elections and the decision made on the basis of that, in a live broadcast on Public Radio and Public Television from the administrative building of the Central Electoral Commission.
10. Upon their request, proxies of candidates (parties or party alliances) or observers shall receive a copy of the protocol summarizing the election results, verified by the signatures of the Commission Chairman (Deputy Chairman) or Secretary, and stamped by the Commission's stamp.
11. The format of protocols on the results of national elections shall be approved by the Central Electoral Commission.
12. As it receives preliminary election results, the Central Electoral Commission shall regularly, but not less frequently than every 3 hours, announce preliminary election results by precincts in live broadcasts on Public Radio and Public Television, as well as by posting on the Central Electoral Commission's website.
13. Within 3 months of announcing the final results of national elections, the Central Electoral Commission shall publish an analysis of violations of this Code, indicating the measures taken against the perpetrators of the violations.

PART 2

SECTION 4. ELECTIONS OF THE PRESIDENT OF THE REPUBLIC OF ARMENIA

CHAPTER 13 GENERAL PROVISIONS

Article 64. Electoral System

1. During presidential elections, the entire territory of the Republic of Armenia shall be regarded as a single majoritarian electoral district.
2. The President of the Republic shall be elected by the system of absolute majority and, in the second round, relative majority.

Article 65. Requirements for Presidential Candidates

1. In accordance with Article 50 of the Constitution of the Republic of Armenia, anyone with electoral rights, who has attained the age of thirty-five, has been a citizen of the Republic of Armenia for the last ten years and a permanent resident of the Republic of Armenia for the last ten years, may be elected President of the Republic.
2. The same person cannot be elected President of the Republic for more than two consecutive terms.

CHAPTER 14 NOMINATION AND REGISTRATION OF PRESIDENTIAL CANDIDATES

Article 66. The Right to Nominate Presidential Candidates

Parties, party alliances and citizens shall have the right to nominate presidential candidates in accordance with procedures established by Articles 67-69 of this Code.

Article 67. Nomination of Presidential Candidates by Parties

1. A party shall nominate a presidential candidate by the decision of its permanently functioning body. An alliance of parties shall nominate a presidential candidate by the decision ratified by permanently functioning bodies of parties-members of the alliance. Each party or party alliance has the right to nominate one candidate for the President of the Republic
2. Party alliances may be formed in the event if different parties support the same presidential candidate.
3. Party alliances may be formed if at least two parties supporting the same candidate get together.
4. Parties-members of an alliance may not set up alliances with other parties during elections.
5. The decision to join a party alliance shall be made by the permanently functioning body of the party.
6. Party alliances shall be registered by the Central Electoral Commission within no more than three days after submitting the decisions of the permanently functioning bodies of the parties, after elections are called. Each party shall have the right to nominate one presidential candidate.
7. The decision of a party's permanently functioning body on nominating a presidential candidate, or a decision ratified by the permanently functioning bodies of parties-members of an alliance, shall contain the following information about the candidate they want to nominate:
 - 1) last name, first name and patronymic;
 - 2) the year, month and day of birth;
 - 3) place of residence;
 - 4) place of work and position (occupation);
 - 5) party affiliation;
 - 6) passport number;
 - 7) (revoked by 19.05.05 HO-101-N).

8. Together with the party's decision on nominating a presidential candidate, the nominating party shall also submit its charter to the Central Electoral Commission (in the case of a party alliance - the charters of all the parties-members of the alliance).
9. The permanently functioning body of the party (the permanently functioning bodies of parties-members of the alliance, on behalf of the alliance) shall submit information on one authorized representative (last name, first name, patronymic, date of birth, passport number, place of work and position (occupation)) to be registered at the Central Electoral Commission.
10. The party shall submit the documents on presidential candidate nomination, specified in Paragraph 7 of this Article, and information on authorized representatives to the Central Electoral Commission within the timeframe set in Paragraph 1 of Article 89 of this Code.
11. (revoked by 19.05.05 HO-101-N).
(amend. of 03.07.02 HO-406-N, 19.05.05 HO-101-N)

Article 68. Nomination of Presidential Candidates by Citizens Through Civic Initiative Groups

1. A minimum of 100 citizens of the Republic of Armenia may form an initiative group to nominate a presidential candidate.
2. The initiative group shall write to the Central Electoral Commission to request registration. Besides the written application, the initiative group shall submit its meeting's decision to nominate a presidential candidate and information on at least two authorized representatives of the initiative group (the information mentioned in Article 67 of this Code) and the powers of attorney given to them in accordance with procedures defined by the law.
3. The decision of the initiative group on nominating a presidential candidate shall include the information mentioned in Paragraph 7 of Article 67 of this Code about the nominee, as well as the last names, first names, patronymics, dates of birth, numbers of personal identification documents, places of residence and signatures of the initiative group members. The validity of the initiative group's lists shall be verified by the registering Electoral Commission, within two days, in accordance with procedures established by the Central Electoral Commission.
4. (revoked by 19.05.05 HO-101-N)
5. Every initiative group shall have the right to nominate one presidential candidate.
(amend. of 03.07.02 HO-406-N, 19.05.05 HO-101-N)

Article 69. Procedures for Collecting Signatures on Official Papers for Supporting the Nomination of Presidential Candidates

(revoked by 19.05.05 HO-101-N)

Article 70. Verification of Citizens' Signatures on Official Papers for Supporting Presidential Nominations

(revoked by 19.05.05 HO-101-N)

Article 71. Electoral Deposit of Presidential Candidates

1. Citizens nominated as presidential candidates shall pay an electoral deposit to the Central Electoral Commission's account in the Central Bank of the Republic of Armenia, in the amount of 5,000 times the minimum wage established by the legislation of the Republic of Armenia (henceforth, the minimum wage). If the candidate receives ballots amounting to 5 or more percent of the number of valid ballots as a result of the election, the electoral deposit shall be returned to that candidate or to the pre-election fund, if the deposit was paid from the pre-election fund, within 60 days after the election results are summarized.
2. If a presidential candidate receives ballots amounting to less than 5 of the number of valid ballots, the candidate's electoral deposit shall be transferred to the state budget.
3. The electoral deposit shall be returned, if elections are declared invalid or failed.
(mod. of 19.05.05 HO-101-N)

Article 72. Registration as a Presidential Candidate of a Citizen Nominated as a Presidential Candidate

1. Every citizen nominated as a presidential candidate may be registered as a presidential candidate upon nomination by one party, one party alliance, or one initiative group.
2. The Central Electoral Commission shall consider the issue of registering as a presidential candidate a citizen nominated as a presidential candidate, if the following documents have been submitted within the time period set in Paragraph 1 of Article 89 of this Code:

- 1) (revoked by 19.05.05 HO-101-N);
 - 2) receipt with the name of the nominee, proving that electoral deposit has been paid;
 - 3) document certifying that the nominee has been a citizen of the Republic of Armenia for the last ten years;
 - 4) document certifying that the nominee has permanently resided in the Republic of Armenia for the last ten years;
 - 5) the nominee's written statement about his or her willingness to be registered as presidential candidate;
 - 6) declaration of nominee's property and income, in accordance with procedures defined by the Republic of Armenia Law on "Declaration of Property and Income by Senior Public Officials of the Republic of Armenia".
3. Documents mentioned in sub-paragraphs 3 and 4 of Paragraph 2 of this Article shall be provided to nominees by the authorized state body, in accordance with procedures established by the Central Electoral Commission, within three days of applying for them.
4. After the Central Electoral Commission receives the documents required for registration of a presidential candidate, the citizen nominated as a presidential candidate or his authorized representative shall have the right to participate in Central Electoral Commission sessions with an advisory vote, until the candidate's registration.
5. The Central Electoral Commission shall issue a communiqué on the registration of presidential candidates within three days.
- (amend. of 19.05.05 HO-101-N)

Article 73. Refusal to Register a Citizen Nominated as a Presidential Candidate

1. The Central Electoral Commission shall refuse registration as a presidential candidate of a citizen nominated as a presidential candidate, if:
- 1) restrictions defined in the Constitution of the Republic of Armenia apply to the candidate;
 - 2) (revoked by 19.05.05 HO-101-N);
 - 3) documents submitted for registration and/or nomination are forged. If inaccuracies are discovered in the documents submitted for registration of a candidate or the documents are incomplete, the Central Electoral Commission shall give 48 hours to correct the inaccuracies or supply the missing documents. The registration shall be refused if the inaccuracies are not corrected or the missing documents are not supplied within that period of time.
2. In the case of an objection to registration of a presidential candidate, the Central Electoral Commission shall put the issue of registration to vote. The registration shall be refused, if at least two-thirds of the total number of commission members vote against it. If there are no objections, the candidate shall be considered registered. If the presidential candidate's registration is refused, the candidate's electoral deposit shall be transferred to the state budget, unless the candidate requests the electoral deposit back within the 48 hours given to him or her to correct the inaccuracies in the documents submitted for registration or to supply the missing documents. For three months from the moment a candidate's registration is refused, the money in the presidential candidate's pre-election fund may be spent on charity, after which the remaining amount of money shall be transferred to the state budget.
- (amend. of 03.07.02 HO-406-N, 19.05.05 HO-101-N)

Article 74. Invalidation of a Presidential Candidate's Registration

1. The Central Electoral Commission shall invalidate the registration of a presidential candidate with a decision approved by two-thirds of the commission members, if certain facts are revealed after the registration, which result in the restrictions under Paragraph 1 of Article 73 starting to apply to the candidate.
2. If a presidential candidate's registration is invalidated, his or her electoral deposit shall be transferred to the state budget.
- (amend. of 03.07.02 HO-406-N)

Article 75. Procedures for Appealing the Decisions to Refuse the Registration or Invalidate the Registration of a Presidential Candidate

1. The Central Electoral Commission's decision to refuse the registration or to invalidate the registration of a Citizen Nominated as a Presidential Candidate may be appealed in a court of law, within three days of passing the decision.
2. The nominee shall be considered registered or reregistered as presidential candidate, if the court establishes in a judgment that the decision to refuse the registration or to invalidate the registration of a Citizen Nominated as a Presidential Candidate was illegal.

Article 76. Annulment of a Presidential Candidate's Registration

1. A presidential candidate's registration shall be annulled, if:
 - 1) he or she has lost his/her electoral rights;
 - 2) he or she has submitted a letter of self-withdrawal;
 - 3) he or she has died;
 - 4) the requirements of Paragraph 8 of Article 18 of this Code are not met;
 - 5) the requirements of Paragraph 7 of Article 25 of this Code are not met.
2. If a presidential candidate's registration is annulled, his or her electoral deposit (except in the case of the candidate's death) and the money left in his or her pre-election fund shall be transferred to the state budget. If the candidate's registration is annulled because of his or her death, the electoral deposit shall be transferred to the candidate's heirs.
3. (removed by 03.07.02 HO-406-N)
4. (removed by 03.07.02 HO-406-N)
5. (removed by 03.07.02 HO-406-N)
(amend. of 03.07.02 HO-406-N)

CHAPTER 15

THE STATUS OF PRESIDENTIAL CANDIDATES

Article 77. Legal Equality of Presidential Candidates

All presidential candidates shall have equal rights and responsibilities.

Article 78. Rights and Responsibilities of Presidential Candidates

1. From the moment of registration, presidential candidates who are in civil service or work in local self-government bodies shall be relieved of their duties at work and shall have no right to make use of the advantages of their position. If nominated as presidential candidates, the President of the Republic of Armenia or, in accordance with the Constitution, the acting President (Chairman of the National Assembly) or the Prime Minister shall continue their duties, but shall not make use of the advantages of their official position.
2. The registered presidential candidate shall be exempt from military musters and training exercises.
3. Firing a presidential candidate, transferring him or her to another job or sending on a business trip at the administration's initiative shall be prohibited.
4. A presidential candidate shall have the right to withdraw from the race upon a written application, submitted up to ten days before the voting day. In that case, the Central Electoral Commission shall annul the candidate's registration. The candidate shall be required to reimburse the state's financial expenses connected to his or her nomination and pre-election campaign.
5. Presidential candidates may not be detained or subjected to criminal or judicial prosecution without the Central Electoral Commission's consent. The vote of the two-thirds of the Central Electoral Commission members is required to pass decisions on such matters.
(amend. of 19.03.99 HO-286, 03.07.02 HO-406-N, 19.05.05 HO-101-N)

CHAPTER 16.

PRE-ELECTION CAMPAIGN OF PRESIDENTIAL CANDIDATES

Article 79. Pre-Election Fund of a Presidential Candidate

1. In order to run his or her pre-election campaign, a presidential candidate or citizen nominated as a presidential candidate shall have the right to set up a pre-election fund at the Central Bank of the Republic of Armenia in his/her name or in the name of his/her authorized representative. The fund shall be made up of voluntary contributions described in Article 25 of this Code.

The citizen nominated as a candidate may use the resources in his/her pre-election fund to pay the electoral deposit.

2. The amount of personal contributions of the presidential candidate to his or her pre-election fund shall not exceed 10,000 times the minimum wage.
3. The amount of contributions by the party who nominated the candidate to that candidate's pre-election fund may not exceed 30,000 times the minimum wage.
4. The candidates' expenses made from their pre-election funds may not exceed 70,000 times the minimum wage.
5. Any physical person may voluntarily contribute to a candidate's pre-election fund in the amount of up to 200 times the minimum wage; the voluntary contribution of a legal entity may not exceed 500 times the minimum wage.
6. The electoral deposit shall be returned to the candidate, if he or she is elected as President of the Republic of Armenia or receives ballots amounting to 5 or more percent of the number of valid ballots voted for the candidate; if the deposit was paid from the pre-election fund, then it shall be returned to the pre-election fund. Within three months after the official announcement of election results, the money remaining in the pre-election fund may be used for charity, at the candidate's discretion. After a one-month period, the money remaining in the candidate's pre-election fund shall be transferred to the state budget.
7. If the presidential candidate receives less than 5 percent of the number of valid ballots voted for the candidate, the money remaining in the candidate's pre-election fund after the elections and the electoral deposit shall be transferred to the state budget.
8. If the elections are declared failed, the money left in the pre-election fund after the elections shall be frozen until the candidate registers for new elections. The candidate who has registered to run in new elections may use the money left in the pre-election fund set up for the previous elections.
9. Presidential candidates shall have the right to use only the means in their pre-election fund to finance their pre-election campaign.
10. If a presidential candidate has used other financial means for his or her pre-election campaign other than those in his/her pre-election fund, the Central Electoral Commission shall have the right to ask a court to annul the candidate's registration. The court shall rule on the matter within five days or, in the five days before the voting day, immediately. If a court rules to annul a candidate's registration, the candidate's name shall be removed from the ballots in accordance with procedures established by the Central Electoral Commission.

(amend. of 19.03.99 HO-286, 03.07.02 HO-406-N, 19.05.05 HO-101-N)

Article 80. Financial Records

1. Records of receiving the means allocated from the state budget, their use, contributions to pre-election funds and expenses shall be kept in accordance with procedures established by the Central Electoral Commission and in compliance with laws of the Republic of Armenia.
2. (removed by 03.07.02 HO-406-N)
3. Precinct Electoral Commissions shall report their financial expenditures to Territorial Electoral Commissions within ten days after the elections. Territorial Electoral Commissions shall report their financial expenditures to the Central Electoral Commission within twenty days after the elections. The Central Electoral Commission shall report to the National Assembly's Control Chamber within sixty days after the elections.

(amend. of 03.07.02 HO-406-N)

Article 81. Presidential Candidate's Pre-Election Campaign

1. Presidential candidates shall conduct their free or charge and paid pre-election campaign on Public Radio and Public Television in accordance with procedures established by the Central Electoral Commission.
2. (revoked by 19.05.05 HO-101-N)
3. A presidential candidate shall have the right to use no more than 60 minutes of free airtime on Public Television and no more than 120 minutes of free airtime on Public Radio.
4. A presidential candidate or, at his or her consent, the party or initiative group that has nominated him shall have the right to use no more than 120 minutes of paid air time on Public Television and no more than 180 minutes of paid air time on Public Radio, to be paid from the candidate's pre-election fund.
- 4¹. During the second round of presidential elections, a presidential candidate shall have the right to use no more than 15 minutes of free air time on Public Television and no more than 25 minutes of free air time on Public Radio, and no more than 25 minutes of paid air time on Public Television and no more than 35 minutes of paid air time on Public Radio, to be paid from pre-election fund.
5. At the presidential candidate's consent, that airtime may be used by the party (party alliance) or initiative group that has nominated him.
6. (removed by 03.07.02 HO-406-N)

7. The Republic of Armenia Government shall refund 50 percent of the campaigning costs incurred by presidential candidates for whom 25 or more percent of the total number of valid ballots were cast in the presidential elections.
(amend. of 03.07.02 HO-406-N, 19.05.05 HO-101-N)

CHAPTER 17

BALLOTS. SUMMARIZATION OF ELECTION RESULTS

Article 82. Ballots

1. Ballots for presidential elections shall include the candidate's (candidates') last name (in alphabetical order), first name and patronymic, name of the party (party alliance) that nominated him/her or the words "civic initiative", if the candidate is nominated by civic initiative.
2. Ballots for presidential elections shall be printed and prepared at the order of the Central Electoral Commission. The Chairman of the Central Electoral Commission shall provide the ballots to Precinct Electoral Commissions through Territorial Electoral Commissions, a day before the voting day.
3. Ballots shall be provided to precinct in the amount of up to 3 percent more than the number of voters in the precinct's voter list.
(amend. of 03.07.02 HO-406-N, 19.05.05 HO-101-N)

Article 83. Summarization of Election Results

1. The Central Electoral Commission shall summarize the election results in accordance procedures set out in Article 63.2 of this Code and adopt one of the following decisions within the timeframe set in Paragraph 3 of Article 63.2 of this Code:
 - 1) on electing the President of the Republic of Armenia;
 - 2) on holding a second round of voting;
 - 3) on declaring the elections invalid and not electing the President;
 - 4) on declaring the elections failed and not electing the President.

If none of the aforementioned decisions is taken in accordance with the procedure stipulated by this Code, then the decision for which the largest number of commission members have voted shall be deemed taken. In case of an equality of votes of the commission members, the vote of commission chairman shall be decisive.

2. Disputes related to the presidential election results may be brought before the Constitutional Court within seven days of official announcement of election results.
(amend. of 03.07.02 HO-406-N, 19.05.05 HO-101-N)

Article 84. The Central Electoral Commission's Decision on Electing the President of the Republic of Armenia

1. The Central Electoral Commission shall pass a decision on electing the President of the Republic of Armenia, according to which the candidate in favor of whom have voted more than half of the voters that voted for all the candidates shall become the next President of the Republic of Armenia.
2. If one candidate is running, he shall be elected, if more than half of those participating in the voting have voted for him.

Article 85. The Central Electoral Commission's Decision on Holding a Second Round of Elections

1. If more than two candidates were running, and none of them received the required number of votes, then, on the 14th day after the voting, a second round of voting for the President of the Republic shall be held. The two candidates who have received the most votes may run in the second round of voting.
2. In the second round, the candidate for whom more voters have voted shall be elected.
3. removed.
(mod. of 03.07.02 HO-406-N)

Article 86. The Central Electoral Commission's Decision on Declaring the Presidential Elections Invalid

Presidential elections shall be declared invalid at any stage, if:

1) The magnitude of inaccuracies is greater than or equal to the difference between the numbers of ballots voted for the two candidates for whom the largest number of “for” ballots was cast, or, in case one candidate ran, the magnitude of inaccuracies is greater than or equal to the difference between the number of votes cast for and the number of votes cast against that candidate, which significantly affects the outcome of elections, i.e. it is impossible to reestablish the real results of the election and to determine the elected candidate;

2) violations of this Code, which may have influenced the election results, have taken place in the process of preparation and conduct of elections.

Article 87. The Central Electoral Commission’s Decision on Declaring the Elections Failed

Presidential elections shall be declared failed, if:

- 1) The necessary number of voters have not voted for the only candidate that ran;
- 2) the elected candidate dies before the summarization of election results.

CHAPTER 18 CONDUCTING PRESIDENTIAL ELECTIONS

Article 88. The Timeframe for Presidential Elections

1. Presidential elections shall be held fifty days before the end of the President’s term.
2. The Chairman of the Central Electoral Commission shall announce the date for presidential elections on Public Radio and Public Television, no later than 100 days before the election day.
3. The day of the presidential elections shall be declared a day off.
(amend. of 03.07.02 HO-406-N)

Article 89. The Timeframe for Nominating and Registering Presidential Candidates

1. Parties (party alliances) or initiative groups shall submit all documents required for registering their presidential candidate to the Central Electoral Commission not earlier than 90 days and no later than 75 days before the election day, by 18:00.
2. removed.
3. Candidates shall be registered not earlier than 50 days and no later than 30 days before the election day.
4. (revoked by 19.05.05 HO-101-N)
(amend. of 19.05.05 HO-101-N)

Article 90. New Presidential Elections

1. If the President of the Republic is not elected in the cases referred to in Articles 86 and 87 of this Code, then a new election shall be scheduled, and the voting shall be held on the 40th day after scheduling a new election.
2. If insurmountable obstacles arise for one of the presidential candidates, the elections of the President shall be postponed for a two-week period. If the obstacles, which have been recognized as insurmountable, do not cease, a new election shall be scheduled, and the voting shall be held on the 40th day after the expiration of the aforementioned two-week period.
3. If one of the candidates dies before the voting day, a new election shall be scheduled, and the voting shall be held on the 40th day a new election is scheduled.
4. A new election of the President of the Republic shall be held with a new nomination of candidates.

Article 91. Extraordinary Presidential Elections

1. In case of the resignation or death of the President, or of his impeachment under Article 57 of the Constitution, or of the impossibility for him to carry out his authority, an extraordinary presidential election shall be scheduled, and the voting shall be held on the 40th day of the President’s position becoming vacant.
2. During a state of emergency or a state of martial law, presidential election shall not be conducted, and the President of the Republic shall continue to exercise his authority. In such cases, presidential election shall be held in accordance with the procedure stipulated by this Code for conducting extraordinary elections on the 40th day after the ceasing of the state of emergency or the state of martial law.

Article 92. Procedures for Holding New or Extraordinary Presidential Elections

1. New or extraordinary presidential elections shall be held in accordance with the procedures for regular elections, defined in this Code.
2. (revoked by 19.05.05 HO-101-N)
3. The Chairman of the Central Electoral Commission shall announce the date of new or extraordinary presidential elections on Public Radio and Public Television, no later than 39 days before the election day.
(amend. of 03.07.02 HO-406-N, 19.05.05 HO-101-N)

Article 93. Nomination and Registration of Presidential Candidates, Creation of Electoral Precincts and Precinct Centers and Publication of Voter Lists During New or Extraordinary Presidential Elections

1. Parties (party alliance) or initiative groups shall submit all documents required for nominating their presidential candidate to the Central Electoral Commission not earlier than 36 days and no later than 30 days before the election day, by 18:00.
2. (revoked by 19.05.05 HO-101-N)
3. Candidates shall be registered not earlier than 20 days and no later than 12 days before the voting day.
4. Electoral precincts and precinct centers shall be formed at least 25 days before the voting day. The head of the authorized body or of its respective division shall submit voting lists to the heads of institutions in charge of the premises where appropriate precinct centers are located, at least 20 days before the voting day, to be posted in a visible place in precinct centers.
(mod. of 03.07.02 HO-406-N, 19.05.05 HO-101-N)

SECTION 5. NATIONAL ASSEMBLY ELECTIONS

CHAPTER 19

GENERAL PROVISIONS

Article 94. National Assembly Composition

The number of National Assembly members shall be defined in the Constitution of the Republic of Armenia.
(ed. of 19.05.05 HO-101-N)

Article 95. Electoral System

1. National Assembly elections shall be held under proportional and majoritarian systems.
2. Ninety National Assembly members (MPs) shall be elected under proportional system from a single multi-mandate electoral district covering the entire country, from among candidates included in party electoral lists.
3. Forty-one MPs shall be elected under majoritarian system - one MP from each electoral district.
(amend. of 03.07.02 HO-406-N, 19.05.05 HO-101-N)

Article 96. Electoral Rights

1. Every citizen shall have the right to one vote in a multi-mandate electoral district and one vote in a single-mandate electoral district.
2. A citizen may be nominated only in one list and only in one majoritarian electoral district.

Article 97. Requirements for MP Candidates

1. According to Article 64 of the Constitution of the Republic of Armenia, anyone with electoral rights, who have attained the age of twenty-five, has been a citizen of the Republic of Armenia for the last five years and a permanent resident of the Republic of Armenia for the last five years, may be elected as an MP.
2. Members of the Constitutional Court, judges, employees of the Republic of Armenia Police and National Security Service, employees of tax, customs authorities and prosecutorial bodies (servicemen), military servicemen may not be elected as MPs. The aforementioned persons may register as MP candidates if they temporarily resign from their positions.
3. (removed).

4. Employees and officials of central and local government bodies, in respect of whom the restrictions stipulated by this Article do not apply, may register as candidates for MP in case of temporarily suspending their work duties, with the exception of persons occupying political positions.

(amend. of 03.07.02 HO-406-N, 19.05.05 HO-101-N)

Article 98. Electoral Districts

(removed by 03.07.02 HO-406-N)

CHAPTER 20

NOMINATION AND REGISTRATION OF MP CANDIDATES

Article 99. Right to Nominate MP Candidates

1. Parties and party alliances shall have the right to nominate MP candidates under proportional system.
2. Party alliances may be formed if at least two parties forge a pre-election alliance.
3. Parties-members of an alliance may not set up alliances with other parties during elections.
4. The decision to join a party alliance shall be made by the permanently functioning body of the party.
5. Party alliances shall be registered by the Central Electoral Commission after elections are called, within no more than three days after the parties submit the decision of their permanently functioning bodies.
6. Electoral lists of party alliances shall be compiled from individual lists submitted by each of the parties-members of the alliance. The order of candidates in the alliance lists shall be determined during joint consultations among parties-members of the alliance.
7. If any party leaves the alliance, the names of that party's candidates shall be removed from electoral lists of the alliance.
8. Parties and alliances of parties registered in the Republic of Armenia shall have the right to nominate MP candidates under majoritarian system in accordance with procedures established in Article 104 of this Code; citizens shall have the right to nominate MP candidates under majoritarian system in accordance with procedures established in Article 105 of this Code.

(mod. of 19.05.05 HO-101-N)

Article 100. Nomination of MP Candidates Under Proportional System

1. Parties shall submit applications for running in the National Assembly elections under proportional system to the Central Electoral Commission by the decision of their permanently functioning bodies. Party alliances shall submit applications for running in the National Assembly elections under proportional system by a decision approved by permanently functioning bodies of all parties-members of the alliance.
2. Every party shall have the right to submit only one electoral list of MP candidates. Parties-members of an alliance shall have no right to submit a separate electoral list of MP candidates on their own behalf. Women shall make at least 15 percent of the people included in a party's electoral list for National Assembly elections under proportional system; moreover, at least every tenth person in a list shall be a woman. Persons, who are not members of any parties (party alliances), may be included in electoral list for elections under proportional system.
3. The following shall be attached to a party's (party alliance's) application to run in the National Assembly elections: 1) the bylaws of the party (in case of a party alliance - the bylaws of all the parties-members of the alliance), and a document about the alliance's name. 2) the decision of the party's permanently functioning body (in case of a party alliance—the joint decision of the permanently functioning bodies of the parties that are members of the alliance) on the party's electoral list of MP candidates to run in the National Assembly elections under proportional system, which includes (in a numbered format) the last names of the candidates, their party affiliation, names, patronymics, the year, month and day of birth, passport number, registered address, place of work and position (occupation); 3) (revoked by 19.05.05 HO-101-N) 4) (revoked by 19.05.05 HO-101-N) 5) (revoked by 19.05.05 HO-101-N) 6) written statements by all candidates included in the party's (party alliance's) electoral list about their willingness to be registered as MP candidates; 7) (revoked by 19.05.05 HO-101-N) 8) individual electoral lists submitted by parties members of an alliance.
4. (removed)
5. By its decision, the permanently functioning body of a party (the permanently functioning bodies of parties-members of an alliance, in case of an alliance) shall submit information on up to two authorized representatives to be accredited by the Central Electoral Commission for the whole term of elections; the information shall include their last name, first name, patronymic, date of birth, place of work and position (occupation).
6. (revoked by 19.05.05 HO-101-N)

7. (removed by 03.07.02 HO-406-N)
8. The electoral deposit of a party that has received mandates in the National Assembly under proportional system shall be returned to that party (party alliance), or to its pre-election fund (if the electoral deposit was paid from the pre-election fund); the electoral deposit of parties (party alliances) that failed to receive any mandates shall be transferred to the state budget.
9. (revoked by 19.05.05 HO-101-N)
10. (revoked by 19.05.05 HO-101-N)
11. The electoral deposits shall be returned, if elections are declared invalid.
(amend. of 03.07.02 HO-406-N, 19.05.05 HO-101-N)

Article 101. Registration of Electoral Lists of Parties Running in the National Assembly Elections under Proportional System

1. The party's (party alliance's) electoral list shall be registered, if the party submits the following, within the timeframe and in accordance with procedures established by this Code: 1) receipt proving that electoral deposit in the amount of 2,500 times the minimum wage has been paid; 2) document certifying that candidates included in the party (party alliance) list have been citizens of the Republic of Armenia for the past five years; 3) document certifying that candidates included in the party list have permanently resided in the Republic of Armenia for the past five years; 4) declarations of candidates' property and income, in accordance with procedures defined by the Republic of Armenia Law on "Declaration of Property and Income by Senior Public Officials of the Republic of Armenia." Within a three-day period of applying, the authorized body shall, in accordance with the procedure defined by the Central Electoral Commission, make available to the candidate for MP the documents specified in sub-paragraphs (2) and (3) of this Paragraph.
2. In the case of an objection to registration of a party (party alliance) list, the issue of registration shall be put to a vote. If there are no objections, the list shall be considered registered. Registration of a party (party alliance) list shall be refused, if at least two-thirds of the total number of commission members vote against it.
3. An authorized representative of the party (party alliance) shall have the right to participate in the commission session discussing the issue of registering the party list.
(amend. of 19.03.99 HO-286, 19.05.05 HO-101-N)

Article 102. Refusal to Register a Party (Party Alliance) List or a Candidate Included in the List, or Invalidation of Registration

1. The Central Electoral Commission shall refuse to register a party electoral list, if:
 - 1) (revoked by 19.05.05 HO-101-N)
 - 2) documents submitted for registration and/or nomination are forged. If the documents submitted for registration of a party list contain inaccuracies or are incomplete, the Central Electoral Commission shall give 48 hours to correct the inaccuracies or supply the missing documents. Registration shall be refused if the inaccuracies are not corrected or the missing documents are not supplied within that period of time. The party list shall be registered, if the inaccuracies are corrected or the missing documents are supplied.
2. The Central Electoral Commission shall refuse to register a candidate included in a party list, if:
 - 1) restrictions defined in this Code apply to that candidate;
 - 2) documents about the person, submitted for registration and/or nomination, are forged. Registration of a candidate included in a party list shall be refused if at least two-thirds of the total number of commission members vote against it. If inaccuracies are discovered in the documents about a candidate included in a party list, submitted for registration of that candidate, or the documents are incomplete, the Central Electoral Commission shall give 48 hours to correct the inaccuracies or supply the missing documents. Registration shall be refused if the inaccuracies are not corrected or the missing documents are not supplied within that period of time.
3. If registration of a party list is refused, the electoral deposit shall be transferred to the state budget, unless the party (party alliance) requests the electoral deposit back within the 48 hours given to it to correct the inaccuracies in the documents submitted for registration or supply the missing documents.
4. The Central Electoral Commission shall invalidate the registration of a party list, if certain facts are revealed after the registration,
 - 1) which result in the restrictions imposed by this Code to apply to the party's electoral list;
 - 2) if documents submitted for registration and/or nomination are forged.
5. Registration of a candidate included in a party list shall be considered invalid, if certain facts are revealed after the registration,

- 1) which result in the restrictions imposed by this Code to apply to the candidate;
 - 2) documents about that candidate are forged. In such cases, the candidate shall be removed from the list.
6. If registration of a party list is invalidated, the electoral deposit and the money remaining in pre-election fund shall be transferred to the state budget.
7. Registration of a party list or a candidate included in a party list shall be invalidated, if at least two thirds of the total number of the Central Electoral Commission members vote against it.
8. The Central Electoral Commission's decision to refuse or invalidate registration of a party list or a candidate included in the list may be appealed in a court within three days of passing it.
9. The party list or the candidate included in it shall be considered registered or reregistered, if the court rules that the electoral commission's decision to refuse or invalidate the registration of the party list or the candidate in it was illegal.

(amend. of 19.03.99 HO-286, 03.07.02 HO-406-N, 19.05.05 HO-101-N)

Article 103. Annulment of Registration of a Party (Party Alliance) List or a Candidate Included in the List

1. Registration of a party list shall be annulled, if:
 - 1) a letter of self-withdrawal has been submitted;
 - 2) the requirement of Paragraph 8 of Article 18 of this Code is not met;
 - 3) the requirement of Paragraph 7 of Article 25 of this Code is not met;
 - 4) the party (party alliance) has been dissolved.
2. A party (party alliance) may submit its letter of self-withdrawal to the Central Electoral Commission no later than ten days before the voting day.
3. The party list registration shall be annulled on the basis of the party's letter of self-withdrawal, and its electoral deposit and the money left in the pre-election fund shall be transferred to the state budget.
4. If the party list registration is annulled in accordance with Paragraph 8 of Article 18 and Paragraph 7 of Article 25, its electoral deposit and the money left in the pre-election fund shall be transferred to the state budget.
5. Registration of a candidate included in a party list shall be annulled, if:
 - 1) he or she has submitted a letter of self-withdrawal;
 - 2) in case of his or her death;
 - 3) the requirement of Paragraph 8 of Article 18 of this Code is not met;
 - 4) the requirement of Paragraph 7 of Article 25 of this Code is not met;
 - 5) he or she has lost his/her electoral rights.

(amend. of 03.07.02 HO-406-N)

Article 104. Nomination of MP Candidates under Majoritarian System by Parties and Party Alliances

1. Parties and party alliances shall have the right to nominate MP candidates under majoritarian system.
2. Parties and party alliances shall have the right to nominate one candidate in each electoral district.
3. Parties shall nominate MP candidates under majoritarian system by the decision of their permanently functioning bodies. Party alliances shall nominate MP candidates under majoritarian system by the decision approved by the permanently functioning bodies of all parties-members of that alliance.
4. A party may also nominate a candidate who is not a member of that party.

(amend. Of 19.03.99 HO-286, 03.07.02 HO-406-N, 19.05.05 HO-101-N)

Article 105. Nomination of MP Candidates under Majoritarian System by Citizens

1. A minimum of 50 citizens of the Republic of Armenia with electoral rights may form an initiative group to nominate an MP candidate.
2. The initiative group shall write to the Territorial Electoral Commission to request registration, for which it shall submit a written application, as well as its decision to nominate an MP candidate and information on at least two authorized representatives of the group (information mentioned in Article 67 of this Code).

3. The decision of the initiative group shall include the last names, first names and patronymics of group members, their years, months and days of birth, numbers of personal identification documents, places of residence and signatures. The validity of the initiative of the initiative group's lists shall be verified by the registering Electoral Commission, within two days, in accordance with procedures established by the Central Electoral Commission.
4. (revoked by 19.05.05 HO-101-N)
(amend. of 03.07.02 HO-406-N, 19.05.05 HO-101-N)

Article 106. Requirements for Nominating MP Candidates under Majoritarian System

1. The decision of the permanently functioning bodies of a party or parties-members of an alliance, or decisions endorsed by the permanently functioning bodies of parties-members of an alliance about nominating an MP candidate under majoritarian system, or the decision of an initiative group shall contain the number of the electoral district and the following information about the nominee:
 - 1) last name, first name and patronymic;
 - 2) the year, month and day of birth;
 - 3) place of residence;
 - 4) place of work and position (occupation);
 - 5) party affiliation;
 - 6) (revoked by 19.05.05 HO-101-N)
 - 7) passport number.
2. Together with the decision of the permanently functioning bodies of a party or parties-members of an alliance or of an initiative group on nominating an MP candidate under majoritarian system, the candidate's written statement about his or her willingness to be registered as a candidate for MP in that particular electoral district shall be submitted to the Territorial Electoral Commission.
(amend. of 03.07.02 HO-406-N, 19.05.05 HO-101-N)

Article 107. Procedures for Collecting Signatures by Parties and Citizens to Nominate MP Candidates and for Verifying Their Validity

(revoked by 19.05.05 HO-101-N)

Article 108. Registration of MP Candidates Under Majoritarian System

1. MP candidates under majoritarian system shall be registered by the decision of the Territorial Electoral Commission.
2. Parties and initiative groups shall submit the following to the Territorial Electoral Commission for registration of their nominated MP candidates under majoritarian system, at least 45 days before the elections:
 - 1) (revoked by 19.05.05 HO-101-N)
 - 2) receipt proving that electoral deposit in the amount of 100 times the minimum wage has been paid;
 - 3) document certifying that the candidates have been citizens of the Republic of Armenia for the past five years;
 - 4) document certifying that the candidates have permanently resided in the Republic of Armenia for the past five years;
 - 5) declarations of the candidates' property and income, in accordance with procedures defined by the Republic of Armenia Law on "Declaration of Property and Income by Senior Public Officials of the Republic of Armenia." The candidate shall submit the aforementioned documents to the Territorial Electoral Commission either in person or through his or her authorized representative.
3. If the candidate is elected to the National Assembly or receives ballots amounting to 5 or more percent of the number of valid ballots voted for, the electoral deposit shall be returned to the candidate or to the pre-election fund (if the electoral deposit was paid from the pre-election fund).
4. The candidate or his/her authorized representative or the authorized representative of the party that had nominated him/her shall have the right to be present at the Territorial Electoral Commission session when the issue of his/her registration is being discussed. The Territorial Electoral Commission shall refuse registration of a candidate, if:
 - 1) (revoked by 19.05.05 HO-101-N)
 - 2) restrictions defined in this Code apply to that candidate;
 - 3) documents submitted for registration and/or nomination are forged. If inaccuracies are discovered in the documents submitted for registration of an MP candidate or the documents are incomplete, the Territorial

Electoral Commission shall give 48 hours to correct the inaccuracies or supply the missing documents. The registration of the candidate shall be refused if the inaccuracies are not corrected or the missing documents are not supplied within that period of time; the candidate shall be registered if the inaccuracies are corrected or the missing documents are supplied within that period of time.

5. In the case of an objection to registration of an MP candidate, the issue of registration shall be put to a vote. Registration may be refused if at least two-thirds of the total number of the Territorial Electoral Commission members vote against it. If there are no objections, the candidate shall be considered registered.
6. If an MP candidate's registration is refused, his/her electoral deposit shall be transferred to the state budget, unless the candidate request the electoral deposit back within the 48 hours given to him/her to correct the inaccuracies in the documents submitted for registration or supply the missing documents.
7. The Territorial Electoral Commission shall invalidate an MP candidate's registration, if certain facts are revealed after the registration:
 - 1) which result in the restrictions defined in this Code starting to apply to the candidate,
 - 2) if documents submitted for registration and/or nomination of the candidate are forged. The MP candidate's registration shall be considered invalid, if at least two-thirds of the total number of the Territorial Electoral Commission members vote against it.
8. If an MP candidate's registration is invalidated, his/her electoral deposit and the money left in his/her pre-election fund shall be transferred to the state budget.
9. The Territorial Electoral Commission's decision to refuse the registration of an MP candidate or to invalidate the registration of an MP candidate may be appealed in a court of law, within three days of passing the decision.
10. The MP candidate shall be considered registered or reregistered, if the court rules that the decision to refuse the registration or invalidate the registration of the MP candidate was illegal.
(amend. of 19.03.99 HO-286, 03.07.02 HO-406-N, 19.05.05 HO-101-N)

Article 109. Annulment of Registration of an MP Candidate under Majoritarian System

1. Registration of an MP candidate under majoritarian system shall be annulled, if:
 - 1) the candidate has lost his/her electoral rights;
 - 2) a letter of self-withdrawal has been submitted;
 - 3) in case of his/her death;
 - 4) the requirement of Paragraph 8 of Article 18 of this Code is not met;
 - 5) the requirement of Paragraph 7 of Article 25 of this Code is not met;
2. If registration of an MP candidate under majoritarian system is annulled, his/her electoral deposit (except in the case of his/her death) and the money remaining in his/her pre-election fund shall be transferred to the state budget. If the registration is annulled because of the candidate's death, the electoral deposit shall be returned to the candidate's heirs.
3. (removed by 03.07.02 HO-406-N)
4. (removed by 03.07.02 HO-406-N)
(amend. of 03.07.02 HO-406-N)

CHAPTER 21 THE STATUS OF MP CANDIDATES

Article 110. Legal Equality of MP Candidates

All MP candidates shall have equal rights and responsibilities.

Article 111. Rights and Responsibilities of MP Candidates and Safeguards for Their Activities

1. From the moment of registration and until the official announcement of election results, candidates who are employees of state and local self-government bodies shall be relieved of their official duties.

2. Candidates shall be exempt from military musters, military service and training exercises until the official announcement of the election results.
3. The period of time when a candidate is taking part in an election shall be added to his or her record as time spent at work in his or her position held before registering as an MP candidate.
4. Candidates shall have the right to withdraw from the race upon a written application submitted no later than ten days before the voting day. In case of self-withdrawal, the electoral deposit and the money left in the pre-election fund shall be transferred to the state budget.
5. Parties shall have the right to withdraw their electoral lists or to remove certain candidates from their lists upon a written application submitted no later than ten days before the voting day, by the decision of the party's permanently functioning body (endorsed by the permanently functioning bodies of parties-members of an alliance). That decision shall be presented to the Central Electoral Commission immediately. No changes in electoral lists shall be allowed after the end of the voting.
6. MP candidates under proportional or majoritarian system may be detained or subjected to court mandated administrative or criminal prosecution only with the Central Electoral Commission's consent. The vote of the two-thirds of the Central Electoral Commission members is required to pass decisions on such matters.
(amend. of 03.07.02 HO-406-N, 19.05.05 HO-101-N)

CHAPTER 22

PRE-ELECTION CAMPAIGN DURING NATIONAL ASSEMBLY ELECTIONS

Article 112. Pre-Election Funds of MP Candidates or Parties

1. An MP candidate and a party that has submitted electoral lists to run for the National Assembly under proportional system shall have the right to establish a pre-election fund in the name of their authorized representative, to run a pre-election campaign. The fund shall be made up of voluntary contributions described in Article 25 of this Code. The MP candidate and the party (party alliance) that has submitted electoral lists to run for the National Assembly under proportional system may use the resources in the pre-election fund to pay their electoral deposits.
2. The candidate shall have the right to pay into his or her pre-election fund up to 1,000 times the minimum wage, whereas the party or each party included in the alliance shall have the right to pay up to 2,000 times the minimum wage to the party's or the party alliance's pre-election fund, respectively.
3. Any physical person may contribute to pre-election funds of candidates and parties (party alliances) in the amount of up to 50 times the minimum wage; legal entities may contribute the amount of up to 150 times the minimum wage.
4. During pre-election campaign, a candidate's expenses made from his/her pre-election fund may not exceed 5,000 times the minimum wage; a party's expenses from pre-election fund shall not exceed 60,000 times the minimum wage.
5. MP candidates and parties running for the National Assembly, registered in accordance with procedures defined in this Code, shall have the right to use only the means in their pre-election fund to finance their pre-election campaign.
6. The money remaining in pre-election funds after the elections shall be used in accordance with procedures set in Paragraph 6 of Article 79 of this Code.
(amend. of 19.03.99 HO-286, 03.07.02 HO-406-N, 19.05.05 HO-101-N)

Article 113. Pre-Election Campaign

1. During National Assembly elections, pre-election campaign shall be conducted in accordance with procedures and the timetable defined in Articles 18-23 of this Code.
2. During pre-election campaign, parties (party alliances) running in the National Assembly elections shall have the rights defined in Article 81 of this Code.

CHAPTER 23

BALLOTS. SUMMARIZATION OF ELECTION RESULTS

Article 114. Ballots

1. National Assembly elections under majoritarian and proportional systems shall be conducted with separate ballots.

2. Ballots for National Assembly elections under proportional system shall include the names of parties (party alliances) in alphabetical order, as well as the last names, first names and patronymics of the first three candidates on in electoral lists.
3. Ballots for National Assembly elections under proportional system shall be printed by the order of the Central Electoral Commission, in one printing house. The Central Electoral Commission shall distribute the ballots to Precinct Electoral Commissions through Territorial Electoral Commissions on the day before the voting day. All ballots shall be of the same color.
4. Ballots for National Assembly elections under majoritarian system shall include the last names, first names and patronymics of candidates (in alphabetical order, by last name), and the names of parties or party alliances that had nominated them, or the words "civil initiative" if the candidate was nominated by civil initiative.
5. Ballots for National Assembly elections under majoritarian system shall be printed by the order of the Territorial Electoral Commission. The Territorial Electoral Commission shall distribute the ballots to Precinct Electoral Commission on the day before the voting day.
6. All ballots shall be of the same color, which is different from the color of the ballots mentioned in Paragraph 2 of this Article.
7. Ballots shall be provided to each precinct in the amount of up to 3 percent more than the number of voters in that precinct's voter lists.
(amend. of 03.07.02 HO-406-N, 19.05.05 HO-101-N)

Article 115. Summarization of Results of National Assembly Elections Under Proportional System

1. Based on summary protocols on election results in electoral districts, the Central Electoral Commission shall summarize the election results in accordance with procedures and within the time frame set out in Article 63² of this Code and adopt one of the following decisions:
 - 1) on electing MPs under proportional system;
 - 2) on declaring the National Assembly elections under proportional system invalid.

If none of the aforementioned decisions is taken in accordance with the procedure stipulated by this Code, then the decision for which the largest number of commission members have voted shall be deemed taken. In case of an equality of votes of the commission members, the vote of commission chairman shall be decisive.

2. The National Assembly mandates for the proportional contest shall be distributed between the electoral lists of parties and party alliances that have respectively received at least 5 percent and 7 percent of votes from the sum of the total number of valid votes and the number of inaccuracies. If only one party's or party alliance's electoral list received at least 5 percent and 7 percent of the sum of the total number of valid votes and the number of inaccuracies, respectively, then two parties (party alliances) that have received the next highest number of votes shall participate in the distribution of mandates. If up to three parties (party alliances) run in National Assembly elections under proportional system, then all the parties (party alliances) shall participate in distribution of mandates.
3. National Assembly mandates for the proportional system shall be distributed between party (party alliance) electoral lists proportionately to the number of ballots voted for each of them. The number of mandates for every party shall be calculated as follows: the number of ballots voted for each list shall be multiplied by the number of mandates available for electoral lists, then the product shall be divided by the total number of ballots voted for all electoral lists contesting the mandates. Then the whole number (without fractions) shall be separated - this shall be the number of mandates for each electoral list.
4. The remaining mandates shall be distributed among electoral lists by the magnitude of residuals, with the principle of one mandate to each. If the residuals are equal, the contested mandate shall be given to the list that received a higher number of votes; if that number is equal, the matter shall be settled by drawing a lot, in accordance with procedures established by the Central Electoral Commission.
5. Candidates, whose consecutive number in the electoral list is smaller or equal to the number of mandates to be given to that list, shall be considered elected by the party's (party alliance's) electoral list.
6. If a candidate elected to the National Assembly under proportional system has also been elected under majoritarian system, then his or her mandate shall be given to the candidate who is next in the electoral list.
7. National Assembly elections under proportional system shall be considered invalid, if violations of this Code have occurred during the preparation and conduct of elections, which may have influenced the outcome of the election.
8. Disputes regarding the results of National Assembly elections under proportional system may be taken to the Constitutional Court within seven days of the official announcement of election results.

9. In the case if National Assembly elections under proportional system are declared invalid, re-voting with the same parties/party alliances (same composition) and in accordance with procedures established by this Code shall take place not earlier than 10 and no later than 20 days after the decision on declaring the elections invalid enters into effect.

(amend. of 19.03.99 HO-286, 03.07.02 HO-406-N, 19.05.05 HO-101-N)

Article 116. Summarization of Results of National Assembly Elections under Majoritarian System

1. Based on summary protocols on election results, the Territorial Electoral Commission shall summarize the election results by electoral districts in accordance with procedures and within the time frame set out in Article 63¹ of this Code and adopt one of the following decisions:

- 1) on electing an MP;
- 2) on declaring an MP's election invalid;
- 3) on declaring an MP's election failed.

1. If none of the aforementioned decisions is taken in accordance with the procedure stipulated by this Code, then the decision for which the largest number of commission members have voted shall be deemed taken. In case of an equality of votes of the commission members, the vote of commission chairman shall be decisive.

2. Candidate for whom the largest number of voters have voted shall be considered elected an MP.

3. If one candidate is running, he shall be elected, if more than half of those participating in the voting have voted for him.

4. If two or more candidates receive an equal number of ballots voted for, the winning candidate shall be determined by drawing a lot.

5. An MP's election shall be declared invalid, if:

1) The magnitude of inaccuracies is greater than or equal to the difference between the numbers of ballots voted for the two candidates for whom the largest number of "for" ballots was cast, or, in case one candidate ran, the magnitude of inaccuracies is greater than or equal to the difference between the number of votes cast for and the number of votes cast against that candidate, which significantly affects the outcome of elections, i.e. it is impossible to reestablish the real results of the election and to determine the elected candidate; or

2) During the preparation and conduct of elections, such violations of this Code have taken place, which could have influenced the outcome of elections

6. An MP's election shall be considered as failed, if:

- 1) The required number of voters have not voted for the only candidate that ran;
- 2) the candidate that received the largest number of ballots voted for dies before the summarization of election results;
- 3) No candidate has been nominated or registered in the term and procedure stipulated by this Code.

7. Within two hours of adopting a decision on summarization of election results, the Territorial Electoral Commission Chairman shall send a report about it to the Central Electoral Commission.

8. Disputes regarding the results of National Assembly elections under majoritarian system may be taken to the Constitutional Court within seven days of the official announcement of election results.

9. In the case if an MP's election is declared invalid, re-voting in accordance with procedures established by this Code shall take place not earlier than 10 and no later than 20 days after the decision on declaring the elections invalid enters into effect. If the results of re-voting in the National Assembly elections under majoritarian system are declared invalid, new elections shall be held not earlier than 30 and no later than 40 days after the decision about declaring the re-voting results invalid enters into effect.

10. In the case if an MP's election is considered failed, new elections shall be held not earlier than 30 and no later than 40 days after the decision to consider the elections failed enters into effect.

10¹. If the election is declared void or failed, the candidate's electoral deposit shall be refunded."

11. New elections shall take place with new nomination of candidates and in accordance with a timetable set for extraordinary elections.

(amend. of 19.03.99 HO-286, 03.07.02 HO-406-N, 19.05.05 HO-101-N)

CHAPTER 24

CALLING AND CONDUCTING NATIONAL ASSEMBLY ELECTIONS

Article 117. The Timetable for Calling and Conducting Regular National Assembly Elections and for Nominating and Registering MP Candidates

1. The regular election of the National Assembly shall be held no earlier than 40 and no later than 30 days prior to the expiry of its term of authority..
2. The President of the Republic of Armenia shall issue an order about holding regular elections, no later than 100 days before the voting day.
3. Parties (party alliances) shall submit documents for nominating MP candidates under proportional system to the Central Electoral Commission not earlier than 75 days and no later than 70 days before the voting day, by 18:00.
4. Documents for registration shall be submitted to the Central Electoral Commission no later than 45 days before the voting day, by 18:00.
5. Party (party alliance) election lists shall be registered not earlier than 40 and no later than 35 days before the voting day, by 18:00.
6. Documents for nominating MP candidates under majoritarian system shall be submitted to the appropriate Territorial Electoral Commissions not earlier than 75 days and no later than 70 days before the voting day, by 18:00.
7. Documents for registration of MP candidates shall be submitted to the Territorial Electoral Commissions no later than 45 days before the voting day, by 18:00.
8. MP candidates under majoritarian system shall be registered not earlier than 40 days and no later than 35 days before the voting day, by 18:00.
9. (revoked by 19.05.05 HO-101-N)
(amend. of 19.03.99, 03.07.02 HO-406-N, 19.05.05. HO-101-N)

Article 118. Calling and Conducting National Assembly By-Elections

1. By-elections shall be held in an electoral district if the National Assembly mandate under majoritarian system for that district becomes vacant as a results of early termination of an MP's authority.
 2. National Assembly by-elections under majoritarian system shall be held in accordance with procedures set for regular elections, within 80 days of the mandate becoming vacant.
 3. No National Assembly by-elections under majoritarian system shall be held in the last year of the National Assembly's term.
 4. If the authority of an MP elected to the National Assembly under proportional system is terminated early, the Central Electoral Commission shall give his or her mandate to the next person in that party's electoral list, within one week. If there are no other candidates in the party's electoral list, the mandate shall remain vacant.
- (amend. of 19.03.99 HO-286, 03.07.02 HO-406-N)

Article 119. Calling and Conducting Extraordinary National Assembly Elections

1. Extraordinary elections shall be held within no less than 30 days and no more than 40 days before dissolving the National Assembly.
2. The President of the Republic of Armenia shall issue an order about holding extraordinary elections together with an order to dissolve the National Assembly.
3. Parties (party alliances) shall submit documents for nominating MP candidates under proportional system to the Central Electoral Commission no later than 25 days before the voting day, by 18:00.
4. Party (party alliances) election lists shall be registered not earlier than 25 days and no later than 20 days before the voting day, by 18:00.
5. Documents for nominating MP candidates under majoritarian system shall be submitted to the appropriate Territorial Electoral Commissions not earlier than 20 days and no later than 15 days before the voting day, by 18:00.
6. MP candidates under majoritarian system shall be registered not earlier than 15 days and no later than 10 days before the voting day, by 18:00. (amend. of 03.07.02 HO-406-N)

SECTION 6. LOCAL SELF-GOVERNMENT ELECTIONS

CHAPTER 25

GENERAL PROVISIONS

Article 120. Electoral System

1. (removed by 19.05.05 HO-101-N) A single-mandate majoritarian electoral district shall be formed in a community for community leader elections.
2. A community council shall consist of:
 - 1) five members in communities with population of up to 1,000 residents;
 - 2) seven members in communities with population of between 1,001 to 3000 residents;
 - 3) eleven members in communities with population of between 3,001 to 20,000 residents;
 - 4) fifteen members in communities with population of more than 20,001 residents.
3. One multi-mandate majoritarian electoral district shall be formed in a community for community council elections.
(amend. of 03.07.02 HO-406-N, 19.05.05. HO-101-N)

Article 121. Electoral Rights

Every citizen shall have the right to one vote:

- 1) during community leader elections;
- 2) during community council elections.

Article 122. Requirements for Community Leader and Council Member Candidates

1. Any citizen with the Republic of Armenia electoral rights, who has attained the age of 25 years and who has been registered in a particular community or in Yerevan (for those running in Yerevan city districts) for at least the last two years, as well as persons mentioned in Article 2 of this Code, shall have the right to be elected as community leaders.
2. Any citizen with the Republic of Armenia electoral rights, who has attained the age of 21 years and who has been registered in a particular community or in Yerevan (for those running in Yerevan city districts) for at least the last two years, as well as persons mentioned in Article 2 of this Code, shall have the right to be elected as community council members.
3. Members of the Constitutional Court, judges, employees of the internal affairs, national security, defense and prosecutorial bodies may not be elected as community leaders and council members.
(amend. of 03.07.02 HO-406-N, 19.05.05. HO-101-N)

CHAPTER 26

NOMINATION OF COMMUNITY LEADER AND COUNCIL MEMBER CANDIDATES

Article 123. Nomination of Community Leader and Council Member Candidates

1. Citizens shall have the right to be nominate themselves as community leader and council member candidates by submitting an application and a receipt proving the payment of the electoral deposit to the appropriate Territorial Electoral Commission. The amount of electoral deposit shall be as follows: for community leader candidates in communities with up to 5,000 voters - 50 times the minimum wage; for council member candidates in communities with up to 5,000 voters - 10 times the minimum wage; for community leader candidates in communities with more than 5,000 voters - 100 times the minimum wage; for council member candidates in communities with more than 5,000 voters - 20 times the minimum wage.
2. If a candidate is elected as a community leader or receives ballots amounting to 5 or more percent of the number of valid ballots, his/her electoral deposit shall be returned to the candidate. If the candidate receives less than 5 percent of the number of valid ballots, the electoral deposit shall be transferred to the state budget.
3. If a candidate is elected as a council member or receives more than 5 percent of the number of valid ballots cast for all candidates, his/her electoral deposit shall be returned to the candidate. If the candidate receives less than 5 percent of the votes, the electoral deposit shall be transferred to the state budget.
4. In his/her application to be nominated as candidate, the citizen shall include his/her last name, first name,

patronymic, year, month and day of birth, registered address, place of work, position (occupation) and party affiliation.

5. The self-nominating citizen shall submit the following documents together with his/her application:
 - 1) receipt proving that electoral deposit has been paid;
 - 2) document certifying that he/she has been citizen of the Republic of Armenia for the last two years;
 - 3) document certifying that he/she has been registered in that particular community (in case of running for Yerevan city district community leader or council member - a document certifying that he/she has been registered in Yerevan) for the last two years;
 - 4) declaration of the nominee's property and income, in accordance with procedures defined by the Republic of Armenia Law on "Declaration of Property and Income by Senior Public Officials of the Republic of Armenia".
6. Documents mentioned in sub-paragraphs 2 and 3 of Paragraph 5 of this Article shall be provided to self-nominating community leader and council member candidates by the authorized state body, in accordance with procedures established by the Central Electoral Commission, within three days of applying for them.
7. Self-nominating community leader and council member candidates shall submit the aforementioned documents in person or through their authorized representatives.
8. A person may be nominated as a candidate for the community head or a member of the community council in only one community.
9. removed.

Article 124. Registration of Community Leader and Council Member Candidates

1. Community leader and council member candidates shall be registered by the decision of the Territorial Electoral Commission. The candidate or his/her authorized representative shall have the right to be present at the commission session when the issue of his/her registration is being discussed.
2. The Territorial Electoral Commission shall refuse to register a nominated candidate, if:
 - 1) restrictions established in this Code apply to the candidate;
 - 2) documents submitted for registration are forged. In case of an objection to registration of a community leader or council member candidate, the matter shall be put to a vote. The registration shall be refused if at least two-thirds of the Territorial Electoral Commission members vote against it. If there are no objections, the candidate shall be considered registered. If a community leader or council member candidate's registration is refused, his/her electoral deposit shall be transferred to the state budget, unless the candidate requests the electoral deposit back within the 48 hours given to him or her to correct the inaccuracies in documents submitted for registration or supply missing documents. If inaccuracies are discovered in documents submitted for registration of a community leader or council member candidate, or if the documents are incomplete, the Territorial Electoral Commission shall give 48 hours to correct the inaccuracies or supply the missing documents. The registration shall be refused if the inaccuracies are not corrected or the missing documents are not supplied within that period of time. The candidate shall be registered, if the inaccuracies are corrected and the missing documents are supplied within that period time.
3. The Territorial Electoral Commission shall invalidate the registration of a community leader or council member candidate, if certain facts are revealed after the registration, which result in the restrictions defined in this Code starting to apply to the candidate. The registration of a community leader or council member candidate may be invalidated with a decision voted for by at least two-thirds of the Territorial Electoral Commission members. If a candidate's registration is invalidated, his/her electoral deposit and the money left in his/her pre-election fund shall be transferred to the state budget.
4. The Territorial Electoral Commission's decision to refuse or invalidate a community leader or council member candidate's registration may be appealed in a court of law within three days of passing the decision. The candidate shall be considered registered or reregistered if the court rules that the decision to refuse or invalidate the registration of the community leader or council member candidate was illegal.
(amend. of 19.03.99 HO-286, 03.07.02 HO-406-N, 19.05.05. HO-101-N)

Article 125. Annulment of the Registration of a Candidate for the Community Head or a Member of the Community Council

1. Registration of a candidate for the community head or a member of the community council shall be annulled, if:
 - 1) he or she has lost his electoral rights;
 - 2) he or she has submitted a letter of self-withdrawal;
 - 3) he or she has died;

- 4) the requirements of Paragraph 8 of Article 18 of this Code are not met;
 - 5) the requirements of Paragraph 7 of Article 25 of this Code are not met.
2. Candidate for the community head or a member of the community council may submit a letter of self-withdrawal to the Territorial Electoral Commission no later than 10 days before the voting day.
 3. If registration of a candidate for the community head or a member of the community council is annulled (except in the case of his/her death), his/her electoral deposit and the money remaining in his/her pre-election fund shall be transferred to the state budget. If the candidate's registration is annulled because of his or her death, the electoral deposit shall be transferred to the candidate's heirs.
 4. (removed by 03.07.02 HO-406-N)
 5. (removed by 03.07.02 HO-406-N)
(amend. of 03.07.02 HO-406-N)

CHAPTER 27

THE STATUS OF COMMUNITY HEAD OR A MEMBER OF THE COMMUNITY COUNCIL CANDIDATE

Article 126. Legal Equality of community head or a member of the community council candidates

All community head candidates shall have equal rights and responsibilities. All candidates for a member of the community council shall have equal rights and responsibilities.

Article 127. Safeguards for community head or a member of the community council candidate's Activities

Community head or a member of the community council candidate may be detained only with the Territorial Electoral Commission's consent. The vote of the two-thirds of the Territorial Electoral Commission members is required to pass a final decision on such matters.

(amend. of 03.07.02 HO-406-N)

CHAPTER 28

PRE-ELECTION CAMPAIGN OF COMMUNITY HEAD OR A MEMBER OF THE COMMUNITY COUNCIL CANDIDATE

Article 128. Pre-Election Funds of community head or a member of the community council candidate

1. A community leader or council member candidate shall have the right to establish a pre-election fund in his/her name or the name of his/her authorized representative to run a pre-election campaign. The community head or a member of the community council candidate may use the resources in the pre-election fund to pay their electoral deposits.
2. Community leader or council member candidates shall have the right to use only the means in their pre-election fund to finance their pre-election campaign.
3. Money remaining in pre-election funds after the elections shall be used in accordance with procedures set in Paragraph 6 of Article 79 of this Code.
(mod. of 19.05.05 HO-101-N)

Article 129. Pre-Election Campaign

1. Pre-election campaign during local self-government elections shall be conducted in accordance with procedures and the timetable defined in Articles 18-23 of this Code.

CHAPTER 29

BALLOTS. SUMMARIZATION OF ELECTION RESULTS

Article 130. Ballots

1. Community leader and community council elections shall be conducted with separate ballots.

2. Ballots for election of the candidate as the community shall include the last names, first names and patronymics of candidates (in alphabetical order, by last name), their party affiliation and passport data, if necessary. Ballots for community leader and community council elections shall be prepared by the order of the Territorial Electoral Commission. The Territorial Electoral Commission shall distribute the ballots to Precinct Electoral Commission on the day before the voting day. All ballots shall be of the same color.
3. Ballots for election of the candidate as a community council member shall include the last names, first names and patronymics of candidates (in alphabetical order, by last name), their party affiliation and passport data, if necessary. Ballots shall be of the same color, which is different from the color of ballots for community leader elections.
4. Ballots shall be provided in the amount of up to 3 percent more than the number of voters in the voter lists.
(amend. of 03.07.02 HO-406-N, 19.05.05 HO-101-N)

Article 131. Summarization of Voting Results

(removed)

Article 132. Procedures for Territorial Electoral Commission's Summarization of Precinct Protocols

1. The summary protocols for community leader and community council election results shall be separate.
2. removed
3. Summary protocols on voting results shall be compiled in accordance with procedures and within the timeframe set in Article 63.1 of this Code.
4. Member of Territorial Electoral Commission shall sign the summary protocol on voting results. The protocol shall be stamped with the Commission stamp. If signature of any commission member is missing, a note to that effect shall be included in the protocol.
(amend. of 19.05.05 HO-101-N)

Article 133. Summarization of Community Leader Election Results

1. Based on summary protocols on voting results in community leader elections, the Territorial Electoral Commission shall summarize the election results and adopt one of the following decisions in accordance with procedures and the timeframe set in Article 63.1 of this Code:
 - 1) on electing the community leader;
 - 2) on declaring the community leader elections invalid;
 - 3) on declaring the community leader elections failed.
2. A candidate shall be considered elected as a community leader, the largest number of voters have voted for him/her". If one candidate is running, he shall be elected, if more than half of those participating in the voting have voted for him. If two or more candidates have received an equal maximum number of ballots voted "for," then the elected candidate shall be determined from among the two by means of a draw held in accordance with the procedure defined by the Central Electoral Commission..
3. The election of a community head shall be declared void, if:
 - 1) The magnitude of inaccuracies is greater than or equal to the difference between the numbers of ballots voted for the two candidates for whom the largest number of "for" ballots was cast, or, in case one candidate ran, the magnitude of inaccuracies is greater than or equal to the difference between the number of votes cast for and the number of votes cast against that candidate, which significantly affects the outcome of elections, i.e. it is impossible to reestablish the real results of the election and to determine the elected candidate; or
 - 2) During the preparation and conduct of elections, such violations of this Code have taken place, which could have influenced the outcome of elections..
4. Community leader elections shall be considered failed, if:
 - 1) The necessary number of voters have not voted for the only candidate that ran;
 - 1¹) No candidate has been nominated or registered in the term and procedure stipulated by this Code.
 - 2) the candidate that received the largest number of ballots voted dies before the election results are summarized;
 - 3) grounds to invalidate the community leader candidate's election exist as a result of re-voting.
5. Within two hours of adoption a decision on community leader election results, the Territorial Electoral Commission Chairman shall send a report to the Central Electoral Commission and the appropriate marzpet (governor).

6. The Territorial Electoral Commission's decision on the community leader election results may be appealed in a court of law within three days of its adoption.
7. If the elections of the community mayor are declared void, then, 21 days after the voting day, re-voting shall be held with the same candidates.
8. Re-voting between same candidates may take place only once.
(amend. of 19.03.99 HO-286, 03.07.02 HO-406-N, 19.05.05. HO-101-N)

Article 134. Summarization of Council Election Results

1. (revoked by 19.05.05 HO-101-N)
2. (revoked by 19.05.05 HO-101-N)
3. removed.
4. The first council member candidates (whose number is determined in accordance with Paragraph 2 of Article 120 of this Code) for whom the largest number of "for" ballots were voted, shall be considered elected in the community. In case of the equality of ballots voted "for," a draw shall be held in accordance with the procedure defined by the Central Electoral Commission in order to determine the elected candidate.
5. The election of a community council member shall be declared void.
 - 1) If the magnitude of inaccuracies precludes the possibility of determining the candidates elected by a number corresponding to at least half of the number of community council members, as specified in Article 120(2) of this Code, i.e. if the difference between the number of ballots voted for the elected candidate and the number of ballots voted for the non-elected candidate is smaller than or equal to the difference between the magnitude of inaccuracies and the ratio of the number of community council membership candidates;
 - 2) If, during the preparation and conduct of elections, such violations of this Code have taken place, which could have influenced the outcome of elections.If the elections of the community council members are declared void, then, 21 days after the voting day, re-voting shall be held with the same candidates.

Re-voting with the same candidates may be held only once.

6. Community council elections shall be considered failed, if the number of candidates corresponding to at least half of the number of community council members specified in Article 120(2) of this Code has not been nominated or registered in accordance with the terms and procedure stipulated by this Code, or if grounds to invalidate the community council elections exist as a result of re-voting.
7. removed.
8. Within two hours of adopting a decision on community council election results, the Territorial Electoral Commission Chairman shall send a report to the Central Electoral Commission and the appropriate marzpet (governor).
9. The Territorial Electoral Commission's decision on the community council election results may be appealed in a court of law within three days of its adoption.
(amend. of 19.03.99 HO-286, 03.07.02 HO-406-N, 19.05.05. HO-101-N)

CHAPTER 30

TIMETABLE AND PROCEDURES FOR CALLING AND CONDUCTING LOCAL SELF-GOVERNMENT ELECTIONS

Article 135. Timetable for Calling and Conducting Regular Elections, Nominating and Registering Candidates

1. Regular local self-government elections shall be held no later than 30 days before the end of the term of local self-government bodies.
2. Local self-government elections shall be called by the appropriate Marzpet (Governor) no later than 90 days before the end of the community leader's term.
3. Documents for nomination of candidates shall be submitted to Territorial Electoral Commissions not earlier than 30 and no later than 25 days before the voting day, by 18:00.
4. Candidates shall be registered not earlier than 25 and no later than 20 days before the voting day, by 18:00.
(amend. of 03.07.02 HO-406-N, 19.05.05. HO-101-N)

Article 136. Procedures and Timetable for Forming Multi-Mandate Majoritarian Districts

(revoked by 19.05.05 HO-101-N)

Article 137. Calling and Conducting New Elections

New elections shall be held on the 30th day after the Territorial Electoral Commission adopts a decision to declare the community leader or community council elections failed or a court verdict on that matter enters into effect. New candidates shall be nominated for new elections, in accordance with procedures for extraordinary elections defined in Article 138 of this Code. A new election shall be scheduled by the governor (or, as the case may be, the Yerevan Mayor).

(amend. of 03.07.02 HO-406-N)

Article 138. Calling and Conducting Extraordinary Elections

1. Extraordinary elections of community leader shall be held within 30 days of the community head position become vacant.
2. The Government shall adopt the decision to call extraordinary elections at the same time when it adopts a decision to dismiss the community leader or terminate his/her powers early.
3. Extraordinary community council elections shall be held within 30 days after the total number of the community council members reduces by half.
4. Documents required for registration of candidates shall be submitted to the Territorial Electoral Commission not earlier than 18 days and no later than 15 days before the voting day, by 18:00.
5. Candidates shall be registered not earlier than 15 and no later than 12 days before the voting day, by 18:00.
6. Electoral precincts and precinct centers shall be formed at least 20 days before the voting day; voter lists shall be posted in a visible place in precinct centers at least 18 days before the voting day.
7. removed.

(amend. of 03.07.02 HO-406-N, 19.05.05. HO-101-N)

PART 3.

CHAPTER 31

LIABILITY FOR VIOLATING THE PROVISIONS OF THIS CODE

Article 139. Liability for Violating the Provisions of this Code

The following shall be prosecuted in accordance with procedures defined by the law:

- 1) registering in voter lists in more than one electoral precinct, voting more than once, voting for another person;
- 2) violating the procedures and the timeframe for compiling voter lists;
- 3) (revoked by 19.05.05 HO-101-N);
- 4) distorting the voting results;
- 5) hiding the ballots, putting additional ballots in the ballot box;
- 6) distorting the election results intentionally;
- 7) forging the ballots and electoral commission stamps;
- 8) forging the protocols on voting and election results;
- 9) entering the precinct center with weapons while not carrying out official duties;
- 10) taking military servicemen to vote in a marching line or with weapons, or forcing them to go vote;
- 11) intentionally hindering the normal work of electoral commissions on the voting day;
- 12) campaigning on the voting day and the day before;
- 13) hindering the free expression of voters' will;

- 14) violence or insults against electoral commission members, observers, proxies, representatives of mass media and member of initiative groups;
- 15) hindering election-related functions;
- 16) stealing the ballot box;
- 17) hindering the normal course of elections by electoral commission members or civil servants and employees of local self-government bodies;
- 18) coercing the expression of voters' free will;
- 19) violating the ballot secrecy;
- 20) publishing sociological survey results about candidates' ratings within seven days before the voting day;
- 21) tearing off or marking election posters posted in specially designated areas;
- 22) disseminating false and libelous information about candidates or parties;
- 23) deceiving a person who is unable to vote on his/her own;
- 24) campaigning and disseminating any campaign materials by persons and organizations, who have no right to conduct pre-election campaign;
- 25) hindering the normal course of pre-election campaign;
- 26) disseminating anonymous printed campaign materials;
- 27) failing to submit declarations on the use of resources in candidates' and parties' pre-election fund in accordance with the established procedures;
- 28) failing to return electoral commission stamps;
- 29) state media's failing to provide equal conditions for all candidates;
- 30) commission chairmen creating obstacles for proxies, observers and representatives of the media who want to see sample ballots and electoral commission decisions, refusing to provide them with a copy of commission decisions or not allowing them to take excerpts from the decisions;
- 31) failing to fill out the electoral commission's register or registering it improperly.
(amend. of 19.03.99 HO-286, 19.05.05. HO-101-N)

CHAPTER 32

TRANSITIONAL AND CONCLUDING PROVISIONS

Article 140. Transitional Provisions

1. Within a two-day period of this Law entering into force, the authorized body shall provide to the Central Electoral Commission the number of voters included in the Republic of Armenia Voter Register, broken down by electoral districts and by communities in each district.
2. Within a ten-day period of this Law entering into force, the boundaries of electoral districts may be changed, if, based on the data in the National Voter Register, the then current division does not correspond to the requirements of Article 17¹(4) hereof.
3. Information on the judicial servant that is a member of the Central Electoral Commission shall be submitted to the Staff of the Republic of Armenia President prior to 18:00 of the 7th day following the entry into force of this Law. Information on the judicial servants that are members of the Territorial Electoral Commissions shall be submitted to the Staff of the Republic of Armenia President prior to 18:00 of the 10th day following the appointment of the judicial member of the Central Electoral Commission.
4. After this Law enters into force, the specialized training of judicial servants shall be organized and conducted prior to April 1, 2007.
5. Within a two-month period of the entry into force of this Law, specialized training on how to conduct elections shall be carried out in accordance with the procedure established by the Central Electoral Commission for candidates to membership in electoral commissions.
6. This Law shall apply to local government elections only in communities, in which elections have been scheduled after the entry into force of this Law.

Article 141. Concluding Provisions

1. The following laws shall become invalid upon this Code entering into effect:

- 1) The Republic of Armenia Law “On Election of Members of the National Assembly of the Republic of Armenia”, passed on April 4, 1995;
- 2) The Republic of Armenia Law “On Election of President of the Republic of Armenia”, passed on May 30, 1996;
- 3) The Republic of Armenia Law “On Local Self-Government Elections” passed on June 10, 1996.

President of the Republic of Armenia
February 17, 1999 HO-284 Yerevan

R. Kocharyan

President of the Republic of Armenia
January 7, 2007 HO-1-N Yerevan

R. Kocharyan