

ELECTION GUIDELINES
148.

INFORMATION
for international observers
on the election of the representatives and mayors of
local governments in 2006



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FOREWORD

The President of the Republic of Hungary has called the general elections of the representatives and mayors of local governments for 1 October 2006. Settlement municipalities reinstated during the change of regime in the spirit of the European Charter of Local Governments constitute the basic pillars of Hungarian democracy, which allow the administration of a wide range of affairs of local inhabitants in their own right.

On election day, in addition to the mayors and the municipality representatives of settlements, we may elect not only the representatives of county and metropolitan local governments and the Mayor of Budapest, but – in the spirit of extending democracy, now for the fourth time since the change of regime – also the representatives of minority municipalities.

Foreign inquirers and our guests may receive direct and authentic information about the events of the elections through various TV channels and the Internet. To further the information supplied to them, the National Election Committee supports the work of foreign election specialists, observers and the representatives of the media in the traditional way too. The aim of the present publication produced in this spirit is to provide detailed information on the complex structure and operation of the Hungarian local municipality election system.

We hope that our publication will give efficient help to observers who arrive to Hungary, further widening the publicity of the elections beyond the borders of our country.

Budapest, September 2006

Emília Rytók
Head
of the National Election Office

1. THE SYSTEM OF LOCAL MUNICIPALITY ELECTIONS

Pursuant to the Constitution of the Republic of Hungary, voters exercise local governance through the body of representatives elected by them and local referendums.

Accordingly, the aim of local elections is to establish new local governments *at the settlements* and *in the counties* of the country and *in the capital city*, and to elect *local minority* municipalities.

Pursuant to the Constitution, every major Hungarian citizen domiciled on the territory of the Republic of Hungary and every major citizen of another Member State of the European Union who is domiciled on the territory of Republic of Hungary is entitled to the right to stand as a candidate and, if they stay on the territory of the Republic of Hungary on election day, to elect in the election of the representatives and mayors of local governments. However, citizens of other Member States of the European Union shall not be elected mayor or the mayor of the capital city. Pursuant to the Constitution, major persons acknowledged as refugees, immigrants or domiciled shall have the right to elect.

Local municipality elections take place in a single round, and pursuant to the Constitution, they shall be held in October of the fourth year following the previous general elections. As part of this the representatives and mayors of settlements, and the members of county general meetings are elected. Also, voters living in the capital city elect the members and mayors of district municipalities, and the representatives of the metropolitan general meeting and the mayor of the capital city. Due to its peculiar nature, minority municipality elections are described in a separate chapter.

1.1. Election of municipality representatives at settlements with 10,000 or less inhabitants

The entirety of settlements with 10,000 or less inhabitants constitute one constituency.

Local municipality representatives are elected by the voters of the settlement on a so-called small list, with “block vote” method: the names of all of the candidates are indicated on the ballot paper in alphabetic order, and voters may vote on maximum as many candidates as many representatives can be elected at the settlement (the ballot is valid even if the voter votes on less candidates than allowed!). The number of electable representatives is indicated on the ballot paper.

The candidates that have won the most votes will be the elected representatives. The candidate that has won no votes may not be a representative. If all of the mandates cannot be allocated when allocating mandates because of equality of votes, it shall be decided by drawing lots which candidate will obtain the mandate. If less representatives are elected than the number of electable representatives, by-elections shall be called to fill the vacant seats.

The elections may not be held if less candidates have put up for the election than the number of electable representatives. In this case, by-elections are held, which shall be conducted in 4 months. In the event of elections not taking place for lack of candidates the mandate of the body of representatives will be extended until the date of by-elections.

If a candidate entered on a small list is elected to be the mayor at the same settlement, s/he shall be deleted from the small list and replaced with the candidate who has won the most votes.

1.2. Election of municipality representatives at settlements with more than 10,000 inhabitants and in the districts of the capital city

The members of local governments are elected by voters of the settlement in a mixed election scheme. It means that approx. 60% of the mandates are allocated in single mandate constituencies and 40% of them from compensation lists.

The territory of the settlement is divided into as many single mandate constituencies as many are determined by law. In each constituency one representative may be elected, who may stand either as an independent candidate or a candidate of a nominating organisation. Elections may not be held in a single mandate constituency where there is no candidate. In this case, by-elections shall be called in 30 days.

Voters may vote on one candidate. The candidate who has won the most votes will be given the mandate. In the event of equality of votes, the elections are inconclusive, and by-elections shall be held.

Compensation lists can be set up by nominating organisations that have put forward candidates in at least one-fourth of the single mandate constituencies. The nominating organisations that have put forward common individual candidates in at least one-fourth of the single mandate constituencies may present a joint compensation list.

The number of mandates that can be obtained from compensation lists is determined by law. Nominating organisations can obtain mandates from compensation lists on the grounds of fragmentary votes generated in single mandate constituencies.

The votes cast on a candidate of a nominating organisation who has not obtained a mandate are considered fragmentary votes.

The allocation of mandates is performed with the **modified Saint-Laguë method**: A chart shall be assembled in which a column of figures shall be established under the name of each list. The first number of the column of figures shall be the number of ballots of the given list divided by 1.5, the following numbers shall be the one third, fifth, seventh, etc. thereof. The largest number that occurs in the chart shall be identified, and the list in the column of figures of which it has been found shall be given one mandate. After that, the next largest number shall be identified: the list in the column of figures of which it has been found shall be given the next mandate. This process shall be continued until all of the mandates have been allocated.

1.3. Election of mayors and the mayor of the capital city

In the election of the mayor the entirety of a settlement constitutes one constituency.

The mayor is elected by majority method; that is, the candidate that has won the most votes will be the mayor. In the event of equality of votes, the elections will be inconclusive, and by-elections shall be held. The elections may not be held if there are no candidates, and in this case, by-elections shall be held, and until they take place and the new mayor is elected, the old mayor will stay in office. Voters may vote on one candidate for mayor.

1.4. Election of the members of county general assemblies

County general assemblies are elected in two constituencies. One constituency consists of the settlements with 10.000 or less inhabitants, the other one the settlements with more than 10.000 inhabitants in the county (except for cities having county rights). The number of mandates obtainable on the county list with respect to both constituencies shall be determined, subject to the number of the population of the county, by the law. Voters may vote on one list.

Mandates shall be allocated separately from each other in the two constituencies.

The list that has not attained more than 4% of all of the valid ballots cast in the constituency may not take part in the allocation of the mandates. Again, the allocation of mandates is performed with the **modified Saint-Laguë method**. Candidates are given mandates in the order of notification.

1.5. Election of the members of the metropolitan general assembly

The capital city constitutes one electoral district; the number of obtainable mandates is 66. Voters may vote validly on one list. The list that has not attained more than 4% of all of the valid ballots cast in the constituency may not take part in the allocation of mandates. Again, the allocation of mandates is performed with the **modified Saint-Laguë method**, candidates are given mandates in the order of notification.

2. ELECTION BODIES IN LOCAL MUNICIPALITY ELECTIONS

The elections are prepared and conducted by *election committees* and *election offices* (jointly election bodies).

2.1. Election committees

Election committees are voters' independent bodies subject solely to the law whose key responsibility is to determine the results of the elections, ensure the fairness, legality of the elections, enforce impartiality, and, if necessary, to restore the statutory order of the elections.

During the term of their operation election committees are considered authorities and their members public officials. The meetings of election committees are public; they may be attended by the representatives of the media and inquirers.

In the election of the representatives and mayors of local governments the following election committees are operated:

- in the approximately 11,000 electoral districts ballot-counting committees (BCC),
- at each settlement local election committees (LEC),
- in 20 regional constituencies (19 counties and the capital city) the regional/metropolitan election committees (REC, MEC),
- the National Election Committee (NEC).

Election committees consist of elected members, on the one hand, and members delegated by nominating organisations putting forward candidates and by independent candidates, on the other hand.

2.1.1. Elected members of election committees

- The three members of the BCC and the necessary number of alternate members are elected by the body of representatives of the settlement municipality; their persons are proposed by the head of the local election office.
- The three (at settlements having one electoral district, five) members of the LEC and the necessary number of alternate members are elected by the body of representatives of the settlement municipality; their persons are proposed by the head of the local election office.

- The three members of the REC and the necessary number of alternate members are elected by the metropolitan/county general meeting; their persons are proposed by the head of the regional election office.
- The five members of the NEC and the necessary number of alternate members are elected by the Parliament; their persons are proposed by the Minister of Local Governments and Regional Development taking the proposals of political parties into account.

The members of the BCC, the REC and the NEC shall be elected after calling the general elections of the Members of Parliament, the latest on the 51st day prior to election day, while the members of the LEC shall be elected the latest after calling the local municipality elections, the general elections of the representatives and mayors of local governments, the latest on the 51st day prior to polling day.

2.1.2. Delegating members to election committees

In addition to the elected members, another member is delegated to election committees by each of the nominating organisations putting forward candidates and setting up a list in the constituency and independent candidates. Organisations entering common candidates or lists may delegate one member jointly to the election committee of the area where the candidate or list is entered. Pursuant to this, delegated members may be delegated

- to the BCC by nominating organisations putting forward an individual candidate, a candidate for mayor, and setting up a county list and by independent candidates,
- to the LEC by nominating organisations putting forward an individual candidate, a candidate for mayor and by independent candidates,
- to the REC by nominating organisations setting up a county list in the county.

The composition of the NEC is identical with the composition evolved after the parliamentary elections.

Delegated members do not act in the capacity of observers but actively take part in the work of the election committee. It is especially true in the case of ballot-counting committees, in which tasks are allocated among the members by the chairman of the committee. To ensure that they can professionally fulfil the task allocated to them, the head of the election office is obliged to arrange for their training.

If the commission of a member of the election committee ceases due to any reason determined under the law, the nominating organisation, or the independent candidate may delegate a new member to replace them.

The commission of the delegated members of the election committee terminates once the final results of the elections have been published.

2.1.3. The powers and operation of election committees

The activity of election committees covers the entire election process from collecting proposal coupons to publishing the final results.

The committees check the process of proposing candidates, register candidates and lists. They approve of the data content of the ballot paper of the constituency (LEC, REC). They decide reserves submitted during the remedial proceedings.

In electoral districts ballot-counting committees conduct voting, make sure that the elections are lawfully implemented. They count the ballots, then draw up minutes of the electoral district results of voting. By aggregating the electoral district results determined by ballot-counting committees, the LEC and the REC determine the results of the elections, record them in minutes and make them public.

Election committees adjudge reserves against the results of the elections.

After the results are determined with legal force, election committees issue the letter of appointment to representatives who have obtained a mandate. So the LEC to the mayor and representatives, the REC to the members of the county general meetings, in the capital city the MEC to the members of the metropolitan general meeting and the mayor of the capital city.

The committee acts as a body, to make its resolutions valid the presence of the majority of the members and the vote of the majority of the members present is required. When an election committee is making a decision, abstention from voting is not allowed. The election committee is represented by its chairman.

2.1.4. The National Election Committee

The National Election Committee (NEC) is the election committee of supreme level. It is the guard of the legality and fairness of the elections.

The five members of the NEC and the necessary number of alternate members are elected by the Parliament; their persons are proposed by the Minister of Local Governments and Regional Development taking the proposals of political parties into account. The members shall be elected after calling the general elections of the Members of Parliament, the latest on the 51st day prior to election day.

The NEC has an extended scope of authority. To provide a uniform interpretation of rules of law pertaining to the elections and to develop a uniform legal practice, the NEC may issue standpoints, which shall be published in the official gazette of the Republic of Hungary "Magyar Közlöny". The NEC

registers nominating organisations putting forward candidates and setting up lists in several counties; may annul the results of the elections in the event of violation of law; decides reserves submitted; determines the nationally aggregated results of the elections and make them public; and finally, reports to the Parliament on the elections.

2.2. Election offices

Election offices are bodies fulfilling the state's responsibilities related to preparing, organising, conducting the elections, providing voters, candidates, nominating organisations with information free of party bias, handling election data, creating technical conditions, checking if statutory conditions are provided and professional rules are complied with.

Accordingly, in the local municipality elections:

1. at each settlement a local election office (LEO);
2. in each county a regional election office (REO);
3. on national level the National Election Office (NEO);
4. and beside each election committee, a parliamentary single mandate constituency election office (PSCEO) to fulfil co-ordinating tasks are operated.

Except for ballot counting committees, beside each election committee an election office is operated.

Beside ballot-counting committees, a member of the local election office acts as the keeper of the minutes.

The head of LEO and PSCEO is the settlement clerk; the head of REO is the county clerk. The head and members of the NEO is appointed by the Minister of the Interior. The members of the local and regional election offices are appointed by the head of the office. The members of the offices may be civil servants and public servants.

The election offices:

- fulfil organisational tasks related to preparing, conducting the elections;
- contribute to aggregating ballots, determining the results of the election; fulfil tasks of providing information;
- provide physical, technical conditions required for the operation of election committees and conducting voting;
- fulfil the secretariat tasks of the election committees;

- prepare affairs subject to the powers of the election committees for decision making;
- arrange for handling and safekeeping the election documents and delivering them to archives or annihilating them.

Information regarding legal, administration, technical issues concerning the elections can be required from the election office during working hours. Election offices inform inquirers about possibilities of supplying data related to the elections.

2.2.1. Election Information Service

At each settlement election offices operate Election Information Service (hereinafter referred to as “EIS”).

The basic task of the EIS is to provide voters, nominating organisations, foreign and domestic inquirers with information regarding legal affairs and other election related issues.

Election Information Services are operated at the mayors’ offices and at the office of the county/metropolitan general meeting.

Former “Election Guidelines” edited by the NEO and the printed matters necessary for notifying candidates are available at the information service of the National Election Office. Data on how to access the information service (address, opening hours, telephone, e-mail) can be found in the annex.

2.2.2. National Election Centre

In September 2006 the National Election Office will open the National Election Centre (NECtr) at the Duna Palace of the Ministry of the Interior. This is where the National Election Committee (NEC) and the National Election Office will receive the representatives of the international and domestic media, foreign election specialists and internal inquirers on polling day, and on the days preceding and following it (Budapest, V. Zrínyi 5.).

3. CONDUCTING VOTING AND DETERMINING THE RESULTS

3.1. Voting

3.1.1. Time, date and venue of voting; the polling station

In electoral districts votes may be cast **from 06:00 a.m. to 07:00 p.m.** on polling day personally, at the polling station designated in accordance with the voter's domicile. Voting may be interrupted or suspended when extraordinary events occur. The law considers it an extraordinary event when the number of the members of the ballot counting committee becomes less than three, or voting has become impossible due to external reasons beyond control. In this case, those present are obliged to immediately suspend voting, sequester the ballot-box and the documents, and immediately advise the head of the local election office about the fact of such suspension to ensure the lawful continuation of voting.

After eliminating the extraordinary event, voting may be continued.

The polling station may not be located in a building used by the candidate or the nominating organisation.

The necessary number of polling booths required for the smooth running of voting but minimum two polling booths shall be set up in the polling station. It is not compulsory to use the polling booth. For the purposes of voting, two or more ballot-boxes shall be erected in the polling station.

A properly fixed pen for the ballot-counting committee and the voters shall be placed in the polling station and the polling booths. The members of the ballot-counting committee shall use no other than the pen officially placed in the polling station.

During the time of voting the members of the ballot-counting committee shall not use any tools suitable for data recording or data transmission in the polling station, except for the official election documents and the official pen.

3.1.2. Commencement of voting

On polling day but prior to the commencement of voting the ballot counting committee places election documents, printed matters. During this period (until the commencement of voting) apart from the members of the ballot counting committee and the election office nobody else shall stay in the polling station.

After the polling station has been opened but prior to the commencement of voting, the ballot counting committee examines the state of the ballot-box in the presence of the voter who is the first to cast his or her ballot. After that the ballot counting committee shall **place a review sheet in the ballot box**, which is signed by the members of the ballot counting committee and the citizen who is the first to cast his or her vote. The voter who is the first to cast his or her vote shall not be a member of the ballot counting committee.

3.1.3. The role of the chairman of the ballot counting committee

The chairman of the ballot counting committee shall be responsible for the maintenance of order in the polling station and its vicinity on polling day. The measures taken by the chairman to maintain order shall be binding on everybody.

The chairman of the ballot counting committee shall be responsible also for having the resolutions adopted by the committee set forth in writing and delivered to the delegated members of the committee.

3.1.4. The voter at the polling station

During the time of voting voters may stay in the polling station only for the period necessary for exercising the right of voting.

Only voters indicated in the register of voters of the electoral district may vote at the polling station. Until polling day the register of voters is maintained by the head of the local election office, then he hands it over to the ballot counting committee. The ballot counting committee may enter further voters in the register if they have a certificate, or they can verify that their address is located on the territory of the electoral district, and they are not included in the register of major citizens disfranchised.

3.1.4.1. The process of voting

1. Prior to voting the ballot counting committee shall establish the voter's identity. The voter can prove his/her identity and address by presenting the following valid documents:
 - Valid identity card containing the address, **or**
 - Valid address card **AND**:
 - valid identity card, or
 - valid passport, or
 - valid card format driver's licence (issued after 1 January 2001), or
 - valid passport and EEA staying permit (in case EU citizens).

2. If the voter's identity has been established and nothing prevents voting, the ballot counting committee hands over the ballot papers to the voter, and in the presence of the voter affixes an official seal to them.
3. Receipt of the ballot-paper is verified by the voter by signing the register with his/her own hand.
4. The voter goes into the polling booth and fills in the ballot paper(s). A valid vote may be cast by two intersecting lines written with pen in the circle below, above or beside the name of the candidate or the list. It shall not affect the validity of the vote, provided that it complies with other conditions, if any remarks are made on the ballot-paper, or the order of the candidates has been changed, or the name of the candidate has been crossed out, or, a name has been added.
5. Voters shall put the ballot-paper into an envelope, and, in the presence of the ballot counting committee, cast it into the ballot-box. If the voter, before placing the envelope in the ballot-box, indicates that he or she has incorrectly filled in the ballot-paper, the ballot counting committee will once replace the incorrectly filled in ballot paper with a new one.

3.1.4.2. The informative and helping role of the ballot counting committee

It is one of the duties of the ballot counting committee to conduct voting lawfully, and as part of that to provide voters in the electoral district with information, and give voters help pursuant to the order prescribed by law. While doing so the ballot counting committee:

- will inform voters if a candidate has fallen out after the ballot papers have been produced, on the information board placed in the polling station or if necessary also orally (will cross out the name of the candidate fallen out);
- two members of the ballot counting committee will sign the register of voters instead of an illiterate voter and indicate the fact of illiteracy;
- will explain the method of voting, if necessary, without influencing the voter;
- if a voter unable to read, or prevented in voting for any other reason, cannot ask any other voter to help him/her to fill in the ballot paper, two members of the ballot counting committee will at his/her request give him/her help jointly.

3.1.5. Closing the voting

The chairman of the ballot counting committee closes the polling station **at 7:00 p.m.** The voters who are staying in the polling station or in its entrance-hall may still vote. After that the ballot counting committee will close voting.

After voting has been closed, the ballot counting committee will not accept any ballots.

3.2. Determining the results of the election

3.2.1. The electoral district result of the election

In each case the ballot counting committee counts the ballots at least twice. It shall continue counting until its result is equal to the result of some previous counting.

After counting the ballots, the ballot counting committee determines the electoral district result of the election. It draws up minutes, in two copies, on counting the ballots and the determination of the electoral district result.

Important! After the ballot counting committee has determined the result of voting in the electoral district, the ballots may be recounted only under remedial proceedings and exclusively the body that adjudges the legal remedy is entitled to do so.

On request the ballot counting committee hands over a copy of the minutes (together with the related resolutions) free of charge to each of the candidates' representatives present. The ballot counting committee immediately transports the minutes, election documents, printed matters and ballot papers, and the ballot box to the local election office. One copy of the minutes can be inspected at the competent election office in three days following the election.

3.2.2. The constituency result of the election

3.2.2.1. Determining the constituency result

The competent local or regional election office aggregates the ballots on the grounds of the minutes of the ballot counting committees and determines the result of the election the latest on the day following voting.

3.2.2.3. Legal remedy against the constituency result of the election

Appeals may be lodged against the decision of the election committee determining the election results by referring to

- the unlawful nature of the decision of the ballot counting committee determining the electoral district result, or
- the violation of the rules of aggregating the electoral district results and determining the election results.

Appeals against the decision determining the result of the election (and the petition of review against the decision adopted on the grounds of such appeal) shall be submitted so that they are received the latest on the 3rd day following the decision of the election committee. The body (election committee or the court) entitled to adjudge the application for legal remedy will decide the application the latest on the 3rd day it is received.

If the application for legal remedy submitted on the grounds of the unlawful nature of the decision of the ballot counting committee can be adjudged only through recounting the ballots, and there is a mathematical possibility that the results will change, the body (election committee or court) adjudging the application is obliged to recount the ballots. When recounting the ballots the term available for adjudging the application for legal remedy will be extended to become twice as long, and the election committee or the court may use the assistance of the members of election committees.

4. ELECTION OF NATIONAL AND ETHNIC MINORITY MUNICIPALITIES

The communities of national and ethnic minorities acknowledged in the Republic of Hungary have the right ensured in the Constitution to establish local and national municipalities. Pursuant to Act LXXVII of 1993 on the Rights of National and Ethnic Minorities, minority elections may be held in the case of Armenian, Bulgarian, Croatian, German, Greek, Gypsy, Polish, Romanian, Russ, Serbian, Slovakian, Slovenian and Ukrainian minorities.

4.1. Suffrage, election of the representatives of minority municipalities

Suffrage, register of minority voters

Hungarian citizens who are included in *the register of minority voters* may participate in the election of the representatives of the minority municipality of the settlement.

Data protection

The register of minority voters is not public, the particulars of the persons included in it shall be handled confidentially, so, except for the voters themselves and the election bodies, and the court, nobody is entitled to obtain information on who have the right to vote. Accordingly, the data of the register of minority voters may not be obtained, purchased or used in the campaign or for any other purposes.

The number of those included in the register of minority voters, however, constitutes data of public interest; the National Election Office makes it public on its web site split per settlement and minorities.

After voting, once its result has become final, the register of minority voters shall be annihilated.

4.2 Putting forward candidates

In the minority municipality elections of settlements only *minority nominating organisations* may put forward candidates.

Candidates may be only persons who *are included in the register of voters* of the given minority

- at the settlement where they are put forward as candidates, or

- at another settlement (even if the election has not been called at the settlement of their domicile because less than 30 persons are included in the register of minority voters).

Voting may be held if there are minimum 5 candidates.

4.3. Election bodies

Ballot counting committee

The minority municipality elections of settlements are conducted by a separate ballot counting committee. This committee acts with regard to all minorities. The ballot counting committee consists of only elected members; no members may be delegated to it by candidates or minority nominating organisations.

Local election committee

To the local election committee, which determines the results of the minority elections, each minority organisation putting forward candidates at the settlement may delegate one member, who participates in the work of the committee as a member having full entitlement and right to vote regarding the issues of the election of the municipality of his own minority. The delegate of the minority organisation may also attend the meetings of the committee held to discuss other matters, may address the meeting, however, does not have right to vote on these items of the agenda.

Regional election committee

The regional election committee acts in registering nominating organisations, and as a remedial forum; delegation is not allowed.

National Election Committee

The National Election Committee acts in registering the nominating organisations; delegation is not allowed.

4.4. Voting

Time, date of voting

Voting will take place between 06:00 a.m. and 07:00 p.m. on 1 October 2006.

Venue of voting

Voting will take place in the electoral district set up especially for this purpose, before a ballot counting committee. If several minorities elect municipalities at

the settlement, then each minority will cast their votes at the same polling station.

If the large number of voters justifies it, that is, the number of voters included in the register of minority voters exceeds 1200, several minority electoral districts may be set up.

In the minority municipality elections voters may cast their votes only at the settlement where they live, *it is not allowed to vote away from the domicile*.

The process of voting

During voting the ballot counting committee checks the voter's identity and address on the grounds of the valid documents presented by the voter. If the voter is included in the register of minority voters, the voter may vote, failing which the voter may not vote. Votes may be cast validly on maximum 5 candidates, but votes cast on fewer candidates than that are also valid.

The ballot-paper

Separate ballot-papers are made for each minority. On the ballot-paper the name of the candidates and the name of the nominating organisation putting forward candidates are indicated in the order drawn by the local election committee. The ballot-paper is bilingual: it is made in Hungarian and in the language of the minority; however, it contains the name of the candidate and the name of the nominating organisation also in the language of the minority only in the event that this is requested by the candidate or the minority organisation.

In the case of joint candidates the names of all of the minority organisations putting forward the candidate will be indicated on the ballot-paper.

4.5. Determining the results

Votes cast will be counted by the ballot counting committee separately for each minority, the results of counting will be recorded by the committee in minutes.

On the grounds of such minutes the local election committee determines the result of the election: the 5 candidates who have received the most votes will obtain the mandate. Each settlement minority municipality consists of 5 members.

Inconclusive election, termination of the mandate

If less than 5 candidates receive votes, the election will be inconclusive, and the settlement minority municipality may not be established; it will be possible to establish the settlement minority municipality in the next general elections.

If the mandate of any of the representatives elected terminates, this representative will be replaced by the representative who has received the most votes. If there are no more candidates, the number of the minority body will be reduced.

If the number of the representatives becomes less than 3, the municipality will terminate. No by-elections will be held; it will be possible to establish the settlement minority municipality in the next general elections.

5. LEGAL REMEDIES

5.1. Types of legal remedies

Three forms of legal remedy: – reserve, appeal, application for judicial revision, are available to those who apply for legal remedy. An application for legal remedy may be submitted in 3 days from the violation of law, or from the adoption of the resolution found injurious. The time frame available for submission is a term of preclusion.

A **reserve** is a means of legal remedy that may be lodged by anybody by referring to the infringement of any of the rules of law applying to elections or the basic principles of elections and the electoral procedure. Reserves will be adjudged by the election committee acting as a body of the first instance.

An **appeal** is the next step in the order of legal remedies. Appeals may be submitted against the election committee's resolution of the first instance by any voter, candidate, nominating organisation or legal person concerned in the case.

No appeal lies against the resolution adopted by the election committee acting as a body of the second instance, and against the resolution of the National Election Committee.

Applications for judicial revision may be submitted against the election committee's resolution of the second instance, and against the resolution of the National Election Committee by any voter, candidate, nominating organisation, or legal person concerned in the case.

Against the court's decree no further legal remedy lies.

The election committee adjudging the appeal, or the court will either sustain the resolution contested, or change it.

5.2. System of remedial forums

In the local municipality elections the election committees that act as remedial forums are as follows:

The local election committee

- decides reserves related to the election of mayors, representatives,
- decides appeals against resolutions of the ballot counting committee that affect solely the election held at the settlement (the election of the mayor,

the representatives), and against the resolutions of the ballot counting committee that affect both the settlement and the regional election of municipalities and the mayor:

The regional election committee

- decides reserves related to the county/metropolitan list elections and the election of the mayor of the capital city,
- decides appeals against the ballot counting committee's resolutions that affect solely the regional municipality elections or the election of the mayor of the capital city:
- decides appeals against the resolutions of the local election committee.

The National Election Committee

- decides reserves that do not fall within the competence of the local or regional election committee,
- decides appeals against the resolutions of the regional election committee.

In the election of the representatives and mayors of local governments the courts that act as remedial forums are as follows:

The County (Metropolitan) Court

- Adjudges applications for judicial revision submitted against the regional election committee's resolution of the second instance.

The Supreme Court

- Adjudges applications for judicial revision submitted against the National Election Committee's resolutions of the first and the second instance.

6. COMPUTERISED DATA PROCESSING SYSTEMS

The solutions used in developing special IT systems and the proper infrastructural background jointly ensure that special electoral systems can operate under safe operational conditions, in an environment having proper protection and sufficient reserves.

In what follows, the most important functions of the key IT systems supporting the elections will be described. In addition to the special systems to be specified, several other minor systems are operated to ensure that information, management and other special requirements are met, including e.g. the elections history database, the logistics system, the financial information system, and the internal management system.

6.1. The system for setting up constituencies, for generating and maintaining the register of voters, and for handling the register of major citizens disfranchised

After calling the elections, on the grounds of the records of the Particulars and Address Register (SZL) and the register of major citizens disfranchised (NESZA), the register of voters who have right to vote is produced for each electoral district, which is thereafter continuously updated.

The register of voters produced can be purchased by those running in the elections.

6.2. The system for checking the process of proposing candidates (JER)

The JER gives assistance to implement the electronic storage of the data of the proposal coupons submitted by the candidates and the checking process supported by computer. Data are checked by direct access to the register stock, the SZL and the NESZA, through the extended network of the document system. Furthermore, the system provides the checklists and statistics required for the election committees to make decisions.

6.3. The System for Preparing the Elections (VER) and the system supporting the sending and receiving of data to/from the printing house

It is the duty of the VER to register the data of individual candidates, political parties and lists running in the elections in the central database.

Furthermore, the VER supplies up-to-date records to election bodies, delivers data to the Information System, produces statistical statements and ad hoc data supplies. In the period of putting forward candidates, it follows up completions, legal remedies, and supports the process of checking data; after the process of proposing candidates has been closed, it delivers in a closed operational system the data necessary for producing ballot-papers to the printing house, and to the election committees for approval, and forwards the image of ballot-papers in electronic format.

The computer system supplies data to substantiate the database for aggregating ballots.

6.4. The system for aggregating ballots

In electoral districts the data sheets drawn up on the first counting are forwarded to the local election office where they are immediately processed. So national data are available at the Election Centre within a short time. The ballot aggregating system evaluates the results of the election, and delivers them every 3-5 minutes to the information system. In view of the fact that data sheets are drawn up before the ballot counting committee adopts its decision, the data sheet might include ballots contested by the committee. The result so produced shall be handled as unofficial, preliminary informative data.

Then, fast publication of the preliminary results in 4+1 languages is provided, and these data are made available on CD on the day following the election. From its database the preliminary ballot aggregating system produces the report of the National Election Office too.

Also, the IT system plays a part in fulfilling administrative tasks preceding the election committees' decisions on determining the results. It processes electoral district minutes, which thereafter are compared item by item with the data entered in the computer. The IT system follows up remedial events, supplies data for determining the % limits of regional lists, carries out the calculations necessary for allocating mandates, and by performing all that supports the work of election committees.

6.5. The system for signalling the probability of electoral delicts

In addition to statistical analyses, this system ensures the registration of the data of those who vote with a certificate and the data of the issuance of such certificates. By checking and comparing the data recorded it is possible to explore frauds that might have been committed.

6.6. Information systems

Throughout the entire process of the election, the information system ensures that election bodies, citizens, the media and political parties are provided with information in the format, with content and frequency in line with the special features of each phase and event, through intranet and/or Internet access, by delivering standard data stocks.

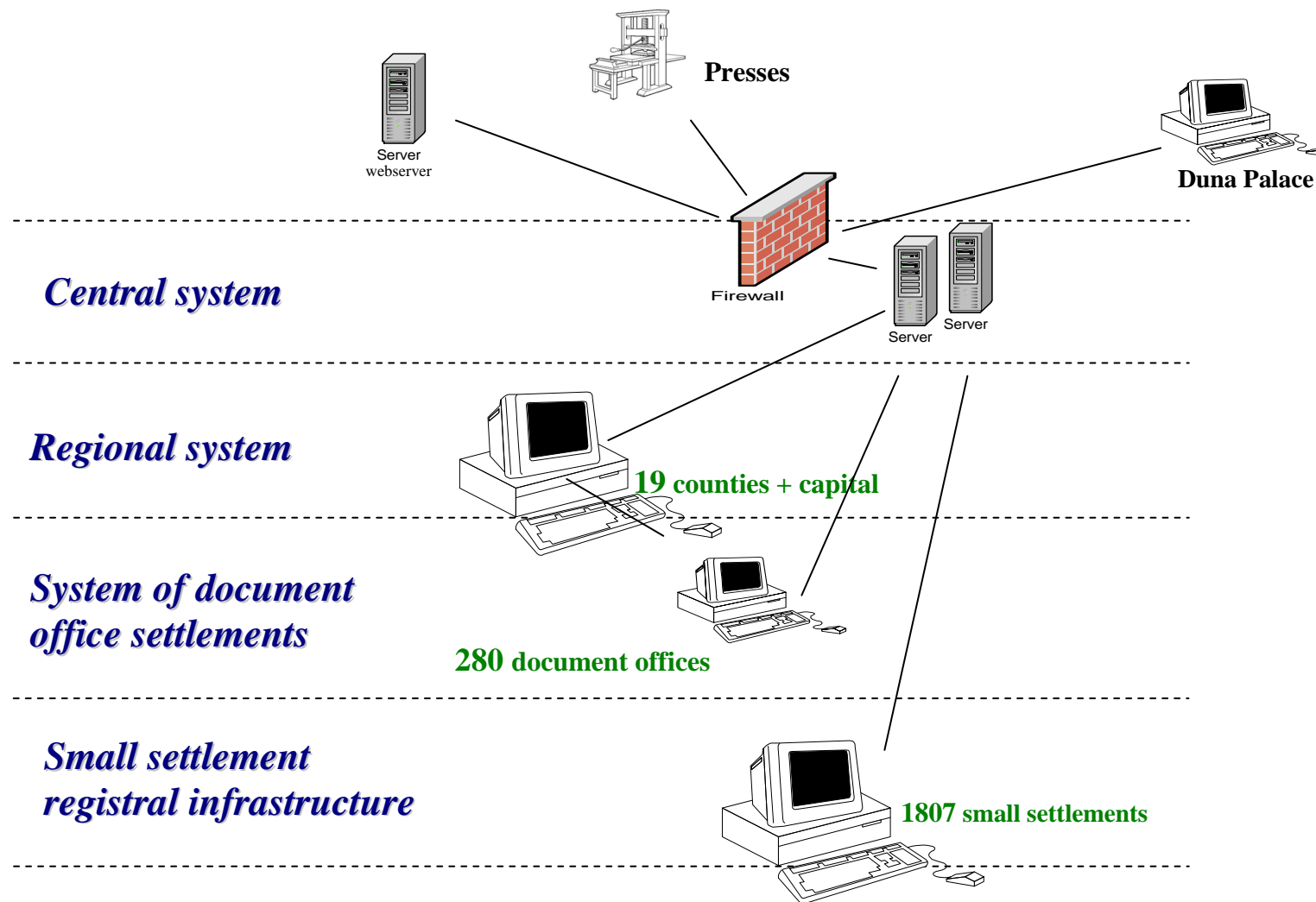
On the days preceding and following the election rounds, the system operated at the Duna Palace to serve domestic and foreign inquirers, the representatives of the media and political parties provides the option of personal inquiry, and helps to supply information by projecting the intranet/Internet information system.

6.7. Election Administration System (VÜR)

The VÜR serves to fulfil, organise election related administrative tasks, to conduct communication between election bodies, using state-of-the-art IT tools and the possibilities offered by the closed computer network built between document offices. It comes from the above that only work stations and users that have been given entitlement to do so are able to register with and use the system.

The prime aim of the system is to operate the IT communication channel between the national, regional and local election bodies. This channel offers the option of **electronic mail** and so-called **forum** to those who have registered; the latter makes it possible, similarly to message boards, for persons making comments to display their opinions, requests for help.

INFORMATICS INFRASTRUCTURE



7. ELECTION INTERNET INFORMATION SYSTEM

In addition to correctly conducting the elections, it is one of the duties of the National Election Office to provide the general public and the election apparatus with information.

The aim and duty of the Internet based information system is to present the informative data, results of the elections in a fast, exact and authentic form, and to display the bulk of information related to election events in a systematised format.

We intend to provide our services for voters, nominating organisations and candidates, the actors of state administration, and every foreign and domestic inquirers, international observers, by that ensuring the extensive review of the fairness of the electoral procedure.

The services of the information system contain information free from any political or party bias.

We intend to attain openness, easy access to information by making the authentic documents we have at our disposal available on our WEB sites as soon as practically possible.

The Internet Information System can be read in Hungarian and in an abridged format in English.

Access to the election Internet (Web addresses):
www.valasztas.hu, and a www.election.hu.

As a default, this site is displayed in Hungarian; to access the English version the English flag under the address must be clicked.

The Internet service focuses on two key areas:

- current election events, results; and
- general information on the election of local municipality representatives.

It is an outstanding service of the Web pages that they make **dynamic data** public, which adjust the content of the Internet information to current events from calling the election of local municipality representatives to producing the final, official results of the election.

On polling day it provides information on the number of those who appear as voters and possible extraordinary events, then after the electoral districts have been closed at 07:00 p.m., it makes it possible to follow the events of the preliminary aggregation of ballots. After the official results of the election have been produced, the preliminary data will be replaced with the final data.

ANNEX

THE NATIONAL ELECTION COMMITTEE

ELECTED MEMBERS:

Dr. Péter Szigeti	chairman
Dr. Gábor Halmai	deputy chairman
Dr. Marianna Fazekas	
Dr. Imre Ivancsics	
Dr. Miklós Molnár	

DELEGATED MEMBERS:

Dr. Tímea Baleczky	MDF
Dr. Vilmos Bordás	FIDESZ
Dr. Balázs Poczkodi	SZDSZ
Dr. György Sándorfi	KDNP
Dr. György Szoboszlai	MSZP

NATIONAL ELECTION OFFICE

Emília Rytó

Head of the National Election Office

Dr. Zsuzsanna Luczai
Deményné Krisztina Kertész
András Pál Zubor
Dr. Zsolt Berta

LIST OF NAMES AND ADDRESSES OF HEADS OF REGIONAL ELECTION OFFICES

<i>Heads of REO</i>	<i>REO headquarters</i>	<i>Telephone</i>	<i>Fax</i>
Dr. István Ferenczi	Bács–Kiskun County General Meeting 6000 Kecskemét, Deák Ferenc tér 3.	76/513-830	76/513-831
Lászlóné Dr. Ilona Kovács	Baranya County General Meeting 7621 Pécs, Széchenyi tér 9.	72/500-409	72/500-469
Dr. István Biri	Békés County General Meeting 5600 Békéscsaba, Derkovits sor 2.	66/441-089	66/441-593
Dr. Pál Illés	Borsod–Abaúj–Zemplén County General Meeting 3525 Miskolc, Városház tér 1.	46/346-256	46/352-525
Dr. Zsolt Tiba	Mayor's Office of the Capital City Budapest 1052 Budapest, Városház u. 9-11.	327-1033	327-1822
Dr. Judit Siket	Csongrád County General Meeting 6722 Szeged, Rákóczi tér 1.	62/566-010	62/425-435
Dr. Zoltán Merényi	Fejér County General Meeting 8000 Székesfehérvár, Szent István tér 9.	22/522-505	22/522-575
Dr. Béla Kovács	Győr–Moson–Sopron County General Meeting 9021 Győr, Árpád u. 32	96/522-222	96/522-221
Vasas Lászlóné Dr.	Hajdú–Bihar County General Meeting 4024 Debrecen, Piac u. 54	52/507-501	52/507-511
Dr. József Benkár	Heves County General Meeting 3300 Eger, Kossuth Lajos u. 9	36/410-359	36/411-106
Dr. Péter Bozsó	Jász–Nagykun–Szolnok County General Meeting 5001 Szolnok, Kossuth Lajos u. 2	56/505-201	56/505-388
Dr. Vilmos Csermák	Komárom–Esztergom County General Meeting 2800 Tatabánya, Fő tér 4.	34/517-122	34/311-690
Dr. László Barta	Nógrád County General Meeting 3100 Salgótarján, Rákóczi út 36	32/620-126	32/620-152
Dr. Tibor Szép	Pest County General Meeting 1052 Budapest, Városház u. 7	317-6423	318-1946
Dr. Tamás Vörös	Somogy County General Meeting 7400 Kaposvár, Csokonai u. 3	82/508-109	82/320-420
Dr. Károly Borbély	Szabolcs–Szatmár–Bereg County General Meeting 4400 Nyíregyháza, Hősök tere 5	42/599-510	42/599-514
Dr. István Sebestyén	Tolna County General Meeting 7100 Szekszárd, Szent István tér 11-13.	74/505-604	74/505-611
Dr. László Kun	Vas County General Meeting 9700 Szombathely, Berzsényi Dániel tér 1	94/515-710	94/515-717
Dr. Imre Zsédényi	Veszprém County General Meeting 8200 Veszprém, Megyeház tér 1	88/545-021	88/545-012
Dr. Rózsa Sifter	Zala County General Meeting 8900 Zalaegerszeg, Kosztolányi Dezső u. 10	92/500-711	92/500-777

USEFUL INFORMATION

The EIS is an election information service operated by the National Office. Its basic task is to provide voters, nominating organisations, foreign and domestic inquirers with information on legal issues and other election related matters. In order to provide efficient and wide-scale information as much as possible regional and local election offices also operate election information services, their contact details correspond to the address of the given mayor's office or the office of the county municipality.

Contact details of the Election Information Service:

Personally:

Duna Palace (Budapest, V. ker, Zrínyi u.5).

Opening hours: from Monday to Thursday 8:30 a.m. - 04:00 p.m.

Friday 8:30 a.m. – 02:00 p.m.

By mail:

OVI VISZ 1450 Budapest, Pf. 81

Phone:

+(36 1) 266-1200;

(Blue) number that can be called in Hungary free of charge: 06-40-200-717
(with answering machine)

Fax:

+(36 1) 332-6337

E-mail:

visz@mail.ahiv.hu

Election Internet

www.valasztas.hu

www.election.hu

National Election Committee

1450 Budapest Pf: 81

Fax: +(36 1) 456-6519