

LAW No. 33
from January 16th 2007
regarding the organisation and the development of the
elections for the European Parliament

The Romanian Parliament enacts this Law.

CAP. I
General Dispositions

Art.1

(1) This law establishes the general judicial framework for the organization and development of the elections of the Romanian members in the European Parliament.

(2) The Romanian members within the European Parliament are elected by universal, equal, direct, secret and freely expressed voting, under the conditions of this law.

(3) The mandate of the Romanian members within the Romanian Parliament is of 5 years.

Art. 2

In the sense of this law, the member state of origin may mean the state whose citizenship is held by the citizen of the member state within the European Union, different from Romania.

Art. 3

The representation of Romania within the European Parliament is carried out according to the provisions of art. 9 and 24 within the Act regarding the adherence terms and the adaptation of the treaties which represent the foundations of the European Union from the Treaty between the Kingdom of Belgium, Czech Republic, the Kingdom of Denmark, the Federal German Republic, the Estonian Republic, the Hellenic Republic,

the Kingdom of Spain, the French Republic, Ireland, the Italian Republic, the Republic of Cyprus, the Latvian Republic, the Grand Duchy of Luxembourg, the Hungarian Republic, the Maltese Republic, the Kingdom of the Netherlands, the Republic of Austria, the Polish Republic, the Portuguese Republic, the Slovene Republic, the Slovak Republic, the Finnish Republic, the Swedish Kingdom and the United Kingdom of Great Britain and of Northern Ireland (member states of the European Union) and the Bulgarian Republic and of Romania, signed by Romania at Luxembourg on April 25th 2005, confirmed by Law no. 157/2005. Art. 4

(1) The Romanian members within the European Parliament are elected based on a list suffrage, according to the principle of proportional representation, and on independent candidatures.

(2) For the election of the Romanian members within the European Parliament, the Romanian territory constitutes a single electoral division.

Art. 5

(1) By community elector it is understood every citizen of a state member of the European Union, other than Romania, who has the right to vote in Romania for the European Parliament, having the domicile or residency in Romania, according to the dispositions of this law.

By resident elector we may understand any citizen of Romania, with the domicile or with the residency within the country or abroad, who has the right to vote the members from Romania within the European Parliament according to the dispositions of this law.

(3) By a community eligible person it is understood every citizen of a state member of the European Union who has the right to be elected for the European Parliament, having the domicile or the residency in Romania, according to the dispositions of this law.

(4) In the sense of this law, by reference day it is understood the elections day of the members from Romania within the European Parliament.

(5) The Romanian who are 18 years old, fulfilled up to the reference day inclusively, have the right to vote the members from Romania within the European Parliament.

(6) The persons suffering from mental deficiencies and insanity under interdiction and the persons who, on the reference day, are condemned by final judgment to the loss of the electoral rights do not have the right to vote.

(7) The Romanian citizens who have the right to vote and have reached the age of 23 years up to the reference day have the right to be elected within the European Parliament.

(8) The dispositions paragraph (5) - (7) also apply for the Romanian citizens who have the domicile or the residency abroad and have the right to vote according to the dispositions of this law.

(9) The citizens of the states members of the European Union, in the sense of art. 17 paragraph (1) within the Treaty of instituting the European Community, with the subsequent amendments and completions, who have the residency or the domicile on Romanian territory, have the right to vote and to be elected as members from Romania within the European Parliament, under the same conditions as for the Romanian citizens, under the reserve of the accomplishment of the requirements of this law.

(10) For the elections of the members from Romania within the European Parliament, not only the resident elector but also the community elector has the right to a single voting.

Art. 5¹

(1) In the sense of this law, by electoral period it is understood the time interval which starts on the publication of the reference day and it is concluded once with the publication within Official Gazette of Romania, Part I, of the scrutiny result; the electoral period comprises the time interval between the day of the publication of the reference day and the day when the electoral campaign starts, the electoral campaign, the effective development of the voting, the counting and the centralization of the votes, the determining of the result of voting, the assignment of mandates, the validation of elections and the publication of the electoral results in the Official Gazette of Romania, Part I.

(2) In the sense of this law, by ID it is understood an identification document issued by the Romanian state, identity card respectively, the provisional identity card, identity bulletin or the diplomatic passport, the electronic diplomatic passport, the service passport, the electronic service passport, the simple passport, the electronic simple passport, the temporary simple passport, or in the case of the students within the military schools, the military book.

(3) The simple passport, the electronic simple passport and the simple temporary passport can be used for exercising the electoral right only by the Romanian citizens situated abroad or by the Romanian citizens domiciled abroad.

Art. 5²

(1) The political parties, the political alliances and the organizations of the citizens belonging to the national minorities can become associates at a national level, based on a protocol, constituting an electoral alliance, with the purpose of participating in the elections for the members from Romania in the European Parliament. A political party or an organization of citizen belonging to the national minorities can only be part of a single electoral alliance. The electoral alliance which participated in the previous elections, no matter their type, under a name, can keep the respective denomination only if it has not changed its initial composition. Moreover, the respective denomination cannot be used by another alliance.

(2) The protocol of constituting an electoral is submitted to the Central Electoral Bureau within 48 hours from its setting up.

(3) Central Electoral Bureau decides within a public session on admission or the rejection of the protocol for constituting the electoral alliance, within 24 hours since its registration.

(4) The decision of the Central Electoral Bureau of admission of the protocol for constituting the electoral alliance can be contested by every interested natural person of legal entity at the High Court of Cassation and Justice, within 24 hours since its presentation.

(5) The decision of the Central Electoral Bureau to refuse the protocol of constituting the electoral alliance can be contested by the signatories of the protocol at the High Court of Cassation and Justice, within 24 hours from its displaying.

(6) The High Court of Cassation and Justice makes a decision regarding the contestations provided at paragraph (4) and (5) within 24 hours since the registration of the contestation, by final and irrevocable decree.

(7) The political parties, alliances and the organizations of citizens belonging to the national minorities which constituted an electoral alliance can propose candidates only from the electoral alliance.

(8) The protocol for constituting an electoral alliance, which was admitted by decision of the Central Electoral Bureau and which remained final, pursuant to the failure of contestation or pursuant to the decision of the High Court of Cassation and Justice, can be abolished only by the agreement of the signatory parties of the protocol for constituting the electoral alliance.

(9) The agreement for the abolishment of the protocol for constituting an electoral alliance is submitted to the Central Electoral Bureau with at least 4 days before the deadline for submitting the candidatures.

(10) The dispositions paragraphs (3) - (6) apply correspondingly in case of the agreement for the abolishment of the protocol for the constituting of an electoral alliance.

(11) In case of abolishing the protocol for the constitution of an electoral alliance after the expiry of the term for submitting the electoral signs, the members of the electoral alliance participate in elections without an electoral sign.

(12) The other provisions of this law regarding the political alliances apply correspondingly also for the electoral alliances.

Art. 6

(1) The Romanian citizens who are part of the following categories: the judges of the Constitutional Court, the Ombudsman, the magistrates, the active members of the army, policemen and other categories of public servants, including those with a special status, determined by organic statutes, cannot be elected as members from Romania within the European Parliament.

(2) The persons communally eligible who are part of similar categories to those stipulated at paragraph (1), in the states whose members they are, cannot be elected as members from Romania within the European Parliament. Art. 7

(1) Without damaging the incompatibilities stipulated by 1976 Act regarding the elections of the members of the European Parliament by direct universal voting, with the subsequent amendments, the quality of member of the European Parliament is incompatible with the quality of deputy or senator within the Romanian Parliament, of Member within the Romanian Government, with the positions stipulated at art. 81 and 82 from book I, title IV, ch. III, section 2 from Law no. 161/2003 regarding some of the measures for ensuring the transparency in the exercising the public indemnities, of public positions and in the business environment, the prevention and the sanctioning of corruption, with the subsequent amendments and the completion, or with the equivalent positions within the states member of the European Union.

(2) Within 30 days from the day of validation of the electoral result for the European Parliament, the persons who are in the situation of incompatibility must choose between the mandate of European parliamentary and the position which generates the incompatibility, resigning from one of these positions.

(3) After the expiry of the term stipulated at paragraph (2), if it occurs or continues to exist a case of incompatibility with the functions stipulated at art. 81 and 82 within book I, title IV, ch. III, section 2 from Law no. 161/2003, with the subsequent amendments and completions, the persons situated in incompatibility are considered resigned from the position of European parliamentary. The resignation is ascertained by a decree of the Permanent Electoral Authority, which is published in the Official Gazette of Romania, Part I, and it is communicated to the European Parliament.

(4) The National Agency of Integrity ascertains the cases of incompatibility between the mandate of European Parliamentary with the positions stipulated at paragraph (1) and communicates them to the Permanent Electoral Authority within 15 days from ascertaining.

(5) According to the case, the Permanent Electoral Authority notifies to the European Parliament the cases of incompatibility stipulated by art. 7 paragraph (1) and (2) within 1976 Act, where there are retrieved the members from Romania or it is ascertained, according to paragraph (3), the resignation of the persons situated in incompatibility.

(6) In 15 days at utmost from the validation of the mandates, the members from Romania within the European Parliament are obliged to declare their wealth and interests to the National Agency of Integrity, using the forms stipulated by the Annex to Law no. 115/1996 for the statement and the control of the estate of the dignitaries, magistrates, and of the persons with management and control positions and of the

public servants, with the subsequent amendments and completions, and by the annex to the Government Decree no. 506/2003 regarding the determining of the template of the Register of interest statement, with the subsequent amendments. The estate and interest statements are displayed on the website of the National Agency of Integrity and they are updated every year.

(7) The Permanent Electoral Authority accomplishes the formalities necessary for the acceptance of the candidates who were declared elected in the European Parliament.

(8) Excepting the cases stipulated within paragraph (3), the ascertainment of cessation of the mandate of European parliamentary is done according to 1976 Act and to the Procedure Regulations of the European Parliament.

Art. 8

The reference day is Sunday. The public acknowledgment of the reference day is carried out with at least 90 days before, by the publishing into the Official Gazette of Romania, Part I the Government's Decision regarding the determining of the reference day.

The reference day is established within the period which is decided for this purpose by the Council of the European Union.

CAP. II

The exercising of the right to vote and to be elected as a member of Romania within the European Parliament

Art. 9

(1) The electoral lists are permanent, special and additional. (2) The permanent electoral lists are drawn up on localities and they comprise all the resident electors who domicile within the locality where they were drawn up.

(3) The permanent electoral lists are drawn up on communes, on villages and, according to the case, streets, and on cities, municipalities and administrative-territorial sub-divisions of the municipalities, on streets, and according to the case, on blocks.

(4) The permanent electoral lists comprise, in the order of the number of buildings where the resident electors live, the surname and the first name, the personal identification number, the domicile, the type, series and number of the identification document.

(5) In case the permanent electoral lists cannot be drawn up according to the provisions of paragraph (2) – (4), the resident electors can be registered within the permanent electoral lists in alphabetic order, with the approval of the county or district electoral bureau.

(6) Within 45 days from the public notification of the reference day, the National Centre for the Management of the Databases regarding the Population Register selects

and processes the data regarding the resident electors comprised within the national Register of population, prints out and gratuitously makes available to the mayors, by its territorial structures, two copies of the permanent electoral lists.

The permanent electoral lists shall be signed by the mayors, the secretaries of the administrative-territorial unit, by the chief of the county community public service of registration of persons and the chief of the territorial structure of the National Centre of Management of the Databases regarding the Register of Population.

(7) A copy of the permanent electoral lists is kept by the mayor and the other one is delivered in the court within whose territorial range it is situated the locality for which it was drawn up.

(8) The updating of the permanent electoral lists shall be performed by the mayor of the administrative-territorial unit together with the Community service for the registration of persons.

(9) Within 10 days from the receipt of the permanent electoral lists, the mayor is liable to provide to the political parties, the political alliances and electoral alliances, on their request and expense, the copies of the permanent electoral lists.

(10) The resident voters have the right to verify the registration within the permanent electoral lists. To this end, the mayors are liable to make available for accession, the permanent electoral lists and to organize actions for informing and guidance of the voters for carrying out the necessary verifications.

(11) The statements regarding the omissions, the incorrect entries, any other errors within the lists, as well as the refusal to allow verification of the entry shall be made in writing to the city mayor, the latter being liable to decide, by provision, no later than 3 days from registration.

(12) The contestations regarding the settlement of the statements shall be submitted in writing within 5 days since the notification of the provisions, at the court within whose territorial range the voter is domiciled and it shall be settled by it no later than 3 days from registration.

(13) Within 48 hours from the settlement of the statements and from the operation of the amendments in the permanent electoral lists, the mayors are liable to forward them to the National Center of Administration of databases regarding the Population Register.

(14) At least 5 days before the reference day, the National Centre of Administration of databases on the population register by its territorial structures, prints and gratuitously makes available to the mayors, in 3 copies, copies of the updated permanent electoral lists, which comprise the resident voters within each voting department. The copies of the permanent electoral lists shall be signed by the mayor, by the secretary of the administrative-territorial unit, the head of the county community public service

registration of population and the chief of the territorial structure of the National Center for Administration of the Databases regarding the population registration.

(15) The copies of the permanent electoral lists include the resident elector's surname and first name, the personal identification number, the address, the type, series and number of the identification document, and a box for the voter's signature.

(16) The copies of the permanent electoral lists shall be submitted by the mayor, in two copies, based on a minutes, to the presidents of the polling station electoral bureaux, two days before the reference day. A copy is made available to the voters for accession and a copy is used on the reference day. The third copy of the duplicate is kept by the mayor.

(17) Any discrepancy between the electoral list and the copy shall be settled by the mayor immediately by disposition, based on the data comprised within the permanent electoral list.

(18) Any amendments within the permanent electoral list, after the delivery of the copy to the office of the polling station electoral bureau shall be notified in writing forthwith by the mayor.

Art. 9¹

(1) No later than 60 days before the reference day, the citizens with voting rights of Member States of the European Union, other than Romania, who are domiciled or resident in Romania can make applications for the inclusion within the special electoral lists. These applications are submitted in writing to the mayor of the home town or of residence, accompanied by a copy of a valid identity document.

(2) The special election lists include the surname and the first name of the community voter, the nationality and the address where the community voter lives in Romania.

(3) The model and the contents of the application is established by the Government, by decision, at the proposal of the Ministry of Administration and Interior and of the Permanent Electoral Authority. The application is a public document and is subject to art. 292 within the Criminal Code.

(4) For the purposes of this Act by a valid ID of the voter or of the Community elector or of the community eligible person means any document issued by the State whose citizen is the holder, other than Romania, and which is considered an identification document in the issuing State.

(5) The mayor shall inform the applicant in response to the application in no more than 10 days from the date of its registration.

(6) The special electoral lists are signed by the mayor and by secretary of the administrative-territorial unit. A copy of the special electoral lists is kept by the mayor and the other one is given to the court in whose territorial range the administrative-territorial unit in question is situated.

(7) The community voters remain registered within the special electoral lists until the cancellation from these list or until they are removed because they no longer meet the conditions for exercising the right to vote. The cancellation of the community electors from the special electoral lists is carried out by the mayor.

(8) The statements regarding the entry refusal, the omissions, the incorrect entries and any other errors within the special electoral lists shall be made in writing by the mayor of the administrative-territorial unit, the latter being liable to solve them no later than 3 days from registration.

(9) The contestations regarding the settlement of the appeals shall be submitted in writing within 5 days from notification to the court within whose territorial range the citizen of the State of the Union other than Romania is domiciled or is resident, and it is settled by it no later than 3 days from registration.

(10) No later than 30 days before the day of the reference transmitted mayors Permanent Electoral Authority, to perform the duties provided for in Article. 11 copies of the applications for registration in the special electoral lists with copies of identity documents.

(10) No later than 30 days before the reference day, the mayors submit to the Permanent Electoral Authority, copies of the applications for registration within the special electoral lists accompanied by copies of the identity documents, with a view to accomplish the duty stipulated at Article. 11.

(11) The mayor makes copies of the special electoral lists, which comprise the community voters from each polling station. With two days before the reference day, the mayor hands over two copies of the special electoral lists, based on minutes, to the polling stations electoral bureaux. A copy is made available for the voters for accession and the other one is used on the reference day. A duplicate of the copy shall be kept by the mayor.

(12) The copies of the special electoral lists shall be signed by the mayor and by the secretary of the administrative-territorial unit.

(13) The copies of the special electoral lists include the community voter's surname and first name, the citizenship, the address where the community voter lives in Romania, according to the application under which the Community voter was registered within the special electoral lists, the number of the polling station and a box intended for the voter's signature

(14) Any discrepancy between the electoral list and its copy shall be settled by the mayor immediately, by provision, based on the data comprised in the special electoral list.

(15) The mayor shall notify, in writing, at once to the polling station electoral bureau and to the Permanent Electoral Authority any change within the special electoral list, after handing over the copy to the polling station electoral bureau.

ART. 9²

(1) The resident voters who on the reference day are in another locality than home they may exercise their right to vote at any polling precinct, being registered by the president of the polling station electoral bureau in the additional electoral lists.

(2) The members of the polling station electoral bureau and the persons who are in charge of the maintenance of the order at the polling station where they perform their activity and where they are registered within the additional electoral lists.

(3) The resident electors who on the reference day are abroad shall vote at any polling station which is organized abroad and they are registered within the additional electoral lists.

(4) The resident electors shall exercise their voting right by a special ballot box are registered within the additional electoral lists.

(5) Within the additional electoral lists there are also registered the electors who go to vote and give proof by an identification document that they domicile within the territorial range of the respective polling station, but they are omitted from the permanent electoral list or from its copy which is submitted to the polling station.

(6) The provisions of paragraph (1) – (4) are applied correspondingly in the case of the community electors.

Art. 10

(1) At submitting the candidature, a citizen of a state member of the European Union, other than Romania, shall present the following:

(a) an affidavit, which states the citizenship, domicile or residence address from Romania, the local body or the precinct within the state whose citizen he is and where he was last registered on the electoral list and that he does not run for the elections of European Parliament within a state member of the European Union;

(b) a certificate issued by a competent authority of the state whose citizen he is, which shall certify that he is not deprived of the right to be elected within that state by a final court order or that such interdiction is not known by this authority.

(c) a valid identification document.

(2) The statement provided at paragraph (1) lett. a) constitutes a public act and it is subject to art. 292 within the Criminal Code.

(3) The provisions art. 12 and 12¹ are applied correspondingly.

(4) The template of the statement provided at paragraph (1) lett. a) is established by the Government, at the proposal of the Ministry of Administration and Interior and of the Permanent Electoral Authority.

(5) Within 24 hours from the admission of the candidature of the community eligible person, the Central Electoral Bureau notifies to the Permanent Electoral Authority a copy of his/her candidature file.

Art. 11

(1) The Permanent Electoral Authority informs the authorities regarding the similar responsibilities from the other states members of the European Union concerning the community electors who have been registered within the special electoral lists and concerning the persons who are community eligible whose candidature was admitted by the Central Electoral Bureau.

(2) The Permanent Electoral Authority supplies to the authorities with responsibilities similar to the other member states of the European Union the requested information regarding the Romanian citizens who expressed their intention to vote within the respective member states.

(3) If the Permanent Electoral Authority is informed by an authority with similar responsibilities from the other states members of the European Union regarding the fact that a Romanian citizen was registered within the electoral list of that state, it notifies the National Centre of Administration of the Databases regarding the Population Register, with a view to eliminate him from the copy of the permanent electoral list, as well as the Ministry of External Affairs.

(4) At the request of the Romanian citizens who want to run for at the elections for the European Parliament in another state member of the European Union, the Permanent Electoral Authority issues certificates which certify the fact that they were not deprived of the right to be elected in Romania or that such interdiction is not known by the Romanian authorities.

(5) Pursuant to the information exchange with the authorities with similar responsibilities from the other states members of the Permanent Electoral Authority notifies the Central Electoral Bureau the cases where the Romanian citizens run for the elections for the European Parliament in other states members of the European Union.

(6) The Permanent Electoral Authority is the only public authority from Romania which can exchange information regarding the electoral rights of the Romanian citizens and of citizens of the other states members with the authorities with similar responsibilities from the other states members of the European Union.

(7) The public authorities from Romania are liable to support the Permanent Electoral Authority in the accomplishment of the duties provided at paragraph (1)-(6).

Art. 12.

(1) Only the political parties, the political alliances and the citizens' organizations pertaining to the legally constituted national minorities, as well as the electoral alliances which are constituted under the terms of this law can propose lists of candidates. The lists of candidates for the elections of the members from Romania within the European Parliament shall be submitted to the Central Electoral Bureau, no later than 60 days before the reference day.

(2) The lists of candidates are submitted in writing, in 4 copies- an original copy and three duplicates-, shall be signed by the management of the political party, the citizens' organization belonging to the national minorities, of the political alliance or of the electoral alliance or by the persons empowered expressly to sign them and they comprise the surname, the first name, the parents' first name, the date and place of birth, the citizenship, the political affiliation, the workplace and the candidate's profession.

(3) The candidates proposed by a political party, a political or electoral alliance must be part of the respective political party or, according to the case, to be part of a political party, which member of the respective alliance.

(4) In order to be registered at the Central Electoral Bureau, the lists of candidates which are proposed by the political parties, the citizens' organizations belonging to national minorities, the political and electoral alliances must be accompanied by a list comprising at least 200.000 upholders. The list of the upholders is submitted in a single copy.

(5) The list of candidates should be accompanied by the following documents:

a) a copy of the list of upholders;

b) a copy of the identity document of each candidate;

c) the statements of acceptance of the candidature, which are drawn up in 4 copies, the declaration of acceptance of the candidature signed and dated by the very candidate and it should include the surname, the first name, the parents' first name, the place and date of birth, the citizenship, the address, the political affiliation, the candidate's workplace and profession, the express consent to run for, as well as the specification of the compliance with all the conditions stipulated by law for the candidature;

d) the estate and interest statements of the candidates which are stipulated by Law no. 115/1996, with the subsequent amendments and completions, and by the appendix to the Government Decree no. 506/2003, with the subsequent amendments, completed and signed by the candidates, and drawn up into two copies.

(e) the candidates' affidavits in the sense that they had or had not had the quality of workers within the Security or of its collaborators, whose template is provided within the appendix to the Emergency Ordinance of the Government no. 24/2008 regarding the access to proper file and the disclosure of the Security, approved with the amendments and completions of Law no. 293/2008 drawn up in two copies.

(6) The candidates' estate and interest statements are published on the website of the Central Electoral Bureau, within 48 hours from the final stay of the candidatures. The candidates' affidavits in the sense that they had or had not had the quality of workers within the Security or of its collaborators are forwarded within 24 hours from registration to the National Council for the Analysis of the Security's Archives.

(7) Two copies of the list of candidates and of the acceptance statements, certified by the president of the Central Electoral Bureau by signature and stamp, is returned to the applicant, who is liable to submit a copy of each to the Court of Bucharest.

(8) The lists of candidates for the elections of the members from Romania within the European Parliament are drawn up so that they should ensure the representation of both sexes.

(9) The number of candidates on each list can be 10 times larger than the number of mandates Romania has the right to within the European Parliament.

(10) Each political party, citizens' organization belonging to a national minority, political alliance or electoral alliances which participate in the elections for the European Parliament under the conditions of this law, can submit only a list of candidates.

(11) The non-observance of the provisions of paragraph (8) brings the invalidity of list of candidates. The invalidity is ascertained by the decision of the Central Electoral Bureau.

Art. 12¹

(1) The Romanian citizen or the citizen of another state member of the European Union who has the right to be elected and upheld by a number of at least 100.000 of electors can run as an independent. The application for admission of the independent candidature is submitted to the Central Electoral Bureau, in 4 copies, accompanied by a duplicate of the list of upholders, with at least 60 days before the reference day.

(2) The application for the admission of the independent candidature comprises the surname, the first name, the parents' first name, the citizenship, the domicile, the place and the date of birth, the candidate's occupation and the profession and his signature.

(3) The provisions of art. 12 paragraph (5) and (6) are applied correspondingly. Two copies of the proposal of the independent candidature, which are certified by the president of the Central Electoral Bureau by signature and stamp, are given back to the applicant, who is liable to submit a copy to Bucharest Court.

(4) There cannot be submitted lists of independent candidates. There are not admitted independent candidatures on the lists of candidates submitted by the political parties, political alliances or by the electoral alliances. There are not admitted the independent candidatures of the members of the political parties, political alliances, electoral alliances or of the citizens' organizations belonging to the national minorities.

Art. 12²

(1) An elector can uphold a single political party, political alliance, electoral alliance, organization of citizens' belonging to the national minorities or an independent candidate.

(2) The list of upholders constitutes a public document, subject to the sanction stipulated by art. 292 within the Criminal Code. At the end of the list the person who has drawn it up is liable to make an affidavit which certifies the reality of the upholders' signatures. The template of the list of upholders and of the affidavit are established by decree of the Government.

Art. 12³

(1) The Central Electoral Bureau verifies the accomplishment of the background and form conditions stipulated by this law for the candidatures, admits the candidatures which comply with these conditions or reject the candidatures which do not comply with the legal conditions.

(2) The admission or the rejection of the candidatures by the Central Electoral Bureau is carried out by decree, within at utmost 5 days from their registration.

(3) The Central Electoral Bureau the minutes which specify the date and the time of the displaying of the decrees of admission or, according to the case, the rejection of the candidature.

(4) The candidates can give up their candidatures up to the final stay of the candidatures. For this purpose, they state in writing on their own responsibility that they give up the candidature. The statement is submitted to the Central Electoral Bureau.

(5) The political parties, the organizations of citizens belonging to the national minorities and the political or electoral alliances can withdraw the candidatures from the list and they can submit other proposals for the completion of the list of candidates up to the deadline for the submitting of candidatures. The withdrawal of the candidatures shall be done by a written application which is signed by the same persons who sign the initial lists of candidates.

(6) In the case of the renouncements to the candidature or in the case of the decease of a candidate after the deadline for the submission of the candidatures, the political parties, the organizations of citizens belonging to the national minorities and the political and electoral alliances do not have the possibility to replace the candidate.

(7) A person can accept only a single candidature. If a person runs several times at the same elections for the European Parliament, the proposals for his/her candidature are rightfully null. The nullity is ascertained by decree of the Central Electoral Bureau.

Art. 13

(1) Within 24 hours from registration, the Central Electoral Bureau notifies publicly the lists of candidates and of the independent candidatures which he received, by displaying them at his headquarters, at the headquarters of the county electoral bureaux, of the electoral bureaux belonging to the districts of Bucharest municipality, and at the headquarters of the polling stations electoral bureaux from abroad, and with the support of the Romanian Society of Television and the Romanian Society of Radio Broadcasting.

(2) Until the accomplishment of 45 days before the reference day the resident electors, the community electors, the political parties, the organizations of citizens belonging to the national minorities, the political alliances and the electoral alliances can contest the candidatures.

(3) The contestations regarding the admission or the rejection of the candidatures are submitted in writing at Bucharest Court and they are solved by it within maximum two days from registration.

(4) The appeal against the decision can be made within 24 hours from its statement, at the Court of Appeal from Bucharest. The appeal is solved within two days from registration. The decision is final and irrevocable.

(5) Within 24 hours from the expiry of the terms provided at paragraph (2)- (4), the Central Electoral Bureau ascertains, based on a minutes, the final stay of the candidatures and makes them public under the conditions provided at paragraph (1).

(6) For determining the order number on the voting paper of the political parties, of the organizations of citizens belonging to the national minorities, of the political and electoral alliances who submitted the lists of candidates and as well as of independent candidates, it is proceeded this way:

(a) within the first stage, the lists of the candidates of the political parties, of the organizations of citizens belonging to the national minorities, of the political and electoral alliances between them, which have members within the European Parliament, are registered within the quadrilater of the voting paper in the order obtained at the ballot carried out by the president of the Central Electoral Bureau; the list of the first party, the first political alliance, the first electoral alliance, the first organization of citizens belonging to the national minorities drawn from the ballot box are printed on the first quadrilateral with the order no. 1; the list of the second political party, the second political alliance, the second electoral alliance, the second organization of citizens belonging to the national minorities which is/are drawn is/are printed on the quadrilateral with the order no. 2. The printing continues until the exhaustion of the lists of candidates of all the political parties, the political alliances, the electoral alliances, as well as of the organizations of citizens belonging to the national minorities.

b) within the second stage, the lists of the political parties, of the political and electoral alliances and of the organizations of citizens belonging to the national minorities which are legally constituted and which do not have members within the European Parliament are printed in the following quadrilaterals on the voting paper, in the order obtained at the ballot carried out by the president of the Central Electoral Bureau.

(7) The ballot which is provided at paragraph (6) is carried out in the presence of the representatives of the political parties, of the political and electoral alliances, as well as of the organizations of citizens belonging to the national minorities which submit lists of candidates.

(8) For each independent candidate it is printed a distinct quadrilateral, in the final part of the voting paper, in the order of registration of the candidatures at the Central Electoral Bureau.

Art. 13¹

(1) For the organization and development of the operations which are specific to the electoral periods it is set up the Central Electoral Bureau, the county electoral bureaux, the polling stations electoral bureaux from abroad, the electoral bureaux of Bucharest districts and the polling stations electoral bureaux.

(2) The electoral bureaux consist only of citizens with the voting right. The candidates within elections, the husband, the wife and their affiliates up to the second degree inclusively cannot be members of the electoral bureaux.

(3) Within the accomplishment of their attributions, the members of the electoral bureaux exercise a position which involves the government authority. The correct and impartial exercising of the position of member within the electoral bureau is mandatory. The non-observance of this duty is subject to the judicial, civil or criminal liability, according to the case.

(4) Nobody can be at the same time a member within two or more electoral bureaux.

(5) The minutes drawn up upon the setting up and completion of the electoral bureaux certify the quality of member within the electoral bureau.

Art. 13²

(1) The county electoral bureau, the electoral bureaux of the polling stations from abroad, the electoral bureaux of Bucharest districts and the polling station electoral bureaux operate in the presence of the majority of their members and enact decisions with the vote of the majority of the present members.

(2) The Central Electoral Bureau operates in the presence of the majority of its members and enact decisions with the vote of the majority of the present members.

(3) In case of tie vote, the president's vote is decisive.

Art. 13³

(1) The representatives of the political parties, of the organizations of citizens belonging to the national minorities, of the political or electoral alliances between them within the electoral bureaux cannot receive and cannot exercise other duties than those provided by this law.

(2) The representatives of the political parties, of the organizations of citizens belonging to the national minorities, of the political or electoral alliances between them within the electoral bureaux can be replaced at the request of those who proposed them, with the approval of the electoral bureau which is superior hierarchically, until the day before the voting, and in case of decease, disease or accidents, even on the reference day, with the observance, according to the case, of the terms provided at art. 14, 14², 14⁴ and 14⁵.

(3) The quality of member within an electoral bureau ceases rightfully in case it has been stipulated the sue for committing an infringement stipulated by this law. The

ascertaining of the rightful ceasing of the quality of member within an electoral bureau is carried out, within 48 hours from the occurrence of the case, by the president of the electoral bureau hierarchically superior, and in the case of the Central Electoral Bureau, by the High Court of Cassation and of Justice. The provisions of paragraph (2) are applied correspondingly.

CAP. III

Organization and Development of the Elections

Art. 14

(1) The Central Electoral Bureau consists of 5 judges of the High Court of Cassation and of Justice, the president and the vice-president of the Permanent Electoral Authority and maximum 10 representatives of the political parties, the organizations of citizens belonging to the national minorities, of the political or electoral between those which participate in elections.

(2) The assignment of the 5 judges is carried out by the president of the High Court of Cassation and of Justice, within 5 days from the notification of the reference day, by ballot, between the Court judges into exercise. The day of the development of the open session of ballot is announced in writing, with two days in advance, by the president of the High Court of Cassation and Justice, of the political parties and of the organizations of citizens belonging to the national minorities within the European Parliament and it is notified by the mass-media.

(3) At the organization and the development of the ballot there are entitled to participate a representative, assigned implicitly, of each political party and of each organization of citizens belonging to the national minority which has members within the European Parliament. The result of the ballot is registered in a minutes, signed by the president and by the first-magistrate-assistant of the High Court of Cassation and of Justice.

(4) Within 24 hours from the investiture, the designated judges elect among them, by secret vote, the president of the Central Electoral Bureau and his replacement. Within 24 hours from the election of the president of the Central Electoral Bureau, within its structure there shall enter the president and the vice-presidents of the Permanent Electoral Authority, as well as a representative of each political party and of each organization of citizens belonging to the national minorities which have members within the European Parliament. The Permanent Electoral Authority communicates to the president of the Central Electoral Bureau, once it was elected, the list of the political parties and of the organizations of citizens belonging to the national minorities which have members within the European Parliament.

(5) The setting up of a Central Electoral Bureau is registered within a minutes, which represents the document of investiture. Within this structure, the Central Electoral Bureau accomplishes all the duties which it must assume according to this law.

(6) Within two days from the final stay of the candidatures, each political party, organization of citizens belonging to the national minorities, political or electoral alliance among them which participates in elections and which does not have members within the European Parliament communicate, in writing, to the Central Electoral Bureau the surname and first name of their representative. The communication transmitted after this term shall not be taken into consideration. The completion of the Central Electoral Bureau with the proposed representatives shall be done by ballot, within 24 hours since the expiry of the term when there are carried the communications, by the president of the Central Electoral Bureau, in the presence of the members of the bureau and of the persons assigned by the political parties, the organizations of citizens belonging to the national minorities, the political and electoral alliances between them which communicated the representatives.

(7) The Central Electoral Bureau operates at the level of the national polling precinct and it uses, as operation apparatus, specialty personnel within the Ministry of Administration and Interior, of the Permanent Electoral Authority and of the National Institute of Statistics.

(8) The Central Electoral Bureau, with the structure provided at paragraph (4), enacts, within two days since the setting up, a regulation for organization and operation, which is published in the Official Gazette of Romania, Part I, and it is mandatory for all the electoral bureaux.

Art. 14¹

(1) The Central Electoral Bureau has the following duties:

a) it ensures the application and the unitary interpretation of the provisions of this law; it ensures the publishing within the Official Gazette of Romania, Part I, of the list comprising the denomination and the electoral signs of the political parties, of the political alliances, the electoral alliances and of the legally constituted organizations of citizens belonging to the national minorities, which have the right to participate in elections;

b) it ascertains the accomplishment of background and form conditions provided by this law for the candidatures;

c) it communicates to the county electoral bureaux, to the district electoral bureaux and to the electoral bureaux of the polling stations from abroad the admitted candidatures and make them public with the support of the radio and of the television;

d) it solves the petitions regarding the proper activity and the contestations concerning the activity of the county electoral bureaux, of the electoral bureaux of Bucharest districts and of the electoral bureaux of the polling stations from abroad; the

contestations are solved by decrees which are mandatory for the concerned electoral bureau, as well as for the authorities and for the public institutions which it refers to, under the sanctions stipulated by this law; if for solving a petition or a contestation there are necessary verifications of fact, these are carried out in the presence of a judge within the Central Electoral Bureau; moreover the verifications cannot be carried out on the reference day;

e) it ascertains, based on the communications received from the electoral bureaux which are hierarchically inferior, if there are political parties, political alliances, electoral alliances and organizations of citizens belonging to the national minorities who met the electoral threshold provided at art. 20 paragraph (1) and independent candidates who have met the electoral coefficient provided at art. 20 paragraph (2) and makes public, within 24 hours from ascertainment, the list of the political parties, the political alliances, electoral alliances and organizations of citizens belonging to the national minorities which have met the electoral threshold and the independent candidates who have met the electoral coefficient;

f) it receives from the county electoral bureaux, the electoral bureaux of districts and the polling stations electoral bureaux from abroad the minutes provided at art. 19⁸; it centralizes the validly expressed votes for each political party, political alliance, electoral alliance, organization of citizens belonging to the national minorities and the independent candidate who meets the condition stipulated at lett. e) and ensures the distribution and assignment of mandates;

g) it cancels the result of elections if he ascertains that the voting or the determining of the result of elections took place by frauds which may have changed the assignment of mandates and it stipulates the iteration of the scrutiny within the polling stations where the fraud was ascertained;

h) it may order a new counting of the votes within a polling station or the updating of the centralization of votes and of the result of the elections within a county, district or polling station from abroad, if it ascertains, based on the managed proofs, that there were committed errors or there were registered discrepancies between the data registered in the minutes;

i) it organizes and implements a system for collecting information and for regular informing of the public opinion regarding the presence at voting, based on a representative specimen at a national and county level;

j) it transmits to the Permanent Electoral Authority, after the publishing of the elections results in the Official Gazette of Romania, Part I, the materials necessary for drawing up the White Book of Elections.

(2) The Central Electoral Bureau accomplishes any other attributions provided by this law.

(3) The request for the cancellation of the elections for electoral fraud is carried out only by the political parties, the organizations of citizens belonging to the national minorities, the political or electoral alliances between them, which participated in elections, as well as by the independent candidates. The request is submitted to the Central Electoral Bureau within maximum 24 hours from the end of voting, under the sanction of the decadence. The request must be solidly motivated and it must be accompanied by the proof on which it is grounded. The lack of proofs implies the rejection of the request. The request can be admitted only if it had the role to modify the assignment of the mandates. The solving of the request of cancellation of the elections by the Central Electoral Bureau must be made within maximum 48 from the registration. Within maximum 10 days from the date of admission of request of cancellation it is organized a new scrutiny within the polling stations where it has been ascertained the electoral fraud. The county electoral bureau, the district electoral bureau of Bucharest municipality or polling stations electoral bureaux from abroad or the local public authorities or, according to the case, the Ministry of External Affairs shall ensure the good development of the new scrutiny. This shall take place only within the polling stations where the fraud was ascertained, based on the used electoral lists and with corresponding application of the provisions of this law. The electoral operations regarding the counting of votes and the ascertaining of the results is suspended up to the acquiring of the new results.

(4) After solving the requests of cancellation of the elections for fraud and the centralization of the result of the elections, the Central Electoral Bureau validates the elections and ensures the publishing of their result in the Official Gazette of Romania, Part I. Within 48 hours from the publishing of the results of the elections in the Official Gazette of Romania, Part I, the Central Electoral Bureau ceases its activity.

(5) Within the exercising of the attributions which shall be assumed by the Central Electoral Bureau according to this law, the latter shall enact decisions and decrees. The decisions of the Central Electoral Bureau shall be given for a unitary interpretation of this law and they are generally mandatory. The decisions of the Central Electoral Bureau shall be given for the unitary application of the provisions of this law, as well as within the resolution of the petitions and contestations which are of its competence. The decisions of the Central Electoral Bureau are mandatory for all the authorities, public institutions, electoral bureaux, as well as for all bodies with attributions within the electoral field. The decisions are notified by displaying and by any means of publicity, and the decisions are published in the Official Gazette of Romania, Part I.

Art. 14²

(1) The county electoral bureau or of the district of Bucharest municipality is constituted by 3 judges, a representative of the Permanent Electoral Authority designated by it by decision and by maximum 10 representatives of the political

parties, of the organizations of citizens belonging to the national minorities, political or electoral alliance between them which participate in elections.

(2) The designation of the judges is carried out in an open session, with 60 days before the reference day, by the president of the court, by ballot, between its judges in exercise, or in the case of a district electoral bureau of Bucharest municipality between the judges in exercise of the district court. The day of the session is notified publicly, by press, by the president of the court, with at least 24 hours before. The ballot is made according to the position, president and replacement, and it is countersigned within a minutes by the president of the court, which constitutes an act of investiture. The county electoral bureau or Bucharest district electoral bureau, that is constituted this way, accomplishes all the attributions which must be assumed by it according to this law, following to be completed within 24 hours with the representative of the Permanent Electoral Authority.

(3) With maximum 15 days before the reference day, the county electoral bureau or of the district of Bucharest Municipality is completed with a representative of each political party, of each organization of citizens belonging to the national minorities, the political or electoral alliances which has members within the European Parliament and participates in elections. Up to this date, the political parties, the organizations of citizens belonging to the national minorities, the political or electoral alliance between them which participate in elections and have members within the European Parliament, are liable to transmit the surname and first name of their representative to the county electoral bureau or that of the Bucharest municipality. The communications which are transmitted after this term are not taken into consideration.

(4) Within 5 days from the expiry of the term provided by paragraph (3) it shall be proceeded to the completion of the bureau with a representative of each political party, each organization of citizens belonging to the national minorities, the political or electoral alliances among them which participate in elections and which do not have members within the European Parliament by the bureau president, by ballot in presence of the bureau members and of the persons delegated by the political parties, the organizations of citizens belonging to the national minorities, the political and electoral alliances which communicated the representatives. Up to this date the political parties, the organizations of citizens belonging to the national minorities, the political or electoral alliances between them which participate in elections and do not have members within the European Parliament are liable to transmit to the county electoral bureau or of that of a district of Bucharest municipality the surname and first name of their representatives. The communications which are transmitted after this term shall not be taken into consideration.

Art. 14³

(1) The county or Bucharest district electoral bureaux have the following attributions:

a) follow and ensure the unitary applications and the observance of the provisions of this law by all the authorities, institutions and bodies with responsibilities in electoral field within the county or the district of Bucharest municipality; they ensure, together with prefects, the training of the presidents of the electoral bureaux and their replacements.

b) they solve the contestations regarding the proper activity and the contestation concerning the operations of the electoral bureaux of the polling stations; the contestations are solved by decrees which are mandatory for the concerned electoral bureau, as well as for the authorities and the public institutions to which it refers, under the sanctions provided by this law;

c) they supervise the early organization of the polling stations, they distribute, based on a minutes together with mayors, the voting papers, the control stamps, the stamps with the specification „VOTED” and the other materials necessary for the electoral process of the polling station electoral bureaux;

d) based on the table transmitted by the Permanent Electoral Authority, which comprises the community electors registered within the special electoral lists, they confirm, at the request of the polling stations electoral bureaux within their territorial range, that the community electors who go to voting according to 9² are registered within the special electoral lists;

e) the totaling of the votes which are expressed for each list of candidates and each independent candidate and they communicate the results of the Central Electoral Bureau with a view to determine the electoral threshold;

f) they centralize the results of the counting of votes for the county and the district of Bucharest municipality where they operate and forward to the Central Electoral Bureau the minutes provided by art. 19⁸, the minutes received from the polling stations electoral bureaux, as well as all the appeals and contestations;

g) they hand over based on a minutes, to the county courts, Bucharest Court respectively, the null and contested voting papers, the electoral lists used within the polling stations, as well as the other held materials and documents, which are not handed over to the Central Electoral Bureau.

(2) The county electoral bureaux and the electoral bureaux of the districts of Bucharest municipality accomplish every other attributions which must be assumed according to this law.

(3) The decisions of the county electoral bureau or of the district of Bucharest municipality are notified publicly by displaying or by any means of publicity.

(4) In case there are ascertained the discrepancies between the data comprised by the minutes received from the polling station electoral bureaux, the county electoral bureau or of the district of Bucharest municipality requires to the president of the

polling station electoral bureau to make the necessary corrections, which they should certify by signature and by the application of the polling station control stamp. Art. 14⁴

(1) The electoral bureau for the polling stations from abroad consists of 3 judges in exercise of Bucharest Court, a representative of the Permanent Electoral Authority designated by this and maximum 10 representatives of the political parties, the political alliances, the electoral alliances or the organizations of citizens belonging to the national minorities which participate in elections.

(2) The provisions of art. 14² paragraph (2)- (4) is applied accordingly.

(3) The electoral bureau of the polling stations from abroad has the following attributions:

a) it supervises the timely organization of the polling stations from above, it follows and it ensures the unitary application and the observance of the legal provisions regarding the elections by all the authorities, institutions and bodies with responsibilities in the electoral field for the organization of the scrutiny abroad, it ensures the training of the presidents of the polling station electoral bureaux and of their replacements;

b) it solves the appeals regarding the proper activity and the contestations concerning the operations of the electoral bureau of the polling stations from abroad; the contestations are solved by decrees which are mandatory for the concerned electoral bureau, as well as for the authorities and the public institutions which it refers to, under the sanctions provided by this law;

c) it distributes to the electoral bureaux of the polling stations from abroad, by the Ministry of External Affairs, based on a minutes, the voting papers, the control stamps, the stamps with the specification „VOTED”, as well as the other materials necessary for the electoral process;

d) with maximum 5 days before the reference day, it receives from the Permanent Electoral Authority the table comprising the Romanian citizens who exercise their right to vote at the elections for the European Parliament from another state member of the European Union, as well as the table comprising the community electors registered within the special electoral lists which it sends, with the support of the Ministry of External Affairs, of the electoral bureaux of the polling stations from abroad;

e) it totalizes the number of votes which are validly expressed for each list of candidates and of independent candidates, which it communicates to the Central Electoral Bureau with a view to determine the electoral threshold;

f) it centralizes the results of the elections from the polling stations from abroad and it forwards to the Central Electoral Bureau the minutes stipulated by art. 19⁸, the reports received from the polling stations electoral bureaux, as well as all the appeals and contestations.

(4) The electoral bureau of the polling stations from abroad accomplishes every other attributions which must be assumed by it according to law.

(5) The decisions are notified by displaying or by any other means of publicity.

(6) In case there are ascertained discrepancies between the data included within the reports which are received from the polling stations organized abroad, the electoral bureau of the polling stations from abroad requires to the president of the electoral bureau of the polling station to make the necessary corrections, which it should certify by signature and the application of the polling station control stamps. The provisions of art. 19⁷ paragraph (9) are applied correspondingly.

Art. 14⁵

(1) The electoral bureaux of the polling stations comprise a president, his/ her replacement, who are, commonly, magistrates or other jurists, as well as 7 representatives of the political parties, of the organizations of citizens belonging to the national minorities, the political or electoral alliances between them which participate in elections. The polling station electoral bureaux cannot operate with less than 5 members.

(2) The designation of the presidents of the polling station electoral bureaux and their replacements shall be done with maximum 10 days before the reference day, within an open session which is announced with 48 hours in advance, by ballot, between the magistrates and other jurists from the county or Bucharest municipality.

(3) The lists of magistrates who shall participate in the ballot are drawn up by the court president, and those of other jurists, by the prefect, together with the court president, with maximum 30 days before the reference day. The lists shall comprise a number of persons which is larger with 10% than the necessary one, those being a reserve made available to the court president, for replacement, in special cases, of the titulars.

(4) Within the lists provided at paragraph (3) shall registered only the jurists who do not have a political affiliation and who accomplish the conditions provided by art. 13¹ paragraph (2).

(5) In case the number of jurists is insufficient, the list shall be completed, at the prefect's proposal, with other persons with a good reputation within the locality, who are not part of any political party and any organization of citizens belonging to the national minorities who participate in elections and who are not relatives up to the fourth degree with any candidate.

(6) The list which is proposed by the prefect shall comprise a number of persons which is larger with 10% than the necessary, these being a reserve at the disposal of the court president. The list shall comprise: the surnames, the first names, the addresses, the telephones and the signatures of acceptance of the proposed persons. The list shall be accompanied by the affidavits of the proposed persons regarding the accomplishment of the conditions stipulated at paragraph. (4).

(7) The persons proposals within the list drawn up by the president of the court and those within the lists drawn up by the prefect must be approved by the Permanent

Electoral Authority, based on the evaluation of the activity developed at the previous elections, no matter their type, as presidents of the polling station electoral bureaux, where the case. The lists are transmitted for the approval by the Permanent Electoral Authority, by the prefects, in the format required by it. The Permanent Electoral Authority's approval is communicated to the prefects and presidents of the courts up to maximum 5 days before the designation of the presidents of the polling station electoral bureaux and of their replacements.

(8) The grouping within a list of the persons with a view to draw shall be done taking into consideration the necessity that these persons' accommodations should be situated near the headquarters of the polling station electoral bureau. The result of the ballot shall be registered within a minutes which is signed by the president of the county court. The minutes constitutes an act of investiture.

(9) Within maximum 48 from the ballot, the court president transmits to the county electoral bureau or, according to the case, to the district electoral bureaux the list of the persons who are designated as presidents of the polling station electoral bureaux and their replacements.

(10) In term of maximum two days since the expiry of the term stipulated by the paragraph (9), the political parties, the organizations of citizens belonging to the national minorities, the political or electoral alliances between them which participate in elections are liable to communicate to the county electoral bureau, the district electoral bureau respectively, in the case of Bucharest municipality, the list of their representatives within the polling station electoral bureaux, as a table which comprises the following: the number of the polling station, the surname, the first name, the personal identification number, the domicile or the residence and the contact modality, the telephone or fax number, the e-mail address respectively. A political party, an organization of citizens belonging to the national minorities, a political or electoral alliance between them which participates in elections can have maximum 3 representative within a polling station.

(11) The completion of the polling station electoral bureaux with the representatives of the political parties, the organizations of citizens belonging to the national minorities, the political or electoral alliances between them is carried out by the president of the electoral bureau of the district of Bucharest municipality, in the presence of the representatives of the political parties, the organizations of citizens belonging to the national minorities, the political or electoral alliances between them within the county electoral bureau or the electoral bureau of the concerned district, within 48 hours since the expiry of the term stipulated at paragraph (10). The completions operations of the polling station electoral bureaux can take place on both the days and they are registered within the reports which represent acts of investiture. The polling station electoral bureaux are considered set up on the day of their completion with the representatives of

the political parties, the organizations of citizens belonging to the national minorities, the political or electoral alliances between them.

(12) The order of completion of the polling station electoral bureaux is the following:

a) within a first stage, the polling station electoral bureaux are completed with a representative proposed by each political party, organization of citizens belonging to the national minorities, political or electoral alliance which participates in elections and has members in the European Parliament;

b) within a second stage the polling station electoral bureaux are completed with a representative proposed by each political party, organization of citizens belonging to the national minorities, political or electoral alliance which participates in elections and does not have members in the European Parliament; the designation of their representatives is carried out according to the order determined at the completion of the county electoral bureau or of the district of Bucharest municipality;

c) if, according to the order determined at the completion of the county electoral bureau, a political formation among those stipulated at lett. a) or b) has the right to a single representative within an electoral bureau, but for that electoral bureau it has not been proposed a representative, at the completion of the concerned electoral bureau it is taken into consideration the immediate political formation among those stipulated at lett. a) and b), which proposed a representative for that bureau.

(13) In case, pursuant to the execution of the operations provided at paragraph (12), there are polling station electoral bureaux which could not have been completed with the maximum number of members stipulated at paragraph (1), their completion is carried out as follows:

a) the order of completion is determined by ballot of all the political parties, organizations of citizens belonging to the national minorities, political or electoral alliances between them which participate in elections and which proposed representatives within the polling station electoral bureaux;

b) each electoral bureau which could not be completed with the maximum number of members, it shall be completed, in the order determined according to lett. a), with a person which represents the second option of the political formation for the concerned electoral bureau; if, according to the order stipulated at lett. a), a political formation is entitled to a representative within an electoral bureau, and for that bureau it does not have a second option, at the completion of the respective electoral bureau it is taken into consideration the immediate political formation that has a second option for that bureau;

c) in case there are polling station electoral bureaux which could not be completed with the maximum number of members, it is repeated the operation provided at lett. b) with the persons who represents the third option for the respective electoral bureaux.

(14) If, pursuant to the execution of the operations provided at paragraph (13), there are also polling stations electoral bureaux which do not have the minimum of 5 members, the president, the replacement and three members respectively, these following to be completed with the persons within the list proposed by the prefect, which is provided at paragraph (5) and (6).

(15) At the written request of the delegates of the political parties, organizations of citizens belonging to the national minorities, political or electoral alliances between them, who have designated representatives within the polling station electoral bureaux, the president of the electoral bureau or, according to the case, of the district electoral bureau makes available to them copies of the certificates of the reports of completion of the polling station electoral bureaux.

(16) Within two days from the expiry of term of completion of the polling station electoral bureaux, the president of the county electoral bureau or, according to the case, of the district electoral bureau communicates to the mayors, with the support of the prefects, the structure of the polling stations electoral bureaux situated within the territorial range of their localities.

Art. 14⁶

(1) The electoral bureau of the polling station from abroad consist of a president, designated by the chief of the diplomatic mission, usually within it, and a number between 2 and 6 members determined by the president of the electoral bureau for the polling stations from abroad, from a list drawn up by the Ministry of the External Affairs, in maximum 30 days before the reference day, at the proposal of the political parties, organizations of citizens belonging to the national minorities, political or electoral alliances between them which participate in elections and which have members within the European Parliament. In case the number of persons proposed by them is insufficient, the list is completed by the Ministry of External Affairs with other persons with a good reputation and without a political affiliation. The list is transmitted for the approval of the Permanent Electoral Authority by the Ministry of External Affairs, in the format which is required by it. The approval of the Permanent Electoral Authority is notified to the Ministry of External Affairs within maximum 5 days before the designation of the presidents of the polling station electoral bureaux and their replacements.

(2) All the expenses regarding the transport, the accommodation and the other current expenses of the members within the electoral bureaux of the polling station from abroad are on the account of those who designate them.

Art. 14⁷

(1) The polling station electoral bureaux have the following attributions: a) they receive from the mayors, based on a minutes, with two days before the reference day, two copies of the permanent electoral lists and two copies of the special

electoral lists, which comprise the electors within the polling station; a copy of each type of list is made available to the electors to refer to it and a copy is used within the reference day;

b) they receive, based on a minutes, from the mayors the voting papers, the control stamp and the stamps with the specification „VOTED”, the forms for drawing up the reports, other forms and materials which are necessary for the development of the electoral process, as well as a cancelled voting paper, according to the case, by the president of the county electoral bureau, of the district of Bucharest municipality or of the electoral bureau of the polling stations from abroad, which they shall display at the headquarters of the electoral bureau in a noticeable place, the day before the elections; the electoral bureaux of the polling stations from abroad receive these materials with the support of the Ministry of External Affairs;

c) they lead the voting operations, they take all the order measures in the location of the polling station and around it;

d) they count the votes and register the results of the voting;

e) they solve the appeals regarding the proper activity;

f) they deliver to the county electoral bureaux or, according to the case, to the district electoral bureau the reports which comprise the voting results, the null and the contested voting papers, together with the appeals, the contestations and the materials that these refer to, as well as the electoral lists which are used within the polling station, filed according to the types of lists; the electoral bureaux of the polling stations from abroad deliver these materials, with the support of the Ministry of External Affairs, the electoral bureau of the polling stations from abroad or, in case this ceased its activity, the Court of Bucharest;

g) they deliver based on a minutes, to the representative of the court within whose territorial range it has its headquarters and which is situated at the headquarters of the county electoral bureau or, according to the case, at the headquarters of the district electoral bureau the voting paper which were used and were not contested, as well as those which were cancelled, the stamps and the other materials used during the development of the voting; the electoral bureaux of the polling stations from abroad forwards these materials to the diplomatic representatives, which, within 3 months from the publishing of the result of the elections in the Official Gazette of Romania, Part I, deliver them with a view to be melted by the specialized economical operators;

h) they furnish, on the reference day, the data regarding the presence of the population at vote, according to a schedule determined by the Central Electoral Bureau;

(2) The electoral bureaux of the polling stations accomplish every other attribution which must be assumed by it according to the law.

(3) After delivery, the materials stipulated within art. 14⁷ paragraph (1). lett. a) and b) shall be sealed by the presidents of the electoral bureaux of the polling stations and

stored until their transport to the polling places, under guard, in a single space made available by the mayor of the administrative-territorial unit where they operate. In the case of the polling stations from abroad, after receipt, the materials stipulated at lett. b) shall be sealed by the presidents of the electoral bureaux of the polling stations they shall be kept until their transport to the polling places in a single space made available by the head of the diplomatic representation in the respective state. Art. 14⁸

(1) The political parties, the organizations of citizens belonging to the national minorities, the political or electoral alliances between them, as well as the independent candidates can contest the manner of formation and the structure of the electoral bureaux, within maximum 48 hours since the expiry of the setting up term, according to the case, of completion of these bureaux.

(2) The appeals shall be submitted to the electoral bureau hierarchically superior or, if the appeal is related to the Central Electoral Bureau, the High Court of Cassation and Justice and it shall be settled by them no later than two days from the registration. The decision or, according to the case, the settled decision is final.

Art. 14⁹

The county electoral bureaux, the district electoral bureaux, the electoral bureau for the polling stations from abroad and the electoral bureaux of the polling stations cease activity after the delivery to the bureaux which are hierarchically superior of the electoral minutes of registration and of centralization of the voting results, which they drawn up, under the condition of the confirmation of the lack of any errors or inconsistencies within them.

Art. 15

(1) The polling stations are organized as follows:

a) within the localities with a population of over 1,000 inhabitants, a polling station for 1,000- 2,000 inhabitants;

b) in the localities with a population under 1,000 inhabitants, a single polling stations ;

c) there can be organized polling stations also in the villages, the groups of villages or the neighborhoods with a population of over 1,000 inhabitants, situated at a distance which is larger than 3 km in report with the headquarters of the closest polling stations within the residence of the commune, city or municipality.

(2) The delimiting of the polling stations shall be determined by the mayors of the communes, cities, municipalities or of the territorial-administrative subdivisions of municipalities, with the support of the territorial structures of the National Center for Administration of databases on the evidence of persons, no later than 15 days from the public notification of the reference day.

(3) The numbering of the polling stations on the territorial range of a county and the municipality of Bucharest is determined by the prefect, not later than 5 days

olling stations, starting with the locality which is county
h those of the municipalities, cities and communes, in
the municipalities with administrative-territorial sub-
pliance with the order of these subdivisions, provided

om the deadline referred to in paragraph (3), the prefects
t Electoral Authority the delimitation and the numbering
er relevant data regarding the building where voting takes
by it. Any change on the delimitation and the numbering
well as the places of voting shall be communicated to the
y within 48 hours.

ays before the reference day, the prefects notify publicly
ering of each polling station, by the publications where
ce of development of the voting.

cretaries of the communes, cities, municipalities and of
sub-divisions, and as well as the National Centre of
ases regarding the population register shall ensure the
support necessary for the prefects' accomplishment of
paragraph (3)- (5).

missions and the consular bureaux of Romania there are
stations for the electors who are abroad on the reference

ions provided by paragraph (7), can be organized, with
nt from the respective country, polling stations and in
e where the diplomatic missions or the consular offi ces

e polling stations from abroad is determined by the
s, by order. Within the term stipulated at paragraph (5),
ffairs notifi es publicly the numbering of each polling
s the places of the development of the voting.

he polling stations provided at paragraph (7) and (8)

y the care of the Ministry of External Affairs. For this
c Finances allocates the necessary funds.

n shall start with 30 days before the reference day and it
of Saturday which precedes the reference day, at 7.00

ampaign the candidates, the political parties, the political
anizations of citizens belonging to the national minorities

shall participate in elections, as well as the citizens have the right to freely express
their opinions without any discrimination, by meetings, gatherings, marches and as
well as by the mass-media. The organization of the meetings, gatherings and marches
can be made only with the authorizations stipulated by the legislation in force.

(3) The means used in the electoral campaign cannot contradict the order of right.

(4) Within the military units, the educational units, during the educational program,
in the headquarters of the diplomatic representations, as well as in the penitentiaries,
there are not allowed the actions of electoral campaign of any type.

(5) During the electoral campaign the mayors ensure to the candidates, without any
discriminations, corresponding spaces in order to meet with the electors.

Art. 17

(1) The electoral campaign, by public and private services of audio- visual programs,
must be useful for the following general interests:

a) the poll – to receive the correct information, so that they could exercise the right
to vote wittingly;

b) of the political parties, the political alliances, electoral alliances, the organizations
of citizens belonging to the national minorities which participate in elections and the
independent candidates – to make themselves known and to present their platforms,
political programs and electoral offers;

c) of the broadcasters – to exercise their rights and responsibilities which arise from
the profession of journalist.

(2) The public and private broadcasters are liable to ensure, within the services
of the audio-visual programs, the development of a reasonable, balanced and correct
electoral campaign for all the political parties, the political alliances, the electoral
alliances, the organizations of citizens belonging to the national minorities which
participate the elections, as well as for the independent candidates.

Art. 17¹

(1) During the electoral period, in the case of presenting surveys with electoral
content, these must be accompanied by the following information:

a) the denomination of the institution which carried out the survey;

b) the day or the interval of time when it was carried out the survey and the used
methodology;

c) the size of the sampling and the maximum margin of error;

d) who requested and who paid the execution of the survey.

(2) The televoting or the surveys made on the street within the poll must not be
presented as representative for the public opinion or for a certain social or ethnic
group.

(3) With 48 hours before the reference day it is forbidden the presentation of opinion
survey, the televoting or the surveys made on the street.

(4) The institutes for testing the public opinion or the companies or the non-governmental organizations which have as object of activity the execution of surveys and that are approved by the Central Electoral Bureau, by a decision in this sense, can carry out opinion surveys at the exit from the ballot boxes. Their survey operators have access to the protection area of the polling station, based on the authority given to the institution they work for, provided by art. 19³ paragraph (6), without having access to the interior of the location of the polling station.

(5) On the voting day, it is forbidden the presentation of the surveys carried out at the exit from the ballot boxes, before the voting is over.

Art. 18

(1) The political parties, the political alliances, the electoral alliances, the organizations of the citizens belonging to the national minorities which participate in elections, as well as the independent candidates are liable to ask to the management of the public services of radio and television the granting of antenna times up to the final stay of the candidatures. The requests that overcome this term are not taken into consideration.

(2) The access of the political parties, the political alliances, the electoral alliances and the organizations of citizens belonging to national minorities which participate in elections, and of the independent candidates to public radio and television is free. The private radio stations and television stations will practice the same charge per show and per unit of time for all the political parties, the political alliances, the electoral alliances, the organizations of citizens belonging to national minorities which participate the elections, and the offered air time should be proportional to that of the public stations. The non-observance of the provisions of this paragraph by private radio stations and television stations draw their enforcement. The penalties are determined by decisions of the National Audiovisual Council.

(3) The introduction of electoral advertising spots on other programs than the electoral program is forbidden.

(4) Within 48 hours from the final candidatures' remaining, the Romanian Society of Radio Broadcasting and the Romanian Society of Television determine, based on the communication conducted by the Central Electoral Bureau the timetable for the electoral campaign and the allocation of air time for access of political parties, the organizations of citizens belonging to national minorities, of the political alliances, electoral alliances and of the independent candidates to the public radio and television services, taking into consideration the following rate of allocated air time:

a) 4 / 5 of the air time are distributed equally to political parties, to the organizations of citizens belonging to national minorities which have members in the European Parliament and which take part in elections, and as well as the political or electoral alliances between them.

b) 1 / 5 of the air time are divided equally to the political parties, political alliances, electoral alliances, organizations of citizens belonging to national minorities which do not have members within the European Parliament which participate in elections and to the independent candidates.

Art. 18¹

Within 30 days after the establishment of the reference day, the National Audiovisual Council shall determine, by decision, the rules of conduct by means of the audiovisual programs of the electoral campaign for electing members from Romania within the European Parliament.

Art. 18²

(1) The mayors are liable that after the expiry of the term for submitting the requests, but until the start of the campaign, they should determine, by provision, special places for the electoral display, where they should set up elections boards, taking into account the number of political parties, citizens' organizations belonging to the national minorities, political or electoral alliance between them participating in elections, and the independent candidates. At the same time, the mayor's provision shall be notified publicly by display at the headquarters of the town hall.

(2) The special places for the display must be set in public places frequented by citizens, so that the participants in elections should be able to use them without affecting the free circulation on public roads and the other activities within the concerned localities. In advance, mayors are liable to ensure the removal of any materials of electoral propaganda which remained from the previous election campaigns.

(3) Using the special places for electoral display is allowed only for the political parties, organizations of citizens belonging to the national minorities, to the political or electoral alliances between them participating in elections, and for the independent candidates.

(4) The use by the political party, political alliance, electoral alliance, the organization of citizens belonging to national minorities which participate in elections or by the independent candidate of the special sites for the display is forbidden so that it prevents their use by another / a different political party, political alliances, electoral alliances, organization of citizens belonging to the national minorities which participate in elections or by another independent candidate.

(5) The electoral display is allowed in other places than those determined according to paragraph (2) only with the written agreement of the owners or, according to the case, of the holders, and only by taking the measures which are imposed by the legislation in force for ensuring the citizens' safety.

(6) On each electoral panel each political party, political alliance, electoral alliance, organization of citizens belonging to the national minorities which participate in elections under this law or independent candidate may apply a single election poster.

An election poster located at the places specified in paragraph (1) may not exceed the dimensions of 500 mm one side and 300 mm the other side, and the one which implies the assembly of an electoral reunion, 400 mm one side and 250 mm the other side.

(7) The election posters combining colors in a sequence to reproduce the flag of Romania or of another state are forbidden.

(8) It is prohibited the display for election by the application on walls or pillars for the support of bridges, tunnels, viaducts, on road signs, on panels of orientation and road informing, and on electronic systems which regulate the circulation.

(9) The canvass may not affect in any way the grass plots, the natural reservations and environmentally protected areas.

(10) The use of minors under the age of 16 years for the distribution or placement of electoral propaganda materials shall be prohibited.

(11) After the conclusion of the elections campaign it is prohibited the broadcast of electoral messages in audio, video or mixed format on digital screens located in public or private places, and through vehicles especially arranged.

(12) The mayor, with the support of the public order bodies, is liable to ensure the integrity of panels, electoral posters and other canvass materials placed in authorized places.

(13) The local councils may approve the installation on the public domain by candidates, political parties, political alliances and electoral alliances of provisional arrangements for the purpose of distribution of electoral propaganda materials, if their location does not establish traffic or pedestrian restrictions.

(14) The electoral campaign may be held in another state than Romania with the observance of the legislation in force of that State.

Art. 18³

(1) The county electoral bureaux, the electoral bureaux of Bucharest districts and the electoral bureau of polling stations from abroad tends to ensure the proper conduct of the election campaign, solving, by decisions, the claims that are addressed to them with regard to the preventing of a political party, a political alliance or an electoral alliance or of an organization of citizens belonging to the national minorities which participate in elections or an independent candidate to develop its electoral campaign under the conditions stipulated by the law.

(2) If the county electoral bureaux, the district electoral bureaux and the electoral bureau for the polling from abroad consider, on solving the claim, that there is necessary to take administrative measures or to apply criminal or contraventional sanctions, they should inform the competent authorities.

(3) Against the decisions of the county electoral bureaux, the district electoral bureaux and the electoral bureau for the polling stations from abroad can be made contestations to the Central Electoral Bureau, within maximum 48 hours from their display. The decisions given with regard to the contestations are final.

(4) The solving of appeals and contestations can be made within 3 days from their registration.

(5) The contestations which are drawn up within the legal term against the decisions adopted by the county electoral bureaux, the district electoral bureaux and the electoral bureau for the polling stations from abroad suspend their execution.

(6) The decisions adopted by the county electoral bureaux, the district electoral bureaux and the electoral bureau for the polling stations from abroad become enforceable from the days when their contestations terms expire.

Art. 19

(1) The model, the sizes and the conditions for drawing up the voting papers are determined by the decision of the Government, within 5 days from the determining of the reference day, at the proposal of the Permanent Electoral Authority and of the Ministry of Administration and Interior.

(2) The voting papers shall be printed with letters of the same size and the same characters and with the same ink in so many copies as the electors are registered within the permanent and special electoral lists, with a supplement of 10%. The printing of the voting papers shall be ensured by the Ministry of Administration and Interior, which responds that all the voting papers should be printed with at least 10 days before the reference day. The voting papers are stapled.

(3) With at least 15 days before the reference day, the copy of the voting paper is presented by the Ministry of Administration and Interior to the members of the Central Electoral Bureau. At the presentation of the copy of the voting paper there are invited delegates of the political parties, the political alliances, the electoral alliances and the organization of citizens belonging to the national minorities which participate in elections and do not have representatives within the Central Electoral Bureau, as well as the independent candidates. The operation of the presentation of the voting paper is registered within a minutes which is signed by all the present persons. The eventual objections are drawn up on the spot, the subsequent objections shall not be taken into consideration. The members of the Central Electoral Bureau and the delegates who are empowered have the right to require to the Ministry of Administration and Interior the amendment of the copy and the correct printing of the voting papers, if the candidates' name, the electoral sign, the denomination of the political parties, the political alliances, the electoral alliances or of the organizations of citizens belonging to the national minorities are incorrectly printed or they are not visible.

(4) At the written request of the political parties, the political alliances, the electoral alliances or of the organizations of citizens belonging to the national minorities which participate in elections, of the independent, the Central Electoral Bureau issues, for each, a voting paper, which is approved and cancelled by its president.

ART. 19¹

(1) The electoral signs are determined and communicated to the Central Electoral Bureau by each party, political parties, the political alliances, the electoral alliances or of the organizations of citizens belonging of the national minorities which participate in elections, as well as the independent candidates, with at least 60 days before the reference day. The electoral signs cannot be contrary to the rightful order.

(2) The electoral signs communicated to the Central Electoral Bureau must be clearly distinguished between them, being prohibited the use of the same graphical symbols, no matter the geometrical figure which enframes them, The political parties and alliances can use as electoral sign the permanent sign with which they were registered at Bucharest Court.

(3) The electoral signs cannot reproduce or combine the national symbols of the Romanian state, of other states, of the European Union, of the international bodies or of the religious cults. The exception is represented by the political parties which are members of some international political organizations, as these could use the sign of the respective organization as implicit or in a specific combination.

(4) The electoral sign used by a political party, political alliance, electoral alliance, organization of citizens belonging to a national minority, which are legally registered starting with the year 1990, it belongs rightfully to the first, and it cannot be acquired or used by a political party, a political alliance, an electoral alliance, an organization of citizens belonging to a national minority which is subsequently registered, or by an independent candidate without the consent of those to whom it belonged, that is the parties which constituted the political alliance or the initial electoral alliance.

(5) In case the same electoral sign is required by several political parties, the political alliances, electoral alliances, organization of citizens belonging to the national minorities which participate in elections or independent candidates, the assignment shall be done for the benefit of the political party, political alliance, the electoral alliance, the organization of citizens belonging to the national minorities or the independent candidate which was registered firstly, the respective sign.

(6) Within 24 hours from the expiry of the term provided by the paragraph (1), the Central Electoral Bureau admits, by decision, the electoral signs which accomplish the conditions stipulated by paragraph (1)- (5) and rejects, by decision, the electoral signs which do not accomplish these conditions.

(7) The contestations regarding the admission and the rejection of the electoral signs are submitted in writing, at Bucharest Court, within maximum 24 hours from the expiry of the term stipulated at paragraph (6), and it solved by the latter within maximum two days from the registration of the contestation. The decision is final and irrevocable and it is communicated to the objectors and to the Central Electoral Bureau, within maximum 24 hours.

(8) The Central Electoral Bureau ensures the public notification of the electoral signs admitted the second day after the expiry of the term stipulated by paragraph (6) or, according to the case, of the term stipulated at paragraph (7), by the publishing on the proper website and within the Official Gazette of Romania, Part I.

(9) The political alliance or the electoral alliance which participated in the previous elections under a denomination can keep it even if it has not changed its initial structure or if none of the political parties which left the alliance does not state that it does not agree that the respective denomination should be kept by the respective alliance in the new form. Moreover, the respective denomination cannot be used by another alliance or by an electoral alliance.

(10) The political parties, organizations of citizens belonging of the national minorities, the political alliances, the electoral alliances or the electoral candidates can participate in elections without an electoral sign.

Art. 19²

(1) The manufacture of the stamps of the county electoral bureaux, of the electoral bureaux of Bucharest districts and of the electoral bureaux of the polling stations is carried out by the care of the prefects. The manufacture of the stamps for the polling station electoral bureaux from abroad is carried out by the care of the Ministry of External Affairs.

(2) The stamp of the Central Electoral Bureau and the stamps with the specification „VOTED” are manufactured by the Ministry of Administration and of Interior.

(3) The voting papers, the control stamps and the stamps with the specification „VOTED”, the forms for drawing up the reports, the copies of the electoral lists, the forms of the additional electoral lists and the other materials necessary for the development of the electoral process are taken over by the prefect, together with the president of the county or district electoral bureau, based on a minutes, and they are kept in special rooms, which are locked and sealed. These materials are distributed, by the mayors, the presidents of the polling stations electoral bureaux, based on a minutes, no later than two days before the elections. For the polling stations from abroad, the taking over and the delivery of these materials are carried out, based on a minutes, by the president of the electoral bureau for the polling stations from abroad, with the support of the Ministry of External Affairs.

(4) The delivery and the distribution of the voting papers shall be done in sealed packages of 100 pieces or a multiple of 100 pieces, based on a minutes.

(5) The day before the elections, at the headquarters of each polling stations it is displayed a voting paper, certified and cancelled, according to the case, by the president of the county electoral bureau, of the district of Bucharest municipality or of the electoral bureau for the polling stations from abroad.

Art. 19³

(1) Each location of polling station must have a sufficient number of ballot boxes, booths, the stamps with the specification of „VOTED”, proportional with the number of the electors who are registered within the copies of the permanent and special electoral lists and with the estimated number of electors who shall be registered within the additional electoral lists, as well as a special ballot box.

(2) The booths and the ballot boxes must be placed within the same room as the electoral bureau of the polling station. The booths and the ballot boxes are ensured by the mayors of the communes, cities, municipalities and the administrative- territorial subdivisions of the municipalities, together with the prefects.

(3) The president of the electoral bureau of the polling station together with its members must be present at the headquarters of the polling station, in the eve of the reference day, at 18.00 o'clock, being liable to provide the measures necessary for ensuring the order and the accurateness of the voting operations. The president of the electoral bureau of the polling station shall order the removal of the canvass materials of any type from and upon any polling station.

(4) The president shall order the settlement of guarding posts around the location for voting.

(5) On the reference day, the activity of the polling station electoral bureau starts at 6.00 o'clock. The president of the polling station, in the presence of the other members and, according to the case, of the observers, verifies the ballot boxes, the electoral lists, the voting papers and the stamps, specifying within the minutes stipulated at art. 19⁷ the number of persons which are registered within the copies of the permanent electoral lists, the copies of the special electoral lists, as well as the number of the stamp with the specification „VOTED”. As the sealed packages are opened, the president ensures the application of the control stamp on the last page of each voting paper among them. After the conclusion of these operations, the president closes and stamps the ballot boxes by applying the control stamp.

(6) The president of the polling station electoral bureau is liable to take the measure necessary for the elections to take place under good conditions. His duties, in this sense, extend even outside the location for voting, in its yard, in the entries in the yard, around the voting location, as well as on the streets and within the public markets up to a distance of 500 m.

(7) The measures stipulated by the president of the polling station electoral bureau shall be notified publicly by the display within a noticeable place.

(8) The administrative measure ordered by the electoral bureaux regarding the electoral display are brought to completion by the mayor of the administrative-territorial unit, as soon as they are notified.

(9) For the maintenance of the order, the president of the polling station electoral bureau has available the necessary means of order, ensured by the mayor and by the

prefect, together with the representatives of the Ministry of Administration and of Interior.

(10) Beside the members of the polling station electoral bureau, of the candidates and of the observers, no other person can lay within public places within the voting area or in the voting location more than the time necessary for the election.

(11) During the voting it is prohibited to the members of the electoral bureau, to the persons in charge with the maintenance of the order and to the accredited persons to wear name plates, badges or other canvass signs.

(12) On the voting day, within 7.00- 21.00 o'clock there are not allowed the commercialization and the consumption of spirits within the protection space of the polling station stipulated at paragraph (6).

(13) For the polling station from abroad, there are applied the orders of this article, according to the case, by taking into consideration the specific conditions regarding their organization.

Art. 19⁴

(1) The voting starts at 7.00 o'clock and ends at 21.00 o'clock. At the headquarters of the polling stations it is displayed in a visible place the hour when the voting starts and ends.

(2) The electors can vote at the polling station where they are registered within the copy of the permanent list or within the copy of the special electoral list or at any other polling station, under the conditions stipulated by art. 9².

(3) The electors' access to the chamber of voting takes place in series corresponding to the number of booths. The resident elector and the community elector present their identity act, the identification document respectively to the polling station electoral bureau. The president of the polling station electoral bureau or the member designated by him/her verifies if the elector is registered within the copy of the permanent electoral list or of the special electoral list, and after that the elector signs on the list on the position intended for him. Based on the signature on the copy from the permanent electoral list of or from the special electoral list, the president or the member of the electoral bureau of the polling station which is designated by it gives the elector the voting paper and the stamp with the specification of „VOTED” which he/she shall apply on the voting paper. If the voter, for well grounded reasons, which are ascertained by the president of the polling station electoral bureau, cannot sign on the electoral list, the president shall make a specification within the list, which is certified by his/her signature and of another member of the electoral bureau.

(4) If the elector is not registered within the copy of the permanent electoral list or on the special electoral list, the president of the polling station electoral bureau or the member designated by him/her verifies if the provisions of art. 9² are accomplished and stops the elector from voting, if these provisions are not observed.

(5) The Romanian citizens who are abroad on the reference day vote for the elections of the members from Romania within the European Parliament only if they do not find themselves within the table drawn up by the Permanent Electoral Authority, which comprises the Romanian citizens who exercise the voting right at the elections for the European Parliament from another state member of the European Union.

(6) The community electors who want to vote on the reference day at another polling station than that where they are registered within the copy of the electoral list shall vote only if the county electoral bureau or the district electoral bureau confirm that, at the telephone request of the president of the polling station electoral bureau, they have been registered within the special electoral lists. The community electors who are abroad on the reference day shall vote for the elections of the members from Romania within the European Parliament only if they find themselves on the table drawn up by the Permanent Electoral Authority, which comprises the community electors who are registered within the special electoral lists.

(7) The electors shall vote separately within the closed booths, applying the stamp with the specification „VOTED” inside the quadrilateral which comprises the list of candidates or the surname and the first name of the independent candidate who they vote for. The stamp with the specification „VOTED” must be measured so it is smaller than the quadrilateral.

(8) The presence of any person in the polling booth, other than the one who votes, is forbidden. The elector, who, for well grounded reasons which are ascertained by the president of the polling station electoral bureau, cannot vote by himself/herself, has the right to be accompanied within the polling booth by a person chosen by him/her to help him/her. This person must not be one of the observers or one of the members of the members of the polling station electoral bureau.

(9) After they voted, the electors may fold the voting papers, so that the unprinted page which bears the control stamp should remain in the exterior, and they shall introduce them into the ballot box, taking care that it does not open. The wrong folding of the voting paper does not imply its invalidity.

(10) At the elector's request, if he applied the stamp with the specification „VOTED” faultily, but he has not yet introduced the voting paper within the ballot box, the president of the polling station electoral bureau can issue for him, only a single time, a new voting paper, holding and canceling the initial voting paper and specifying correspondingly within the minutes stipulated at art. 19[^]7.

(11) The stamp which given for voting shall be returned to the president or to those members of the polling station electoral bureau who are designated by him, and after that the president or that member shall apply on the identity act or, according to the case, on the elector's identity document the stamp with the specification „VOTED” and the date of the scrutiny or, according to the case, and a self- adhesive stamp with the specification „VOTED” and the date of the scrutiny.

(12) The president can take measures so that the elector's staying into the polling booth should not prolong unaccountably.

(13) The candidates and every elector shall have the right to contest the identity of the person who goes to voting. In this case, the identity is determined by the president of the polling station electoral bureau by every legal means.

(14) In case the contestation is just, the president of the polling station electoral bureau shall prevent the contested elector from voting and shall specify this fact within a minutes and he shall notify this situation to the competent authorities.

(15) The president of the polling station electoral bureau can suspend the voting for solid reasons. The total duration of the suspension cannot overcome an hour. The suspension is announced by display on the door of the headquarters of the polling station immediately after the occurrence of the event which caused the suspension.

(16) During the suspension, the ballot boxes, the stamps, the voting papers and the other documents of the polling station electoral bureau shall remain under permanent guard. During the suspension it is not allowed that half of the number of members of the polling station electoral bureau should leave the voting room at the same time. The candidates and the observers who assist to voting cannot be obliged to leave the voting room at the same time.

(17) The president of the polling station electoral bureau or, in his absence, the replacement is obliged to receive and register any written notification regarding any faults produced during the voting process, which is forwarded by the members of the polling station electoral bureau, the candidates, the observers or the elector who are present within the polling station in order to exercise their right to vote. In case it is forwarded a notification in duplicate to the president of the polling station electoral bureau, or his replacement respectively, they shall specify on the copy that remains at the person who forwards the notification that they acknowledged the respective notification and the number of its registration.

ART. 19⁵

(1) The electors who are untransportable for reasons of disease or invalidity, the president of the polling station electoral bureau can approve, at their written request, which is submitted no later than the day before the elections, accompanied by the copies of some medical documents or other official documents which certify that the respective persons are untransportable, that a team comprising at least 2 members of the electoral bureau shall carry a special ballot box and the material necessary for voting – stamp with the specification „VOTED” and the voting papers – where the elector is situated, so that the voting could take place. Within the range of a single polling station there can be used a single special ballot box. The special ballot box can be transported only by the members of the polling station electoral bureau. The special ballot box can be carried only within the territorial range allocated to the respective polling station.

(2) In the cases stipulated at paragraph (1) the voting is made based on an extract from the additional electoral list. The persons registered within the extract from the additional electoral list must be radiated from the other lists existent at the polling station.

(3) The provisions art (1) and art. (2) are applied correspondingly to the arrested persons, held based on a warrant for imprisonment before trial or to the persons who are under the execution of a freedom privative punishment, but who have not lost their electoral rights

ART. 19⁶

(1) At 21.00 o'clock the president of the polling station electoral bureau states the conclusion of the elections and orders the closing of the room where the voting takes place.

(2) The electors who are inside the room where the voting takes place at 21.00 o'clock can exercise their right to vote.

ART. 19⁷

(1) After the closing of the room where the voting takes place, the president, in the presence of the members of the electoral bureau, carries out the operation of counting the voting papers and the registration of the result of the voting, as follows:

a) he verifies the state of the stamps on ballot boxes, he stamps the slot of the ballot boxes, introduces the stamp with the specification „VOTED” within an envelope which is sealed by applying the polling station control stamp. The disappearance of one or more stamps is registered within the minutes which shall accompany the delivery of the materials received from the court within whose territorial range the headquarters is situated;

b) he cancels the unused voting papers, by writing on the diagonal of the first page the specification „CANCELLED” and the application of the polling station control stamp; in case there are packages with intact voting papers, the specification „CANCELLED” is applied only one time on the respective package; the number of these voting papers is written on the column d) of the minutes provided at paragraph (3);

c) he determines the number of electors who are registered within the copy of the permanent electoral list, within the special electoral list respectively which were received from the mayor of the administrative- territorial unit within whose range the polling station has its headquarters; it is prohibited, under the legal sanction, the existence on these lists of any deletions, modifications or completions, with the exceptions stipulated at art. 9 paragraph (17) and (18), art 9¹ paragraph (14) and (15) and art. 19⁵ paragraph (2). The result of the counting shall be registered at point a1, point a2 respectively, within the template of the minutes stipulated at paragraph (3);

d) he determines the number of electors present at the ballot boxes, by counting the signatures registered on the electoral lists existent within the polling station. The results shall be registered within the minutes at point b1, b2, point b3 respectively, from the model stipulated at paragraph (3);

e) he unseals the ballot boxes, one by one, and counts the votes found within it;

f) there are null the voting papers on which it is applied the polling station control stamp, the voting papers of another model than the approved one, the voting papers on which it was not applied the stamp of „VOTED” or on which the stamp was applied on several quadrilater; the vote was valid in case, although the applied stamp has overcome the limits of the quadrilater, the option of the elector is evident; the null voting papers do not enter within the calculus of the validly expressed votes.

(2) At the opening of each voting vote, the president reads aloud the list of the candidates which was voted or, according to the case, the surname and the first name of the voted independent candidate, and shows the voting paper to the present persons. The opened voting papers are grouped according to the political parties, the political alliances, the electoral alliances and as well as according to the organizations of citizens belonging to the national minorities and the independent candidates, they are counted and folded separately. The null votes, the lists of candidates or the first name and the surname of the independent candidates and the validly expressed votes for each are registered within a separate table by a member of the polling station electoral bureau, who is designated by the president.

(3) After the opening of the ballot boxes and the counting of the votes, the president of the polling station electoral bureau shall conclude minutes, in 3 copies, which shall comprise:

a) the total number of the electors who are registered within the copy of the permanent electoral list and within the copy of the special electoral list (point a= point a1 + point a2), among:

a1) the total number of voters registered within the copy of the permanent electoral list (point a1>= point b1);

a2) the total number of voters registered within the copy of the special electoral list (point a2>= point b2);

b) the total number of voters registered within the electoral lists existent within the polling station, who were present at the ballot boxes (point b= point b1+point b2+point b3), among:

b1) the total number of the voters registered within the copy of the permanent electoral list, which were present at the ballot boxes;

b2) the total number of the electors who are registered within the copy of the special electoral list, who were present at the ballot boxes;

b3) the total number of the electors registered within the additional electoral list, which came to the ballot boxes;

- c) the number of received voting papers (point c \geq point d+ point e+ point f);
- d) the number of unused and cancelled voting papers;
- e) the number of votes validly expressed (point e \leq point b- point f, point e= the sum of the votes validly expressed at point g);
- f) the number of null votes;
- g) the number of votes validly expressed acquired by every list of candidates or by every independent candidate;
- h) the brief exposure of the appeals, as well as the contestations forwarded to the county electoral bureau, of the district of Bucharest municipality or of the electoral bureau of the polling station from abroad;
- i) the state of the stamps on the ballot boxes at the closing of the voting.

(4) At point h) within the minutes there shall also be mentioned the situations when:

- a) the number of the voting papers found in ballot box is different from the number of the electors who voted, resulted pursuant to the counting of the signatures on the permanent, additional and special electoral lists;
- b) the number of the voting papers found in the ballot box add up with the number of the unused and cancelled voting papers differs from the total number of received voting papers.

(5) The minutes is signed by the president of the polling station of the electoral bureau and by the other members and it shall bear the electoral bureau control stamp. The lack of the signature of the members from the polling station bureau shall influence the validity of the minutes. The president shall specify the reasons which restrain the signing.

(6) A copy of the minutes shall be displayed at a visible place, at the headquarters of the polling station electoral bureau.

(7) For the members of the electoral bureau it shall be issued, at request, a copy of the minutes, certified by all the persons who signed the original copy.

(8) Two copies of the minutes provided at paragraph (3), accompanied by all the appeals and contestations regarding the electoral operations of the polling station electoral bureau, the null and the contested voting papers, as well as the used electoral lists constitute a sealed and stamped dossier. Within maximum 24 hours from the closure of the voting, the dossier is forwarded to the county electoral bureau or, according to the case, to the district electoral bureau in Bucharest, by the president of the polling station electoral bureau, with armed guards, accompanied, at request, by other members of the respective electoral bureau.

(9) The reports drawn up by the electoral bureaux of the polling stations from abroad, accompanied by the appeals and the contestations regarding the electoral operations of the polling station electoral bureau are transmitted by electronic means

at the electoral bureau of the polling stations from abroad, by the care of the legations and the consulates, in maximum 24 hours from their receipt.

The accuracy of the data within these reports is confirmed by telephone by the president or the replacement of the electoral bureau of the polling stations from abroad, which countersigns and applies the stamp on the received documents. The countersigned reports are used within the centralization of the results of the voting.

(10) Within 24 hours from the receipt of the dossier provided at paragraph (8), the county electoral bureau or, according to the case, of the district of Bucharest municipality sends a copy of each report which is drawn up by the polling stations electoral bureau within whose range it is developed the activity; the electoral bureau of the polling station from abroad transmits a countersigned and stamped copy of each minutes which is drawn up by the electoral bureaux of the polling stations from abroad, to Bucharest court.

(11) The political parties, the organizations of the citizens belonging to the national minorities, the political or electoral alliances between them which participate in elections, as well as the independent candidates can acquire copies of the minutes stipulated by paragraph (10).

ART. 19⁸

(1) After the receipt of the minutes from all the polling stations electoral bureaux and the resolution of the received appeals and contestations, the county electoral bureau, the district electoral bureau of Bucharest municipality or the electoral bureaux of the polling stations from abroad, conclude a minutes which centralizes the indicators comprised within the minutes of the polling station, as follows:

a) the total number of electors who are registered within the copies of the permanent electoral lists and within the special electoral lists (point a= point a1 + point a2), among:

a1) the total number of electors who are registered within copies of the permanent electoral lists (point a1 \geq point b1)

a2) the total number of electors who are registered within copies of the special electoral lists (point a2 \geq point b2)

b) the total number of voters registered within the electoral lists existent within the polling station, who were present at the ballot boxes (point b= point b1+point b2+point b3), among:

b1) the total number of the voters registered within the copy of the permanent electoral list, which were present at the ballot boxes;

b2) the total number of the electors who are registered within the copy of the special electoral list, who were present at the ballot boxes;

b3) the total number of the electors registered within the additional electoral list, which came to the ballot boxes;

- c) the number of received voting papers (point c \geq point d + point e + point f);
- d) the number of unused and cancelled voting papers;
- e) the number of votes validly expressed (point e \leq point b - point f, point e = the sum of the votes validly expressed at point g);
- f) the number of null votes;
- g) the number of votes validly expressed acquired by every list of candidates or by every independent candidate;
- h) the manner of solving the received contestations and appeals.

(2) The provisions of art. 19⁷ paragraph (5) and (7) are applied correspondingly.

(3) The minutes provided at paragraph (1) together with the reports received from the polling stations electoral bureaux, as well as all the appeals and the contestations, forming a sealed dossier, which is stamped and signed by all the members of the county electoral bureau, the electoral bureau of the district of Bucharest municipality or of the electoral bureau for the polling stations from abroad, are forwarded with armed guards at the Central Electoral Bureau, in maximum 48 hours from the receipt of the last minutes of the polling stations.

Art. 20

(10) For the political parties, the organizations of citizens belonging to the national minorities, the political alliances and the electoral alliances, the electoral threshold of assigning the mandates representing the entire part of the percent of 5% from the total of votes validly expressed at a national level, including the ones received by the independent candidates.

(2) The independent candidates can be assigned mandates if they had acquired, each, a number of votes validly expressed which is at least equal with the national electoral coefficient. The national electoral coefficient represents the entire part of the report between the total number of votes validly expressed at a national level and the number of mandates of European parliamentarians which are due to Romania.

(3) By valid total number of votes validly expressed it is understood the number of votes validly expressed received from the political parties, organizations of citizens belonging to the national minorities, the political alliances, the electoral alliance and the independent candidates.

Art. 21

(1) The assignment of mandates of European Parliamentarian is done, with the observance of the conditions stipulated at art. 20, by the Central Electoral Bureau, as follows:

a) within the first stage, the Central Electoral Bureau calculates the electoral threshold and the national electoral coefficient and determines, in decreasing order the number of votes validly expressed, the list of votes validly expressed, the list of political parties, the organizations of citizens belonging to the national minorities, the political alliances, the electoral alliances and the independent candidates to whom there shall be assigned the mandates;

b) within the second stage there shall be assigned the mandates at the level of the national precinct for the lists selected within the conditions stipulated at lett. a) by d'Hondt method. The D'Hondt method for the allocation of the mandates consists in the division of the votes validly expressed for each list and independent candidate, selected under the conditions stipulated at letter a) at 1,2,3,4,... up to the total number of mandates which must be allocated, and the ranking of these quotients in decreasing order. The number of mandates allocated to each list corresponds to the total number of quotients afferent to each list in ordered row, up to the allocation of all the mandates; the allocation of the mandates is done by the Central Electoral Bureau, in the order of the registration of the candidates on the list; if there are not sufficient candidates on the list, the mandates shall be allocated to the next political party, organization of citizens belonging to the national minorities, political alliance and electoral alliance which overcame the electoral threshold;

c) the independent candidate to whom it would be due at least a mandate shall be give only a single mandate, no matter how many mandates resulted from the calculation. In this case the allocation of the other mandates shall be done hereinafter, for the lists of independent candidates, with the observance of the conditions stipulated at lett. a) and b) and of the provisions of art. 20 paragraph (1);

d) under the conditions when at the ranking of the quotients, according to lett. b), two or more quotients are equal, the ranking shall be done according to the number of votes validly expressed; and if under these conditions there is equality, the order of ranking can be determined by the order of registration on the voting papers.

(2) The minutes, drawn up according to the law, is signed by the president or by his replacement and by the other members of the Central Electoral Bureau, in whose presence it was drawn up. The absence of the signature of some members of the bureaux does not affect the validity of the minutes and of the elections. The president specifies the reasons which restrain the signing.

(3) The Central Electoral Bureau hands to the chosen candidates an ascertaining certificate of the election.

(4) After the receipt of the reports from all the county bureaux, the electoral bureaux of the districts of Bucharest municipality or the electoral bureau for all the polling stations from abroad, the Central Electoral Bureau concludes a minutes regarding the centralization of the votes and the allocation of mandates, as follows:

a) the total number of electors who are registered within the copies of the permanent electoral lists and within the special electoral lists (point a = point a1 + point a2), among:

a1) the total number of electors who are registered within copies of the permanent electoral lists (point a1 \geq point b1)

a2) the total number of electors who are registered within copies of the special electoral lists (point a2 \geq point b2)

b) the total number of voters registered within the electoral lists, who were present at the ballot boxes (point b = point b1 + point b2 + point b3), among:

b1) the total number of the voters registered within the copy of the permanent electoral list, which were present at the ballot boxes;

b2) the total number of the electors who are registered within the copy of the special electoral list, who were present at the ballot boxes;

b3) the total number of the electors registered within the additional electoral list, which came to the ballot boxes;

c) the number of received voting papers (point c \geq point d + point e + point f);

d) the number of unused and cancelled voting papers;

e) the number of votes validly expressed (point e \leq point b - point f, point e = the sum of the votes validly expressed at point g);

f) the number of null votes;

g) the number of votes validly expressed acquired by every list of candidates or by every independent candidate;

h) the number of votes validly expressed, acquired by every list of candidates, who met the electoral threshold and by each independent candidate who met the electoral coefficient (in the decreasing order of the number of votes validly expressed);

i) the list of the quotients calculated according to the d'Hondt method for each list of candidates who met the electoral threshold and for each independent candidate who met the electoral coefficient;

j) the list sorted out decreasingly of the quotients calculated according to d'Hondt method;

k) the number of mandates assigned to every list of candidates or to every independent candidate (in the decreasing order of the number of mandates);

l) the list of elected members for the European Parliament;

m) the list of the alternate for the European Parliament.

Art. 21¹

The following facts represent contraventions:

a) the knowingly registration of an elector within several permanent or special electoral lists, the registration within the electoral lists of fictitious persons or who do not have a voting right;

b) the keeping of the records of the permanent electoral lists or of the records with the special electoral lists under improper conditions;

c) the failure to carry out or term the notifications stipulate by the law and the failure to operate them within the permanent and special electoral lists.

d) the execution of operations within the permanent and special electoral lists by unauthorized persons;

e) the failure to communicate to the judges the operated amendments within the permanent or special electoral list existent within the town hall;

f) the signing of the list of upholder with the infringement of art. 12²;

g) the infringement of the orders regarding the display of the proposals of candidatures stipulated at art. 13 paragraph (1);

h) the use of the electoral sign registered at the Central Electoral Bureau by a political party, an organization of citizens belonging to the national minorities, a political alliance, an electoral alliance or an independent candidate, by another political party, organization of citizens belonging to the national minorities, political alliance, electoral alliance or by another independent candidate

i) the organizers' failure to take the measures necessary for the normal development of the electoral assemblies, as well as the distribution and consumption of spirits during these assemblies;

j) the destruction, the deterioration, the soiling, the covering by writing or any other manner of the electoral lists, with the exceptions stipulated at art. 19⁷ paragraph (1) lett. c);

k) the non-observance of the provisions of art. 16 paragraph (2) and (4) and of art. 18² paragraph (3) - (7); the display of the electoral lists and their copies; the destruction, the deterioration, the soiling, the covering by writing or in any other manner of the program- platforms displayed or of any other posters or printed notices of canvass;

l) a person's acceptance of several times of candidature at the same elections for the European Parliament;

m) the non-observance of the decisions and decrees of the electoral bureaux; the non-observance of the decisions and instruction of the Permanent Electoral Authority;

n) the refusal to allow to the elector, who makes the proof of the fact that he/she has the right to vote at the polling station where he goes to exercise his franchise;

o) the refusal to allow the access of the accredited persons within the voting location, with the exception of the cases when the president of the polling station electoral bureau limits the access of the accredited person within the location of the polling station due to its size;

p) the refusal to receive and register a written intimation forwarded according to the provisions of art. 19⁴ paragraph (17);

q) the refusal to observe the provisions of the president of the polling station electoral bureau regarding the ensuring of the order within the voting location and its surroundings;

r) the refusal to hand the voting paper and the stamp with the specification "VOTED" to the elector who signed within the electoral list; the handing of the voting paper to an elector who does not present his ID, according to the case, the identity document or who refuses to sign for their receipt within the electoral list where he is registered; the non-observance of the provisions of art. 19⁴ paragraph (8);

s) the non-application of the stamp with the specification "VOTED" or of the self-adhesive stamp on the ID, according to the case, the identity document, as well as their withholding, without well grounded reasons, by the members of the polling station electoral bureau;

ş) the non-observance of the provisions of art. 19⁷ paragraph (2); the drawing up of the report by the polling stations electoral bureaux, with the infringement of the provisions of this law;

t) the continuation of the canvass after its closure, as well as counseling of the elector on the elections day at the headquarters of the polling stations to vote or not vote for a certain political party, political alliance, electoral alliance, organization of citizens belonging to a national minority or an independent candidate;

ţ) the wearing of name plates, badges or other signs of canvass during the voting by the members of the polling stations electoral bureaux, by the persons in charge of the guarding or by the accredited persons;

u) the infringement of the members of the electoral bureau of the obligation to participate in the activity of these bureaux;

v) the refusal of the president of the electoral bureau or of his/her replacement to issue a certified copy of the minutes to persons who are entitled according to the provisions of this law;

w) the infringement of the conditions of accreditation by the accredited persons and by the survey operators of the research within the public opinion, the companies or the non-governmental organizations who were accredited by the Central Electoral Bureau by decree;

x) the non-observance of the provisions of art. 15;

y) the non-observance of the provisions of art. 17, 17¹ paragraph (1) - (3) and (5) and of art. 18 paragraph (2) - (4);

z) the non-observance of art. 18² paragraph (8) - (11);

z¹) the non-observance of art. 19³ paragraph (12).

Art. 21²

(1) The contraventions stipulated at art. 21¹ lit. b), c), d), e), g), j), k), l), m), o), p), ş), ţ), u), v) and z) are punished by fine from 1.000 lei up to 2.500 lei, those from lett. f), h), q), t), w), x) and z¹), with fine from 1.500 lei up to 4.500 lei, those from lett. a), i), n), r), s) and y), with fine from 4.500 lei up to 10.000 lei.

(2) The ascertaining of the contraventions stipulated at art. 21¹ and the applications of the sanctions stipulated at paragraph (1) are made by:

a) the officers, the agents and the non-commissioned officers within the Romanian Police, the Romanian Frontier Police and the Romanian Gendarmerie, for the acts stipulated at art. 21¹ lit. i), k), n), o), q), r), t), w), z) and z¹);

b) the president of the county electoral bureau, the district electoral bureau or of the electoral bureau of the polling stations from abroad, for the acts stipulated at art. 21¹ lett. j), p), ş) and v);

c) the president of the Central Electoral Bureau for the acts stipulated at art. 21¹ lett. f), g), h) and l);

d) the president of the electoral bureau, in case of the commission of the contraventions by its members, or the president of the electoral bureau which is hierarchically superior, in the case of commission of the contraventions by the presidents of the electoral bureaux which are hierarchically inferior or by their replacements, for the facts stipulated at art. 21¹ lett. n), s), t), u) and v);

e) the assignees of the president of the Permanent Electoral Authority, for the facts stipulated at art. 21¹ lett. a), b), c), d), e) and x);

f) the assignees of the president of the Permanent Electoral Authority, in case the act stipulated at art. 21¹ lett m) is committed by the authorities of the central or local public administration and in case the act stipulated at art. 21¹ lett y) is committed by somebody else than the radio broadcasters; the president of the electoral bureau, in case the act stipulated at art. 21¹ lett. m is committed by the members within the electoral bureau, or the president of the electoral bureau which is hierarchically superior, in case of the commission of the act stipulated at art. 21¹ lett. m by the presidents of the electoral bureau which are hierarchically inferior; the policemen of the act stipulated at art. 21¹ lett. m) is committed by other natural persons or legal entities.

g) the National Council of the Audiovisual, which notifies itself or it can be notified by the interested persons, for the facts stipulated at art. 21¹ lett. y) in case these are committed by the radio broadcasters.

(3) The infringer can pay on the spot or within maximum 48 hours from the day of the conclusion of the minutes, or according to the case, on the day of its communication, half of the minimum fine stipulated at paragraph (1), the ascertaining agent specifying this possibility within the minutes.

(4) The provisions of the Government Ordinance no. 2/2001 regarding the judicial regime of the contraventions, approved with the amendments and completions of Law no. 180/2002, with the subsequent modifications and completions are applicable to the contraventions of art. 21¹.

(5) The members of the electoral bureaux commission of the contraventions stipulated at paragraph (1) entails the replacement with other persons according to art. 14, 14², 14⁴ şi 14⁵, at the request of the president of the electoral bureau which is hierarchically superior or of the president of the Central Electoral Bureau, according to the case.

Art. 22

(1) The obstruction by any means of the free exercise of the right to vote or to be elected constitutes an offence and it is punished with prison from 6 months to 5 years and the interdiction of some rights.

(2) The attempt is punished.

Art. 22¹

(1) The knowingly registration of some persons who are not registered within the permanent or special electoral lists on the copy of the permanent or special electoral list constitutes an offence and it is punished by prison from 6 months to 5 years. (2) The attempt is punished.

Art. 22²

(1) The infringement by any means of the secret of the vote by the members of the polling station electoral bureau or by any other persons constitutes an offence and it is punished by prison from 6 months to 3 years. (2) The attempt is punished.

Art. 22³

(1) The promise, the offering or giving of money, goods or other benefits with the purpose of determining the elector to vote or not vote a certain list of candidates or a certain independent candidate, as well as their receiving by the elector, with the same purpose, constitute offences and they are punished by prison from 6 months to 5 years.

(2) The attempt is punished.

(3) There are not included within the category of goods stipulated at paragraph (1) the goods with symbolical value, with the inscription of the respective party.

Art. 22⁴

(1) The vote of a person without having the right to vote or the vote for two or more times on the reference day constitutes an offence and it shall be punished with prison from 6 months to 5 years.

(2) The attempt is punished.

Art. 22⁵

(1) The use of a fake voting paper, the introduction within the ballot box of an additional number of voting papers than those which an elector is entitled to or the forging by any means of the document from the electoral bureau constitutes offences and they are punished with prison from 2 to 7 years.

(2) The attempt is punished.

Art. 22⁶

(1) The attack by any means on the location of the polling station, the theft of the ballot box or of the electoral documents constitutes offences and they are punished with prison from 2 to 7 years, if the act does not constitute a more severe offence.

(2) The attempt is punished.

Art. 22⁷

(1) The opening of the ballot box before the established hour for the closure of the voting constitutes an offence and it is punished with prison from 6 months to 3 years.

(2) The attempt is punished.

Art. 22⁸

The introduction in usage and the use of a computer program with apparent or hidden flaws, which alters the registration of the results obtained within the polling stations, totalizes with errors or leads to the allocation of the mandates outside the provisions of this law, constitute offences and they are punished by prison from 2 to 7 years.

Art. 22⁹

The introduction of data, information and procedures which lead to the altering of the national computer system constitutes an offence and it is punished with prison from 2 to 7 years.

CAP. IV

The transitory and final provisions.

Art. 23

(1) The Permanent Electoral Authority exercises its duties provided at art. 65 paragraph (1) from Law no 35/2008, with the subsequent amendments and completions.

(2) The provisions of art. 334/2006 regarding the financing of the activity of the political parties and of the electoral campaigns is applied correspondingly.

(3) The exception from the provisions of paragraph (2) is represented by the situations when the specific community norms are directly applicable.

(4) With a view to apply the provisions of this law, the Permanent Electoral Authority, according to the case; the Central Electoral Bureau adopts decisions and the instructions which are published within the Official Gazette of Romania, Part I.

(5) The Permanent Electoral Authority together with the competent public authorities which accomplish the formalities necessary for the acceptance of the members from Romania within the European Parliament.

Art. 23¹

(1) Within maximum 5 days from the public notification of the reference day, the Government determines by decision, at the proposal of the Permanent Electoral Authority and of the Ministry of Administration and of Interior, the calendar program for the execution of the actions necessary for the elections of the Romanian members within the European Parliament, the budget and the expenditures necessary with a view to prepare, organize, develop the scrutiny, the model of the copy of the permanent electoral list, the model of the special electoral, of the copy of the special electoral list, the additional electoral list, of the extract of the additional electoral list, the model of the list of the upholders, the model of the stamp of the Central Electoral Bureau, of the county electoral bureau, of the district electoral bureau of Bucharest municipality,

of the electoral bureau of the polling stations from abroad, the model of the polling station control stamp and the model of the stamp with the specification "VOTED", the model of the voting paper, the model of the self-adhesive stamp, the measures which must be taken by the central and local public authorities for the good organization and development of the elections.

(2) Within maximum 15 days from the public notification of the reference day, the Permanent Electoral Authority determines by decree, which is published within the Official Gazette, Part I, the model of the acceptance statement of the candidature, the model of the list of candidates, the model of the request of admission for the independent candidature, the model of the request for giving up to the candidature and the model of the ascertaining certificate of the election.

(3) The Permanent Electoral Authority informs, in due time and in an adequate manner the community electors and the community eligible persons regarding the conditions and the modalities of exercising the right to vote and to be elected in Romania.

(4) With at least 20 days before the reference day, the Government determines by decree, at the proposal of the National Institute of Statistics, with the consultative notice of the Permanent Electoral Authority, the model of the reports of taking down and centralization of the results of voting.

Art. 23²

(1) The expenses for the execution of the electoral operations are covered from the state budget.

(2) The headquarters of the Central Electoral is ensured by the Government, the headquarters of the electoral bureau of the polling stations from abroad are ensured by the Ministry of the External Affairs, the headquarters of the county electoral bureaux are ensured by the prefects and the presidents of the county councils and those of the district electoral bureaux, as well as those of the polling stations electoral bureaux by the mayors, together with the prefects.

(3) The expenses for the endowment of the electoral bureaux which are provided at paragraph (2) shall be ensured from the state budget.

(4) The documents which are drawn up within the exercising of the electoral rights provided within this law are exempt from the stamp tax.

Art. 23³

(1) The government ensures the necessary statisticians for supporting the activity of the Central Electoral Bureau, of the county electoral bureaux, of the district electoral bureaux from Bucharest municipality and of the electoral bureau of the polling stations from abroad. The Ministry of Administration and of Interior, together with the Permanent Electoral Authority, ensure the auxiliary technical personnel which necessary for the Central Electoral Bureau, the county electoral bureaux and

the district electoral bureaux of Bucharest municipality, and the Ministry of External Affairs, together with the Permanent Electoral Authority ensure the technical auxiliary personnel for the polling stations from abroad.

(2) During the period of operation of the electoral bureau, their members, the statisticians and the technical auxiliary personnel shall receive an indemnity per activity day, which is determined by a Government decree.

(3) For the indemnity provided at paragraph (2) it is withheld, it is due and it is transferred only the income tax, according to the law.

(4) During the whole period of exercising the duties regarding the organization and the development of the elections for the European Parliament, the institutions where there are employed the employees provided at paragraph (2) shall be indemnified with the due salary rights, in compliance with the law.

Art. 23⁴

(1) The courts' judgment of the appeals, of the contestations or of any other requests regarding the electoral process shall be done according to the rules determined by the law for the presidential ordinance, with the mandatory participation of the prosecutor.

(2) According to this law, there is no way of attacking the final and irrevocable decisions established by the courts.

(3) The final and irrevocable decisions of the courts which are established pursuant to the appeals, contestations or any other requests regarding the electoral process are notified immediately to the interested electoral bureaux.

Art. 23⁵

(1) The terms on days, which are provided by this law, comprise the day when they start to flow and they end at 24.00 o'clock on the day they are accomplished, if even these are not working days.

(2) During the whole electoral period, the electoral bureaux operate according to the program established by the Central Electoral Bureau by the rules of organization and operation of the electoral bureaux. The courts ensure the continuity of the activity so that the citizens could exercise their electoral rights.

A. 23⁶

(1) The voting papers which are used or unused, the null voting papers, the reports and the stamps necessary for voting, the other materials which are used within the electoral process and that are received by the courts from county electoral bureaux, of the districts of Bucharest municipality, from the electoral bureau of the polling stations from abroad or from the polling stations electoral bureaux, as well as the lists of upholders which were received by the High Court of Cassation and of Justice from the Central Electoral Bureau, are kept within the archive, separately from the other documents of the courts, for a period of 3 months from the publication day of the results of the elections within the Official Gazette of Romania, Part I.

(2) After the expiry of the term provided at paragraph (1), the courts, with the support of the prefects, shall deliver based on a the minutes, for melting, to the specialized economical operators the used and unused voting papers, the null voting papers, the reports and the stamps necessary for voting, the other materials which are used within the electoral process, as well as the lists of upholders.

(3) The lists of upholders from the elections for the European Parliament from November 25th 2007 shall be delivered by the Permanent Electoral Authority to the specialized economical operators for melting.

Art. 24

(1) The candidates registered within the list, which were not elected, shall remain on the respective lists within the order that they were registered in.

(2) In case of vacancy of the mandates of the members from Romania within the European Parliament, which occurred pursuant to a resignation, the loss of the electoral rights, the incompatibility with the quality of European parliamentarian or in case of decease, the mandates for the vacant places shall be assigned to the next persons on the lists, in the order that they were registered on these lists, if up to the date of validation for the occupancy of the vacant places the parties or the political formations on whose lists their candidate confirms in writing that they belong to them.

(3) The vacancy of the mandates of the members from Romania within the European Parliament, which occurred pursuant to a prior agreement regarding the resignation or the remission to this position, is considered null. The prior understanding regarding the remission to the position of member from Romania within the European Parliament cannot represent a reason for the vacancy of the position.

Art. 25

(1) At the electoral operations carried out by the polling stations electoral bureaux there can assist, beside their members, the accredited persons under the conditions of this law.

(2) In the sense of this law, by accredited persons it is understood the following:

- a) the internal and the external observers;
- b) the internal and external representatives of the mass-media;
- c) the delegates of the political parties, of the organizations of citizens belonging to the national minorities, of the political or the electoral alliances between them which participate in elections and which do not have representatives in the electoral bureaux.

(3) There can be accredited as internal observers the representatives of the non-governmental organizations which as a main object of activity the defense of the democracy and of the human rights, which are legally constituted with at least 6 months before the reference day. The persons that are designated by these organizations as internal observers cannot have a political affiliation.

(4) There can be accredited as internal representative of the Romanian mass-media the persons that are involved in contract relationship with these institutions and that are designated in this sense by their management. The persons that are designated by these institutions as internal representatives of the mass-media cannot have a political affiliation.

(5) The accreditation of the internal observers and of the internal representatives of the mass-media is carried out by the county electoral bureaux, the electoral bureaux of the districts of Bucharest municipality and the electoral bureaux of the polling stations from abroad, for all the polling stations within their range of competence, at the written request of the management of the non-governmental organizations of the mass-media institutions from Romania, accreditation which is done with at least 5 days before the elections day.

(6) The accreditation of the external observers and of the external representatives of the mass-media is carried out by the Permanent Electoral Authority, at the proposal of the Ministry of External Affairs, for all the electoral bureaux.

(7) There can be accredited as internal observers only the persons that are proposed by those non-governmental organizations which present a certificate which is issued by the Permanent Electoral Authority regarding the accomplishment of the provisions of paragraph (3).

(8) There can be accredited as internal representatives of the mass-media only the persons that are proposed by those mass-media institutions which present a certificate issued by the Permanent Electoral Authority regarding the observance of the provisions of paragraph (4).

(9) The accreditation of the delegates of the political parties, of the organization of citizens belonging to the national minorities, of political or electoral alliances between them which participate in elections and which do not have representatives within the electoral bureau is done by the county electoral bureaux, the district electoral bureaux or by the electoral bureaux of the polling stations from abroad, for the respective electoral bureaux, at the written request of the managements of the county organizations of the political parties, of the political alliance and of the electoral alliances, which is done with at least two days before the elections day.

(10) The accredited persons can assist to the electoral operations on the elections day, starting with 6.00 o'clock and ending on the moment when the members of the polling station electoral bureau conclude and sign the minutes of the ascertaining of the results of the voting from the respective polling station, only if they present the accreditation document, which is valid and in copy. These cannot interfere in any manner with the organization and development of the elections, having only the right to notify in writing the president of the electoral bureau about any ascertained infringement. Any act of canvass, as well as any infringement of the accreditation act

implies the application of the legal sanctions, the suspending of the accreditation by the electoral bureau that ascertained the deviation, and on the voting day, the immediate removal of the respective person from the polling station.

(11) The accredited persons can stay at the polling station electoral bureau only in the space established for this purpose in the voting room by the president of the polling station electoral bureau. The accreditation allows its titular to also have access in the space which is specialty arranged for this purpose at the county electoral bureau, of the district of Bucharest municipality or at the electoral bureaux of the polling stations from abroad which issued the accreditations.

(12) The contestations regarding the accreditation or the rejection of the request for accreditation by the county electoral bureau, the electoral bureau of the district of Bucharest municipality or by the electoral bureau for the polling stations from abroad which submit, in maximum two days from the display of the decision, at the court within whose territorial range it operates the electoral bureau and are solved by it in maximum two days from the registration. The decision is final and irrevocable.

(13) The contestations regarding the Permanent Electoral Authority's rejection of the request for the issuance of the certificate provided at paragraph (7) or paragraph (8) are submitted within maximum two days from the notification of the response of the Court of Appeal Bucharest and they are solved by it within two days from registration. The decision is final and irrevocable.

Art. 26

(1) The first elections for the European Parliament are organized and developed up to the latest on December 31st 2007.

(2) By the exception from the provisions art. 1 paragraph (3), the mandate of the members from Romania in the European Parliament, assigned based on first organized elections, ceases at the closing of the legislature 2004- 2009 of the European Parliament.

Art. 27

At the first elections for the European Parliament which were organized in Romania, with the purpose of the exercising of the right to vote and to be elected as members from Romania within the European Parliament, the citizens of the states members of the European Union are liable to present an affidavit that they have not exercised their voting right and the right to be voted in the elections for the European Parliament in 2004.

Art. 28

The Central Electoral Bureau confirms the results of the suffrage and ensures the publication within the Official Gazette of Romania, Part I, of the elections results of the members from Romania within the European Parliament.

This law transcribes the Council Directive no. 93/109/EC from December 6th 1993 that determines the conditions for exercising the right of voting and candidating in

the elections for the European Parliament by the citizens of the European Union who live in a state member whose citizenship they do not possess, published in the Official Journal of the European Communities no. L 329 from December 1993 and the 1976 Act regarding the election of the members of the European Parliament, by universal suffrage, published within Official Journal of the European Communities no. L 278 from October 8th 1976, with the subsequent amendments.

NOTE:

Hereinafter we are reproducing the provisions art. II and III from the Government Emergency Ordinance no 1/2007 , with the subsequent amendments.

Art. II

For the elections of the members from Romania within the European Parliament from 2007, the terms from the calendar of the actions within the interval of the electoral period start to flow with 90 days before the reference day, no matter the date when this was notified publicly.

Art. III

(1) At the elections for the members from Romania within the European Parliament, the voting right of the resident electors is exercised based on the following documents:

- a) within the country, based on the identity card or on the provisory identity card;
- b) abroad, based on the diplomatic, service, simple, temporary passport, or on the travel certificate or based on the identity card.

(2) At the elections for the members from Romania within the European Parliament, the right to vote of the community electors is exercised based on any document of identity and on any proof issued by the Permanent Electoral Authority.

(3) After exercising the right to vote, the president of the polling station electoral bureau applies the self-adhesive stamp with the specification "VOTED" with the date of the scrutiny on the elector's identity document, it shall withhold the proof issued by the Permanent Electoral Authority respectively, it shall apply on it the polling station control stamp, following that on concluding the electoral process the president of the electoral bureau shall deliver these proofs to the mayor.

(4) The failure to apply the self-adhesive stamp with the specification "VOTED" and with the date of the scrutiny, the non-withholding of the proof respectively, constitute a contravention and they shall be sanctioned with a fine from 500 lei to 700 lei. The ascertaining of the contravention and the application of the fine is done according to the provisions art 99 paragraph (1) lett. a) and e) within Law no 373/2004, with the subsequent amendments and completions."