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**ACT
of 18 March 1999**

on election of the president of the Slovak Republic, plebiscite, recalling of president and amending of some other acts, as amended by the Act no. 515/2003 Coll., Act no. 167/2008 Coll. and Act no. 445/2008 Coll.

The National Council of the Slovak Republic has adopted the following Act:

Art. I

PART ONE

ELECTION OF PRESIDENT OF THE SLOVAK REPUBLIC

Section 1

Introductory Provision

(1) The election of the president of the Slovak Republic and voting for candidates for the presidential office¹⁾ (hereinafter the "election") shall be conducted on the basis of a universal, equal and direct franchise by secret ballot.

(2) The right to elect the president of the Slovak Republic (hereinafter the "president") shall be conferred to citizens of the Slovak Republic who will have completed 18 years of age as of the election day and who will be on the territory of the Slovak Republic on the election day²⁾ (hereinafter the "qualified elector").

(3) The election shall be held on the territory of the Slovak Republic.

Section 2

Time of Election

(1) The election shall be announced by the chairman of the National Council of the Slovak Republic at the latest 55 days before its holding. Announcement of the election shall be published in the Collection of Laws of the Slovak Republic.

(2) The election shall be held on the same day on the whole territory of the Slovak Republic. The chairman of the National Council of the Slovak Republic may determine that the election will be held for two days.

(3) The election shall be held on a determined day from 7:00 a.m. until 10:00 p.m. If required by local conditions, the mayor of the municipality may determine an earlier start of the poll.

(4) If the election is held for two days, on the first day, the poll shall start at 2:00 p.m. and finish at 8 p.m. On the second day, the poll shall start at 7 a.m. and finish at 2 p.m. If required by local conditions, the mayor of the municipality may determine an earlier start of the poll.

Section 3

Election Precincts and Special Election Precincts

(1) For the purposes of casting ballot papers and counting of votes, a municipality, and in Bratislava and Košice a city borough (hereinafter the "municipality") shall constitute election precincts.

(2) A mayor of a municipality shall determine the election precincts and polling stations in the precincts no later than 45 days before the election day, so that one election precinct covers usually 1,000 qualified electors. Separate election precincts may be established for remote parts of the municipality, provided that they cover at least 50 qualified electors.

(3) A municipality may establish a special election precinct in health care facilities, social services facilities, detention facilities and prisons, provided that such precinct covers at least 100 qualified electors.

Section 4

Lists of Qualified Electors

(1) On the basis of a permanent list of electors³⁾, a municipality shall make a list of electors qualified to elect the president (hereinafter the "list of qualified electors") in individual election precincts.

(2) A municipality shall make the list of qualified electors also for a special election precinct; the head of the respective facility shall cooperate with the municipality in making of the list. The municipality, in which a special election precinct was established shall immediately inform the respective municipality, according to the permanent residence of a qualified elector, about his/her registration on the list of qualified electors.

(3) Soldiers of Armed Forces and members of Armed Security Corps and Armed Corps who are accommodated collectively shall be included on the list of qualified electors in the municipality, where their unit is located. The registration shall be made on the basis of documents submitted by their unit in a time limit determined by the mayor of the municipality. Registration on the list of qualified electors shall be valid only for the time of election. The municipality, where the unit is located, shall immediately inform the respective municipality, according to the permanent residence of the respective soldier or member, about his/her registration on the list of qualified

electors. The municipality shall avoid establishment of election precincts, where the list of qualified electors includes only soldiers of Armed Forces and members of Armed Security Corps and Armed Corps.

(4) Qualified electors under Paragraphs 2 and 3 shall not be registered on the list of qualified electors in the respective election precinct according to their permanent residence.

(5) The municipality shall submit two counterparts of the list of qualified electors under Paragraphs 1 and 2 to the Precinct Election Committees no later than two hours before commencement of the poll.

(6) The Precinct Election Committee shall register, on the list of qualified electors, a citizen of the Slovak Republic who does not have permanent residence on the territory of the Slovak Republic and comes to a polling station on the day of election; the committee shall make a note about his/her registration on the list of qualified electors in his/her Slovak travel document⁴).

(7) The Precinct Election Committee shall register an individual on the list of qualified electors

a) based on a judicial decision,⁵

b) based on an poll card,

c) if he/she proves by his/her identity card to have permanent residence at the place, which falls under the election precinct.

Section 5

Poll card

(1) After announcement of election, a municipality shall issue a poll card to a qualified elector, who will not be able to vote in the election precinct, where he/she is registered on the list of qualified electors, upon his/her request, and it shall delete him/her from the list of qualified electors. His/her deletion shall be valid only for the time of his/her voting based on the poll card.

(2) The poll card shall authorise the elector for his/her registration on the list of qualified electors in any election precinct; his/her registration shall be valid only for the time of his/her voting.

(3) In police arrest cells, detention facilities or places of disciplinary imprisonment, and in prisons, where no special election precinct was established, the exercise of the right to vote by qualified electors, based on poll card, shall be secured by a Precinct Election Committee, in whose ward such facility is located, in cooperation with the head of the respective facility. The size of the election precinct does not have to be observed in this case. If a qualified elector is brought in, and if possible, the respective police unit or military police unit shall enable the brought individual to exercise his/her right to vote.

Section 6

Election Authorities

(1) The following election authorities shall be established for the purposes of the election:

a) The Central Election Committee for the election of the president of the Slovak Republic (hereinafter the "Central Election Committee"),

b) District Election Committees for the election of the president of the Slovak Republic (hereinafter the "District Election Committee"),

c) Precinct Election Committees for the election of the president of the Slovak Republic (hereinafter the "Precinct Election Committee").

(2) Only a qualified elector may become member of a Committee. However, a candidate for the presidential office may not become its member.

(3) A member of a Committee shall undertake his/her office upon signing the following oath: "On my honour I pledge to discharge my office conscientiously and impartially and to observe the laws and other legal regulations."

(4) A Committee shall have the quorum only if an absolute majority of all its members is present. Any decision shall be deemed adopted if an absolute majority of the present members voted for it. If the number of votes is equal, the proposal shall be deemed refused.

(5) At its first meeting, a Committee shall select its chairman and vice-chairman. If no agreement is reached, the chairman and vice-chairman shall be selected by a lot. Drawing of lots shall be conducted by a Committee's registrar.

(6) If the office of a Committee's member is terminated, the chairman shall call a substitute. The office of a member of the Committee shall terminate upon the day of delivery of a written notice sent by a political party, political movement or a coalition of political parties and political movements or by a petition committee, which appointed the member, or upon the day of delivery of a written notice on resignation sent by the member to the chairman.

(7) For the purposes of processing the election results, the Statistical Office of the Slovak Republic shall establish professional (reporting) units for the Central Election Committee and the District Election Committees. Members of professional (reporting) units shall take the oath with the wording and in the manner stipulated in Paragraph 3.

Section 7

Central Election Committee

(1) Each political party and political movement represented in the National Council and a petition committee whose proposal was approved (Section 11 § 2) shall inform the Prime Minister of the Slovak Republic, no later than 35 days before the election day, about the name, surname and permanent residence of one member of the Central Election Committee and one substitute member.

(2) The first meeting of the Central Election Committee shall take place no later than 30 days before the election day; the meeting shall be convoked by the Prime Minister of the Slovak Republic.

(3) The Central Election Committee shall

a) oversee preparedness of subordinate committees for fulfilment of the tasks under this Act,

b) decide on complaints about procedure of the District Election Committees,

c) discuss information provided by the Ministry of Interior of the Slovak Republic about organisational and technical preparation of the

election and it shall propose taking of measures,

- d) discuss information provided by the Statistical Office of the Slovak Republic about preparation of processing of the election results,
- e) find out the election results,
- f) issue minutes on the election results and announce the results,
- g) approve presence of other individuals during counting of votes in the Precinct Election Committees and the District Election Committees.

(4) The Ministry of Interior of the Slovak Republic shall establish a professional and administrative unit that will assist in fulfilment of the tasks of the Central Election Committee.

Section 8

District Election Committee

(1) Each political party, political movement under Section 7 § 1 and a petition committee whose proposal was approved (Section 11 § 2) shall inform the head of the District Office, no later than 30 days before the election day, about the name, surname and permanent residence of one member of the District Election Committee and one substitute member.

(2) The District Election Committee must have at least five members. Should the District Election Committee not have the determined number of members or should its number be less than five and should there be no substitute, the missing members shall be appointed by the head of the District Office from among qualified electors.

(3) The first meeting of the District Election Committee shall take place no later than 25 days before the election day; the meeting shall be convoked by the head of the District Office.

(4) The District Election Committee shall

- a) oversee preparedness of the Precinct Election Committees for fulfilment of tasks under this Act,
- b) decide on complaints about procedure of the Precinct Election Committees,
- c) discuss information about securing of activities of its professional (reporting) unit,
- d) oversee finding out of election results in the election precincts; request the Precinct Election Committees for explanations or other information and upon agreement with the Precinct Election Committee it can correct the found mistakes on its own or request the Precinct Election Committee to correct the found mistakes,
- e) find out the election results,
- f) issue minutes on the election results and submit them to the Central Election Committee.

(5) The ward of the District Election Committee shall be the same like the territory under the District Office.

Section 9

Precinct Election Committee

(1) Each political party, political movement under Section 7 § 1 and a petition committee whose proposal was approved (Section 11 § 2) shall inform the mayor of the municipality, no later than 30 days before the election day, about the name, surname and permanent residence of one member of the Precinct Election Committee and one substitute member.

(2) The Precinct Election Committee must have at least five members. Should the Precinct Election Committee not have the determined number of members or should its number be less than five and should there be no substitute, the missing members shall be appointed by the mayor of the municipality from among qualified electors.

(3) The first meeting of the Precinct Election Committee shall take place no later than 23 days before the election day; the meeting shall be convoked by the mayor of the municipality.

(4) The Precinct Election Committee shall

- a) secure a due course of the poll, above all, it shall oversee correct casting of ballot papers and secure tidiness of the polling station and its surroundings,
- b) assess validity of ballot papers,
- c) count ballot papers and votes,
- d) issue minutes on the course and result of voting in the election precinct and submit it to the respective District Election Committee,
- e) fulfil other tasks assigned by the District Election Committee or by the Central Election Committee.

Section 10

Committee's Registrar

(1) A Committee's registrar shall secure organisational and administrative matters related to preparation and course of meetings of an Election Committee. He/she shall participate in meetings of a Committee and constitute a non-voting member.

(2) The registrar

- a) of the Central Election Committee shall be appointed and recalled by the Government of the Slovak Republic,
- b) of the District Election Committee shall be appointed and recalled by the head of the District Office from among employees of the District Office,
- c) of the Precinct Election Committee shall be appointed and recalled by the mayor of the municipality usually from among employees of the municipality.

(3) The registrar of the Central Election Committee shall be appointed by the Government of the Slovak Republic no later than 45 days before the election day, the registrar of the District Election Committee shall be appointed by the head of the District Office no later than 40 days before the election day and the registrar of the Precinct Election Committee shall be appointed by the mayor of the municipality no later than 40 days before the election day. The registrar shall take an oath with the wording and in the manner stipulated in Section 6 § 3.

Section 11

Candidates for Presidential Office

(1) A proposal of a candidate for the presidential office⁶) shall include

- a) the candidate's name, surname and degree,
- b) the candidate's age and NHS-number,
- c) the candidate's profession,
- d) the address of the candidate's permanent residence,
- e) the candidate's declaration that he/she agrees with his/her candidature and meets the requirements for being elected as a president⁷).

(2) The chairman of the National Council of the Slovak Republic shall examine, within seven days from delivery of a proposal for a candidate for the presidential office⁶), whether the proposal includes the data stipulated by law; in case of a petition, he/she shall examine whether it meets the requirements under Paragraph 1, as well as whether the petition meets the requirements stipulated by a separate act⁸) and whether it is clear from each petition sheet that the petition is written in support of a concrete candidate. Should the proposal meet the requirements stipulated by law, the chairman of the National Council of the Slovak Republic shall admit the proposal; otherwise he/she shall dismiss it. The chairman of the National Council of the Slovak Republic shall deliver, within 24 hours, a notification about the proposal's admission or dismissal to candidates for the presidential office to the address stated by individual candidates, otherwise to the address of their permanent residence.

(3) The chairman of the National Council of the Slovak Republic shall notify the Ministry of Interior of the Slovak Republic of proposals for candidates for the presidential office, of the name, surname and degree of candidates, of their age, profession and address of permanent residence on the day following after the day of receipt of individual proposals.

(4) Should a proposal for a candidate for the presidential office be dismissed, the respective candidate can file a petition for a decision on admission of his/her proposal for a candidate for the presidential office with the Supreme Court of the Slovak Republic. The petition can be filed within three days from the day of delivery of the notification sent by the chairman of the National Council of the Slovak Republic about dismissal of a proposal for a candidate for the presidential office.

Section 12

Resignation of Candidature

A candidate for the presidential office can resign his/her candidature in writing before commencement of the first round. He/she shall deliver his/her declaration of resignation to the chairman of the National Council. The chairman of the National Council of the Slovak Republic shall notify the Ministry of Interior of the Slovak Republic and the Central Election Committee of this fact. The Central Election Committee shall immediately notify of this fact the Precinct Election Committees by means of the District Election Committees. The Precinct Election Committees shall notify the qualified electors.

Section 13

Ballot Papers

(1) There shall be issued one common ballot paper for all candidates for the presidential office. The candidates shall be stated on the ballot paper in alphabetical order and there must be stated their name, surname and degree, age, profession and the municipality, where they have their permanent residence.

(2) The ballot paper must include a stamp of the Central Election Committee, an official stamp of the municipality and a small frame in front of each candidate's surname for marks to be made during the poll.

(3) The Ministry of Interior of the Slovak Republic shall secure issuance of the necessary number of ballot papers and their delivery to municipalities.

(4) On the election day, the municipality shall secure delivery of ballot papers to all Precinct Election Committees no later than two hours before commencement of the poll.

(5) A qualified elector shall receive a ballot paper in a polling station on the election day.

Section 14

Informing of Qualified Electors

(1) No later than 40 days before the election day, the municipality shall inform about the established election precincts, polling stations and the election hours in the manner usual for the municipality.

(2) No later than 20 days before the election day, the municipality shall send a notification to each elector registered on the permanent list of electors³), in which it shall state the election hours, the election precinct and the polling station, in which the qualified elector can vote; in the notification, it shall also point out the elector's obligation to prove his/her identity before voting by an identity card and it shall provide a brief description how to mark a ballot paper.

(3) Should a candidate for the presidential office have resigned his/her candidature (Section 12), or should a candidate for the presidential office have died, after issuance of ballot papers, the Precinct Election Committee shall notify the qualified electors of this fact by posting a notice in a polling station.

Election Campaign

Section 15

(1) The election campaign (hereinafter the "campaign") shall start 15 days and terminate 48 hours before the election. The campaign shall be mean the activities of candidates, political parties and movements or other entities in support of a candidate's election including advertisements and advertising by means of the radio and television broadcasting under Paragraphs 4 and 5, mass media⁹), billboards, posters and other information carriers¹⁰).

(2) Conducting of campaigns outside the time stipulated in Paragraph 1 shall be prohibited.

(3) At the time of the campaign, each candidate shall have the same access to the mass media.

(4) For the campaign under Paragraph 1, the Slovak Radio and the Slovak Television shall reserve maximally one hour of the broadcasting time per candidate, and maximally 10 hours of the broadcasting time in total, in a manner securing that none of the candidates is disadvantages by determination of the broadcasting time. Any claim to the broadcasting time must be filed at the latest five days before commencement of the campaign, otherwise it shall be forfeited. The Slovak Television and the Slovak Radio shall secure a clear marking and separation of this broadcasting from other programmes.

(5) A licence holder for the radio or television broadcasting (hereinafter the "licence holder") can reserve maximally one hour of the broadcasting time per candidate and maximally 10 hours of the broadcasting time in total. Licence holders shall secure a clear marking and separation of this broadcasting time from other programmes by informing the public that this is a paid political advertising.

(6) Payment for use of the telecommunication means¹¹⁾ shall be provided to the Slovak Radio and the Slovak Television from the State budget of the Slovak Republic according to the extent of the broadcasting time provided under Paragraph 4.

(7) The costs of the campaign in the radio and television broadcasting of licence holders shall be paid by candidates or political parties and political movements, which proposed them. Licence holders shall be obliged to secure to all candidates the same conditions of purchase of the broadcasting time and the same prices and terms of payment.

(8) During the campaign, it shall be prohibited to broadcast the campaign in the times, which are reserved in the radio and television broadcasting for advertising, or to use the radio and television advertising for the campaign.

(9) Broadcasting of the reporting and political programmes shall not be deemed a campaign, provided that they are broadcasted in the manner and under the circumstances like outside the campaign time, and are in compliance with the valid program structure of programme operators.¹²⁾ Programme operators shall be obliged to secure that the reporting and political programmes are balanced and impartial.

(10) Broadcasting of other programmes, except for the reporting and political programmes under Paragraph 9 and the programmes dedicated to the campaign under Paragraphs 4 and 5, which could influence the voting of electors to the benefit or detriment of a candidate, shall be prohibited during the campaign.

(11) Each candidate, who is subjected, during the campaign, to false or misinterpreted information and statements in the radio and television broadcasting and in the mass media, shall be entitled to react to them during the campaign. He/she shall exercise this right with a programme operator or editor-in-chief of the mass medium, which broadcasted or published such information or statement. The programme operator or editor-in-chief shall be obliged to provide the candidates for the presidential office with an equally valuable broadcasting time like the broadcasting time, during which the information or statement in question was broadcasted, and it shall be done in the course of the campaign.

(12) 48 hours before commencement of the voting and in the course of the voting, it shall be prohibited to publish or broadcast information about candidates to their benefit or detriment in the radio and television broadcasting and in the mass media, whether in oral, written, audio or visual form.

(13) In the course of the voting, it shall be prohibited to convince to vote for or against any of the candidates in the buildings, where the Precinct Election Committees are located and in their surroundings.

(14) Results of public opinion polls may be published no later than three days before the election day.

(15) Election Committees, members of their professional (reporting) units and registrars must not provide information about the course and partial results of the voting before signing the minutes.

(16) In the course of the voting, it is prohibited to publish results of the voting surveys.

(17) The Central Election Committee may publish also the preliminary voting results.

(18) Should there be held the second round of the election, the campaign shall commence upon announcement of results of the first round of the election by the Central Election Committee and it shall terminate 48 hours before holding of the second round of the election. Provisions of Paragraphs 2 – 17 shall apply accordingly also to the second round of the election, while the broadcasting time reserved by the Slovak Television and the Slovak Radio shall be two hours; candidates shall file their claims to the broadcasting time no later than 24 hours from announcement of the results of the first round of the election. A licence holder may reserve maximally two hours of the broadcasting time for the campaign before the second round of the election.

Section 16

Permissible Amount of Candidates' Costs of Promotion

A candidate for the presidential office may use maximally 132,775 EUR in total including the value added tax for his/her promotion during the campaign before the election.¹³⁾ This amount shall include the amounts paid, or to be paid, by the candidate for the presidential office, including the amounts paid, or to be paid on behalf of the candidate for the presidential office by third persons. Should a commercial, advertisement or program be published or broadcasted free-of-charge or at a lower price elsewhere than in the Slovak Radio or the Slovak Television, their usual price shall be included in the above amount.

Section 17

For the purposes of this Act

- a) promotion of a candidate for the presidential office shall mean any public notification aimed at his/her support or serving for his benefit, for which a reward was, or is to be, paid,
- b) costs of promotion of a candidate for the presidential office shall mean a total of all pecuniary and other means estimable by money,

used by a candidate for the presidential office for payment of paid advertisements or advertising in periodical press¹⁴), for payment of advertising or sponsoring of programmes in the radio or television broadcasting¹⁵), for payment of advertisements placed at public places and for payment of advertising programmes, posters, leaflets and other promotion materials and items, disregarding whether the payment obligation arose directly to the candidate for the presidential office or to third persons.

Section 18

Raising Funds for Promotion of Candidates for Presidential Office

(1) A candidate for the presidential office shall be entitled to obtain donations and other gratuitous performance in support of his/her candidature only from natural persons with permanent residence on the territory of the Slovak Republic, from legal entities with registered office on the territory of the Slovak Republic or from political parties and movements registered in the Slovak Republic.

(2) A candidate for the presidential office must not accept donation or other gratuitous performance from the State, State authorities and from the territorial self-government authorities

Section 19

Notification Obligation

(1) A candidate for the presidential office shall be obliged to keep records of all donations obtained for his/her promotion and about their donors and to notify the Ministry of Finance of the Slovak Republic in writing of the total amount of funds obtained for his/her promotion (Section 18 § 1), and of the total amount of money paid for his/her promotion (Section 16). In the written notification, the candidate for the presidential office shall state the name, surname, permanent residence and the value of a donation or gratuitous performance of each donor, in case that the donor is a natural person and the value of the donation exceeded 331 EUR, and the name, registered office and value of a donation or gratuitous performance of each donor, in case that the donor is a legal entity and the value of the donation exceeded 331 EUR.

(2) A publisher of the periodical press¹⁶), an operator of the radio and television broadcasting¹⁷), an operator of advertisements placed in public places¹⁸) and a natural person or legal entity that created an advertising programme, poster, leaflet or other promotion material or item in support of a candidate for the presidential office, shall be obliged to notify the Ministry of Finance of the Slovak Republic in writing of the amount of the funds paid by individual candidates for the presidential office for promotion under this Act (Section 17) that was published, broadcasted or created.

(3) A candidate for the presidential office and a natural person or legal entity shall submit the notification under Paragraphs 1 and 2 no later than 30 days from the election day.

(4) A natural person and legal entity under Paragraph 2 shall also state in the notification the amounts corresponding to a usual price of advertising, sponsored programmes, advertisements or other promotion materials or programmes that were published, broadcasted or created in support of individual candidates for the presidential office free-of-charge or at a lower price.

(5) Natural persons and legal entities under Paragraph 2 shall keep special records about the facts, to which their notification obligation under this Act applies.

(6) The day of publishing of a promotion material or programme by means of an information medium and the day of publishing of the created promotion material in support of a candidate shall be decisive for calculation of costs.

Section 20

Sanctions

(1) Should the Ministry of Finance of the Slovak Republic determine, based on the notification (Section 19 § 1), that a candidate for the presidential office exceeded the maximum permissible amount of the costs under Section 16, no later than two months from receipt of the notification under Section 19 §§ 2 and 3 it shall impose on the candidate for the presidential office a fine in the amount of ten times the amount by which he/she exceeded the maximum permissible amount of the costs under Section 16.

(2) The Ministry of Finance of the Slovak Republic shall impose a fine in the amount of up to 66,387 EUR on a candidate for the presidential office, natural person or legal entity who fails to fulfil the notification obligation (Section 19).

(3) An appeal against a decision on imposition of a fine shall not have dilatory effect.

Voting Procedure

Section 21

(1) A qualified elector shall appear before the Precinct Election Committee and vote personally. He/she may not be represented.

(2) After coming to a polling station, a qualified elector shall prove his/her identity and after registering himself/herself in both counterparts of the list of qualified electors, he/she shall obtain an empty official envelope with the national emblem of the Slovak Republic (hereinafter the "envelope") and a ballot paper from the Precinct Election Committee. Should the qualified elector fail to submit his/her identity card and should none of the members of the Precinct Election Committee know him/her, the Committee shall request him/her to prove his/her identity by testimony of two persons known to the Precinct Election Committee; should the elector fail to do so before the close of the poll, he/she shall not be allowed to vote.

(3) The Precinct Election Committee shall register a qualified elector, who appeared in the polling station with a poll card, on the list of qualified electors. The registration shall be signed by the chairman and two members of the Committee; the poll card shall be attached to the list of qualified electors. The Committee shall subsequently provide the qualified elector with a ballot paper and an empty envelope.

(4) After the qualified elector obtained a ballot paper and an empty envelope, he/she shall enter the polling booth designated for marking of ballot papers, denote the candidate for which he/she wishes to vote on the ballot paper and put the ballot paper in the

envelope. Marking shall be done by making a cross in a small frame below the surname of the selected candidate. Other marking of a ballot paper shall not be taken into account.

(5) A qualified elector who is unable to mark the ballot paper personally due to being disabled or due to being unable to read or write, shall be entitled to take another qualified elector to the polling booth designated for marking of ballot papers, however not a member of the Precinct Election Committee, so that such person can mark the ballot paper on his/her behalf and put it in the envelope.

(6) After leaving the polling booth designated for marking of ballot papers, a qualified elector shall put the envelope to a ballot box in front of the Precinct Election Committee. The Committee shall not allow voting of a qualified elector who did not enter the polling booth.

(7) A qualified elector who is unable to come to a polling station and who stays, at the time of the poll, in the municipality, where he/she has permanent residence or who has a poll card, shall be entitled to request the Precinct Election Committee for being enabled to cast his/her vote in a mobile ballot box. In such case, the Precinct Election Committee shall send at least two of its members with a mobile ballot box, ballot papers and an envelope to the qualified elector; these members of the Precinct Election Committee shall secure secrecy of the voting.

(8) Should a qualified elector not be able to put the envelope in a ballot box personally due to being disabled, another qualified elector may do so on his/her behalf upon his/her request and in his/her presence, however this cannot be a member of the Precinct Election Committee.

Section 22

Provisions of a separate Act¹⁹⁾ shall apply to preparation of polling stations, polling booths designated for marking of ballot papers, tidiness of polling stations, suspension of the voting and the close of the poll.

Section 23

Counting of Votes by Precinct Election Committee

(1) After the close of the poll, the chairman of the Precinct Election Committee shall order sealing up of unused ballot papers and envelopes and opening of the ballot box. Should the Precinct Election Committee have also used, upon request of citizens, a mobile ballot box, it shall mix the contents of both ballot boxes.

(2) The Precinct Election Committee shall take the envelopes with ballot papers out of the ballot box, count the envelopes and compare the number with records on the list of qualified electors. The Committee shall exclude all envelopes other than the ones under Section 21 § 2. It shall also exclude all ballot papers, which were not in envelopes.

(3) After taking the ballot papers out of the envelopes, the Committee shall exclude invalid ballot papers and determine the number of votes gained by each candidate.

(4) Each member of the Precinct Election Committee can see the ballot papers. The chairman of the Precinct Election Committee shall control the counting of votes.

(5) In the room, where the Precinct Election Committee counts votes, the following are entitled to be present apart from its members: the registrar of the Precinct Election Committee, members of superior Election Committees and members of their professional (reporting) units, as well as the persons authorised by the Central Election Committee.

Section 24

Assessing Validity of Ballot Papers

(1) The ballot papers, which are not printed on the prescribed form shall be invalid. The ballot papers, on which more than one candidate is marked, or the ballot papers on which no candidate is marked shall also be invalid. The votes in support of candidates who resigned their candidature (Section 12) or died shall not be taken into account.

(2) Should there be more than one ballot paper in an envelope, the Precinct Election Committee shall exclude a ballot paper, on which no candidate is marked. Should there be more than one ballot paper in an envelope, on which the same candidate is correctly marked, the Precinct Election Committee shall count only one ballot paper. Should there be more than one ballot paper in an envelope, on which different candidates are marked, all ballot papers shall be deemed invalid.

(3) Should there arise doubts about validity of a ballot paper, a final decision on validity of the ballot paper shall be taken by the Precinct Election Committee.

Section 25

Minutes on the Course and Result of Voting in Election Precincts

(1) A Precinct Election Committee shall issue two counterparts of the minutes on the course and result of the voting in an election precinct, which shall be signed by the chairman, vice-chairman and other members of the Committee. Should any member of the Precinct Election Committee not sign the minutes, the reasons for not signing them shall be noted in the minutes.

(2) The minutes on the course and result of the voting in an election precinct shall state

- a) the time of commencement and close of the poll, or its suspension, if such is the case,
- b) the number of qualified electors registered on the list of qualified electors in the election precinct,
- c) the number of qualified electors who obtained envelopes,
- d) the number of cast envelopes,
- e) the number of valid votes cast for all candidates together,
- f) the number of valid votes cast for individual candidates,
- g) the number of votes cast for a candidate, who is no longer eligible, and for a candidate who resigned his/her candidature.

Section 26

Termination of Activities of Precinct Election Committee

(1) After counting the votes and signing both counterparts of the minutes on the course and result of the voting in an election precinct, the chairman of the Precinct Election Committee shall immediately deliver one counterpart of the minutes to the District Election Committee and he/she shall wait for its instruction for termination of activities.

(2) Should the chairman of the Precinct Election Committee fail to fulfil, upon request of the District Election Committee, the obligations under Paragraph 1 within 24 hours after the close of the poll, the District Election Committee shall deliver the results of the voting in other election precincts to the Central Election Committee.

(3) A Precinct Election Committee shall seal up the cast ballot papers, envelopes and the list of qualified electors and put them, together with other election documents, in custody of the municipality.

Section 27

Collection of Voting Result by District Election Committee

A District Election Committee shall collect the voting results from individual Precinct Election Committees and verify completeness of the minutes of the Precinct Election Committees on the course and result of the voting in individual election precincts by means of its professional (reporting) unit. Only members of Committees, members of their professional (reporting) units, registrar and persons authorised by the Central Election Committee may be present in the above activity.

Section 28

Minutes of District Election Committee
on Result of Voting

(1) A District Election Committee shall issue two counterparts of the minutes on the result of the voting; the minutes shall be signed by the chairman, vice-chairman and other members of the committee. Should any member of the District Election Committee not sign the minutes, the reasons for not signing them shall be noted in the minutes.

(2) The minutes of the District Election Committee on the result of the voting shall include

- a) the number of the election precincts and the number of the Precinct Election Committees, which delivered the result of the voting,
- b) the number of qualified electors registered on the lists of qualified electors,
- c) the number of qualified electors who obtained envelopes,
- d) the number of cast envelopes,
- e) the number of valid votes cast for all candidates together,
- f) the number of valid votes cast for individual candidates,
- g) the number of votes for a candidate, who is no longer eligible, and for a candidate who resigned his/her candidature.

(3) After signing both counterparts of the minutes on the result of the voting, the chairman of the District Election Committee shall immediately deliver one counterpart of the minutes to the Central Election Committee and he/she shall wait for its instruction for termination of activities. He/she shall put the other election documents in the custody of the municipality.

Section 29

Minutes of Central Election Committee on Election Result

(1) Based on the minutes of the Precinct Election Committees on the result of the voting, the Central Election Committee shall issue two counterparts of minutes, which shall be signed by the chairman, vice-chairman and other members of the Central Election Committee. Should any member of the Central Election Committee not sign the minutes, the reasons for not signing them shall be noted in the minutes.

(2) The minutes on the result of the voting shall include

- a) the number of districts,
- b) the number of the District Election Committees, which delivered the minutes,
- c) the number of the election precincts,
- d) the number of the Precinct Election Committees, which submitted their minutes,
- e) the number of electors registered on the lists of qualified electors in the election precincts,
- f) the number of valid votes cast for all candidates together,
- g) the number of votes for a candidate, who is no longer eligible, and for a candidate who resigned his/her candidature,
- h) the order of candidates according to the number of valid votes obtained from qualified electors,
- i) the name, surname and degree of a candidate, who was elected for the president, or information that none of the candidates obtained the necessary number of votes.

Section 30

Announcement of Election Results

(1) The Central Election Committee shall announce the result of the election. Announcement of the election results must include

- a) the name, surname and degree of the candidate, who obtained an absolute majority of valid votes of qualified electors and was elected for the president, or
- b) an observation that with regard to the election results, there would be held the second round of the election; the names, surnames and degrees of the candidates, who qualified for the second round,
- c) the order of other candidates and the number of valid votes obtained from qualified electors.

(2) After announcement of the election results, the Central Election Committee shall immediately deliver one counterpart of the minutes on the election results to the chairman of the National Council of the Slovak Republic.

(3) The Central Election Committee shall put the election documents in custody of the Ministry of Interior of the Slovak Republic.

Section 31

Second Round of Election

- (1) If in the first round of election, none of the candidates obtained an absolute majority of valid votes from qualified electors, the second round of election shall be held in times determined in a decision of the chairman of the National Council of the Slovak Republic on announcement of election.²⁰⁾
- (2) Section 4 § 7, Sections 5, 12, 13, and Sections 15 - 30 shall apply to the second round of election.
- (3) Municipalities shall inform electors of the time and venue of the second round of election in the manner usual for the municipality.
- (4) After announcement of the results of the first round of election, a candidate for the presidential office can resign the candidature in writing; otherwise, Section 12 shall apply to resignation of the candidature.

PART TWO

PLEBISCITE AND RECALLING OF PRESIDENT

Section 32

Announcement of Plebiscite

- (1) Announcement of the chairman of the National Council of the Slovak Republic about holding of a plebiscite on recalling of the president²¹⁾ (hereinafter the "plebiscite") shall be promulgated in the Collection of Laws of the Slovak Republic.
- (2) The announcement on holding of the plebiscite shall include
- a) the day of approval of a decision issued by the National Council of the Slovak Republic, based on which the plebiscite is to be held,
 - b) the day, or days, when the plebiscite is to be held; Section 2 §§ 2 – 4 shall apply to determination of the time of the plebiscite.

Section 33

Right to Vote

Qualified electors shall have the right to vote in a plebiscite (Section 1 § 2).

Section 34

Plebiscite Precincts

Municipalities shall establish plebiscite precincts for the purposes of casting of ballot papers and counting of votes in the plebiscite (hereinafter the "plebiscite precincts"). Provisions of Section 3 §§ 2 and 3 shall apply to establishment of the plebiscite precincts.

Section 35

Plebiscite List

- (1) Out of the permanent list of electors³⁾, a municipality shall make a list of electors qualified for voting in a plebiscite (hereinafter the "plebiscite list") in individual plebiscite precincts.
- (2) A municipality shall make a plebiscite list for a special plebiscite precinct; the head of the facility shall cooperate with the municipality in its preparation. A municipality, where a special plebiscite precinct was established, shall immediately inform the municipality, which is competent according to the permanent residence of a qualified elector, about his/her registration on the plebiscite list.
- (3) Soldiers of Armed Forces and members of Armed Security Corps and Armed Corps who are accommodated collectively shall be included on the plebiscite list in the municipality, where their unit is located. The registration shall be made on the basis of documents submitted by their unit in a time limit determined by the mayor of the municipality. Registration on the plebiscite list shall be valid only for the time of the plebiscite's holding. The municipality, where the unit is located, shall immediately inform the respective municipality, according to the permanent residence of the respective soldier or member, about his/her registration on the plebiscite list. The municipality shall avoid establishment of plebiscite precincts, where the plebiscite list includes only soldiers of Armed Forces and members of Armed Security Corps and Armed Corps.
- (4) Qualified electors under Paragraphs 2 and 3 shall not be registered on the plebiscite list in the respective plebiscite precinct according to their permanent residence.
- (5) The municipality shall submit two counterparts of the plebiscite list under Paragraphs 1 and 2 to the Precinct Plebiscite Committees no later than two hours before commencement of the voting.
- (6) The Precinct Plebiscite Committee shall register, on the plebiscite list, a citizen of the Slovak Republic who does not have permanent residence on the territory of the Slovak Republic and comes to a plebiscite station on the day of the plebiscite's holding; the Committee shall make a note about his/her registration on the plebiscite list in his/her Slovak travel document.
- (7) A Precinct Plebiscite Committee shall register an individual on the plebiscite list in its precinct
- a) based on a judicial decision,³⁾
 - b) based on a plebiscite card,
 - c) if he/she proves by his/her identity card to have permanent residence at the place, which falls under the plebiscite precinct.

Section 36

Plebiscite Card

- (1) Upon his/her request, a municipality shall issue a plebiscite card to a qualified elector, who will not be able to vote in the plebiscite precinct, where he/she is registered on the plebiscite list and it shall simultaneously delete him/her from this list with a note stating that he/she was provided with a plebiscite card.
- (2) The plebiscite card shall authorise the elector for his/her registration on the plebiscite list in any plebiscite precinct; his/her

registration shall be valid only for the time of the plebiscite's holding.

(3) In police arrest cells, detention facilities or places of disciplinary imprisonment, and in prisons, where no special plebiscite precinct was established, the exercise of the right to vote by qualified electors based on a plebiscite card shall be secured by a Precinct Plebiscite Committee, in whose ward such facility is located, in cooperation with the head of the respective facility. The size of the plebiscite precinct does not have to be observed in this case. If a qualified elector is brought in, and if possible, the respective police unit or military police unit shall enable the brought individual to exercise his/her right to vote.

Section 37

Plebiscite Authorities

(1) The following plebiscite authorities shall be established for the purposes of the plebiscite:

- a) The Central Plebiscite Committee (hereinafter the "Central Plebiscite Committee"),
- b) District Plebiscite Committees (hereinafter the "District Plebiscite Committee"),
- c) Precinct Plebiscite Committees (hereinafter the "Precinct Plebiscite Committee").

(2) Only a qualified elector may become a member of a Plebiscite Committee.

(3) A member of a Plebiscite Committee shall undertake his/her office upon signing the following oath: "On my honour I pledge to discharge my office conscientiously and impartially and to observe the laws and other legal regulations.".

(4) A Plebiscite Committee shall have the quorum, provided that an absolute majority of all its members is present. Any decision shall be deemed adopted, provided that an absolute majority of the present members voted for it. If the number of votes is equal, the proposal shall be deemed refused.

(5) At its first meeting, a Plebiscite Committee shall select its chairman and vice-chairman by an agreement. If no agreement is reached, the chairman and vice-chairman shall be selected by a lot. Drawing of lots shall be conducted by a registrar of the Plebiscite Committee.

(6) If the office of a member of a Plebiscite Committee is terminated, the chairman of the Plebiscite Committee shall call a substitute. The office of a member of the Plebiscite Committee shall terminate upon the day of delivery of a written notice sent by a political party, political movement or a coalition of political parties and political movements, which appointed the member, or upon the day of delivery of a written notice on resignation sent by the member to the chairman.

(7) For the purposes of processing the plebiscite results, the Statistical Office of the Slovak Republic shall establish professional (reporting) units for the Central Plebiscite Committee and the District Plebiscite Committees. Members of professional (reporting) units under Plebiscite Committees shall take an oath with the wording and in the manner under Paragraph 3.

Section 38

Central Plebiscite Committee

(1) Each political party and political movement represented in the National Council shall inform the Prime Minister of the Slovak Republic, no later than 35 days before the plebiscite's holding, about the name, surname and permanent residence of one member of the Central Plebiscite Committee and one substitute member.

(2) The first meeting of the Central Plebiscite Committee shall take place no later than 30 days before the plebiscite's holding; the meeting shall be convoked by the Prime Minister of the Slovak Republic.

(3) The Central Plebiscite Committee shall

- a) oversee preparedness of subordinate Plebiscite Committees for fulfilment of the tasks under this Act,
- b) decide on complaints about procedure of the District Plebiscite Committees,
- c) discuss information provided by the Ministry of Interior of the Slovak Republic about organisational and technical preparation of the plebiscite and it shall propose taking of measures,
- d) discuss information provided by the Statistical Office of the Slovak Republic about preparation of processing of the plebiscite results,
- e) find out the plebiscite results,
- f) issue minutes on the plebiscite results and announce the plebiscite results,
- g) approve presence of other individuals during counting of votes and reporting of votes in the Precinct Plebiscite Committees and the District Plebiscite Committees.

(4) The Ministry of Interior of the Slovak Republic shall establish a professional and administrative unit that will assist in fulfilment of the tasks of the Central Plebiscite Committee.

Section 39

District Plebiscite Committee

(1) Each political party and political movement under Section 38 § 1 shall inform the head of the District Office, no later than 30 days before the plebiscite's holding, about the name, surname and permanent residence of one member of the District Plebiscite Committee and one substitute member.

(2) The District Plebiscite Committee must have at least five members. Should the District Plebiscite Committee not be established in the manner stipulated in Paragraph 1 or should it have less than five members and should there be no substitute, the missing members of the District Plebiscite Committee shall be appointed by the head of the District Office from among qualified electors.

(3) The first meeting of the District Plebiscite Committee shall take place no later than 25 days before the plebiscite's holding; the meeting shall be convoked by the head of the District Office.

(4) The District Plebiscite Committee shall

- a) oversee preparedness of the Precinct Plebiscite Committees for fulfilment of tasks under this Act,
- b) decide on complaints about procedure of the Precinct Plebiscite Committees,

- c) discuss information about securing of activities of its professional (reporting) unit,
- d) oversee finding out of election results in the election precincts; it shall be entitled to request the Precinct Plebiscite Committees for explanations or other information and upon agreement with the Precinct Plebiscite Committee it can correct the found mistakes on its own or request the Precinct Plebiscite Committee to correct the found mistakes,
- e) find out the plebiscite results,
- f) issue minutes on the plebiscite results and submit it to the Central Plebiscite Committee.

Section 40

Precinct Plebiscite Committee

- (1) Each political party and political movement under Section 38 § 1 shall inform the mayor of the municipality, no later than 30 days before the plebiscite's holding, about the name, surname and permanent residence of one member of the Precinct Plebiscite Committee and one substitute member.
- (2) The Precinct Plebiscite Committee must have at least five members. Should the Precinct Plebiscite Committee not be established in the manner stipulated under Paragraph 1 or should the number of its members be less than five and should there be no substitute, the missing members of the District Plebiscite Committee shall be appointed by the mayor of the municipality from among qualified electors.
- (3) The first meeting of the Precinct Plebiscite Committee shall take place no later than 23 days before the plebiscite's holding; the meeting shall be convoked by the mayor of the municipality.
- (4) The Precinct Plebiscite Committee shall
 - a) secure a due course of the plebiscite, above all it shall oversee correct casting of ballot papers and secure tidiness of the plebiscite station and its surroundings,
 - b) count the votes,
 - c) issue and submit minutes on the course and result of the plebiscite in the plebiscite precinct and submit them to the respective District Plebiscite Committee,
 - d) fulfil other tasks assigned by the District Plebiscite Committee or by the Central Plebiscite Committee.

Section 41

Registrar of Plebiscite Committee

- (1) A registrar of the Plebiscite Committee shall secure organisational and administrative matters related to preparation and course of meetings of the Plebiscite Committee. He/she shall participate in meetings of the Plebiscite Committee and constitute a non-voting member.
- (2) The registrar
 - a) of the Central Plebiscite Committee shall be appointed and recalled by the Government of the Slovak Republic,
 - b) of the District Plebiscite Committee shall be appointed and recalled by the head of the District Office from among employees of the District Office,
 - c) of the Precinct Plebiscite Committee shall be appointed and recalled by the mayor of the municipality, usually from among employees of the municipality.
- (3) The registrar of the Central Plebiscite Committee shall be appointed by the Government of the Slovak Republic no later than 45 days before the plebiscite's holding, the registrar of the District Plebiscite Committee shall be appointed by the head of the District Office no later than 40 days before the plebiscite's holding and the registrar of the Precinct Plebiscite Committee shall be appointed by the mayor of the municipality no later than 40 days before the plebiscite's holding. The registrar shall take an oath with the wording and in the manner under Section 37 § 3.

Section 42

Ballot Paper

- (1) A ballot paper must state
 - a) the day, or days of the plebiscite's holding,
 - b) the following text:
 - "I support recalling of the president of the Slovak Republic,
 - I do not support recalling of the president of the Slovak Republic",
 - c) an instruction on the manner of voting.
- (2) Each ballot paper must include a stamp of the Central Plebiscite Committee and an official stamp of the municipality.
- (3) The Ministry of Interior of the Slovak Republic shall secure issuance of the necessary number of ballot papers and their delivery to municipalities.
- (4) On the day of the plebiscite's holding, the municipality shall secure delivery of ballot papers to all Precinct Plebiscite Committees no later than two hours before commencement of the poll.

Section 43

Informing of Qualified Electors

- (1) No later than 40 days before the plebiscite's holding, the municipality shall inform about the established plebiscite precincts, plebiscite stations and about the plebiscite hours in the manner usual for the municipality.
- (2) No later than 20 days before the plebiscite's holding, the municipality shall send a notification to each elector registered on the permanent list of electors³⁾, in which it shall state the plebiscite hours, the plebiscite precinct and the plebiscite station, at which the qualified elector can vote; in the notification, it shall also point out the obligation to prove the elector's identity before voting by an identity card and it shall provide a brief description how to mark the ballot paper.

Section 44 Voting

- (1) A qualified elector shall vote personally; he/she may not be represented. A qualified elector shall obtain a ballot paper in a plebiscite station.
- (2) A qualified elector shall vote by making a cross on a ballot paper in the respective small frame and by casting a marked ballot paper in a ballot box. The voting shall be secret.
- (3) Provisions of Section 15 §§ 12 and 13, Section 21 and Section 22 shall apply to the prohibition to convince for or against certain voting, to preparation of the plebiscite stations, to the polling booths designated for marking of the ballot papers, to commencement of the voting, to the voting, to tidiness of the plebiscite stations, to suspension of the voting and to the close of the voting, while no envelope shall be used for the voting.

Section 45 Assessing Validity of Ballot Papers

- (1) A ballot paper shall be invalid if there was cast a document, which does not constitute a ballot paper (Section 42). A ballot paper shall also be invalid, if it is torn in two or more parts or if it is marked in a way other than stipulated under Section 44 § 2, or if it is not marked at all.
- (2) In case of doubts about validity of a ballot paper, the final decision shall be taken by the Precinct Plebiscite Committee.

Section 46 Counting of Votes by Precinct Plebiscite Committee

- (1) After the close of the poll, the chairman of the Precinct Plebiscite Committee shall order sealing up of unused ballot papers and envelopes and opening of the ballot box. Should the Precinct Plebiscite Committee have also used a mobile ballot box, upon request of citizens, it shall mix the contents of both ballot boxes.
- (2) The Precinct Plebiscite Committee shall count the ballot papers and compare the number with records on the plebiscite list.
- (3) The Precinct Plebiscite Committee shall count invalid ballot papers and valid ballot papers and determine the number of votes for recalling the president from the office and the number of votes for not recalling the president from the office.
- (4) Each member of the Precinct Plebiscite Committee can see the ballot papers. The chairman of the Precinct Plebiscite Committee shall control the counting of votes.
- (5) In the room, where the Precinct Plebiscite Committee counts votes, the following persons are entitled to be present apart from its members: the registrar of the Precinct Plebiscite Committee, members of superior Committees and members of their professional (reporting) units, as well as the persons authorised by the Central Plebiscite Committee.

Section 47 Minutes on the Course and Result of Voting in Plebiscite Precincts

- (1) A Precinct Plebiscite Committee shall issue two counterparts of the minutes on the course and result of the plebiscite in a plebiscite precinct, which shall be signed by the chairman, vice-chairman and other members of the Committee. If anybody refuses to sign the minutes, the reasons for such refusal shall be noted in the minutes.
- (2) The minutes of the Precinct Plebiscite Committee on the course and result of the plebiscite in a precinct shall include
- a) the time of commencement and close of the plebiscite, or its suspension, if such is the case,
 - b) the number of qualified electors registered on the plebiscite list in the precinct,
 - c) the number of qualified electors who obtained ballot papers,
 - d) the number of cast ballot papers,
 - e) the number of cast valid ballot papers and the number of cast invalid ballot papers,
 - f) the number of votes for recalling the president from the office and number of votes for not recalling the president from the office.
- (3) After signing both counterparts of the minutes on the course and result of the plebiscite in the precinct, the chairman of the Precinct Plebiscite Committee shall immediately deliver one counterpart of the minutes to the District Plebiscite Committee and wait for its instruction for termination of activities of the Precinct Plebiscite Committee.
- (4) Should the chairman of the Precinct Plebiscite Committee fail to fulfil the obligation under Paragraph 3 within 24 hours after the close of the poll, upon request of the District Plebiscite Committee, the District Plebiscite Committee shall deliver the results of the plebiscite in other plebiscite precincts to the Central Plebiscite Committee.
- (5) A Precinct Plebiscite Committee shall seal up the cast ballot papers and plebiscite lists and put them, together with other plebiscite documents, in custody of the municipality.

Section 48 Minutes of District Plebiscite Committee

- (1) A District Plebiscite Committee shall issue two counterparts of the minutes on the result of the plebiscite; the minutes shall be signed by the chairman, vice-chairman and other members of the committee. If anybody refuses to sign the minutes, the reasons for such refusal shall be noted in the minutes.
- (2) The District Plebiscite Committee shall determine the results of the plebiscite based on the minutes on the course and result of the plebiscite delivered by the Precinct Plebiscite Committees.

(3) The minutes of the District Plebiscite Committee shall include

- a) the number of the Plebiscite precincts and the number of the Precinct Plebiscite Committees, which submitted minutes on the course and result of the plebiscite,
- b) the number of qualified electors registered on the plebiscite lists,
- c) the number of qualified electors who obtained ballot papers,
- d) the number of cast ballot papers,
- e) the number of cast valid ballot papers and the number of cast invalid ballot papers,
- f) the number of valid votes cast for individual candidates,
- g) the number of votes for recalling the president from the office and the number of votes for not recalling the president from the office.

(4) After signing both counterparts of the minutes on the result of the plebiscite, the chairman of the District Plebiscite Committee shall immediately deliver one counterpart of the minutes to the Central Plebiscite Committee and he/she shall wait for its instruction for termination of activities of the Precinct Plebiscite Committee. He/she shall put the other plebiscite documents in the custody of the municipality.

Section 49

Minutes of the Central Plebiscite Committee

(1) The Central Plebiscite Committee shall examine the minutes of the Precinct Plebiscite Committees and on their basis, it shall determine the results of the plebiscite.

(2) Based on the minutes of the Precinct Plebiscite Committees on the result of the plebiscite, the Central Plebiscite Committee shall issue two counterparts of the minutes, which shall be signed by the chairman, vice-chairman and other members of the Central Plebiscite Committee. If anybody refuses to sign the minutes, the reasons for such refusal shall be noted in the minutes.

(3) The Central Plebiscite Committee shall state the following in the minutes

- a) the number of the plebiscite precincts and the number of Precinct Plebiscite Committees, which delivered the minutes on the result of the plebiscite,
- b) the number of districts and the number of the District Plebiscite Committees, which delivered the minutes of the result of the plebiscite,
- c) the number of qualified electors registered on the plebiscite lists,
- d) the number of qualified electors, who were provided with ballot papers,
- e) the number of cast ballot papers,
- f) the number of cast valid ballot papers and the number of cast invalid ballot papers,
- g) the number of votes for recalling the president from the office and number of votes for not recalling the president from the office.

(4) After signing both counterparts of the minutes on the result of the plebiscite, the Central Plebiscite Committee shall announce the results of the plebiscite and it shall immediately deliver one counterpart of the minutes on the result of the plebiscite to the chairman of the National Council of the Slovak Republic; it shall put other documents on activities of the Central Plebiscite Committee in custody of the Ministry of Interior of the Slovak Republic.

PART THREE

COMMON PROVISIONS

Section 50

Means of Support

(1) All means of support, polling stations, plebiscite stations and their equipment shall be secured for the Precinct Election Committees and for the Precinct Plebiscite Committees by municipalities, on whose territories they are established.

(2) All means of support for the District Election Committees and for the District Plebiscite Committees shall be secured by District Offices and all means of support for the Central Election Committee and for the Central Plebiscite Committee shall be secured by the Ministry of Interior of the Slovak Republic.

Section 51

Cooperation of State Authorities and Municipalities

State authorities and municipalities shall be obliged to cooperate in enforcement of this Act.

Section 52

Demands of Committee Members

(1) The office of a member of an Election Committee and of a member of a Plebiscite Committee shall be an honorary office. Discharge of the office of an Election Committee member and of a Plebiscite Committee member shall be deemed other action in a general interest. Due to discharge of his/her office, an Election Committee member and a Plebiscite Committee member must not be limited in exercise of his/her rights and demands resulting from his/her employment or similar labour relation; above all, he/she shall be entitled to a paid holiday,²²⁾ or, in case of a sole trader, he/she shall be entitled to a compensation in the amount of a proportionate part of an average wage of an employee of a national economy.

(2) An employer, who paid compensation under Paragraph 1 shall be entitled to reimbursement of the paid amount. A Precinct Election Committee member and a Precinct Plebiscite Committee member shall be entitled to compensation for discharge of the office at times, when he/she is not entitled to the payment of wage under Paragraph 1. The amount of compensation and the manner of payment is regulated by a separate generally binding legal regulation.²³⁾

Section 53

Demands of Candidates

A candidate for the presidential office shall be entitled to provision of an unpaid holiday of 40 days by his/her employer or provider of a similar labour relation, for preparation and course of the campaign.

Section 54

Payment of Election Costs

(1) The cost incurred by the election and the costs incurred by the plebiscite, including the costs of the municipalities, shall be covered from the State budget.

(2) The costs under Paragraph 1 shall not be deemed the costs related to the campaign, except for reimbursement of the costs of the Slovak Radio and the Slovak Television for the use of the telecommunication means.

Section 55

Special Provisions

(1) The Ministry of Interior of the Slovak Republic shall direct municipalities and local authorities of the State administration in their

- establishment of the election precincts and plebiscite precincts,
- securing and equipping of the polling stations and plebiscite stations,
- custody of the election documents and plebiscite documents.

(2) Upon agreement with the Ministry of Interior of the Slovak Republic, the Statistical Office of the Slovak Republic shall issue a methodology of the processing of election results and plebiscite results.

Art. II

Act No. 99/1963 Coll. Civil Procedure Code, as amended by the Act No. 36/1967 Coll., by the Act No. 158/1969 Coll., by the Act No. 49/1973 Coll., by the Act No. 20/1975 Coll., by the Act No. 133/1982 Coll., by the Act No. 180/1990 Coll., by the Act No. 328/1991 Coll., by the Act No. 519/1991 Coll., by the Act No. 263/1992 Coll., by the Act of the National Council of the Slovak Republic No. 5/1993 Coll., by the Act of the National Council of the Slovak Republic No. 46/1994 Coll., by the Act of the National Council of the Slovak Republic No. 190/1995 Coll., by the Act of the National Council of the Slovak Republic No. 232/1995 Coll., by the Act of the National Council of the Slovak Republic No. 233/1995 Coll., by the Act of the National Council of the Slovak Republic No. 22/1996 Coll., by the Act of the National Council of the Slovak Republic No. 58/1996 Coll., by the finding of the Constitutional Court of the Slovak Republic No. 281/1996 Coll., by the Act No. 211/1997 Coll., by the finding of the Constitutional Court of the Slovak Republic No. 359/1997 Coll., by the Act No. 124/1998 Coll., by the Act No. 144/1998 Coll., by the Act No. 169/1998 Coll., by the Act No. 187/1998 Coll., by the Act No. 225/1998 Coll., by the Act No. 233/1998 Coll., by the Act No. 235/1998 Coll., by the finding of the Constitutional Court of the Slovak Republic No. 318/1998 Coll. and by the Act No. 331/1998 Coll., shall be amended as follows:

Section 200 gb with the following wording, including the title, shall be inserted after Section 200ga:

"Section 200gb

Proceedings concerning approval of a proposal of a candidate for the office of the president of the Slovak Republic

(1) Should the chairman of the National Council of the Slovak Republic refuse a proposal of a candidate for the office of the president of the Slovak Republic, the concerned candidate may turn to the Supreme Court of the Slovak Republic with a petition for issuance of a decision on approval of his/her proposal of a candidate for the office of the president of the Slovak Republic.

(2) The concerned candidate and the chairman of the National Council of the Slovak Republic shall constitute the parties to the proceedings.

(3) The Court shall decide by a decision delivered within five days from the petition's filing."

Art. III

Act No. 81/1966 Coll. on Periodical Press and Other Mass Media, as amended by the Act No. 84/1968 Coll., by the Act No. 127/1968 Coll., by the Act No. 99/1969 Coll., by the Act No. 131/1970 Coll., by the Act No. 86/1990 Coll., by the Act No. 186/1997 Coll. and by the Act No. 187/1998 Coll. shall be amended as follows:

In Section 9a § 1, the words "campaign before election of the president of the Slovak Republic" shall be inserted after the words "self-government authorities".

Art. IV

The Act No. 468/1991 Coll. on Operation of Radio and Television Broadcasting, as amended by the Act No. 597/1992 Coll., by the Act of the National Council of the Slovak Republic No. 166/1993 Coll., by the Act of the National Council of the Slovak Republic No. 325/1993 Coll., by the Act of the National Council of the Slovak Republic No. 212/1995 Coll., by the Act of the National Council of the Slovak Republic No. 220/1996 Coll., by the Act No. 160/1997 Coll., by the Act No. 283/1997 Coll., by the Act No. 187/1998 Coll. and by the Act No. 233/1998 Coll. shall be amended as follows:

In Section 5 (g) the words "rules of election of the president of the Slovak Republic" shall be inserted after the words "self-government authorities".

Art. V

This Act shall become effective upon its promulgation.

07/02/2011

www.legislationline.org/documents/a...

Jozef Migaš, in his own hand

Mikuláš Dzurinda, in his own hand