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EUROPEAN COMMISSION FOR DEMOCRACY THROUGH LAW
(VENICE COMMISSION)

ELECTORAL CODE

OF THE REPUBLIC OF MOLDOVA

AS OF 31 DECEMBER 2015

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CENTRAL ELECTORAL COMMISSION

ELECTORAL CODE

of the Republic of Moldova

Chisinau - 2015

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Unofficial Translation

ELECTORAL CODE

Law No 1381-XIII of 21.11.97, Official Gazette of the Republic of Moldova No 81/667 of 08.12.1997
Including all the amendments as of 6 May 2015

The will of the people is the basis for state power. This will is expressed through free elections, which take place periodically via a universal, equal, direct, secret, and freely-expressed ballot. The state guarantees the free expression of citizens' will through the protection of democratic principles and of the provisions of electoral law. The present Code regulates the organisation and conduct of the Parliamentary and local public administration elections, as well as organisation and conduct of referenda.

The Parliament approved the present Code.

TITLE I

General Provisions

Chapter 1

General Definitions and Principles

Article 1. General Definitions

For purposes of this Code, the following general terms have the following meaning:

"Electoral poster" refers to the appeals, statements, photographs and other materials used by candidates for purposes of pre-election campaigning.

"Pre-election Campaigning" refers to the preparation and distribution of information seeking to persuade the voters to vote for an electoral candidate.

"Voter" refers to a citizen of the Republic of Moldova eligible to vote.

"**State Registry of Voters**" – exclusive integrated informational system of keeping records about voters from the Republic of Moldova, managed in a manner consistent with the State Registry of Population. The registry is designed to collect, keep, update and analyse data about citizens of the Republic of Moldova, including those located abroad, who have reached the age of 18 years and do not have legal impediments to vote.

"Election", unless specified otherwise, refers to the election of members of Parliament and the local public administration bodies, or conducting a

referendum. An election also entails the actions of citizens, parties and other socio-political organisations, electoral blocs, electoral and other state bodies concerning the preparation of voters' lists, the nomination and registration of candidates, pre-electoral campaigning, voting and the tabulation of results, as well as other election-related actions under current laws.

"General elections" refers to any type of elections conducted on one day indicated in a decree establishing the date of elections throughout the territory of the republic.

"Early elections" refers to the elections of the elective body in the event of mandate's ending before the scheduled end of the term, or the dissolution of an elective body, or a territorial-administrative reorganisation necessitating early elections.

"Electoral bloc" is a voluntary union of two or more parties and/or social-political organisations that was created for joint participation in elections. Electoral blocs are registered with the Central Election Commission for parliamentary elections and local general elections, or registered with the district electoral councils for new local elections.

"Electoral campaign" refers to the time period allowed for activities aimed at persuading the voters to cast their votes for one or another candidate, commencing for each candidate on the day he/she is registered with the Central Election Commission or district electoral council, and ending on the day of his/her exclusion from election process or on election day.

"Candidate" refers to an individual who runs for an elective public position on behalf of parties, other socio-political organisations, or electoral blocs.

"Independent candidate" refers to an individual who runs for an elective public position, independently of parties, other socio-political organisations, and/or electoral blocs.

"Centre for Continuous Training on Elections" – specialised unit, created within the Central Election Commission, to increase the qualifications of electoral officials and to ensure on-going professional training of elected officials as well as of other actors involved in the electoral process."

"Electoral district" refers to an administrative electoral unit where elections and referendums are organised and conducted.

"Code of Conduct" refers to an agreement between candidates and representatives of mass-media regarding the covering the electoral campaign in a way that excludes harming the dignity and reputation of candidates.

"Candidate" refers: In parliamentary elections - to independent candidates, registered with the Central Election Commission, as well as to parties, other socio-political organisations and electoral blocs whose lists of candidates have been registered with the Central Election Commission;

In local elections - to parties, other socio-political organisations, electoral blocs, and individuals running for the position of mayor or councillor, registered by authorized district electoral councils.
"Complaint" refers to a request to cancel or revise an act, a decision, or an action.
"Central Election Commission" refers to independent state body, established for carrying out electoral policies for the purpose of good conduct of elections, monitoring and control of enforcement of legal provisions on financing of political parties and electoral campaigns.
"Nomination of Candidates" refers to a procedure of adoption of decisions regarding candidatures for elective positions by parties and other socio-political organisations and electoral blocs. Candidate-selection decisions occur during sessions of governing bodies of the parties and other social-political organisations or electoral blocs in accordance with their statutes. Candidate-selection decisions occur after the announcement of the date of elections.
"Domicile" refers to a person's permanent place of residence, confirmed in their Identity Card.
“Statement of residence” refers to a procedure through which citizens with a right to vote declare their place of residence on the day of election.
"Electoral right" refers to a citizen's constitutional right to elect, to be elected, and to vote on the most important issues of the state and the society and/or issues of special local interest.
“Electoral education” – an educational and non-political activity, carried out by civil society organisations and groups, educational institutions, mass-media and other interested parties, which aims to increase citizen knowledge about political and electoral processes, and to allow them to cast their votes freely and in an informed manner. Electoral education may be freely conducted by interested actors through organising seminars, trainings, round-tables, informational campaigns, public electoral debates and other education activities which are not regulated by the Central Election Commission or other authorities;
Financing of electoral campaigns – direct and/or indirect financing, as well offering by the state, individuals and/or legal entities of other material support to the electoral contestant.
Financing of political parties – direct and/or indirect financing, (offering), allocating or transmitting to political parties’ benefit of financial means, material means, or other types of means, by the state, individuals and/or legal entities.
“Electoral official” – an individual who acts or who acted under the current Code as a member of the district electoral council or the precinct electoral bureau;
"List of candidates" refers to the list of candidates nominated by parties, other socio-political organisations, and/or electoral blocs for participation in elections.

"Voters' lists" refers to the lists of citizens with the right to vote who have a domicile and/or are residing within a precinct.
"Additional voters' list" – a voters' list drawn up by the electoral body, where persons who were not entered in the main voters' lists are included;
"Signature collecting lists" refers to the list of collected voters' signatures, which indicate support for a candidate or which support a referendum.
"Locality" refers to a territorial-administrative unit, organised according to current laws (rayon or regional, municipality, town, town sector, village/commune and territorial-administrative unit with a special status).
"The minimum of reserved places for electoral posters" refers to specially arranged places reserved for electoral posters, placed in one locality. Electoral posters are placed uniformly within the radius of the entire locality. The minimum area provided for a candidate on a poster is 1 square meter. The space for electoral publicity allocated to all candidates should be equal.
"National observers" – representatives of qualified non-governmental associations from the Republic of Moldova or representatives of candidates as accredited by the electoral bodies under this Code;
"International observers" – representatives of international organisations, of governments of other states and of non-governmental organisations from aboard, as well as international experts in the electoral field, as accredited by the Central Election Commission;
"Protocol Office of International Observers" – a body created within the Central Election Commission during the electoral period to render necessary assistance to international observers to facilitate the professional observation of elections.
"Election administration bodies" refers to bodies that organise the election of members of Parliament, the local public administration authorities, and referendums.
"Socio-political organisations" refers to parties, fronts/organizations, leagues, and popular political movements that are registered according to the Law regulating parties and other socio-political organisations.
"Parties" refers to voluntary citizens' associations that are organised and registered according to the Law regulating parties and other socio-political organisations.
"Electoral period" refers to the time period commencing on the day when the date of elections is officially announced and ending on the day when the final election results are confirmed by the authorized bodies.
"Persons authorised to observe the electoral procedures" refers to representatives and observers of the electoral process at election administration locations. Observers are accredited by the district electoral councils or by the

Central Election Commission. Representatives of mass media are also authorised to observe the electoral procedures.

Reports on financing of electoral campaigns – reports of the electoral contestant regarding the flow of financial means, including the accumulated financial means, sources of their provenience and expenditures made during the electoral campaign.

"Referendum" refers to the vote of the people with respect to major issues of the state and the society as a whole, as well as to citizens' consultation on local issues of special interest.

"Register of Electoral Officials" – a system of registration (personal database) at the national level of electoral officials, drawn up by Central Election Commission, which includes information on the officials' name/surname, year of birth, profession, job, employer, contact telephone number, residence, the person/body who appointed them, and, when they participate in elections, the date of elections and their position within the electoral bodies.

"Residence" refers to a person's temporary place of residence, confirmed in their ID

"Revocation" refers to withdrawal of the mandate of an individual holding an elective public position by a court's decision and/or by local referendum (in situations involving a mayor).

Article 2. Principles of participation in elections

(1) Citizens of the Republic of Moldova participate in elections on the basis of universal, equal, direct, secret, and freely expressed voting.

(2) Participation in elections is based on the citizen's free will. No one may exercise pressure on a voter to force him/her to participate in the elections, nor on the expression of a voter's free will to exercise his/her choice.

(3) Citizens of the Republic of Moldova residing out of the country shall enjoy full voting rights under this Code. Diplomatic and consular missions are obliged to provide conditions for free enjoyment of voting rights by these citizens.

Article 3. Universal Suffrage

Citizens of the Republic of Moldova have the right to elect and be elected regardless of race, nationality, ethnic origin, language, religion, gender, opinion, political affiliation, property or social origin.

Article 4. Equal Suffrage

Every voter is entitled to one vote in one election. All votes have equal legal effect.

Article 5. Direct Suffrage

Every voter votes in elections personally. Voting on behalf of other individuals is prohibited.

Article 6. Secret Voting

Voting in elections and/or referendums is secret. Therefore, any forms of control or influence over a voter's free will shall be prohibited.

Article 7. Free Voting

No one has the right to exert any pressure on a voter to make him/her vote or not, nor to prevent him/her from expressing his/her preferences independently.

Article 8. Election Day

Elections shall be held within one day, on a Sunday, or any other day as indicated in the normative act establishing the date of the election, throughout the entire territory of the country or of a specific locality.

Article 9. Place to Exercise the Voting Right

(1) The voting right shall be exercised in the locality where the voter has a permanent place of residence (defined as a domicile), unless otherwise stipulated in this Code.

(2) In the case when the voter has a domicile and a residence (defined as temporary) at the same time during the period of the residence's term validity, the voter votes in the locality in which he/she has his/her residence.

Article 10. Voting for One Electoral Contestant

A voter votes for one single electoral contestant in each election contest, and expresses his/her will regarding a single issue in each referendum.

Chapter 2

The Right To Elect And Be Elected. Restrictions

Article 11. The Right to Elect

Citizens of the Republic of Moldova who have reached the age of 18, including the day of the elections, have the right to vote, except for those legally deprived of this right as prescribed by the law.

Article 12. The Right to Be Elected

Citizens of the Republic of Moldova eligible to vote and meeting the requirements set forth in this Code also have the right to be elected.

Article 13. Restrictions

(1) The following individuals cannot vote:

a) those who do not meet the requirements specified in Article 11;

b) those declared incapable by a final decision of a court of law. The Mayor, after the implementation of the State Register of Voters, the Central Election

Commission, is notified about the existence of such cases by the Ministry of Justice[1];
(2) The following individuals cannot be elected:
a) active duty military personnel;
b) persons mentioned in paragraph 1;
c) individuals who are sentenced to prison (deprivation of liberty) by a final court decision and who serve their sentence in a penitentiary institution, as well as individuals who are under court jurisdiction or have active criminal records for deliberately committing crimes. The electoral bodies are informed about the existence of criminal records by the Ministry of Internal Affairs;
d) persons deprived of the right to hold decision-taking positions by a final decision of a court of law. Electoral bodies are notified on the existence of such interdictions by the Ministry of Justice and/or the Ministry of Internal Affairs.
(3) Citizens of the Republic of Moldova who, due their positions, are not entitled to be members of a political party or other socio-political organisation, as well as high-ranking officials whose appointment or election is regulated by the Constitution of Republic of Moldova and /or organic laws, shall suspend their position in office upon their registration as candidates. These provisions concern:
a) deputy prime-ministers, ministers and deputy ministers, ex-officio members of the Government;
b) heads of central public authority organs;
c) chairpersons and deputy chairpersons of rayons;
d) mayors and vice-mayors;
e) praetors and vice praetors.

[1] This is still valid for 2015 local general elections.

Title II

Common Provisions

Chapter 3

Election Administration Bodies

Article 14. The System of Election Administration Bodies
(1) In order to organise and conduct elections, the following bodies are established:
a) the Central Election Commission;
b) District Electoral Councils;
c) Precinct Electoral Bureaus.

Article 15. Representation in the Election Administration Bodies
(1) Candidates may appoint one member-representative entitled to a consultative vote for the duration of the electoral campaign. These member-representatives shall be appointed to election administration bodies which registered them, as well as to lower level election administration bodies. Parties, other socio-political organisations and electoral blocs running in elections may appoint one member-representative entitled to consultative vote for the duration of the electoral campaign.
(2) Representatives of candidates shall be confirmed by competent election administration bodies within three days. To be nominated as a representative, the person should have the right to elect and to be elected.
(3) General rights and obligations of the representatives of the candidates are set by the decision of the Central Election Commission, as well as by the candidates who nominate them.

Section I

Central Election Commission

Article 16. Formation of the Central Election Commission
(1) *repealed*
(2) The Central Election Commission consists of 9 members: 1 member is appointed by the President of Republic of Moldova, the other 8 members by the Parliament, observing a proportional representation of the majority and of the opposition. The nominal composition of the Commission is approved by Decision of Parliament with a vote of the majority of elected MPs.
(3) After their confirmation by the Parliament, members of the Central Election Commission take the following oath during a parliamentary plenary session: "I swear to observe the Constitution and the laws of the Republic of Moldova, to protect citizens' rights and fundamental freedoms, to fulfil with honour, consciousness and in an impartial way the duties assigned according to my position, and not to make any political statements during my term in office."
(4) The Central Election Commission will conduct its activity in compliance with the Constitution, this Code, current legislation and the Commission's regulation (as approved by the Commission).
(5) The Central Election Commission is a legal entity, has its own budget, bank account, and seal representing the state emblem.

Article 17. Composition and Term of Office of the Central Election Commission
(1) Chairperson, vice-chairperson and secretary of the Central Election Commission are elected from Central Election Commission members by a majority of votes from Commission members. The session where the Central Election Commission chairperson, vice-chairperson and secretary are elected will be chaired by two Central Election Commission members chosen by a simple majority of votes of its members. These two chairs are charged with supervision of the procedures of debating about and election of chairperson, vice-chairperson and secretary of Central Election Commission. The two chairs will note the results in the minutes. The session to elect the chairperson, vice-chairperson and secretary of Central Election Commission shall take place no later than 15 days from entry into force of the decision on appointment of new Central Election Commission members. Recalling members from these positions is provided for by Articles 16, 19 and 20 of this Code.

(2) If a candidate for the position of Chairperson, Vice-Chairperson or Secretary of the Commission does not receive a majority of votes, another round of elections shall be organised in which the candidates nominated for the same position in the previous round may participate.
(3) The Chairperson, Deputy -Chairperson and Secretary of the Central Election Commission shall work on a full time basis. Other members of the Commission are convened by the Chairperson upon request. The Chairperson, Deputy-Chairperson and Secretary of the Commission conduct public functions throughout their appointment.
(4) Should any of the positions mentioned in paragraph (1) become vacant, it shall be filled pursuant to the same election procedures described in this article.
(5) Within two days of the date of its establishment, the Central Election Commission shall make public its composition, the location of its office, and its contact information.
(6) The mandate of the Central Election Commission is five years. Upon expiration of the mandate, the composition of the Commission may be changed. If the mandate of the Central Election Commission expires during the electoral period, the mandate is automatically extended until this electoral period ends and until new members occupy their positions. However, the mandate cannot be extended for more than 90 days.

Article 18. Meetings and Decisions of the Central Election Commission
(1) The meetings of the Central Election Commission are deliberative.
(2) The Central Election Commission adopts decisions by a majority vote of its members. The decisions modifying, amending or abrogating acts adopted by the Central Election Commission are made under the same conditions.
(2^1). Members of the Central Election Commission dissenting with adopted decisions have the right to submit a special opinion in written form, which is attached to Central Election Commission decisions.
(3) The decisions of the Central Election Commission, approved within the limits of its mandate, are administrative acts with individual or normative character, to be executed by the inferior electoral bodies, by public authorities, enterprises, institutions and organisations, decision-making officials, parties and other socio-political organisations and their bodies, as well as by all citizens.
(4) The decisions of the Central Election Commission are posted, within 24 hours after adoption, on the Central Election Commission's official website and are published within 5 days in the Official Monitor of the Republic of Moldova.

Article 19. The Status of the Central Election Commission's Members
(1) Central Election Commission members shall be nominated from the persons who hold citizenship of the Republic of Moldova, have their place of residence in

the country, and enjoy a spotless reputation and professional jurisdictions to carry out electoral activities.
(2) During their term, the members of Central Election Commission:
a) may not be members of any political party or other socio-political organisation;
b) may not engage in political activities;
c) cannot make statements for or against candidates;
d) cannot contribute in any way to the activities undertaken by candidates, except as provided in this Code.
(3) Before confirmation, the candidates for becoming members of the Central Election Commission shall be subject to verifications according to the Law No. 271-XVI dated December 18, 2008 on verification of holders and candidates for public functions. The information about the verification results shall be published by the authority confirming the Commission members.
(4) The rights of the members of the Central Election Commission are stipulated in the Activity Regulation of the Central Election Commission.

Article 20. End of Term of the Central Election Commission Member
(1) The term of a Commission member shall terminate in the following circumstances:
a) expiry of term;
b) resignation;
c) dismissal;
d) incapacity to fulfil the office's responsibilities;
e) member is deceased.
(2) A member of the Central Election Commission is dismissed by the authority that appointed him/her in the following cases:
a) approval by a court of law of a final decision of conviction of the member for a committing offence;
b) loss of citizenship of the Republic of Moldova;
c) legal determination as a person with limited legal capacity or deprived of legal capacity by a final decision of a court of law;
d) serious violation of the Constitution of Republic of Moldova and of the present Code.
e) final decision establishing the issuance/approval by the member of an administrative act or conclusion of an agreement contrary to the legal provisions regulating conflict of interest;
f) state of incompatibility confirmed by a final decision establishing the fact
(3) In case of breach of conditions mentioned in Article 19 paragraph (2), and also in case of committing acts incompatible with the held position, the members of the Central Election Commission can be dismissed. The notification regarding the non-fulfilment of the conditions envisaged in art. 19 para. (2) or regarding the

fulfilling of some actions incompatible with the held position shall be lodged with the authority appointing or confirming the Commission members.
(4) Documents of dismissal shall be submitted to the Supreme Court of Justice by the authority that nominated the respective member to the Central Election Commission, as well as by the Commission's members.
(5) Based on a Supreme Court of Justice ruling on dismissal of a member of the Central Election Commission and/or the termination of Central Election Commission membership prior to the expiration of the original term, within ten days thereof, the appropriate body shall nominate and the Parliament shall approve a new member to serve until the expiration of his/her predecessor's original term.

Article 21. Detachment from Professional Duties. Pay
(1) Members of the Central Election Commission, involved on a non-permanent basis in its composition, are detached from their professional duties of permanent employment for the duration of the electoral period by the decision of the Central Election Commission.
(2) During the electoral period the permanent members of the Central Election Commission are given an average salary raise of 35% of the average salary. During the electoral period, the part-time members of the Commission will receive a salary equal to the salary of the Secretary of the Central Election Commission provided for in the respective period, from the financial means allocated for elections.
(3) In-between the electoral periods, the non-permanent members of the Commission receive an allowance of 35% of the average salary in economy for every session held by the Commission.

Article 22. General Responsibilities of the Central Election Commission
(1) As a specialised body in the electoral area, the Central Election Commission shall:
a) study the procedure of organising and holding elections in order to improve the electoral legislation and procedures;
b) submit proposals to Government and Parliament concerning the expediency of operating changes to electoral legislation;
c) develop regulations and instructions to improve electoral procedures;
d) ensure compilation and verification of voters lists by co-operating with central and local public authorities, with the Ministry of Foreign Affairs and European Integration, and with diplomatic missions and consular offices;
e) keep and manage the Register of electoral officials who may be appointed to district electoral councils and precinct electoral bureaus, including those from abroad;

f) set up District Electoral Councils and Precinct Electoral Bureaus for the partial elections for local councils or for mayor;
g) cooperate during the organisation and conduct of elections with:
- Ministry of Informational Technologies and Communication to keep track of voters, including those located abroad, based on the State Registry of Voters, which is created on the basis of the State Registry of Population;
- Local public authorities concerning the selection of competent personnel engaged in election administration bodies' activity, ensuring polling stations have ballot boxes, voting booths, computers and other necessary equipment;
- Ministry of Interior in ensuring the security of polls and electoral documents;
- State enterprises and institutions during contracting for services such as ballot printing and equipment supply;
- Mass media and public associations in conducting civic and voter education activities and raising public awareness about electoral procedures;
- Ministry of Foreign Affairs and European Integration, diplomatic missions and consular offices, in creating polling stations for citizens living abroad;
h) analyse the structure of electoral districts, in terms of existing territorial-administrative units of the republic;
i) implement programmes of civic education;
j) develop programmes on increasing voter awareness during electoral periods;
k) provide mass media with data on the conduct of elections and the election administration practices employed;
l) annually report to the Parliament and, upon request, to the President of the Republic of Moldova and Government;
m) disseminate information about electoral subjects to the mass media and the public at large;
n) establish contacts with political parties, other socio-political and non-governmental organisations entitled to nominate candidates for public positions, facilitating their full participation in the electoral process;
o) provide consultations to public associations interested in conducting civic education campaigns during elections;
p) organise, at the request of the political parties or other social-political organisations, training courses and seminars for individuals selected to participate in the electoral process as members of district electoral councils or precinct electoral bureaus, as representatives of political parties or other socio-political organisations. Also, organize trainings for electoral blocs within the electoral bodies, for potential candidates and members of the electoral councils apparatus, and for members of initiative organizing groups;
q) analyse electoral fraud, including allegations of fraud, alleged in past, current or future elections and take preventive anti-fraud measures. Also, notify public

authorities on the need to consider issues related to compliance with current electoral legislation;
r) organise preliminary consultations with parties, other socio-political organisations, electoral blocs and representatives of mass-media, and ensure the signing by the latter of the Code of Conduct before the beginning of electoral campaigns.
s) keep and update the State Registry of Voters.
t) initiate the validation procedure of the mandate of the member of the Parliament of the Republic of Moldova, in case a seat of a member of Parliament becomes vacant, in compliance with the procedure set forth in articles 87 and 88.
u) cancels the local councillor's mandate in the local council if incompatibility is established or if the councillor resigns (based on written request), pursuant to the Regulations on the procedures of cancelation and validation of the mandates of councillors, approved by a decision of the Central Election Commission.
v) declares vacant the seat of a deceased councillor, pursuant to the Regulations on the procedure of cancelation and validation of the mandates of councillors, approved by decision of the Central Election Commission.
(2) As an independent body of monitoring and control of financing of political parties and electoral campaigns, the Central Election Commission shall:
a) develop and adopt the normative acts needed for implementing and enforcing the legislation on financing political parties and electoral campaigns;
b) develop guiding documents (forms, guides, methodological norms) for assisting the financial activity and training the political parties and electoral candidates about their rights, duties, and responsibilities in finance administration process;
c) collect and systematize annual financial reports of political parties, reports on political parties' audits, and also reports on financing of electoral campaigns submitted by electoral contestants;
d) ensure publication on its official page of the information and annual financial reports of political parties, as well as of the reports on financing of electoral campaigns;
e) review the complains and appeal regarding violation of the legislation on financing of political parties and electoral campaigns;
f) ascertain offences and drafts minutes on offences related to non-submission within the set deadlines or non-compliant submission, by the political parties, other socio-political organizations or electoral contestants of their financial reports ;
g) apply or request application of sanctions, provided in the present Code and the Law No. 294-XVI of December 21, 2007 on political parties, for violation of the legislation on financing of political parties and electoral campaigns, notifies the

competent bodies about the violations subject to administrative, criminal or fiscal liability;
h) cooperate and provides informational assistance for developing some independent studies on monitoring the financing of political parties and electoral campaigns;
i) study and monitor the implementation of the legislation on financing political parties and electoral campaigns, submit to the Parliament and Government proposals on amending the legislative framework on financing political parties and electoral campaigns;
j) has the right to access the information held by the public authorities at all levels and state registers, including access to personal data, while respecting the legislation on protection of personal data;
k) undertake other supervision and control duties over the legislation on financing of political parties and electoral campaigns, in line with the provisions of the present Code and of the Law No. 294-XVI dated December 21, 2007 on political parties.

Article 23. Apparatus of the Central Election Commission
(1) The Central Election Commission is assisted by an apparatus whose structure and personnel is approved by the Commission. The personnel of the apparatus is composed of public officials who are subject to the provisions of the Law no 158-XVI from 4 July 2008 on public function and statute on public officials, and contracted personnel, who carry out supplementary activities and who are subject to the provisions of labour legislation. The personnel of the apparatus are appointed or hired by the chairperson of the Commission, as provided by law. During the electoral period (parliamentary elections, general local elections and national referenda), the Central Elections Commission may hire, as needed, using individual employment contracts, personnel within the Commission's apparatus, detaching the new hires from their present permanent employment.
(2) The remuneration of the permanent members of the apparatus of the Central Election Commission is done in compliance with current legislation, for the electoral period (parliamentary elections, general local elections and republican referenda). They will have a salary supplement of 25% of the average salary.

Article 24. Funding of the Central Election Commission's Activity
(1) The activity of the Central Election Commission shall be funded from the state budget. The Commission shall estimate the costs related to its operation, organization and conduct of ordinary elections, including the costs for the activities to be carried out over the next budgetary year, and shall plan its own annual budget.

(2) The budget of the Central Election Commission for the next year, together with endorsement of the Government, shall be submitted for review and approval to the Parliament within the deadlines set in the budgetary calendar.
(3) The Parliament shall send the Government the approved budget of the Central Election Commission to be included in the Draft Law on the State Budget for the next budgetary year.

Article 25. The sessions and the activity of the Central Election Commission
(1) The meetings of the Commission may be called for by the Chairperson based on his/her initiative or based on the request of three Commission members. When a meeting is requested by the Commission members, a decision to convene the meeting shall be made within 48 hours of the submission of the request.
(2) All meetings in which the Commission discusses electoral issues, including meetings when the Commission is called upon to decide on electoral issues, shall be open to mass media and to the public. The meetings of the Commission shall be held only after 48 hours from the moment the public notice was issued, except for meetings during electoral periods, in which case shorter notice may be given if the matter to be discussed needs urgent consideration.
(3) The Central Election Commission shall ensure that electoral operations are carried out in a transparent manner that enables the mass media and the public to monitor and evaluate the Commission's activity.

Article 26. Responsibilities of the Central Election Commission during the Electoral Period
(1) During an electoral period, the Central Election Commission shall have the following responsibilities:
a) coordinates the activity of all election administration bodies to prepare for and conduct elections, according to this Code;
b) oversees the implementation of this Code's provisions and other laws with provisions related to the conduct of elections;
c) establishes electoral districts and district electoral councils and supervises their activity;
d) based on the data provided by the Ministry of Justice, publishes the list of parties and other socio-political organisations eligible to run in elections, and registers candidates and their authorised representatives in the event of parliamentary elections;
e) distributes funds allotted for conducting elections; oversees the provisions for district electoral councils and for precinct electoral of bureaus with premises, oversees election related transportation and communication issues, and examines other issues of technical and material support for elections;

f) establishes ballot forms, main voter lists, the supplementary list, the list for voting at the place of residence, the minutes of meetings of district electoral councils and precinct electoral bureaus, the statement of income and property of the candidates, and other documents relevant to the conduct of elections, as well as the design of ballot boxes and of the stamps for electoral councils and bureaus;
g) considers communications from public authority bodies on issues concerning the preparation and conduct of elections;
h) resolves issues regarding the participation in elections of citizens who are out of the country on election day;
i) sums up the results of the elections in the entire country and, if necessary, submits a report on the results of elections to the Constitutional Court;
j) adopts decisions on the activities of district electoral councils and precinct electoral bureaus, election procedures, organisation and conduct of elections, and technical and administrative issues;
k) ensures training for members of election administration bodies and employees of their apparatus; provides election information for voters through mass-media and always upon request;
l) considers applications and appeals of decisions and actions of district electoral councils and precinct electoral bureaus, and adopts enforceable decisions thereupon;
m) decides on the detachment of electoral council members from their main employment during their involvement in the latter's activities, determines the number of precinct electoral bureau members who may be detached from their main employment and the period of their detachment;
n) ensures conduct of the second round of elections, repeated elections, early, new and partial elections, pursuant to the provisions of this Code;
o) collects information about citizen participation in elections, sums up preliminary results and makes public the final results;
p) imposes sanctions provided in the present Code for violation of electoral legislation and the legislation on financing political parties and electoral campaigns.

Article 26[1]. Centre for Continuous Training on Elections

(1) The Centre for Continuous Training on Elections is a public institution founded by the Central Electoral Commission, which conducts, at the request of the political parties or other social-political organisations, specialised training for electoral officials. Upon request, training may also be provided to other actors involved in the electoral process (observers, mass-media, local public administration, etc.). The Central Election Commission may decide on the detachment of the persons from their permanent employment to attend trainings on elections.

(2) The Centre for continuous training on elections is financed by the budget of the Central Election Commission, as well as by the funds granted by technical/financial assistance of international organisations and external and internal donors.
(3) The Regulation of the Centre for continuous training on elections is approved by a decision of the Central Election Commission.

Section II

Electoral Districts and District Electoral Councils

Article 27. Formation of Electoral Districts and District Electoral Councils
(1) At least 55 days before elections, the Central Election Commission creates electoral districts that will correspond to the borders of second level territorial-administrative units of the Republic of Moldova, and of the autonomous territorial unit of Gagauzia, Chisinau and Balti municipalities, and, at least 50 days before elections, it creates district electoral councils. In elections at any level and in republican referenda, electoral districts and district electoral councils are established within the same terms.
(2) District electoral councils will consist of an odd number of members, at least 7 and no more than 11. Of these members, at least three of them must have completed higher legal education or public administration education.
(3) In local elections and referenda, 2 members of district electoral councils of the first level are nominated as candidates by the first level local council, and if there are no candidates nominated, the members are to be nominated by the Central Election Commission out of the persons entered in the Register of Electoral Officials. Other candidates are nominated by the parties and other socio-political organisations represented in Parliament as of the date when the electoral district councils were created, one candidate from each party or other social-political organisation, and if that is not enough, the rest of the members are nominated by the Central Election Commission out of the Register of Electoral Officials. To the extent possible, individuals having higher legal education are to be appointed to district electoral councils
(4) In parliamentary elections, republican referenda and general local elections, 2 members of the second level district electoral councils are nominated as candidates by the courts of law, or, if applicable, by the court of appeal. The other two members will be nominated by the second level local council by the Popular Assembly of Gagauzia. Parties and other social-political organisations represented in the Parliament on the date the district electoral council was created will nominate one candidate from each party or other social-political organisation,

and if that is not enough, the rest of the members are nominated by the Central Election Commission out of the Register of Electoral Officials.
(5) If parties and other social-political organisations do not nominate their candidates for the district electoral council at least 7 days before the deadline of its establishment, the necessary number of candidates is filled by the local councils and by the People's Assembly of Gagauzia, and if the latter do not present their candidates, the members of the electoral council will be nominated by the Central Election Commission from the Register of Electoral Officials. If the district electoral council has the function of the precinct electoral bureau, its members will be nominated by the parties and other social-political organisations represented in Parliament, who may not be members of parties.
(6) Members of the district electoral council nominated by the courts of law and by the local councils may not be counsellors within the local councils, deputies in the People's Assembly of Gagauzia, and/or party members.
(7) Within three days from their establishment, the district electoral councils will elect by secret ballot from among their members, a chairperson, deputy chairperson and secretary of the council, informing promptly the results of these elections to the Central Election Commission.
(8) Within four days from the date of its establishment, district electoral councils will make public the names of their members, their location, and contacts details.
(9) District electoral councils pass decisions by a majority vote of their members.
(10) At the proposal of the district electoral council, the council is assisted by an apparatus, its staff being approved by the Central Election Commission. During the period of their detachment from their permanent employment, the employees of the council's apparatus detached from institutions financed by the budget are paid their main full-time salary. They are paid, from the resources allotted for elections, an allowance equal to 25% of the average national economy salary for the preceding year, whilst those detached from non-budgetary institutions or summoned (pensioners, persons temporarily unemployed) are paid, from the resources allotted for elections, an allowance equal to an average national salary of the preceding year.

Article 28. Responsibilities of the District Electoral Council
The district electoral council has the following responsibilities:
a) supervises the implementation of this Code and other laws affecting the administration of elections;
b) establishes electoral bureaus and supervises the activity of precinct electoral bureaus; trains its members, informs the public about voting procedures and promotes the importance of voting;
c) distributes allotted financial funds among precinct electoral bureaus;

d) examines communications of local public administration bodies, directors of state entities, institutions and organisations regarding administration and taking place of elections;
e) *repealed*
f) ensures the supply of templates of electoral lists and minutes, voting ballots, etc. to precinct electoral bureaus;
g) registers independent candidates and lists of candidates from political parties and other socio-political organisations, of electoral blocs, and makes public information about the former;
h) ensures public access to the candidates' declarations of income and property during local elections, publishes the reports on financing electoral campaigns of the independent candidates;
i) adopts decisions on detachment from permanent employment for the members of first level electoral councils and precinct electoral bureaus for the period of their work within these councils and bureaus, proposes the detachment from permanent employment of the members of the second level electoral councils;
j) sums up the result of the elections in the precinct, and presents the respective acts to the Central Election Commission and ensures the publication in the local press of the results of the voting;
k) collects information from the precinct electoral bureaus about citizen participation in elections, sums up the preliminary results of the elections and submits them to the Central Election Commission;
l) considers applications and complaints about decisions and actions taken by precinct electoral bureaus, of actions/inactions of the electoral contestants , as well as those related to financing independent candidates in local elections and adopts enforceable decisions on them;
m) takes other actions related to the organisation and conduct of elections.

Section III

Precincts and Precinct Electoral Bureaus

Article 29. Establishment of Precincts and Precinct Electoral Bureaus
(1) To conduct voting and count the votes, electoral districts shall be divided into precincts.
(2) Precincts are established by district electoral councils in localities based on the recommendation of mayors of towns (municipalities), districts and villages (communes), no later than 35 days before elections. Precincts will have between 30 and 3,000 voters. At elections of any level and in republican referenda, precincts headquarters are established, as a rule, in public property premises and

are equipped in such a way as to facilitate the access of the elderly and the persons with disabilities.
(3) Special precincts may also be established in hospitals, sanatoriums, maternity hospitals, asylums and homes for the elderly. Such precincts must have no less than 30 voters.
(4) Military personnel shall vote at precincts of that locality where military units are located.
(5) *repealed*
(6) In new local, partial local elections and local referendum, when the second level district electoral council is not established, the district electoral council of the first level shall establish the precincts and their electoral bureaus.
(7) A district electoral council shall number its precincts and make information about the borders of each precinct, the polling station and precinct electoral bureau location, and the bureau's contact information available to the public.
(8) Precincts shall be ordered alphabetically starting with the locality where the district electoral council is situated, continuing with those in municipalities, towns, town sectors, in communes and villages.
(9) The local mayor's office shall provide information and necessary assistance to precinct electoral bureaus to ensure proper execution of their responsibilities as stipulated in this Code.
(10) Precinct electoral bureaus will be established by the district electoral councils no later than 25 days before the election, and will consist of an odd number of between 5 and 11 members. In elections at any level and in republican referenda, precinct electoral bureaus will be established within the same time frame.
(11) Local councils will nominate three candidates to the precinct electoral bureau. The other members of the precinct electoral bureau are nominated by parties and other socio-political organisations represented in the Parliament on the date of its establishment, one candidate from each party or social-political organisation, and if it is not enough, the rest of the members are nominated by the district electoral council, at the proposal of the Central Election Commission, from the Register of Electoral Officials. The members of the precinct electoral bureau may not be counsellors in the local councils and/or members of a party. If the parties and other social-political organisations do not nominate their candidates for the precinct electoral bureau at least 7 days before the deadline of its establishment, the necessary number of candidates is filled by the local council. If the local council does not nominate candidates, the electoral bureau is filled by the district electoral council, upon the proposal of the Central Election Commission, out of the Register of Electoral Officials.
(12) The precinct electoral bureau shall elect, within two days of its establishment, from among its members a chairperson, a vice-chairperson and a

secretary of the bureau. The precinct electoral bureau shall immediately notify the district electoral council of its decision, and shall make public a list of members of the electoral bureau, its location and contact details.
(13) *repealed*
(14) To ensure the enjoyment of the right to vote, the Central Election Commission may establish precincts and precinct electoral bureaus in other instances as well.

Article 29[1]. Details concerning establishment and functioning of polling stations and of the precinct electoral bureaus from abroad
(1) All polling stations established abroad belong to the electoral district of Chisinau Municipality.
(2) In parliamentary elections and republican referenda, one or more polling stations are established within the diplomatic and consular missions of the Republic of Moldova for voters who are abroad on the Election Day.
(3) Besides the polling stations mentioned in paragraph (2), polling stations can be also organised in other localities, with the consent of the government of the respective country. The organisation of these polling stations is carried out by the Central Election Commission, at the proposal of the Government, in cooperation with the Ministry of Foreign Affairs and European Integration and with other authorities of central public administration, based on the preliminary registration of the citizens who are abroad. The Regulations on preliminary registration are approved by the Central Election Commission.
(4) The electoral bureau of the polling station from abroad consists of a chairperson, appointed by the head of the diplomatic or consular mission or of the staff of other institutions of the diplomatic service, and of 6-10 representatives of political parties and other socio-political organisations represented in the Parliament, one representative form each party or socio-political organisation. The Chisinau district electoral council will supplement the precinct electoral bureaus from abroad with representatives of political parties. In case the number of persons nominated by the parliamentary political factions is not enough to supplement the precinct electoral bureaus from abroad, they will be supplemented with persons from the Register of Electoral Officials, who have good reputation, who are politically non-affiliated, with the consent of the Ministry of Foreign Affairs and European Integration.
(5) The details of organisation and functioning of the polling stations from abroad are regulated by the Central Election Commission, in coordination with the Ministry of Foreign Affairs and European Integration. The costs related to the organisation and functioning of these bureaus are covered by the budget allocated for elections/referenda. The expenditures for the polling stations established abroad are estimated beforehand by the Government and by the Central Election

Commission, and in case they are not foreseen in the budget allocated for elections/referenda, financial recourses are allocated from the Government's Reserve Fund.
(6) The minutes drawn up by the precinct electoral bureaus from abroad, together with all complaints related to the electoral procedures of the precinct electoral bureau, are forwarded, via electronic means, to the district electoral council within 24 hours maximum after the closing of the polling station. The accuracy of the data included in these minutes is confirmed via phone. In case there are sufficiently proved discrepancies or errors, these may be corrected by the Chisinau district electoral council.

Article 30. Responsibilities of Precinct Electoral Bureaus
The Precinct electoral bureau has the following responsibilities:
a) keeps the voters' lists, ensures the integrity of the voters' lists and of the ballot forms;
b) examines requests related to the mistakes in voters' lists, makes necessary changes in them, and issues absentee vote certificates to voters who will be away from their place of domicile on election day;
c) prepares supplementary voters' lists and includes those voting on absentee vote certificates, as well as voters who, for various reasons, were not entered in the main voters' lists;
d) notifies the public residing within the precinct about election day and the location of the polling station, prepares the polling station premises for voting and installs ballot boxes and voting booths; organises voting on the election day, and ensures public order on the premises of the polling station;
e) tabulates election results in the precinct, completes the minutes and reports, and submits them along with all ballots to the district electoral council;
f) considers applications and complaints regarding election administration and voting procedures, and adopts decisions in that regard, copies of which shall be attached to the report of the electoral bureau;
g) provides the district electoral council with data regarding citizens participation in elections, as well as the data required for tabulation of preliminary election results;
h) exercises other responsibilities according to this Code;
i) ensures that voters, observers, and candidates have access to information from the State Registry of Voters and to the lists of voters.

Section IV
Support for and Activity of District Electoral Councils and Precinct Electoral Bureaus, Modification of Their Composition and Their Dissolution

Article 31. Assistance to District Electoral Councils and Precinct Electoral Bureaus

(1) Public administration authorities, enterprises, organisations and institutions, officials, parties and other socio-political organisations and their bodies shall be obliged to provide support to electoral councils and bureaus in fulfilling their duties and supply information and materials necessary for their activity. Public administration authorities and their representatives shall provide support only upon request. Their support shall correspond to the request.

(2) In matters relating to the organisation and conduct of elections, electoral councils and bureaus may address requests to public administration authorities, enterprises, organisations and institutions, officials, parties and other socio-political organisations and their bodies which shall consider those requests and respond within three days from the day of their receipt, but no later than election day.

Article 32. Organisation of the Activity of Electoral Councils and Bureaus

(1) Meetings of electoral councils and bureaus during the electoral period shall be called and held by the chairperson, and, in case of his/her absence or at his/her request, by the vice-chairperson. In addition, a meeting may be called at the request of at least one-third of electoral council/bureau members.

(2) A quorum for holding a meeting of an electoral council/bureau shall be more than half of its members. All decisions of electoral councils and bureaus shall be made by an open vote of the majority of its voting members, and will be signed by the chairperson and the secretary. Upon a tie vote, the decision is not adopted, and the issue under question will be re-considered at the next meeting. Members of the council or bureau who disagree with adopted decisions have the right to submit in writing their dissenting opinion, which shall be attached to the record of the meeting.

(3) Information about the decisions of electoral councils or bureaus adopted within the scope of their authority must be disseminated to all public administration bodies, enterprises, institutions and organisations, parties, other socio-political organisations and their bodies, and to all citizens.

(4) The Central Election Commission shall establish the number of election administration body members who shall be detached from the place of their full time job, and the time period of that detachment. Persons detached from the institutions financed by the budget have their full-time job salary maintained and are paid an allowance of 25% of national average salary for the preceding year from the funds allotted for elections. Persons detached from non-budgetary institutions, pensioners, and persons temporarily unemployed are paid an allowance from the fund allotted for elections equal to an average national salary for the preceding year. Persons not detached who are members of the electoral

bodies are paid for their activity during the electoral period, including for the election day, an allowance from the funds allotted for elections equal to 15% of the average national salary for the preceding year.
(5). Civil servants who are members of election administration bodies or employees of their apparatus, detached from their full time job, shall keep their permanent civil service job as specified under civil service statute.
(6) If necessary it is allowed to conclude individual employment contracts for a determined time period. Expenses to accomplish this shall be covered from the funds allotted for elections.
(7) The members of electoral councils or bureaus shall not campaign for or against candidates running for elective public position; shall not engage in any political activity or support of any electoral contestant; shall not be affiliated with any candidate; and shall not provide any financial support or other contribution, directly or indirectly, to any electoral contestant. In local elections, members of electoral councils and bureaus shall not be the spouse, relatives by blood or by marriage of the first and second degree with a candidate running in elections. Judges appointed in the district electoral councils shall not examine the electoral cases in the respective electoral district starting with the date of establishment of the electoral council.
(8). Chairpersons of the electoral councils and bureaus shall be responsible for ensuring the maintenance and return of the goods received from the Central Election Commission, bearing liability for failure to do so in accordance with current legislation.

Article 33. Changes in Composition of Electoral Councils and Bureaus
(1) The member of the electoral council or bureau shall be excluded from the bureau or council:
a) upon personal request;
b) upon dismissal.
(2) The member of the electoral bureau or of the electoral council is dismissed by the body (authority) or by the electoral body that appointed him/her, for these causes: violation of the prohibitions set forth in article 32, paragraph (7) of the present Code; for the infringement of electoral rights of voters; for groundless absence at two consecutive sessions of the electoral body; or for the refusal to enforce decisions of the electoral body he/she is a party to. The dismissal will be made through a decision of the electoral body he/she is a party to. In the case of a challenge, the dismissal becomes valid after its confirmation by the hierarchically superior electoral body.
(3) If a member resigns or is dismissed from the electoral council or bureau before the day that precedes election day, a vacant member's position may be filled as provided for in this Code.

Article 34. Dissolution of Electoral Councils and Bureaus
(1) Electoral councils and bureaus established under this Code shall cease their activities and shall be dissolved by a decision of the election administration body that has established them, as soon as final results of the elections are made public by the Central Election Commission (or respective district electoral council).
(2) As a rule, district electoral councils and precinct electoral bureaus shall terminate their activity as soon as they have submitted all necessary documents to the Central Election Commission and, if needed, to a court of law.
(3) After dissolution of the electoral councils or bureaus in compliance with this Code, the payment of the members that were detached from their permanent employment ceases and these members return to their permanent employment.

Chapter 4

Sources of supply for Elections and financing of Electoral Campaigns

Article 35. Supply of Materials Necessary for Conducting Elections
(1) Expenses for administering and holding elections shall be borne by the State.
(2) The amount of these expenses shall be established by Parliament within the limits of the provisions of the law on the state budget for the year when the elections are conducted. Election budget proposals shall be submitted by the Central Election Commission to the Government. The Government shall examine the proposals and then present them to Parliament for approval. In the event that the expenses are not foreseen in the on-going year budget, their amount shall be established by Parliament, at the proposal of the Central Election Commission.
(3). Election funds, as established by the Parliament, are transferred monthly to the account of the Central Election Commission consistent with the limits of approved budget. After elections, the Central Elections Commission shall submit to the Parliament, within the shortest term possible, a report on the administration of the allocated financial funds along with an assessment statement undertaken by the Court of Accounts.
(4) Unused funds shall be transferred back to the state budget.
(5) Terms and conditions of funds distribution, expenditures, and publishing the final expense report publication shall be established by the Central Election Commission under the conditions provided for by this Code.
(6) Local public administration authorities, enterprises, institutions and organisations shall provide electoral councils and bureaus with the office space and equipment necessary for administering elections and tabulating results.

(7) Members of electoral bodies and members of the apparatus of these bodies are entitled to a day off – the Monday immediately following Election Day.

Article 36. Prohibition of foreign subsidising

(1) Direct or/and indirect funding or material support of any kind for the electoral campaign of candidates in an election and of electoral contestants by foreign countries, foreign, international or joint enterprises, institutions, organisations, as well as by individuals who are not citizens of the Republic of Moldova is prohibited. Such funds shall be confiscated based on a court decision and shall be transferred to the state budget according to the provisions of the criminal and administrative offence legislation.

(2) The provisions set forth in par. (1) cannot be interpreted and applied so as to limit the funding allocated openly and transparently, with the aim to support the efforts to promote democratic values and international standards for free, democratic, and fair elections.

Article 37. State Support for Electoral Campaigns

(1) The contestants receive interest-free loans from the state.

(2) State budget loans may be received only by a person designated responsible for finance and appointed for this purpose by the contestant. Financially responsible persons shall be natural or legal entities, registered with the Ministry of Finance. They shall all share responsibilities with the contestants who appointed them. The application for a loan shall be submitted to the Ministry of Finance.

(3) State loans received shall be cleared off fully or partially by the state depending on the overall number of votes received by the contestant in the respective district. The sum to be cleared off by the state shall be established by dividing the sum of loan received by the number of voters who participated in the elections, and then multiplying it by the number of valid votes cast for the contestant.

(3^1) The electoral contestant who has withdrawn his/her candidature shall pay back the loan allocated from the state budget for conducting his/her electoral campaigns during a period of 2 months since the moment the candidature is withdrawn.

(4) Contestants who fail to receive at least three per cent of the valid votes cast in the election throughout the republic, or in the respective district, including independent candidates who were not elected, shall pay back the state loans received within two months from the end of voting. Other candidates shall pay back the state loans within four months.

(5) In the event that the elected and validated mayor refuses to exercise his/her mandate, he/she shall pay back the expenditure related to the organisation and conduct of elections.

Article 38. Terms and Conditions of Financial Support for Electoral Campaigns

(1) For the purpose of financing the activity of political parties and electoral campaigns, only financial resources obtained from labour, entrepreneurial, scientific or creative activities undertaken on the territory of the Republic of Moldova may be used.

(2) Direct or indirect financing and material support of any kind, of the electoral campaigns of the electoral contestants by individuals or legal entities shall be provided under the following conditions:

a) electoral contestant opens a bank account, named "Electoral Fund", transferring to this account its own funds as well as other funds received in accordance with the law from individuals – citizens of the Republic of Moldova or from legal entities in the country, and notifies the Central Electoral Commission about the designated person responsible for its finances (treasurer). The electoral candidates themselves cannot be appointed as treasurers.

b) the account named “Electoral Fund” can be opened also before the registration of the electoral candidate, under the condition that the incomes and expenditures from this account are incurred only after the registration of the electoral contestant;

c) electoral contestant who does not open a bank account named “Electoral Fund” informs the Central Electoral Commission about this and carries out only campaign and promotional electoral activities that do not incur financial costs;

d) the overall cap of the funds that can be transferred to the “Electoral Fund” account of the electoral contestant shall be set by the Central Electoral Commission, taking as basis for its calculation a coefficient multiplied by the number of voters in the electoral constituency where the elections are held;

e) the caps for donations from individuals and legal entities to the “Electoral Fund” account for an electoral campaign are set respectively to 200 and 400 monthly average salaries per national economy set for the respective year;

f) legal entities may transfer money to the "Electoral Fund" account only through bank transfer, which is to be accompanied by a note on the existence or non-existence of a foreign share in the statutory capital, and a statement of personal liability related to non-existence of restrictions set in letter d);

g) the legal entity transferring money to the “Electoral Fund” account shall inform its shareholders or members about the performed operations;

h) the donations provided in cash by individuals shall be accompanied by a completed annex attached to the accounting documents of the supported electoral

contestant. The template of the respective form for cash donations shall be approved by the Central Electoral Commission;
i) the funds from the electoral fund can be used only after their declaration to the Central Electoral Commission or to the District Electoral Council, in case of independent candidates in local elections;
j) the funds transferred to "Electoral Fund" accounts cannot be used for personal purposes.
(3) any kind of direct or indirect financing or material support to the political parties' activity, of electoral campaigns/electoral contestants is prohibited if it is offered by:
a) foreign legal entities, including joint venture entities, other states or international organizations, including international political organizations;
b) citizens of the Republic of Moldova under the age of 18 years, citizens with limited capacity of exercising their rights or declared incapable by a final court decision;
c) individuals – citizens of the Republic of Moldova from revenues obtained outside the country;
d) public authorities, organisations, enterprises, public institutions, other legal entities funded from the public budget or having state capital, except for the cases when provision of the services or material support is prescribed directly in the legislation;
e) legal entities which, one year before the start of the electoral period, have carried out activities financed or paid from public means (funds), as well as by legal entities with foreign or joint capital;
f) anonymous persons or persons acting on behalf of third parties;
g) individuals who are not citizens of the Republic of Moldova;
h) non-commercial organizations, trade unions, charity or religious organisations.
(4) All expenses associated with the electoral campaign shall be paid from the "Electoral Fund" account.
(5) Electoral contestants are prohibited to offer money to voters, to distribute material goods to them free of cost, including from humanitarian aid or other charity actions.
(6) The provisions set in para (5) shall not be applied in case of the symbolic gifts, representing electoral or political advertising, paid from the reported funds in the "Electoral Fund" account, having the logo of the electoral contestant and the market value of which does not exceed 2 conventional units.
(7) The bank in which "Electoral Fund" accounts are opened shall inform the Central Electoral Commission about the funds transferred to electoral contestants' accounts on daily basis or upon the request of the Commission.
(8) Within a period of 5 days since the launch of the electoral period, the radio broadcasters are obliged to advertise the conditions under which they provide to

the electoral candidates, advertising space (including price/minute) and other related services by informing the Central Election Commission and the Audio-visual Coordination Council. The Central Election Commission shall publish this information on its official webpage.
(9) The public authorities and institutions are obliged to support the Central Electoral Commission and the District Electoral Councils in their activity of monitoring and control over the enforcement of the legislation on funding of electoral campaigns.

Article 38[1]. State Registry of Voters

(1) The State Registry of Voters is a single integrated informational system which keeps records of the voters from the Republic of Moldova. The Registry is designed to collect, keep, update and analyse data about citizens of the Republic of Moldova who have reached the age of 18 years and do not have legal impediments to vote. The creation, management, amendment and update of the State Registry of Voters is conducted based on a Decision by the Central Election Commission.
(2) The Central Election Commission creates lists of voters based on the State Registry of Voters. This Registry of Voters is created using the State Registry of Population, the managing authority, which offers free access to the Commission each year, on the 31 January the latest, as well periodically. This access occurs when elections take place . With the announcement of the date of elections, the necessary data and information will be used to create and update the State Registry of Voters.
(3) The following information about each voter is included in the State Registry of Voters:
a) surname and given name
b) date, month and year of birth
c) state identification number (IDNP)
d) domicile address (state, settlement, street, house, apartment)
e) residence address (state, settlement, street, house, apartment)
f) group and number of the identity document (national ID, passport, military ID)
(4) Voters with domicile or residence abroad, as well as the voters who are temporarily located abroad, at the request, are included in the State Registry of Voters with the respective information about their last domicile or residence.
(5) Deceased persons and those who have lost the citizenship of the Republic of Moldova are excluded from the State Registry of Voters based on the information presented by the authority which manages the State Registry of Population. The persons who have lost their election rights are kept in the State Registry of Voters with the note “Lost voting right” and are not included in the lists of voters.

(6) The data and information in the State Registry of Voters are designed exclusively for election processes and are accessible on the website of the Central Election Commission, each voter having access only to his/her personal information.

Article 38[2]. Reports on financing of electoral campaigns

(1) Political parties and electoral blocs, as well as independent candidates in case of parliamentary elections, shall submit to the Central Electoral Commission, within a period of 3 days from the day when the account "Electoral Fund" was opened, and afterwards, once per two weeks, a report on the accumulated financial means and expenditures incurred during the electoral campaign, both electronically and in hardcopies, signed by the responsible persons. The template of the report shall be approved by the Central Electoral Commission and shall contain the following information:

a) identification data of the individual or legal entity which has donated financial resources;

b) list of all donations received including the nature and the value of every financial donation, goods, objects, works or services;

c) total value of donations and number of donors;

d) list of donations reimbursed due to exceeding of the cap set in art. 38 para. (1) let. d);

e) identification data of individuals and legal entities to whom funds were paid from the "Electoral Fund" and the scope of the respective expenditures;

f) amounts of debts, numbers of financial record keeping acts and other conclusive information;

g) accounting information of the legal entities established or controlled in any other way by the respective political party, for the respective period of time.

(2) The reports on financing of electoral campaigns, received under the conditions set in para. (1) shall be checked in advance by the Central Electoral Commission with regards to their completeness of information and compliance with the requirements set for their preparation.

(3) If the report submitted by a political party, electoral bloc or independent candidate within the conditions set in para. (1) is incomplete, the Central Electoral Commission shall request from the respective electoral contestant additional data, and the last one is obliged to submit these data within a period of 3 working days since the moment these were requested.

(4) The reports shall be placed on the web page of the Central Electoral Commission within 48 hours since their receipt, taking into account the legislation on protection of personal data.

(5) Independent candidates in the local elections shall submit to the corresponding District Electoral Council, within 3 days from the day the "Electoral Fund"

account was opened, and afterwards once per two weeks, reports on accumulated revenues and expenses incurred during the electoral campaign, using the report template approved by the Central Electoral Commission. Within 2 days from the day the reports were received, the District Electoral Councils shall grant access to persons interested in the reports submitted by independent candidates and will send them out for publishing on the web pages of the corresponding local public administration authorities, considering the legislation on protection of personal data.

(6) Reports on funding of electoral campaigns for the entire electoral period shall be submitted to the Central Electoral Commission by the registered electoral contestants not later than 2 days before elections' day. The reports shall be published on the official page of the Central Electoral Commission within 48 hours from their receipt, taking into account the legislation on protection of personal data.

(7) Central Electoral Commission develops and approves the templates of the reports on revenues and expenditures incurred during the electoral campaign. The following information related to expenditures shall be reported:

a) costs of meetings and electoral events, including the costs associated with these(rent, venue, performance of the artists, sound, stands, posters, protocol expenses, security, media coverage of the event, etc.);

b) advertising expenses incurred including on the TV, radio, in other electronic media , in the printed media, on billboards, on street or mobile advertising platforms;

c) expenditures for promotion materials, including for the electoral program of the party, posters, flags, tee-shirts, other promotional items offered free of charge as set in the art. 38 para. (6);

d) costs for transportation of persons and goods;

e) costs for public opinion survey services;

f) additional maintenance costs: renting of offices for electoral purpose, salaries paid to personnel temporarily employed for electoral goals;

g) costs for delegation and secondment of persons;

h) expenses for electoral and political consultancy.

(8) If the information submitted by a political party or electoral bloc in line with the requirements set in para. (7) is incomplete, the Central Electoral Commission has the right to request from the respective electoral candidate additional information on the amount of each transfer to its account and on the origin of these funds.

Chapter 5

Voters Lists

Article 39. Lists of voters

(1) The lists of voters, created on the basis of the State Registry of Voters, are lists which include all citizens who hold the right to vote who have the domicile or residence on the territory of one polling station. The voter may be included in only one list of voters and at only one polling station. The voter who has both domicile and residence is registered during the validity of the residence in the list of voters from the polling station of the respective residence. The Regulation on the creation, management, distribution and update of the lists of voters is approved by the Central Election Commission.

(2) The following is included in the list of voters:

a) the location and the number of the polling station;

b) surname and given name, year of birth of the voter;

c) domicile/residence of the voter;

d) state identification number (IDPN);

e) group and number of the identification document.

(3) The lists of voters are created, in the case of communes, based on villages and, if applicable, based on streets, whilst in case of cities and municipalities – based on streets and buildings. The distribution of voters will be made on the basis of information presented by the respective local public administration authorities.

(4) The lists of voters which contain military personnel in military units, as well as the members of their families and other voters, who have domiciles on the territory of military units, are created based on the data presented by the commanders of the respective military units. The military personnel with their domicile outside of the military units, as well as the members of their families, are included in the lists of voters from their domicile.

(5) For the polling stations created in sanatoriums, rest homes, and in hospitals and other stationary medical institutions, the lists of voters are created on the basis of the individual statements regarding their institutionalization or of the data presented by the management of the mentioned institutions.

(6) For the polling stations created outside of the Republic of Moldova, the lists of voters are created based on the data collected by the heads of diplomatic missions and of consular offices on the territory of the respective states. At the beginning of the electoral period, the diplomatic missions and consular offices publicly announce and update the held lists of voters. 25 days prior to the date of elections, the procedure to update the lists of voters concludes. The updated lists are then sent to the Central Election Commission.

(7) If the voter changes his/her domicile or residence during the period after the drafting of the lists of voters and before the date of elections, the electoral bureau of the polling station of the previous domicile, subject to request from the voter and on the basis of the identity document accepted for voting, issues the latter a certificate confirming the right to vote. The voter who received a certificate confirming the right to vote confirms its receipt via a signature in the list of voters at the row with his/her name at the column "Notes". The certificate notes will include the date of issuance, the number of the certificate confirming the right to vote, and the name of the member of the electoral bureau who issued the certificate.
(8) Persons holding the right to vote who have changed their place of residence after the last elections have the right 30 days before the next elections at the latest to declare their new place of residence to the local public administration authority. These persons will subsequently be included in the lists of voters of the polling station of the place of residence. The appropriate local public administration authorities will deliver without delay the respective information to the Central Election Commission.
(9) The lists of voters are sent by the Central Election Commission to the local public administration authorities/diplomatic missions or consular offices the latest 22 days before the day of elections, in 3 official copies, stamped and with other signs of authenticity on each page. Two copies of the lists are sent immediately to the elections bureau of the polling station, whilst one copy is kept at the town hall/diplomatic mission or consular office.
(10) Amendments to the lists of voters may be requested by voters from the Central Election Commission or the election bureau at the latest the day before the day of election. The elections bureau communicates immediately to the Central Election Commission the requested amendments, attaching documents which support the request: application and statement of the voter and a copy of identity documents.

Article 40. Revision of the lists of voters
(1) Voters' lists will be made available on the premises of the polling stations, as well as on the website of the Central Election Commission 20 days before the elections. A copy of the list shall be kept at the mayoralty (city hall). Voters shall be notified, via any available communication means (mass media, phone, poster, internet), not later than twenty days prior to elections, about the location of the polling station where they can vote.
(2) Citizens shall be provided with an opportunity to become familiar with the voter lists and to scrutinise the accuracy of the lists. They have the right to submit a complaint against their names being omitted or excluded from the list, as well as errors in personal data in the list, at latest on the day preceding the Election Day.

The complaints are examined by respective election administration bodies within 24 hours and their decisions may be appealed in a court of law by interested parties according to established procedure if their request to amend the list or include their name has been refused.
(3) The Central Election Commission develops and adopts the procedures on preparation, verification and update of the voters' lists, clearly regulating the issues on: transmitting the voters' lists to electoral bureaus; including/excluding voters by the members of the precinct electoral bureaus; subsequent presentation of the final voters' lists, and other necessary issues.

Chapter 6

Nomination and Registration of Candidates

Article 41. Nomination of candidates
(1) In the case of parliamentary elections, the process of candidate nomination starts 60 days before the elections date and ends 30 days before the election date. In case of local elections, the process of candidates nomination starts after the establishment in accordance with Article 120 the electoral districts and district electoral councils.
(2) The following have the right to nominate a candidate for election, provided they meet all applicable requirements set forth in this Code:
a) Parties and other socio-political organisations legally registered prior to the announcement of elections, in accordance with statutes and current legislation;
b) Electoral blocs, formed based on the decisions made according to the Statutes (regulations) of political parties and other social-political organisations which formed them are registered with the Central Election Commission – in parliamentary elections and in local general elections or, respectively, with the precinct electoral councils – in case of new elections. The candidates shall be nominated within 15 days from the date of formation of the electoral blocs. In instances where the electoral blocs were formed before the start of electoral period, nominations will occur within 15 days from the start of this period;
c) Citizens of the Republic of Moldova who nominate themselves for elections (independent candidates).
(3) Candidate statements of consent to run for elections shall be submitted as follows:
a) Statements by candidates for members of Parliament shall be submitted to the Central Election Commission;
b) Statements by candidates for positions of mayor and councillor at the local council in case of local elections shall be submitted to district electoral councils.

Article 42. Collection of Signatures in Support of a Candidate

(1) Signatures are collected only in support of an independent candidate or for initiating a referendum. In case of local elections, signatures are collected only in the districts where independent candidates are running for elections.

(2) Only independent candidates and members of a citizen initiative group, who nominate and/or support independent candidates, and persons authorised by independent candidates, as well as members of initiative group for a referendum, have the right to collect signatures.

(3) Lists for collecting signatures in support of an independent candidate, as well as for a referendum, hereinafter called signature collecting lists, shall include the last and first name, year of birth, profession, position, place of work, place of residence and party membership of the candidate, as well as the last and first name of the person who collects the signatures. Signature collecting lists shall contain only signatures of voters who live in one locality.

(4) A voter who supports the candidate, as well as a person who supports holding a referendum, shall indicate on the signature collecting sheet his/her first and last names, year of birth, place of residence, series and number of identification document, date of signing the list, and signature.

(5) Each voter may sign the signature collecting sheet in support for only one candidate during one ballot.

(6) The individual who collects voters' signatures must sign every sheet of the signature list in the presence of the head of local public administration authority where signatures were collected. Signature collectors shall write at the end of each sheet a statement according to which they have personally collected the signatures and confirmed the identity of the persons whose names appear on that sheet, and sign the sheet. The signature collecting list shall be certified on each sheet with the official stamp of the respective local public administration authority.

Article 43. Submission and Verification of Signature collecting lists

(1) After the signature collecting lists have been submitted, the competent election administration body shall start the verification of the authenticity of the signatures on sheets, including the right to vote of the persons who were included in the lists and their residence. The signature collecting lists shall be checked within five days from the day of submission.

(2) The electoral council shall inform submitters of signature collecting lists about the results of verification and shall announce the total number of names included on the sheets submitted by each candidate in elections, as well as the number of signatures found valid.

(3) Persons collecting signatures on signature collecting lists shall be held responsible for the authenticity of the data included in sheets.
(4) The following shall be considered null and void:
a) signature collecting lists in which names have been entered prior to the official start of the nomination period;
b) signatures on the signature collecting lists that are considered to be counterfeited;
c) signature collecting lists that do not meet the requirements of Article 42, paragraph (6).

Article 44. Registration of Candidates
(1) To register a candidate for an election, the following documents must be submitted to the Central Election Commission or district electoral councils no later than 30 days before election day:
a) official minutes of the meeting of the supreme or territorial body of the party, other socio-political organisation, or of the electoral bloc on the nomination of the candidate (list of candidates);
b) signature collecting lists with the required number of signatures in support of independent candidates;
c) candidate's biographical data;
d) candidate's statement of agreement to run for elections for which his/her candidacy has been nominated, including also the statement, on his/her own responsibility, on the absence of legal and judicial impediments to run for office;
e) candidate's statement of real estate, bank deposits, stocks, inherited amounts, and income over two years preceding the election year, and the sources of that income, including income derived from investment funds as interests, lease of property, etc.;
f) candidate's declaration for mayor's position of suspension of any activity incompatible with that position for the duration of the mayor's term in office, in the event of his/her election and mandate's validation;
g) statement on suspension from previously held position, for the time period of the electoral campaign - for the persons who fall under the provisions of Article 13, paragraph (3);
i) copy of the candidate's ID.
(2) The representatives of parties and other socio-political organisations, electoral blocs and independent candidates shall submit the documents for registration only after the Central Election Commission or respective district electoral councils make public the place (office) and time when those documents shall be received. This information shall be made public within two days of the launch of candidate's nomination period. The time between the adoption of a decision concerning the place and time of receiving documents and the established time

itself shall not be less than 24 hours. If representatives of political parties, other socio-political organisations, political blocs, and independent candidates simultaneously submit all the necessary documents for registration, the order or receiving them shall be established by draw in accordance with the regulations approved up by the Central Election Commission and published in the Official Monitor of the Republic of Moldova.
(3) The respective election administration body shall register the candidates for elections within seven days of the date of submission of the documents mentioned in paragraph (1).
(3^1)Within the same elections, a person can run for several eligible positions only on the behalf of one political party or one electoral bloc.
(4) The candidates nominated for elections may not be either employed or involved during those elections in the activities of any district electoral council or precinct electoral bureau.
(5) The respective election administration body shall issue a certificate of candidacy to registered candidates as soon as possible, but no later than in three days from the day of registration.
(6) The respective election administration body shall make public its decisions on registration of independent candidates or lists of candidates in mass media announcements financed from budget resources.
(7) Upon expiration of the term for candidates' registration, the respective election administration body shall publish the final list of registered candidates, providing the name, surname, year of birth, place of residence, political affiliation, profession (occupation), and the name of the party, socio-political organisation, or electoral bloc that has nominated them. The lists of candidates shall be available for public viewing at any polling station.

Chapter 7

The Electoral Campaign

Article 45. Authorised Representatives of Candidates

(1) Candidates may have authorised representatives in every electoral district. Authorised representatives assist the candidates in conducting their electoral campaign, campaign for them and represent their interests in relations with public administration authorities, voters and electoral councils and bureaus. The number of authorised representatives shall be determined by the Central Election Commission or the respective district electoral council.
(2) Candidates shall independently choose their authorised representatives, notify the respective election administration bodies about said representatives. The

respective election administration bodies shall register them and issue identification documents with their names.
(3) Authorised representatives of candidates in parliamentary elections shall be registered by the Central Election Commission. In elections for mayors and councillors in local councils, authorised representatives of candidates shall be registered by the respective district electoral council.
(4) Candidates may, at any time before the day preceding elections, suspend the representatives' authority, and replace him/her with other persons.
(5) Authorised representatives of candidates, upon request, shall be detached from their permanent employment without being paid their remuneration. They may not get paid either from funds allotted for the conduct of elections. During the electoral period, authorised representatives may not be dismissed or deprived of their responsibilities from their permanent employment without their prior consent.
(6) Authorised representatives of candidates holding public service functions may not use public funds and property for electoral campaigns.

Article 46. Guaranteed Rights of Candidates
(1) The candidates shall participate in the electoral campaign on an equal basis and shall have equal access to mass media, including radio and television, financed by the state budget.
(2) All candidates shall be guaranteed equal opportunities for technical and material support and funding of the electoral campaign.
(3) Candidates are entitled for unpaid detachment from their permanent employment during the electoral campaign.
(4) *repealed*
(5) During the electoral period, candidates may not be dismissed or transferred to another job or position without their consent. Candidates cannot be held criminally liable, arrested, detained or subjected to any administrative sanctions without the consent of the election administration body which registered them, with exception of flagrant offenses.
(6) A candidate may, no later than seven days prior to the elections day, withdraw his candidacy by addressing in writing a declaration to this effect to the election administration body which registered his candidacy. Parties, socio-political organisations and electoral blocs may introduce any amendments in registered lists of candidates subject to the above specified timeframe and to the provisions of Articles 79 and 126. Upon the expiration of the above mentioned timeframe, the registration of an electoral contestant can be cancelled only by the election administration body that registered him/her on the basis of a court of law decision, as well as in case of the candidate’s death or conditions outlines in Article 13, paragraph (2).

(6^1) A candidate's application to withdraw from the list of an electoral contest, submitted during the term established by paragraph (6), shall be examined by the respective competent party's body within 3 days.
(7) If an electoral contestant withdraws his/her candidacy or his/her registration is cancelled after ballot papers have already been printed, the precinct electoral bureau shall stamp "withdrawn" ("Retras" in the original) next to his/her name on the ballot.
(8) The electoral contestant who has withdrawn his/her candidacy is obliged to return the material and financial assistance which he/she has received from the state budget to conduct the electoral campaign.

Article 47. Pre-election Campaigning
(1) Citizens of the Republic of Moldova, parties and other socio-political organisations, electoral blocs, candidates and trustees of the candidates have the right to put forward for free discussion aspects the candidates' electoral programmes (platforms), their political, professional and personal skills, as well as to organise electoral campaigning during the meetings, reunions with the electorate, through mass media, through electoral banners and other forms of communication.
(2) The exercise of this right may be subject to a series of formalities, conditions, restrictions or sanctions regulated by the law, which represent necessary measures in a democratic society, for national security, territorial integrity or public safety, protection of order and prevention of crimes, protection of health or morality, protection of reputation, protection of the rights of others, to avoid the disclosure of confidential information or for guaranteeing the authority and impartiality of the judicial power.
(3) Dissemination of campaign information is allowed only after the candidate's registration with the appropriate electoral body.
(4) The procedure of posting, under equal terms, of the electoral advertising on advertising boards, including private ones, is approved by the Central Election Commission and is made public as soon as the electoral period starts.
(5) Candidates may organise meetings with the electorate. Local public administration authorities are obliged to ensure that such meetings are organized on equal terms and conditions. Electoral bodies shall be informed in case of identified irregularities in relation with the organisation and conduct of meetings.
(6) Candidates may not use public means and goods (administrative resources) during electoral campaigns, and public authorities/institutions and other related institutions may not send/grant to candidates public goods or other benefits unless on a contract basis, providing equal terms to all candidates.
(6^1) Images representing state institutions or public authorities of the country, other states or international organisations cannot be used for the purpose of

electoral advertising. It is prohibited to combine colours and/or sounds which are associated with the national symbols of the Republic of Moldova or of another state, to use materials which depict historical personalities of the Republic of Moldova or other states, symbols of other states or international organisations or images of foreign officials.
(7) Local public administration authorities are obliged, within 3 days as of the registration of the candidate, to establish and guarantee the minimum of special places for electoral advertising, as well as to establish a minimum of locations to organise meetings with voters. The respective decisions (orders) are immediately displayed at the premises of these authorities and are made public via mass media and other available means of communication.
(8) Dissemination of campaign information on Election Day and the day preceding the elections is prohibited. This prohibition does not refer to the information which has been already posed on Internet and to the posters previously displayed.

Chapter 8

Ballots

Article 48. Form of Ballots
(1) The design and the text of the electoral ballot for the elections of the Parliament shall be approved by a decision of the Central Election Commission. In local elections, the design of ballots shall be approved by the Central Election Commission, and their text shall be approved by a decision of the respective district electoral council.
(2) The ballot shall be divided into quadrangles equal to the number of candidates. The size of the quadrangle must be large enough to include the first and last name, the date of birth, profession (occupation), position and place of employment of the candidate, the name of the party, other socio-political organisation, electoral bloc that nominated the respective candidate or a list of candidates, and, upon request, the contestant's electoral symbol or sign. Identical contestant's electoral symbols or signs shall be prohibited.
(3) Candidates are listed on a ballot in the order determined by the results of the lot daily drawn by the appropriate election administration body.
(4) On the left side of each quadrangle shall be printed the electoral sign or the symbol of the electoral contestant that nominated the list of candidates or respective candidate, or, optionally, the electoral symbol of the independent candidate. The candidates' electoral signs and symbols shall be presented to competent election administration body together with other documents for registration of the electoral contestant.

(5) On the right side of every quadrangle, and at an equal distance from the top and bottom margins, a 15 mm diameter circle shall be printed in which the voter applies the stamp with the inscription "Voted" (“Votat” in the original) next to the selected candidate.
(6) Ballots shall be drawn up in accordance with the Law on the use of languages spoken in the Republic of Moldova.
(7) In the event that several types of elections are held simultaneously, the ballots shall be of different colours.

Article 49. Preparation of Ballots
(1) The ballots shall be printed according to the instructions of the respective election administration bodies. The members of Central Election Commission are bound to assist, and representatives of candidates may assist, in the development of the ballot matrix and in the printing of the ballots as well as at the destruction of the matrix.
(2) Ballots shall be printed no later than three days prior to elections, in a quantity not exceeding the number of voters, on opaque paper. Each ballot shall bear both the serial number of respective district and polling station. Printed ballots are folded to conceal the ballots’ face where the voter stamps “Voted”.
(3) Printed ballots shall be stored by the responsible district electoral council and delivered to precinct electoral bureaus on the eve of elections. The Central Election Commission sends the ballot forms to the electoral bureaus of the polling stations set up abroad at least 3 days before the election day. Ballots are distributed the basis of the estimated number of voters established according to the information submitted by the Ministry of Foreign Affairs and European Integration and that collected by the Central Election Commission. No more than 3000 ballots will be issued for each polling station.
(4) The premises where ballots are stored shall be guarded by the police. Only the chairperson of respective district electoral council or precinct electoral bureau, accompanied by at least two other members of the council or bureau, shall have access to them during this period.
(5) Representatives of candidates, as well as any voter, shall have the right to examine sample ballots at the precinct electoral bureau.
(6) The ballots for parliamentary elections shall be passed over to district electoral councils by the Central Election Commission no later than two days before the election.

Chapter 9

Voting

Article 50. Time and Place of Voting

Voting is carried out on Election Day between 7:00 and 21:00. The precinct electoral bureau shall publicly announce the time and place of voting no later than 10 days before election day.

Article 51. Voting Conditions

(1) During the time allotted for voting, the polling station may not be closed nor the voting process suspended, with the exception of cases of mass disorders, natural disasters, or other unforeseen circumstances which make the election impossible or dangerous for voters. In such cases, the chairperson of the precinct electoral bureau may suspend voting for no more than two hours to bring the polling station to its proper condition or move it to another place, having notified the voters of this fact.

(1^1) While holding local elections, when it is impossible to reopen the voting that has been suspended according to paragraph (1), after 2 hours, the voting is considered suspended for a period of no more than 2 weeks. The Central Election Commission within 3 days shall adopt a decision on the day of reopening the suspended voting. The voting shall reopen under the same legal conditions.

(2) Individuals entitled to observe the voting may not be compelled to leave the polling station during a time when voting has been suspended.

Article 52. Organisation of Voting

(1) Voting shall be carried out at specially equipped places with desks for ballot issuing and voting booths or rooms for secret voting and ballot boxes. The boxes must be placed in such a way as when approaching them the voters first shall enter voting booths to vote in secret. The premises shall have a sufficient number of voting booths or rooms so as to avoid large crowds of voters.

(2) For purposes of maintaining order at the polling station and avoiding a crowd of voters, the precinct electoral bureau shall establish a path for the movement of voters, beginning with the entry to the tables where the ballots are handed out, then to the secret voting booths, and on to the ballot boxes.

(3) The polling station shall be furnished to allow the members of the precinct electoral bureau and other persons authorised to observe the electoral procedures to continuously monitor all aspects of the voting process, including voter identification, issuance of ballots and voters' casting ballots into ballot boxes, as well as ballot counting and filling in of the official record.

(4) The provision of the polling station with voting booths, ballot boxes, and other necessary materials shall be the responsibility of the local public administration authority.
(5) The precinct electoral bureau shall be responsible for the organisation of the voting process, ensuring a secret ballot, for the equipment on the premises, and for the maintenance of the necessary order in the polling stations.

Article 53. Voting
(1) Every voter must vote in person. Voting for other individuals (voting by proxy) is not allowed. The precinct electoral bureau shall hand out ballots to voters based on the voter list, only upon the presentation of an identification document. Voters shall confirm the receipt of the ballot by signing in the voter list next to his/her name, and a stamp applied on his/her ID slip or on the document based on which the voter votes, which confirms that he/she voted on election day.
(2) Citizens residing on the territory of the precinct not included in the voter lists shall be entered on a supplementary voter list upon presentation of an identification document confirming their place of residence within the precinct. In the supplementary voters' list, which will include information on the voter's name, surname, date and place of birth, the last domicile in the Republic of Moldova, personal identification number (IDPN), are also entered:
a) voters who come to the polling station with the absentee vote certificate. The absentee vote certificate remains at the polling station bureau and it is attached to the supplementary list;
b) individuals detained based on an arrest order until a court sentence is pronounced, individuals sentenced to prison (deprivation of liberty) whose sentence is not final; individuals under arrest for committing an offence, persons sentenced to prison (deprivation of liberty) by a final court decision, located in penitentiaries
c) voters who do not have a registration at a domicile or residence.
(3) The voting is done upon presenting of one of the following identification documents:
a) identity card of a citizen of the Republic of Moldova accompanied by a slip which confirms the domicile or residence on the territory of respective polling station;
b) *repealed;*
c) *repealed;*
d) Temporary Identity document with confirmation of citizenship of the Republic of Moldova and the domicile of the holder;
e) passport of a citizen of the Republic of Moldova for passing the border of RM, sailor's card - at the polling stations established abroad, in case of parliamentary elections or national referendum;

f) service ID for serving military personnel: civil service card issued by Civil Service Center for persons performing civil service as an alternative to military service.
(3^1) In the polling stations located outside of the Republic of Moldova, the voter presents a statement certifying that they are not voting multiple times. This statement implies liability, and the voter is informed about criminal liability if this obligation is breached.
(4) The chairperson and precinct electoral bureau members shall vote at the polling station where they conduct their activity, and, if necessary, shall be entered to supplementary voter lists based on the Absentee Vote Certificate.
(4^1) *repealed*
(5) The chairperson of the precinct electoral bureau shall keep a record of the events during voting and vote counting. At the request of bureau members, persons authorised to observe electoral procedures, or any voter, the chairperson shall note their comments and complaints regarding electoral procedures on a separate sheet, which shall be attached to the minutes of the precinct electoral bureau. The information on voting on the main and additional voters list is sent every three hours, in electronic form or via phone, to the Central Election Commission.
(6) The electoral bureau decides to prolong with no more than 2 hours the period of voting, in order to allow the voters, who queue up in the respective precinct, to exercise their rights, notifying the district electoral bureau and the Central Election Commission about the extension.

Article 54. Balloting Procedure
(1) The ballot shall be filled out by the voter in a secret voting booth or room. A voter who is unable to fill out the ballot him/herself has the right to invite another individual into the voting booth, with the exception of members of the electoral bureau, representatives of candidates, and persons authorised to observe electoral procedures. Such cases of assistance to unable person shall be mentioned in the report of the precinct electoral bureau.
(2) The voter shall apply the stamp with the inscription "Voted" (“Votat” in the original) in the circle of only one of the rectangles on the ballot, which shall signify that he/she has voted for the respective electoral contestant. The circles in the rest of the quadrangles should be left blank.
(3) It shall be prohibited for any person to take an official ballot out of the polling station.
(4) Each voter shall vote only for one electoral contestant.
(5) *Repealed*
(6) If a voter has spoiled a ballot by mistake, at his/her request the precinct electoral bureau shall cancel it and issue a new ballot. This is allowed only once.

In this event of a replaced ballot, a note shall be made in the results minutes and in the voter list.
(7) The voter shall place the ballot stamped "Voted" into the ballot box.

Article 55. Voting Security
(1) At 07:00 a.m. on Election Day, the chairperson of the precinct electoral bureau, in the presence of no less than half of the members of the bureau, shall check the ballot boxes and seal them. The chairperson shall also check the integrity of voter lists, ballots, and stamps, and file the minutes on opening of polling station in two copies. Those minutes shall be signed by all present members of the precinct electoral bureau. One copy of the minutes will be inserted into the ballots box, and after, that bureau's chairperson shall announce the voting opening.
(2) Ballots shall be stored in a secure place at the polling station, arranged in stacks of 100, and shall be issued by the precinct chairperson to members of the bureau for handing out to voters.
(3) Members of the precinct electoral bureau as well as representatives of the candidates and persons authorised to observe the electoral procedures shall be obliged to have and display identification badges so people may recognize them. Persons who enter polling stations shall be prohibited from wearing or displaying any emblems, badges or other symbols related to electoral campaign.
(4) If, for health or other well founded reasons, the voter is unable to come to the polling station, the precinct electoral bureau, at his/her oral or written request, will delegate no less than two members of the bureau with a mobile ballot box and all electoral materials necessary for voting to go to the place of voter's residence to conduct the voting. Requests may be submitted in writing starting with two weeks prior to the Election Day and not later than 6 p.m. of the day before Election. On the Election Day, the request may be submitted in writing until 3 p.m., upon the presentation of a medical certificate. The voting at the place of voter's residence is based on voters' requests and the voter list compiled by the precinct electoral bureau. The persons who are not entered on the voter list will not be eligible to vote at their place of residence. On the voter list at the polling station next to the name of such persons a note shall be made "Voted at the place of residence" ("Votat la locul aflarii" in the original). The provisions of this paragraph are not applied to the voting abroad.
(5) Individuals detained based on an arrest order until a court sentence is pronounced, individuals sentenced to prison (deprivation of liberty) whose sentence is not final; individuals under arrest for committing an offence, person sentenced to prison (deprivation of liberty) by a final court decision, located in penitentiaries, will vote in compliance with paragraph (4), via the mobile ballot box.

(6) In the event the chairperson of the precinct bureau authorizes a special ballot box to be taken out of the polling station, he/she shall announce this fact, as well as the eligible voter who requested to vote at place of residence beforehand, to the representatives of candidates and the individuals authorised to observe electoral procedures, who are offered the opportunity to accompany the mobile box using their own transportation if necessary.
(7) The responsibility for maintaining order on election day in the polling station and territory adjacent to it within a radius of 100 meters shall be assigned to the chairperson of the precinct electoral bureau. The decisions he/she makes to maintain order shall be mandatory for all.
(8) The following individuals are entitled to be present during the meetings of election administration bodies, votes' counting and tabulation, electoral activities related to voter lists, ballots, Absentee Vote Certificates, and filing the minutes of elections and referendum results and tabulation:
a) members and representatives of the superior election administration bodies;
b) representatives of the candidates to respective election administration bodies;
c) national and international observers accredited by the respective bodies, as well as their interpreters, as the case may be;
d) mass media representatives.
No other individual may remain in the polling section longer than it takes one to vote.
(9) It shall be strictly prohibited for anyone to enter a polling station with a firearm or bladed weapon. A security officer may enter the premises of the polling station only upon request of the chairperson of the precinct electoral bureau to assist in re-establishing legal order.

Chapter 10

Vote Counting and summary of results of elections

Article 56. Votes Counting by Precinct Electoral Bureau

(1) Upon expiration of time provided for voting, the chairperson of the precinct electoral bureau shall announce the closing of voting and give instructions on closing the premises of the polling station. Precinct electoral bureau will then begin the counting procedure.
(2) Before opening the ballot box, all unused ballots shall be counted, and cancelled by the precinct electoral bureau by applying the stamp "cancelled" thereupon ("Anulat" in the original), after that, bundled and sealed.

(3) Before counting the votes, the precinct electoral bureau shall establish the number of voters who were issued ballots by counting the number of voters' signatures included in the voter lists and supplementary voter lists.
(4) After checking the seals on the ballot boxes, the chairperson of the precinct electoral bureau, in the presence of the members of bureau and persons authorised to observe electoral procedures, shall open the ballot boxes. Mobile ballot boxes shall be opened first, the ballots from mobile ballot box are counted, and then the stationary (fixed) ballot boxes shall be opened.
(5) The precinct must be provided with a sufficient number of tables so that all ballots taken from the ballot boxes may be counted in one place visible to all members of the precinct bureau and others in attendance. Badges with the names of the candidates shall be placed on the tables for vote counting.
(6) The number of ballots taken out of mobile ballot boxes shall first be counted separately, then reconciled with the number of ballots issued for mobile voting, and only after that the obtained number shall be added to other ballots in order to count votes.
(7) According to a procedure determined by the precinct electoral bureau, or upon instructions provided by the Central Election Commission or competent district electoral council, members of the precinct electoral bureau shall unfold the ballots and determine for which candidate the ballot was cast. The ballots for each candidate shall be counted and packed separately, and the results of the counting shall be entered on a special counting sheet as they are determined and will be communicated to superior election administration body.
(8) Before the number of votes obtained by each candidate is entered on the results minutes, representatives of candidates and other persons authorised to observe the electoral procedures shall be provided an opportunity to recheck the figures entered on a special counting sheet.
(9) The precinct electoral bureau shall not include invalid ballots in total number of counted valid votes.
(10) After closing the polling station, the precinct electoral bureau is considered to be in a meeting to count the votes and to file the bureau's minutes and reports. All members of the precinct electoral bureau shall remain at the polling station and participate in the operations of the bureau during this entire period, unless prevented from doing so by a physical disability or other extraordinary circumstances.

Article 57. Invalid Ballots
(1) The following types of ballots shall be considered invalid:
a) ballots with the identity numbers of district and precinct which do not correspond to respective numbers of district and polling station where the ballot was cast in a ballot box;

b) ballots on other than the legally approved form;
c) ballots on which the stamp "Voted" (“Votat” in the original) has been applied in more than one rectangle;
d) ballots on which the stamp "Voted" has not been applied in any rectangle;
e) ballots in which the voter has added the name of other additional candidates;
f) torn ballot with a mark indicating a choice for one candidate has been altered, erased or crossed out and as a result the voter's option is not clear.
(2) As long as the intention of the voter is clear, the ballot may not be declared invalid simply because the voter applied several times the “Voted” stamp in a single rectangle, or applied it outside the circle of the rectangle or on the electoral contestant’s symbol or sign.
(3) Prior to declaring a ballot invalid, the chairperson of the precinct electoral bureau shall provide all members of the bureau and persons authorised to observe electoral procedures with an opportunity to scrutinise it.
(4) If members of the precinct electoral bureau have doubts about the validity of a ballot, the question shall be decided by a vote, and the results of the vote shall be entered in the minutes of bureau’s meeting.

Article 58. Minutes and Report of the Precinct Electoral Bureau
(1) The precinct electoral bureau shall draw up minutes, in two copies, that include:
a) the number of voters included in the voter list;
b) the number of voters included in supplementary voter lists;
c) the number of ballots issued to voters;
d) the number of voters who voted;
e) the number that reflects the difference between the number of ballots issued and the number of people who voted;
f) the number of invalid ballots;
g) the number of valid votes cast for each candidate (or for each issue put up for referendum);
h) the total number of valid votes cast;
i) the number of ballots received by precinct electoral bureau;
j) the number of unused and cancelled ballots.
(2) The sample of the minutes on the results of vote counting, drawn up by the precinct electoral bureau, is set by the Central Election Commission for any types of elections. Prior to election day, the respective electoral council shall provide precinct electoral bureaus with the necessary number of minutes forms.
(3) The results of the vote counting shall be examined at a meeting of the precinct electoral bureau and entered into the minutes, which shall be signed by the chairperson, deputy chairperson, secretary, as well as by the rest of bureau’s members. The absence of signatures of certain members of the precinct electoral

bureau shall not invalidate the minutes. However, the reasons for the absence of these signatures shall be indicated in the report of the precinct electoral bureau.
(4) The minutes on the voting results shall be prepared in several copies in the presence of precinct electoral bureau members, representatives of candidates and other authorised persons. A copy of the minutes shall be kept at the polling station. Another copy shall be submitted to district electoral council, and a copy shall be immediately posted at the entrance into the polling station, whereas the others shall be obligatorily distributed to representatives of candidates and observers.
(5) The chairperson of the precinct electoral bureau shall also prepare the bureau's report based on the written record of the bureau's activities during the electoral period. The report shall include a summary of statements and complaints regarding precinct electoral bureaus activity as well as decisions concerning those complaints adopted by the bureau. The chairperson shall sign the report and shall give other members an opportunity to provide written comments and additions to it, and then shall ask the rest of the members of the bureau to put their signatures on the document. Complaints and statements shall be attached to the report.
(6) The chairperson of the precinct electoral bureau shall hand over to the district electoral council as soon as possible, but no later than 18 hours after the announcement of the closing of the polling stations: the valid ballots sealed separately for each electoral contestant, results minutes, report, invalid, unused, or contested ballots, as well as statements and complaints in a sealed box. The sealed box shall be transported under police guard, with the chairperson and at least two members of the precinct bureau accompanying the box at all times. The precinct electoral bureau established outside the Republic of Moldova shall submit, apart from the listed documents, the supplementary voter lists as well.
(7) Precinct electoral bureau stamps shall be kept in a sealed box at the polling station. After closing elections, stamps shall be handed over to district electoral councils.

Article 59. Tabulation of Votes by the District Electoral Council
(1) After receiving from the precinct electoral bureaus the minutes and reports presenting the results of voting in the precincts, the district electoral council shall first establish the number of voters who participated in the election. The district electoral council shall promptly report this figure to the Central Election Commission. In the event the voters' turnout throughout the entire electoral district is less than required for valid elections in that district, the district council should also indicate that fact to the Central Election Commission. Either the Central Election Commission or the district electoral council should announce publicly that the election in the entire country or that district is considered invalid.

(2) On the basis of the minutes of precinct electoral bureaus, the district electoral council shall establish, with respect to the entire district:
a) the number of voters included in the voter lists;
b) the number of voters included in supplementary voter lists;
c) the number of ballots issued to voters;
d) the number of voters who voted;
e) the number that reflects the difference between the number of ballot issued and the number of people who voted;
f) the number of invalid ballots;
g) the number of valid votes cast for each electoral contestant (for each question put up for referendum;
h) the total number of valid votes cast;
i) the number of ballots received by district electoral council;
j) the number of unused and cancelled ballots.
(3) The district electoral council shall then draw up a record (minutes) on vote tabulation throughout the entire electoral district. This record shall be signed by all members of the district electoral council, who shall also have the opportunity to have whatever comments they wish to make attached in writing to the record. Copies of the record on vote tabulation shall be handed over to the representatives of candidates and observers upon request.
(4) The district electoral council shall submit the record of its vote tabulation in the district to the Central Election Commission within 48 hours of the closing of polling stations. When submitting the minutes to the Central Election Commission, the district electoral council posts at the entrance of its office a chart with detailed district elections results.

Article 60. Tabulation of Results by the Central Election Commission
(1) Based on the documents received from district electoral councils regarding parliamentary or local elections or referendums, the Central Election Commission shall prepare within five days minutes that include the following:
a) the number of voters included in the voter lists;
b) the number of voters included in supplementary voter lists;
c) the number of ballots issued to voters;
d) the number of voters who voted;
e) the number that reflects the difference between the number of ballot issued and the number of people that voted;
f) the number of ballots declared invalid;
g) the number of valid votes cast for each candidate (or for each question put up for referendum;
h) the total number of valid votes cast;
i) the number of printed ballots.

(2) The Central Election Commission shall include the final voting results from the entire country in the minutes, which shall be signed by all members of the Commission, and shall prepare the report on the election results. Copies of the final results minutes shall be given to representatives of the candidates and observers upon request.
(2^1) In case of disagreement with preliminary voting results, before validation of the results by the competent bodies, candidates may apply to these bodies a request a recount of the votes. A recounting may be ordered by the body entitled to validate the election results based on grounds which affected the results of voting. The distribution of mandates will take place in not more than 7 calendar days from the adoption of the decision on vote counting. The recounting is carried out by the same electoral bodies; the electoral bodies guilty of fraud are replaced. The general procedure of recounting is approved by a decision of the Central Election Commission.
(3) In parliamentary elections the documents mentioned in paragraph (2) shall be submitted to the Constitutional Court for confirmation of elections' results and validation of mandates for members of Parliament.

Article 61. Announcement of Preliminary Results
(1) Prior to receiving voting results from all subordinate electoral councils and bureaus, the election administration body responsible for tabulation shall periodically announce partial results upon their receipt as expeditiously as possible. In parliamentary and general local elections, preliminary results, divided per precinct, will be posted on the official site of the Central Election Commission as soon as they are processed.
(2) The election administration body responsible for tabulation shall publicly announce the overall results of the election as soon as possible once all the voting results have been received from the subordinate electoral councils and bureaus, but only if the complains submitted to the election administration body or to a competent court of law are do not affect the election's results.
(3) Responsibility for tabulation shall be:
a) the Central Election Commission with respect to parliamentary elections, general local elections and republican referendum; or
b) appropriate district electoral council, in case of local elections and local referendums.

Article 62. Storage of Election Documents
(1) The Central Election Commission shall keep the electoral records and materials in accordance with the Law on State Archive Fund of the Republic of Moldova and consistent with the Regulation on the organisation and functioning

of the Archive of the Central Election Commission, as approved by the decision of the Central Election Commission.
(2) Upon expiration of the electoral period, district electoral councils shall do the following with electoral documents and materials:
a) lists of candidates, one copy of minutes and reports prepared by district electoral councils and by precinct electoral bureaus, copy of special counting sheet, stamps of district electoral councils and of precinct electoral, signature collecting lists of independent candidates, and also other electoral materials, financial report and delivery act of financial documentation to rayon (municipality) council (local public administration authority of second level): These are submitted to the Central Election Commission. In case of general local elections, lists of councillors elected in local councils, lists of candidates in reserve and lists of candidates listed top-down for each district shall also be submitted to the Central Election Commission;
b) valid, invalid and cancelled ballots, voters' lists and absentee vote certificates, one copy of minutes, reports prepared by district electoral councils and by precinct electoral bureaus, copy of special counting sheet, all complaints together with decisions adopted on them, and in case of general local elections lists of councillors elected in local councils, lists of candidates in reserve and lists of electoral contestant presented in decreased order for each district: These shall be submitted to the appropriate territorial court of law of the district electoral council;
c) one copy of minutes and reports prepared by district electoral councils and by precinct electoral bureaus, ballot boxes, copies of Election Code, Regulations of election administration bodies activity and other electoral materials: These are submitted to local mayor's office in the district where the district electoral council operated.
(2^1) Upon the expiration of a 6-month term, the valid ballot papers, invalid ballots and annulled ballots, as well as absentee vote certificates sent back to the court of law, will be destroyed. Electoral lists are to be sent to the Central Election Commission within 10 days from the confirmation of the elections.
(3) The Central Election Commission shall provide access to documents mentioned in this article under the provisions of the Law on access to information.

Chapter 11

Elections Observation and their Coverage by Mass-Media

Article 63. Observers

(1) At the request of any electoral contestant, the district electoral council shall accredit an observer for each polling station to monitor the elections. The authorised representatives of candidates may also be accredited as an observer. In the event the district council finds that an individual proposed for accreditation under this paragraph is unacceptable, it shall inform the electoral contestant who proposed that person of the reasons. The refusal to register observers must be justified and can be appealed according to hierarchical jurisdiction, and then, in a court of law.

(2) At the request of candidates, the Central Election Commission shall accredit an observer for monitoring elections in polling stations established outside the Republic of Moldova. Observers who can be accredited include citizens of the Republic of Moldova who are out of the country, and representatives of international and foreign nongovernmental organisations.

(3) Upon request, the Central Election Commission will accredit the representatives of international organisations, foreign governments and non-governmental organisations as election observers, as well as their interpreters.

(4) By decision of the Central Election Commission or the district electoral councils shall be accredited representatives of competent public associations from the Republic of Moldova to observe the elections. For purposes of this paragraph, a "competent" public association is one which is committed under its statute to promote human rights and democratic values.

(5) Observers accredited by the Central Election Commission shall have the right to monitor election processes on the territory of the entire country and at all polling stations, but observers accredited by district electoral councils shall have that right only on the territory of respective district. Accredited observers are entitled to attend any electoral procedures and meetings of electoral administration bodies, including on election day, without interfering with the voting process or other election procedures, and to report any irregularities observed to the chairperson of an electoral bureau. Observers have access to all electoral information, to voters' lists, to the minutes drawn up by the electoral bodies, they may take photos and video by notifying the chairperson of the electoral body, without jeopardising voting secrecy and security, whilst national observers may submit notifications on the revealed irregularities, which are to be examined by the chairperson of the electoral body, by informing the author of the notification on the taken decision. The accredited observers may continue their

activity in the second round of elections, as well as during the repeated elections/referendum.
(6) Observers can be accredited before the electoral period begins and can perform their activity on elections day and also in the periods before, during and after the elections. Regulation on accreditation of observers shall be made by a decision of the Central Election Commission.
(7) To ensure the efficient activity of international observers during the electoral period, the Central Election Commission creates the Protocol Office of Accredited International Observers. The numeric composition and principles of activity of this Office are established by a decision of the Central Election Commission.

Article 64. General principles of media coverage of elections
(1) Broadcasters, within all their talk-shows, and written media founded by public authorities are obliged to observe the principles of fairness, accountability, balance and impartiality while covering elections.
(2) Broadcasters and written media are obliged to provide equal, non-discriminatory conditions while granting airtime or advertisement space for electoral advertising.
(3) Public broadcasters will allocate free airtime to the candidates in a fair and non-discriminatory manner, based on objective and transparent criteria.
(4) The media service providers will not adopt privileged treatment towards candidates due to their social status and/or the positions held by its candidates.
(5) During the electoral period, public broadcasters and written media will make a clear distinction, in their journalistic materials, between fulfilling the official duties and the electoral activity carried out by persons who do not fall under article 13, paragraph (3).
(6) Candidate(s) who consider that their rights have been breached have the right of rejoinder. The written request on granting the right to rejoinder is submitted to the media service providers within 2 calendar days as of the broadcasting/publication of the information. In case of broadcasters, the refusal to grant the right to rejoinder may be challenged at the Audiovisual Coordinating Council, and in case of written media – at the electoral bodies. The right to rejoinder is granted within 3 calendar days as of the submission of the request/appeal, but not later than the day prior to the Election Day, under the same conditions their legitimate rights have been infringed.
(7) Media service providers are entitled to cover elections and to inform the public about all electoral issues, free from any interference from public authorities, candidates/candidates or other entities.

Article 64[1]. Particularities of media coverage of elections

(1) During the electoral period, the talk-shows and written materials referring in any way to the candidate(s) will be broadcast/published by observing the Regulation on the Media Coverage of the Election Campaign, approved by the Central Election Commission within the first 7 days of electoral period. Mass-media representatives enjoy the same rights as the national observers.

(2) Within the first 7 days as of the approval of the Regulation on Media Coverage of Electoral Campaign, each broadcaster submits to the Coordinating Council of Audiovisual a statement containing: the name of the owner/owners of the institution and its editorial policy for the electoral campaign. The statements are posted on the web site of the Coordinating Council of Audiovisual. The control over the observance of this obligation is ex officio conducted by the Coordinating Council of Audiovisual, according to the provision of the Audiovisual Code of Moldova.

(3) During the electoral campaign for parliamentary elections and republican referenda, national broadcasters are obliged, whereas the local/regional ones are entitled, to organise public debates. During the electoral campaign for general local elections and local referenda, local/regional broadcasters are obliged, whereas the national ones are entitled, to organise electoral debates. The format, length and the frequency of electoral debates are established by the broadcasters and are made known to the electoral bodies and to the candidates at least 3 calendar days before the broadcast of each talk-show.

(4) During the electoral campaign for general parliamentary elections and republican referenda, national broadcasters, whose list is made public by the Coordinating Council of Audiovisual, within the first 3 days of the electoral period, freely grant to the candidates 5 minutes of TV airtime and 10 minutes of radio airtime to present their electoral programmes and to inform voters. The respective airtime is granted apart from the airspace allotted for electoral advertising and debates.

(5) In parliamentary elections and republican referenda, public broadcasters will allot to candidates one minute per day free airtime to place their electoral advertising. Concerning paid electoral advertising, each candidate is granted airtime, which shall not exceed 2 minutes per day during the electoral campaign for each broadcast outlet. The terms for buying airtime and the respective fees are made known 3 calendar days before airing electoral advertising. The cost of the airtime granted to the candidates will not exceed the usual cost for commercial advertising. Airtime for paid electoral advertising is granted to all the candidates at the same broadcasting hours.

(6) Each candidate is liable for the content of broadcast or published electoral advertising materials. Each electoral advertising material will include the name of the candidate, the date of its publication, its circulation and the name of the

Printing House. Paid electoral advertising will be accompanied by the logo "Election".
(7) Under the current law, the refusal to broadcast or print free or paid electoral advertising may be appealed in a court of law.
(8) Electoral advertising via internet and mobile telephones is categorized as electoral advertising in written media.
(9) On Election Day, prior to the closing of polling stations, the media shall not make public the results of the voters' surveys on their electoral choices.
(10) During the electoral period, any opinion polls on the voters' political preferences shall be conducted only if the Central Election Commission has been notified about this in advance. The results of these polls shall be made public no later than 5 days before the Election Day. On Election Day, prior to the closing of all polling stations, the media shall not make public materials such as: interviews with voters, the number of votes received by candidates during the day, and their chances of winning, including the results of exit polls.
(11) At the request of the Central Electoral Commission, media outlets established by public authorities will publish free of charge, and the broadcasters will air, social, civic and electoral education video clips; and will carry out information campaigns for voters regarding the voting procedure and other voting issues.
(12) Once every two weeks, the Coordinating Council of Audiovisual must submit to the Central Election Commission monitoring reports addressing how national broadcasters have covered the electoral campaign. Monitoring reports must include information on the observance of legal requirements while covering elections within all talk-shows. Two days prior to elections, the Coordinating Council of Audiovisual will submit a final, summary report to the Central Election Commission.

Chapter 12

Judicial Proceedings

Section I

Complaints Concerning Organisation and Conduct of Elections

Article 65. Complaints
(1) Voters and candidates may challenge the actions/inactions and decisions made by the electoral councils and bureaus, as well as the actions/inactions of candidates. A complaint may be lodged with a court of law, but only after prior

addressing the electoral body hierarchically superior to the body whose decision is challenged, except the complaints related to the exercise of the right to vote or to the administration of elections lodged to the electoral bureau on the Election Day.
(2) The complaints on the organisation and holding of elections are examined by electoral bodies, by observing their hierarchy. The detailed procedure for the examination of complaints during the electoral period is made by a decision of the Central Election Commission.
(3) Complaints on the coverage of the electoral campaign by the broadcasters, which are under the jurisdiction of the Republic of Moldova, are examined by the Audiovisual Coordinating Council in accordance with the provisions of the Audiovisual Code, and the complaints related to written media are examined by a court of law.
(4) The decisions on complaints adopted by the electoral bodies and the Audiovisual Coordinating Council may be appealed in court.
(5) The complaint shall contain the description of the alleged violations, proofs, legal ground, the claimant's requirements, signature and identity data of the person who submits it. In case of complaints concerning the decisions issued by the electoral bodies, the burden of proving their legality rests with the respective bodies.
(6) The complaints regarding the finances of electoral campaigns shall be addressed to the Central Electoral Commission in case of political parties, electoral blocs and independent candidates in parliamentary elections, and to the District Electoral Councils – in case of independent candidates in local elections. The review of the complaints related to the finances of electoral campaigns of political parties shall not be subject to the deadlines prescribed by art. 66-68.

Article 66. Submission of Complaints
(1) Actions/inactions and the decisions of electoral bodies, as well as actions/inactions of the candidates, may be challenged at the electoral body within 3 calendar days as of date of committing the action or adopting the decision. The term for submitting the complaint is calculated starting with the next day of the date when the action/inaction was committed or identified or when the decision was adopted.
(2) In local elections, the decisions on the complaints related to the actions/inactions of the candidates made by the electoral councils may be appealed in a court of law within whose territorial jurisdiction the respective electoral council is situated.
(3) Complaints against the actions and decisions of the Central Election Commission will be submitted to the Chisinau Court of Appeal.

(4) A candidate's complaint cannot be submitted by the member of the respective electoral council, but it may be submitted by the representative of the candidates in the respective electoral body or by a person empowered by the candidate by proxy.
(5) If the examination of the complaint is not under the jurisdiction of the respective electoral body, the complaint, together with all attached materials, shall be immediately sent for examination to the appropriate authority within a maximum of 2 calendar days of its receipt.

Article 67. Consideration of Complaints
(1) Complaints against actions and decisions of the Central Election Commission filed during an electoral period shall be considered and adjudicated within five calendar days of their filing.
(2) Complaints against actions and decisions of district electoral councils or precinct electoral bureaus are examined (*considered and adjudicated*) within 3 calendar days of their submission, but not later than the Election Day. Complaints against actions/inactions of electoral candidates are examined (*considered and adjudicated*) within 5 calendar days as of their submission, but not later than the Election Day. While examining the complaints and disputes, electoral bodies/courts will give priority to those that refer to the registration of candidates and to the accuracy of compiling voters' lists.
(3) Complaints filed with the court on elections day shall be considered and adjudicated on the same day, whereas complaints against decisions of election administration body on tabulation of results tabulation and awarding of mandates shall be adjudicated by the court simultaneously with confirmation of the elections' legality and the validation of mandates.
(4) The activity of the courts of law shall be organised in such a way that statements, complaints and appeals are adjudicated without delays.
(5) Complaints filed to courts shall be considered and adjudicated pursuant to the Code of Civil Procedure and the Law on Administrative Jurisdiction.

Article 68. Courts Rulings on Complaints
(1) A court of law shall rule utilizing the Code of civil procedure and Law on administrative litigation.
(2) After examining the materials regarding confirmation of elections' legality and validation of mandates, a court shall rule on: confirming legality of elections in respective districts, validating mandates of the elected councillors and mayors, and shall list winners of councillors' position.
(3) In the event that a court has confirmed legality of elections, but tabulation errors are found in minutes, a court of law shall, on its own initiative or at the request of a complainant, annul, totally of partially, the minutes, and shall exclude

the candidate with a smaller number of valid votes, replacing him/her with the candidate with a greater number of valid votes. This will be done by decreasing order of numbers after votes are divided by the number of mandates.
(4) A court of law shall not validate results of local elections in a respective electoral district if fraud(s) committed during elections or during tabulation of results have affected the elections' results.
(5) Court rulings shall be final and binding for execution upon their adjudication.
(6) Court rulings may be appealed within three days of their adoption.
(7) Such appeals shall be examined within three days of submission.

Section II

Liability for breach of electoral legislation

Article 69. Legal Liability
(1) Individuals and legal entities who breach the provisions of the electoral legislation, hinder the free exercise of citizens' electoral rights, and/or hinder the activity of the electoral bodies, are liable under current legislation.
(2) For violation of the electoral legislation, the Central Election Commission or the district electoral council may apply sanctions to candidates by warning, or by requesting the cancellation of their registration as candidates.
(2) In cases of violation of the electoral legislation, the Central Electoral Commission or the District Electoral Council may impose to electoral contestants' sanctions as warnings or may request that the sanction of cancelation of their registration is imposed. The Central Electoral Commission is entitled to impose the complementary sanction of deprivation from allocations from the state budget.
(*Art. 69 par. 2 modified through the Law 36 of 09.04.15, OG 93/14.04.15 art. 134, in force from 01.01.16*)
(3) Warnings are applied by a decision of the Central Election Commission for all elections, as well as by a decision of the district electoral council for local elections.
(3^1) In case of repeated sanctioning through warning during the same electoral period for violations of the legislation related to financing of the electoral campaign, the Central Electoral Commission imposes to political parties registered as electoral contestants the complementary sanction of deprivation from allocations from state budget for a period from 6 months up to 1 year.
(*Art. 69 par. (3^1) introduced by the Law 36 of 09.04.14, OG 93/14.04.15 art. 134 in force since 01.01.16*).

(4) Cancellation of a candidates' registration is applied upon the request of the Central Election Commission, and in case of local election, upon the request of the district electoral bureau.
This is done by a final court decision which stipulates:
a) deliberate use of undeclared financial and material funds by the candidate or exceeding the threshold of financial means from the electoral fund, in all cases in considerable proportion (more than 5% of the allowed sum);
a) use by the electoral candidate of undeclared funds and materials resources or exceeding the expenditure limit for the use of funds from the electoral fund;
(*Art. 69 par. 4 let. a) modified by the Law 36 of 09.04.15, OG 93/14.04.15 art. 134, in force as of 01.01.16*).
b) deliberate use of undeclared funds or funds from abroad;
b) use by the electoral candidates of the funds from abroad;
(*Art. 69 par. 4 let. b) modified by the Law 36 of 09.04.15, OG 93/14.04.15, art. 134, in force as of 01.01.16*)
c) non-suspension of the candidate from the position he/she holds, when he/she is obliged to do so, leads to the annulment of the registration of the independent candidate or the exclusion of the respective candidate from the list.
(5) In cases stipulated in para. 4, the Central Electoral Commission or the District Electoral Council is addressing a request for cancelation of the registration of the electoral candidate, by adopting a decision in this respect, to the Court of Appeal of Chisinau, in case of parliamentary elections, or to the court in territorial jurisdiction of which the respective District Electoral Council is located, in case of general local elections or new local elections. The court will examine the request and will issue a decision regarding it within 5 days, but not later than the day preceding the elections date.
(*Art. 69 par. (5) introduced by the Law 36 of 09.04.15, OG 93/14.04.15 art. 134, in force as of 01.01.16*)

Article 70. Criminal liability
(1) The following acts shall constitute crimes and be punished according to the Criminal Code:
a) preventing eligible voters from voting; or preventing the election of an by causing serious injuries or a threat to life;
b) falsifying elections results by different techniques;
c) opening ballot boxes before the term established by law for the close of voting;
d) attacking the premises of the polling station, or stealing ballot boxes or electoral documents.

e) deliberately voting for another person, without having this right, either twice or more times, either by introducing more ballot papers in the ballot box than he/she has the right to, or by using a fake identity or a false ballot paper;
(2) Criminal cases for crimes described in paragraph (1) shall be pursued by prosecution bodies.
(3) The chairpersons of election administration bodies and other officials are obliged to inform the prosecutor's office immediately whenever they become aware of evidence that an action that in their opinion includes elements of a crime related to conducting elections has been committed.
(4) Criminal cases regarding the actions listed in paragraph (1) committed during the electoral campaign are examined by the prosecutor's office within a period of 5 days.

Article 71. Misdemeanour liability
(1) Unlawful actions stipulated in articles 47 – 53 of the Misdemeanour Code of the Republic of Moldova shall constitute misdemeanours and shall be subject to misdemeanour liability.
(2) Misdemeanours are ascertained and examined by the bodies of the interior affairs, according to the Misdemeanour Code.
(3) The chairpersons of electoral bodies and other public officials are obliged to immediately inform the bodies of interior affairs about the actions about which they have learned, which, in their opinion, contain elements of misdemeanours related to the conduct of elections.

Title III

Parliamentary Elections

Article 72. Applicability of this Title

This Title (Articles 72-94) shall be applicable only to elections for mandates to serve in the Parliament of the Republic of Moldova.

Article 73. Parliamentary Elections

(1) Parliament of the Republic of Moldova shall be elected by a universal, equal, direct, secret and freely expressed vote, for a four-year term.

(2) Elections to Parliament shall be conducted based on one national electoral district in which 101 deputies shall be elected.

Article 74. Administrative Electoral Districts and Precincts. District Electoral Councils and Precinct Electoral Bureaus

(1) For administrative purposes, the Central Election Commission shall establish, at least 55 days prior to election day, administrative electoral districts corresponding to the territorial-administrative units of the second level of the Republic of Moldova, and at least 50 days prior to elections, electoral councils, pursuant to the provisions of Article 27 of this Code, to be correspondingly applied. The responsibilities of the district electoral councils shall include those put forth in Article 28 of this Code, to be applied correspondingly, except for letter (g).

(2) Electoral districts shall be divided into precincts, pursuant to Articles 29 and 29^1 of this Code, to be applied correspondingly.

(3) The precinct electoral bureaus shall be established and shall exercise their responsibilities, pursuant to Article 29, 29^1 and 30 of this Code, to be applied correspondingly.

Article 75. Candidates for Parliamentary Elections

Citizens of the Republic of Moldova, eligible to vote, who have reached the age of 18 years before or on election day, have permanent residence in the country and meet the requirements provided herein, may be candidates for members of parliament.

Article 76. Calling the Date of Elections

(1) The election of members of Parliament shall be held within three months of the expiration of Parliament's mandate, or as of the dissolution of the Parliament.

(2) The day of Parliamentary elections will be set by a Parliament decision no later than 60 days before election day.

(3) In the event of Parliament's dissolution by the President of the Republic of Moldova , elections of the new Parliament shall be called by the same decree of the President. Early elections shall be conducted after at least 60 days, but no later than 3 months as of the dissolution of the Parliament.

Article 77. Registration of Candidates

In order to be registered, candidates shall submit to the Central Election Commission the documents stipulated in Article 44 of this Code.

Article 78. Special Requirements for Signature collecting lists

(1) Signature collecting lists in support of an independent candidate are drawn up and verified pursuant to Articles 42-43 of this Code, to be correspondingly applied.

(2) To be registered by the Central Election Commission, independent candidates shall submit signature collecting lists with signatures of between 2,000 and 2,500 supporters eligible to vote.

(3) Upon verification of the signature collecting lists, the Central Election Commission shall nullify false signatures and signatures that were applied to signature collecting lists.

(4) If upon scrutiny the submitted number of signatures is found insufficient, or is found insufficient due to the exclusion of invalid signatures under the minimum threshold provided for in paragraph (2) of this Article, an independent candidate shall not be registered. A decision to that effect shall be conveyed to him/her within 24 hours of its adoption.

(5) Upon receiving and registration of necessary documents stipulated in Article 44 by the Central Election Commission, it shall not be allowed to submit supplementary signature collecting lists.

Article 79. Special Requirements for Candidates List Registration

The number of candidates included in the lists on the date of registration shall not be fewer than 51 persons and not greater than the number of seats in the Parliament, stipulated in the Constitution, with two reserve candidates. If after registration the number of persons listed in the list of candidates is reduced under

the established minimum, the registration is cancelled, and the electoral contestants are notified by the Central Electoral Commission.

Article 80. Amendments to Lists of Candidates

(1) Candidates have the right to recall their candidacy, or their entire list of candidates, or to substitute a candidate, or to cancel their decision to include any particular candidate in the list, no later than 7 days prior to Election Day.

(2)A decision to recall a candidacy, to recall or amend the list of candidates, is adopted by the nominated person or organisation, or by the person and organisation who presented the list of candidates, which is submitted to the Central Election Commission. The Commission will immediately make this information public.

Article 81. Voter Lists

Voter lists for elections of members of Parliament shall be complied pursuant to Chapter 5 (Articles 39-40) of this Code, to be correspondingly applied.

Article 82. Electoral Campaign during Parliamentary Elections

Electoral campaign during parliamentary elections shall be carried out pursuant to Chapter 7 (Articles 45-47) of this Code, to be correspondingly applied.

Article 83. Ballots

(1) Ballots shall be drawn up pursuant to Chapter 8 (Articles 48-49) of this Code, to be correspondingly applied.

(2) On the ballot an independent candidate shall be listed in a separate rectangle where his/her first and last name shall be written along with, "independent candidate."

Article 84. Voting

1) Voting during the parliamentary elections shall be carried out pursuant to Chapter 9 (Articles 50-55) of this Code, to be correspondingly applied.

2) Students and pupils with the right to vote matriculated in an educational institution located in a locality where they are not registered with a domicile or residence may vote at any polling station open in that locality, being bound to observe the following requirements:

a) to present their ID card and ID slip;

b) to present their student card, which mentions the educational institution of the given locality where the respective student is matriculated;

c) to fill in and to sign a statement on student's own responsibility with respect to refraining from multiple voting, the student being informed of the criminal liability if this obligation is breached.

(3) Voters specified in paragraph (2) are included in the additional list, mentioning the educational institution where they are matriculated, under the heading "Note".

Article 85. Vote Counting and Tabulation of Results

Vote counting and tabulation of Results are pursuant to Chapter 10 (Articles 56-60) of this Code, to be correspondingly applied.

Article 86. Threshold for Winning Parliamentary Seats

(1) Upon receiving records of results tabulation in all districts from all district electoral councils, the Central Election Commission shall tabulate the number of valid votes cast for each party, other socio-political organisations, every electoral bloc and independent candidate, in order to establish whether or not they have reached the minimal threshold to be represented in Parliament.

(2) The threshold for winning parliamentary seats is as follows:

a) for a party or socio-political organisation - 6% of the valid votes cast in entire country;

b) for an electoral bloc formed of 2 parties and/or social-political organisations – 9%;

for an electoral bloc formed of 3 and more parties and/or socio-political organisations – 11%;

d) for an independent candidate – 2 per cent.

(3) Parties, other socio-political organisations, electoral blocs and independent candidates that received fewer votes than the percentage provided in paragraph (2) are excluded from the procedure of mandates' allocation by a decision of the Central Election Commission.

Article 87. Number of Mandates Obtained by the Candidates

(1) Republic of Moldova Member of Parliament seats are distributed only to candidates who gained the necessary minimum of votes to pass the representation threshold outlined in article 86.

(2) The allocation of parliamentary seats to parties, other socio-political organisations and electoral blocs is done only after establishing the number of the independent candidates who gained at least 2 per cent of the valid votes cast. The respective number of independent candidates is subtracted from the total number of MP seats in the Parliament.

(3) The number of votes for independent candidates who gained at least 2 per cent of the valid votes cast is subtracted from the total number of valid votes cast in the respective parliamentary elections. The number of votes gained is divided by the number of MP seats left after the subtraction of the mandates gained by independent candidates, thus obtaining the electoral coefficient of the respective parliamentary elections.

(4)The number of valid votes cast gained by each party, other socio-political organisations or each electoral bloc, which passed the representation threshold set in article 86, is divided by the electoral coefficient, thus obtaining the number of mandates for each electoral contestant (party, socio-political organization, or electoral block). Fraction numbers greater than 5 are rounded up, those equal to 5 and smaller are rounded down.

(5)The number of remaining member of parliament mandates after the distribution are distributed successively, one to each party, other social political organisations, each electoral bloc, beginning with the candidate who received the highest number of mandates, in a decreasing order.

Article 88. Mandates' Allocation

(1) The Central Election Commission shall allocate mandates to candidates in the order of their inclusion on the candidate lists.

(2) Candidates included in lists of candidates' that have passed the threshold established under art. 86, but not elected, will be declared candidates on reserve list. Candidates on the reserve list shall be declared elected by the Constitutional Court, upon the request of the Central Election Commission, in the event that, for certain reasons, a parliamentary mandate owned by a party, socio-political organisation or electoral bloc becomes vacant. A candidate on the reserve list may refuse a parliamentary mandate by submitting a written statement to that effect to the Central Election Commission.

(3) If a party, other socio-political organisation or electoral bloc gets more mandates than the number of candidates entered in the list of this party, socio-political organisation or electoral bloc, a number of mandates equal to the number of candidates in the list will be allotted.

(4) The remained MP mandates are allocated to other parties, socio-political organisations or electoral blocs according to the procedure set forth in article 87, paragraph (5). The same procedure will be followed in case of vacant mandates, if the candidate does not have reserve candidates or if the mandate obtained by the independent candidate becomes vacant.

Article 89. Confirmation of Results and Mandate Validation by the Constitutional Court

(1) The Central Election Commission shall, within 48 hours of the election results tabulation, submit to the Constitutional Court the documents mentioned in Article 60 and the lists of elected members of Parliament and candidates on reserve lists.

(2) Within 10 days of the date of receiving documents from the Central Election Commission, but not before courts have made final rulings on complaints submitted according to legal procedures, the Constitutional Court shall either confirm or invalidate, through a decision, the legality of the elections. At the same time, the Constitutional Court shall validate the mandates of the elected members of Parliament.

(3) If the elections are validated, the Central Election Commission shall issue certifying documents to newly elected Members of Parliament.

Article 90. Validation of Election Results by the Central Election Commission

(1) The minutes on final results of elections, along with a decision of the Constitutional Court on elections' compliance with legislation, and a validation at least two-thirds of the number of mandates, shall be submitted, within two days, to Parliament. A copy of these documents and lists of candidates in reserve confirmed by the Constitutional Court shall be submitted to the Central Election Commission.

(2) The Central Election Commission shall make public the final election results within 24 hours of receiving them from the Constitutional Court.

Article 91. Invalid Elections

Elections shall be declared invalid if less than one third of the voters included in the voter lists have participated.

Article 92. Null Elections

Should the Constitutional Court establish that during the voting and counting procedures the provisions of this Code were violated and that these violations affected the voting results and mandates' allocation, the elections shall be declared null.

Article 93. Repeated Elections

(1) If elections are declared null or invalid, the Central Election Commission shall within two weeks organise repeated elections of the same candidates based on the same voter lists and the same electoral councils and bureaus.

(2) Candidates violating the provisions of the Election Code shall bear penalties or be excluded from ballots based on a final court of law decision, and electoral councils and bureaus which allowed the commitment of these violations shall be replaced.

(3) The repeat election shall be considered valid regardless of voters' turnout.

Article 94. New Elections

(1) In the event that the repeated elections are declared null or invalid, the Central Election Commission shall call the date of new elections within 60 days of the day last elections were declared null and invalid.

(2) In the event of early elections, if even the repeated elections are declared invalid or null, the of the Republic of Moldova shall call new elections by his decree observing the term indicated in Article 76 paragraph (3) of this Code.

(3) New elections shall be conducted pursuant to this Code.

Title IV
Election of the President of the Republic of Moldova

Articles 95-117 repealed

Title V
Local Elections

Article 118. Applicability of this Title

Provisions of this Title (Articles 118-140) shall be applicable only to elections of mayors and councillors in local councils.

Article 119. Local Elections

(1) Mayors of towns (municipalities), villages (communes) and councillors in rayon, town (municipal) and village (commune) councils shall be elected by a universal, equal, direct, secret and freely expressed vote, for a four-year term.
(2) The number of councillors shall be established by the Law on Local Public Administration.
(3) In special status territorial-administrative units, local elections shall be conducted under provisions of this Code and acts adopted by the representative authorities of respective territorial-administrative units.

Article 120. Electoral Districts and Precincts. District Electoral Councils and Precinct Electoral Bureaus

(1) For conducting elections of local councils and mayors, each rayon, special status territorial-administrative unit, town (municipality), town sector, village (commune) shall constitute one electoral district. Town (municipality), sector, village (communal) electoral districts shall be established by the district electoral councils of the second level territorial-administrative units of the Republic of Moldova at least 45 days prior to elections day.
(2) Town (municipality), sector, village (communal) district electoral councils shall be established by the second level territorial-administrative units' district electoral councils of the Republic of Moldova at least 40 days prior to elections day. District electoral councils are established and exercise their responsibilities, pursuant to Articles 27 and 28 of this Code, to be correspondingly applied. In the event of new or partial elections, district electoral councils shall be established by the Central Election Commission.
(3) Electoral districts for the election of members in local councils and mayors shall be divided into precincts for which electoral bureaus shall be established. Precinct electoral bureaus are established and exercise their responsibilities, pursuant to Articles 29 and 30, to be correspondingly applied.

Article 121. Special Responsibilities of the Electoral Councils

In localities where only one electoral precinct is established for local elections, the district electoral council shall exercise the responsibilities of precinct electoral bureau as well.

Article 122. Calling the Day of Election

(1) The date of the general local elections or early local elections shall be established by Parliament’s decision no later than 60 days before the Election Day.
(2) The date of the repeated, new and partial elections shall be called by the Central Election Commission under this Code.

Article 123. Special Restrictions on Voting Right

(1) Active-duty military shall not participate in local elections.
(2) Voters who are not a resident in a respective territorial-administrative unit may not participate in the elections of the local council and mayor.

Article 124. Special Qualifications for Being Elected

(1) The citizens of the Republic of Moldova who are eligible to vote, and have reached 18 years of age on or before election day, shall enjoy the right to be elected as councillors to local councils. .
(2) The citizens of the Republic of Moldova who are eligible to vote, and have reached 25 years of age on or before election day, shall enjoy the right to be elected mayor.

Article 125. Nomination, Submission of Candidacy and Registration of Candidates

Nomination, submission of candidacy and registration of candidates shall be conducted according to Chapter 6 (Articles 41-44), to be applied correspondingly.

Article 126. Special Requirements for Nomination of Candidates by Parties, other Socio-political Organisations and Electoral Blocs

(1) The number of candidates for councillors in lists should contain at least 1/2 of the number of seats available for the respective electoral district and at most two candidates in reserve. If after the registration the number of persons entered in the list of candidates is reduced to the set minimum, the registration is not cancelled. The respective candidate is alerted by the electoral body who registered him.
(2) Parties, other socio-political organisations and electoral blocs may nominate only one candidate for mayor per electoral district. One person may not run in several electoral districts for posts on the same level.
(3) An individual may run for councillor position in councils of first level territorial-administrative units of the Republic of Moldova, as well as in that of the second level territorial-administrative unit. An individual may run for both mayor and local councillor, but not in more than one electoral district of the same level.

Article 127. Special Requirements for Nomination of Independent Candidates

(1) Citizens of the Republic of Moldova may nominate themselves as independent candidates for election to local council, provided they are supported by two percent of the district voters, divided by the number of councillor positions available to be filled through the election, but not less than 50 persons; and for mayor if they are supported by five percent of the district voters, and between 150 voters and 10,000 voters.
(2) If, following the verification, the district electoral councils find fake signatures in the subscription lists or repeated signatures in other lists, these lists are excluded.

(3) If, after verification, it is revealed that the necessary number of signatures was not presented, or following the exclusion of invalid signatures, their number was reduced to the minimum ceiling set in paragraph (1), the independent candidate is not registered and he/she is informed about this decision within 24 hours of its adoption.
(4) The submission of additional subscription lists will not be accepted after the district electoral council received and registered the set of documents outlined in article 44.

Article 128. Voter lists

Voter lists for local elections shall be compiled pursuant to Chapter 5 (Articles 39-40), to be applied correspondingly.

Article 129. Electoral Campaign

Electoral campaign shall be carried on during local elections pursuant to Chapter 7 (Articles 45-47), to be applied correspondingly.

Article 130. Ballots

For election to councils of rayons, towns (municipalities), sector, villages (communes), and mayors of towns (municipalities), sectors, villages (communes) separate ballots shall be drawn up pursuant to Chapter 8 of (Articles 48-49), to be applied correspondingly.

Article 131. Voting

Voting in local elections shall be conducted pursuant to Chapter 9 (Articles 50-55), to be applied correspondingly.

Article 132. Counting and Tabulation of Election Results

(1) Votes shall be counted and local elections results shall be tabulated pursuant to Chapter 10 (Articles 56-62), to be applied correspondingly.
(2) Number of votes cast for each candidate running for mayor and councillor positions; name and surname of the elected mayors and councillors; name of the party or other socio-political organisation and electoral bloc which nominated them; and/or "independent candidate", shall be entered into the minutes drawn up by the electoral councils and bureaus.

Article 133. Allocation of Councillor Mandate in Council

(1) The mandate of councillor for rayon, town (municipality), sector or village (commune) councils shall be allocated by respective district electoral councils.
(2) Seats in the council shall be allocated to parties, other socio-political organisations and electoral blocs by dividing the number of valid votes cast for each party, other socio-political organisation and electoral bloc with 1,2,3,4... etc., up to the figure that corresponds to the number of seats established for the respective electoral district.
(3) From the results of all the divisions and the number of valid votes cast for independent candidates, they shall select in descending order as many numbers as there are seats to be allocated in the electoral district. The quantity of numbers chosen in descending order at the disposal of party, other socio-political organisation, or electoral bloc shall correspond to the number of seats due to them.
(4) An independent candidate shall be considered elected provided the number of votes cast for him/her fits within the system of selecting numbers in descending order.
(5) Council seats shall be allocated to candidates running for council in the order of their registration on the lists, beginning with the list which received the most votes.
(6) If there is more than one candidate with the same number of votes for the last non-allocated seat, the district electoral council shall allocate the seat by drawing of lots. This fact shall be recorded in the minutes.
(7) If a party, other socio-political organisation, or electoral bloc is allocated a number of mandates exceeding the number of candidates on its list, the extra number selected in descending order from a respective organisation shall be eliminated and replaced by a number selected in descending order of the other candidates.
(8) If only independent candidates run for councils, the district electoral council shall draw up a list with the number of votes cast for the candidates in descending order and allocate every candidate one mandate.
(9) Candidates included in the lists but not elected shall be declared candidates on the reserve list. In the event a council mandate belonging to a party, other socio-political organisation, or electoral bloc becomes vacant before the end of term, it will be allocated to one of the candidates on a reserve list of the respective party, socio-political organisation or electoral bloc, in the order of their entry in the list. In the event that the list of candidates in reserve is exhausted, the replacement of the vacant mandate is done by restoring the descending order excluding the number of the respective candidate and including the following:

(10) In the event that the seat allocated to an independent candidate becomes vacant, the vacancy shall be completed by restoring the descending order, excluding the number belonging to the respective candidate and including the number following in the range.
(11) If only independent candidates are included on the ballots, in the event of a vacant mandate, the candidate on the reserve list is allocated the mandate under paragraph (10) of this article.
(12) Mandates to candidates on reserve lists hall be allocated by the Central Election Commission, pursuant to the Regulations on the procedure of cancellation and validation of the mandates of councillors, approved by a decision of the Central Election Commission and based on the documents stored by the Central Election Commission.

Article 134. Election of Mayor

(1) A candidate running for mayor shall be considered elected provided that the/she obtained more than half of the valid votes cast by all participating voters.
(2) If neither candidate running for mayor received more than half of the valid votes cast, in two weeks, a second-round election shall be conducted between the two candidates who gathered the greatest number of votes. These two candidates are listed on the ballot in descending order of their accumulated number of votes in the first round. If several candidates in the first round obtained an equal number of votes, the district electoral council shall draw lots and record it in the minutes.
(3) In the second-round election, the candidate who gains the greatest number of votes shall be considered elected, regardless of voter turnout. Upon tie vote, the candidate who gained the highest number of votes in the first round shall be considered elected.

Article 135. Confirmation of Elections' Legality and Mandates' Validation

(1) District electoral councils of the first level territorial-administrative units submit minutes on election results to the appropriate sector or municipality courts. Minutes of the second level territorial-administrative units are submitted to the courts of law where the electoral councils of the second level territorial-administrative units are based. The Chisinau municipality district electoral council shall submit respective documents to the sector court where the Chisinau municipality district electoral council is situated.
(2) The courts of law, within 10 days of receiving the district electoral councils' reports, shall either confirm or invalidate the legality of elections in every district by a decision which they, within 24 hours of adoption, shall submit to the Central

Election Commission and the respective district electoral councils, which shall publish the final results.
(3) At the same time, the courts of law shall validate the mandates of elected councillors and mayors and mention this in the decision. Courts shall also confirm the list of candidates on the reserve list.
(4) The council shall be considered legally constituted when mandates of at least 2/3 of the total number of councillors are validated.
(5) The district electoral council shall issue a document certifying the new Members of the Council and certifying the new Mayor to the elected councillors and mayors according to the design approved by the Central Election Commission.

Article 136. Invalid Elections

The election shall be considered invalid in a given district if less than 1/4 of the number of voters included in voter lists has participated in elections. The decision to declare the election invalid shall be adopted by the Central Election Commission based on the decisions and documents submitted by the district electoral councils.

Article 137. Null Elections

The election shall be declared null if violations of this Code have been committed during the electoral procedures and if these violations affected the results of voting and mandates' allocation. The decision concerning elections null shall be adopted by the Central Election Commission based on decisions by appropriate courts.

Article 138. Repeated Elections

(1) If in certain districts or precincts, elections have been declared null or invalid, the Central Election Commission within two weeks shall organise repeated elections with the same candidates and electoral councils and bureaus and using the same voter lists.

(2) Candidates found guilty of committing violation(s) of the Election Code shall be excluded (deleted) from the ballots based on the final court of law decision. The electoral councils and bureaus which allowed commitment of such a breach shall be replaced.
(3) Repeated voting shall be conducted in strict accordance with provisions of Chapters 9 and 10 and shall be considered valid regardless of the voters' turnout.

Article 139. New Elections

(1) New elections shall be declared if:
a) the local council has resigned, has been dissolved, or has become less than 1/3 in the number established by the Law on Local Public Administration;
b) the mayor has resigned, was recalled or is not able to exercise his/her mandate any longer, as well as due to the deprivation of the right to hold some positions, based on a final court decision
c) after the repeated election the council and/or mayor has not been elected;
d) *repealed*
e) if upon territorial-administrative reorganisation, local public administration bodies (councils, mayors) have to be elected in the newly established territorial-administrative units.
(2) if a mayor's position is vacant in the last year before the end of mandate's term the new elections are not conducted.
2^{1}) If one of the circumstances set forth in paragraph (1) arises, the local public administration authority must inform the Central Election Commission in writing within 10 days from when the circumstance arose.
(3) The date of new elections is set by the Central Election Commission no more than 30 days after the occurrence of the circumstances set forth in paragraph (1), and at least 60 days before Election Day, provided that new elections will take place simultaneously. New elections will occur no more than twice a year, in spring and in autumn.
(4) New elections shall be conducted in compliance with the provisions of this Code.

Article 140. Partial Elections

(1) The Central Election Commission within two weeks shall call partial elections in one or several districts if, after the elections, the number of councillors required by law have not been elected.
(2) Partial elections for vacant mandates shall be conducted pursuant to the provisions of the Titles I, II and V.
(3) The partial elections shall be called by a decision of the Central Election Commission no more than 60 days before elections day.

Title VI.

Referendum

Article 141. Applicability of this Chapter

The provisions of this Title (Articles 141 - 202) shall be applicable only to the organisation and conduct of republican and local referenda.

Chapter 13
Republican Referendum

Article 142. Republican Referendum

(1) A Republican referendum is held to ensure the people's right to exercise citizens' power and the right to participate directly in the administration of public affairs.
(2) The vote in the referendum is universal, equal, secret and freely expressed, pursuant to the Constitution and this Code.
(3) The decisions adopted based on a republican referendum have supreme legal power upon their confirmation by the Constitutional Court, and have binding effect everywhere on the territory of the Republic of Moldova.

Article 143. Types of Republican Referendum

(1) Upon the legal nature of questions subject to referenda, republican referenda may be constitutional, legislative or consultative.
(2) The subject of constitutional referendum is the revision of the Constitution.
(3) The subjects of legislative referendum are draft laws on issues of major importance.
(4) The subjects of consultative referendums are issues of national interest that are brought for consultations with the public that will require further, final decisions by competent public administration bodies. Questions proposed for consultative referendum shall be composed in neutral, unambiguous language, without suggesting a response to the question up for vote.

Article 144. Initiating Republican Referendum

(1) A republican referendum may be initiated by:

a) at least 200,000 citizens of the Republic of Moldova eligible to vote. In case of constitutional referendum, provisions of Article 141 letter a) paragraph (1) of the Constitution shall be applied;
b) no less than 1/3 of the members of Parliament;
c) President of the Republic of Moldova;
d) Government.
(2) Those mentioned in paragraph (1) may initiate any type of referendum provided in Article 143.
(3) If the referendum is initiated by those mentioned in paragraph (1) letter a), signature collecting lists shall be attached to the proposal on initiating the referendum.
(4) The proposal on initiating the referendum shall include questions subject to referendum stated clearly, avoiding ambiguities, as well as the purpose of conducting the referendum and its suggested date. Issues running counter to one another shall not be subject to referendum.

Article 145. Restrictions Imposed on Holding a Republican Referendum

(1) A republican referendum may not be held if the country is under a state of war, siege or emergency, nor within 120 days after the respective state has ended. If a date for a referendum coincides with a day declared later as a date of war, siege or emergency state, then the referendum shall be *de jure* cancelled or postponed, pursuant to the terms of holding referendum stipulated by this Code. The decision to postpone a republican referendum shall be adopted by the body which issued the decision to hold the referendum.
(2) A republican referendum may also not be held in a period within 60 days before or after the day of parliamentary or local elections, as well as on the day of another republican referendum.

Article 146. Issues which May be Brought to Republican Referendum

(1) The following may be questions for republican referendum:
a) adoption of the Constitution of the Republic of Moldova and the revision of the Constitution of the Republic of Moldova;
b) approval of constitutional laws adopted by the Parliament that revise provisions regarding the sovereignty, independence and unity of the state, as well as issues related to the permanent neutrality of the state;
c) other essential issues of public and state interest.
(2) It is binding to organise and hold referenda on the issues indicated in letter b) paragraph (1).

Article 147. Issues Which May not Be Subject to Republican Referendum

The following shall not be submitted to a Republican referendum:
a) issues related to the state budget, taxes;
b) issues regarding amnesty or pardon;
c) extraordinary or emergency measures for ensuring public order, health or security;
d) electing, appointing or dismissing persons for/on/from positions which is the jurisdiction of Parliament, Government or President of the Republic of Moldova;
e) issues of judicial and prosecution bodies jurisdiction.

Article 148. Initiating Referendum for Constitution Revision

(1) A Referendum for Constitutional revision is initiated in compliance with Article 141 of the Constitution.
(2) The proposal on conducting a referendum for Constitutional revision is submitted to the Constitutional Court, which is obliged within 10 days to review the constitutionality of the issues addressed in the referendum and to present its findings.
(3) After the Constitutional Court reviews the constitutionality of the issues addressed in the referendum, the proposal to hold a referendum, along with the findings of the Constitutional Court, are submitted to the Parliament for examination.
(4) Constitutional revision may not be subject to referendum if it will result in violation of fundamental human rights and freedoms.
(5) If both Parliament and citizens at the same time initiate a revision of the same Constitutional provisions, the parliamentary procedure to examine these provisions shall terminate.

Article 149. *Repealed*

Article 150. Parliament or President Decree on Calling Republican Referendum

(1) Within six months of receiving proposals on initiating a referendum, Parliament shall adopt one of the following decrees:
a) calling for the referendum within at least 60 days of the decree's adoption;
b) rejecting the proposal to hold a referendum, in case the latter is initiated by members of Parliament;
c) on solving the issues addressed in the referendum without conducting the referendum.

(2) Parliament or President deliver a decreeing stating that the republican referendum shall be conducted, the date of the referendum, the name of the draft law or draft decree to be adopted, and questions addressed in the referendum.

Article 151. Calling the Referendum

(1) The date of a republican referendum shall be set forth by Parliamentary decree if the initiative to hold the referendum belongs to citizens or members of Parliament. The date of a referendum is set forth by the President of the Republic of Moldova if the initiative belongs to him/her and is consultative in nature.
(2) The referendum shall be called for no later than 60 days before the date of the referendum vote.

Article 152. Initiation of Republican Referendum by Citizens

(1) To initiate a republican referendum, citizens shall establish a citizen initiative group at a meeting attended by at least 300 citizens eligible to vote. No later than 10 days before the meeting, the organizers shall notify, in writing, the local public administration authority of the locality where the meeting shall be held, and the time, place, and purpose of that meeting.
(2) Before the meeting, the participants shall be registered, and their last and first names and place of residence shall be entered on a list.
(3) A chairperson and a secretary of the meeting shall be elected. The meeting's agenda shall include discussions about the feasibility of the referendum and questions to be addressed in the referendum.
(4) If a majority of participants in the meeting vote for holding a referendum, an initiative group shall be established to administer the signatures' collection. The group shall be composed of at least 100 citizens eligible to vote. The group shall elect from among its members the executive bureau, including a chairperson, a vice-chairperson and a secretary who will represent the group and manage its activity.
(5) Minutes of the meeting shall be drawn up containing the results of the vote on the issues included in the agenda. The documents of the meeting, including a list of participants, minutes that clearly and precisely state the questions proposed for referendum, and a list of the citizen initiative group members including their identity data, shall be signed by the chairperson and secretary of the meeting.

Article 153. Registration of Citizen Initiative Group

(1) The referendum citizen initiative group shall be registered with the Central Election Commission. For registration, the group shall submit the following documents:
a) documents of the citizen meeting which elected the initiative group, attested to by the mayor of the locality where the meeting took place;
b) a written statement of consent of the members of the initiative group to collect signatures in support of the referendum;
c) a written application statement for registration.
(2) The Central Election Commission within 15 days of receiving the documents mentioned in paragraph (1) of this Article shall make a decision regarding either the registration of the initiative group or the refusal to register the group. The decision on the registration of the initiative group shall provide the time period for collection of signatures, which must be between two and three months.
(3) Upon registration, members of the initiative group shall be issued a special document-card attesting their right to collect signatures according to the rules established by the Central Election Commission.
(4) Information concerning registration of the initiative group and the questions subject to referendum shall be made public through mass media.

Article 154. Collecting Signatures

(1) Beginning on the registration day, members of the initiative group are entitled to freely collect signatures for holding the referendum (hereinafter referred to as signature collecting sheet).
(2) Signatures shall be collected according to Article 42 hereof, to be correspondingly applied.

Article 155. Special Requirements for Signature Collecting Lists
Prior to collecting the signatures, the question(s) proposed for referendum shall be written on each signature collecting sheet. Collection of signatures on sheets without the text of the referendum question(s) being written on them is prohibited.

Article 156. Responsibility for Accuracy of Signature collecting lists

(1) A person who collects voters' signatures must sign every page of the signature collecting sheet and note that the collector personally collected the signatures and confirmed the identity of the persons whose names appear on that sheet by

verifying their ID. Each signature collecting sheet shall be attested to by a competent local public administration body.
(2) Members of the initiative group must warn signees that they can sign only one signature collecting sheet.
(3) Signature collecting lists that have data entered before the initiative group was registered or which have not been signed by the signature collector, or have not been attested by the stamp of the local public administration body, shall be considered null and void.

Article 157. Submission and Verification of Signature collecting lists

(1) No later than on the last day of the signature collection term, the initiative group shall draw up minutes indicating the number of collected signatures, the date when initiative group was registered, and the date when the collection of signatures was concluded. The minutes signed by the members of the initiative group together with the signature collecting lists shall be submitted to the Central Election Commission.
(2) Within 15 days of signature collecting lists submission, the Central Election Commission shall check the authenticity of the signatures (all of them, or a random sample) on the submitted sheets. Signatures by persons who have signed multiple times shall be excluded. Signature collecting lists found in breach of Article 156, par. (1) thereof shall be considered null and void. Upon verification of signature collecting lists, the Central Election Commission shall draw up minutes and make a decision on initiating the referendum.
(3) In the event that the required number of signatures was not submitted, the Central Election Commission shall make a decision that rejects holding the referendum and cancel registration of the citizen initiative group.
(4) Minutes on the verification of signature collecting lists, verified signature collecting lists, and the Central Election Commission' decision on initiating a referendum shall be submitted to the Permanent Bureau of Parliament within three days.

Article 158. Electoral Districts, Precincts, Electoral Councils and Bureaus

(1) For administration of a republican referendum, the Central Election Commission shall establish administrative electoral districts, which shall correspond to the second level territorial-administrative units of the Republic of Moldova, and district electoral councils pursuant to the provisions of the Article 27 hereof, to be correspondingly applied.
(2) The responsibilities of the district electoral councils shall be those provided in Article 28 of this Code, to be correspondingly applied.

(3) Each Electoral district shall be divided into precincts, pursuant to Articles 29 and 29[1] of this Code, to be correspondingly applied. A precinct electoral bureau shall be established for each precinct and exercise its responsibilities, pursuant to Articles 29, 29[1] and 30 of this Code, to be correspondingly applied.
(4) The powers and duties of district electoral councils and precinct electoral bureaus shall expire upon the confirmation of republican referendum results by the Constitutional Court.
(5) Where the electoral district stands for only one locality and only one precinct, no precinct electoral bureau shall be established, instead, its responsibilities shall be exercised by the district electoral council.

Article 159. *Repealed*

Article 160. Support for Electoral Councils and Bureaus in Holding Republican Referendums, Their Activity Administration, Amendments in Composition and Dissolution

Support for electoral councils and bureaus in holding republican referendums, administration of their activities, and amendments in composition and dissolution shall be conducted pursuant to Articles 31-34 of this Code, to be correspondingly applied.

Article 161. Lists of Citizens Eligible to Participate in Republican Referendum

The lists of citizens eligible to participate in the republican referendum (voter lists) shall be complied in accordance with Chapter 5 (Articles 39-40) hereof, to be correspondingly applied.

Article 162. Ballots

(1) Ballots shall set up the question or the draft law that is the subject of the republican referendum. To the right of the question or draft law, two rectangles with the words "pro" and "contra" shall be horizontally placed, with two circles underneath.
(2) In the event that several questions are brought to republican referendum, each question shall be printed on a different ballot. In case several referendums are held at the same time, the ballots shall be of different colour.
(3) Ballot papers shall be drawn up in accordance with the Law on languages spoken in the Republic of Moldova.
(4) Ballots shall be printed in a quantity that corresponds to the number of voters in the district.

(5) Ballots setting up the same question shall be printed in the same format, with the same font, on paper of the same colour and density.
(6) The design and text of ballots, and the minutes of electoral councils and bureaus for the republican referendum, shall be approved by the Central Election Commission.
(7) Ballots shall be transmitted to district electoral councils three days prior to the republican referendum and to the precinct electoral bureaus one day prior to the referendum.

Article 163. Referendum Campaigning

Debates on the questions proposed for referendum shall be conducted pursuant to Article 47 of this Code, to be correspondingly applied.

Article 164. Voting

(1) Voting in the republican referendum election shall be held pursuant to Chapter 9 (Articles 50-55) of this Code, to be correspondingly applied.
(2) Voters shall fill out the ballots by applying the "Voted" *("Votat" in the original)* stamp inside one of the two circles under the rectangles with the words "pro" or "contra", thus expressing their preference.

Article 165. Observation of Republican Referendum and Mass Media Coverage

Observation and coverage of the administration and conduct of the referendum shall be conducted pursuant to Chapter 11 (Articles 63-64) of this Code, to be correspondingly applied.

Article 166. Counting and Tabulation of Republican Referendum Results

(1) The results of the republican referendum shall be tabulated under Chapter 10 (Articles 56-60) of this Code, to be correspondingly applied.
(2) The number of votes cast for "pro" and "contra" shall be entered into the minutes that display the tabulation of republican referendum results.
(3) The results of republican referendum shall be examined by the Central Election Commission, which shall make a decision to validate the results.

Article 167. Validation of Republican Referendum Results

(1) The Central Election Commission's validation decision and the minutes on the results of the referendum shall be submitted to the Constitutional Court.

(2) The Constitutional Court, within 10 days, shall examine the documents submitted by the Central Election Commission and shall either confirm or invalidate the results of the republican referendum.

Article 168. Decision Adoption, Publication and Entrance in Force of Referendum Proposal

(1) A republican referendum proposal shall be considered adopted if it gains the majority of voters who participated in the referendum. In the event that the proposed referendum is a draft of a constitutional law, which provides the amendment of provisions on the sovereign, independent and unitary character of the state, or deals with provisions related to the permanent status of neutrality of the state, it shall be considered adopted if it gains at least half of the votes entered on voter lists.
(2) The adopted referendum proposal shall be published in a special issue of the Official Monitor of the Republic of Moldova. Date of adoption is considered to be the day the referendum is held. The referendum proposal shall take effect upon its publishing in the Official Monitor or on the date specified in its text.

Article 169. Cancellation and Amendment of Decision Adopted by Republican Referendum

A decision adopted by a republican referendum shall be cancelled or amended through republican referendum, or through the procedures provided for the Constitution's revision.

Article 170. Documents of Republican Referendum

Referendum documents shall be stored pursuant to Article 62 of this Code to be correspondingly applied.

Article 171. Invalid Republican Referendum

The Central Election Commission shall declare a referendum invalid if less than 1/3 of the citizens entered in voter lists participated in the referendum.

Article 172. Null Referendum

The Constitutional Court shall declare a referendum null throughout the republic or in certain territorial-administrative units, if serious violations of this Code

occurred during the voting or vote counting and affected the results of the referendum.

Article 173. Repeated Republican Referendum

(1) In the event that the referendum is declared null, the Central Election Commission within one month shall organise a repeated referendum, throughout the entire country or in certain territorial-administrative units.
(2) The electoral councils and bureaus guilty of violations of this Code shall be replaced.
(3) The repeated republican referendum shall be organised and conducted under this Title and Code.

Article 174. New Republican Referendum

A republican referendum for the same proposal can be held, but this must occur at least two years after the date of the previous referendum.

Chapter 14. Local Referendum

Article 175. Local Referendum

A Local referendum is the vote of the people on issues of special interest for the village (commune), sector, town (municipality), rayon, or special status territorial-administrative unit. Mayors of villages (communes) and towns (municipalities) are recalled through local referendums.

Article 176. Restrictions on Holding Local Referendum

(1) A local referendum may not be held in territories under a state of war, siege or emergency. If the local referendum date is called for the day, on which later the state of war, siege or emergency is declared, then the referendum shall be cancelled *de jure* or postponed, pursuant to the terms of holding referendum stipulated by this Code.
(2) Local referendums may not be conducted 120 days prior to or after the day of any type of election or referendum in the same territory, unless the local referendum is conducted on the same day.
(3) The decision to postpone a local referendum shall be made by the Central Election Commission at the proposal of the local council or the representative authority of the special status territorial-administrative unit which issued the initial decision to hold the referendum.

(4) Local referendums on recalling a mayor may be initiated one year after the respective mayor has been in office, or one year after the last referendum on his/her mandate was held. Referendums to recall a mayor may not be initiated six months before the end his/her term.

Article 177. Issues that May be Brought to Local Referendum

(1) Issues that are of special importance for the respective locality, and that fall only within the jurisdiction of local public administration bodies, may be subject to local referendum.
(1^1) The text of the issue proposed for local referendum is drafted in a neutral manner, without any ambiguities or language which suggests an answer. It is not permitted to formulate issues which cancel each other out.
(2) A referendum to recall a mayor may be initiated when a mayor does not act in the interests of the local community, does not properly exercise the responsibilities of his/her elective office, and does not act in accordance with current laws or breaches moral and ethical norms. Facts that verify these breaches must be confirmed in an established manner.

Article 178. Issues which May not be Subject to Local Referendum

The following issues may not be submitted to local referendum:
a) those of national interest, which are of the jurisdiction of the Parliament, Government or other central public authorities, pursuant to provisions provided for by the Constitution and legislation;
b) those of internal and external policy of the state;
c) those which are contrary to the provisions of the Constitution and of the legislation of the Republic of Moldova;
d) taxes and budget;
e) extraordinary or emergency measures for ensuring public order, health or security;
f) electing, appointing or dismissing persons for/on/from positions which are the jurisdiction of Parliament, Government or President of the Republic of Moldova;
g) recalling a mayor who has been dismissed by a final decision of a court of law;
h) issues in the jurisdiction of courts of law and Prosecutor's office;
i) amendments to territorial-administrative subordination of localities, except for the cases provided in the Law on Special Legal Status of Gagauzia (Gagauz-Yeri).

Article 179. Calling the Date of Local Referendum

The date of a local referendum is established by the Central Election Commission at the proposal of a village (commune), sector, town (municipality), rayon council, or representative authority bodies of special status territorial-administrative unit.

Article 180. Initiating Local Referendum

A local referendum may be initiated by:
a) half of the elected councillors. But in the case of recalling a mayor, a local referendum is initiated by secret voting of two thirds of elected councillors;
b) mayor of the village (commune), town (municipality), except where a referendum to recall a mayor is being initiated;
c) representative bodies of special status territorial-administrative unit;
d) 10% of the citizens eligible to vote who are residents of the respective territorial-administrative unit.

Article 181. Registration of Citizen Initiative Group

(1) In the event that the initiative to hold a referendum comes from citizens, a citizen initiative group shall be established, including no less than 20 citizens eligible to vote and residing in the respective territorial-administrative unit. At least 30 citizens should participate at the founding meeting of the initiative group. At least three days before the meeting, the initiators shall notify the mayor in writing about the time, place and purpose of the meeting.
(2) A citizen initiative group is registered by the local public administration bodies within five days of the date of that the group submitted: a written statement requesting registration, the minutes of the group's establishment, and the question(s) proposed for the referendum. Where a referendum on recalling the mayor is being initiated, the initiative group is to be registered by the sector (rayon) or municipal court where the respective locality is situated.
(3) The decision confirming registration shall contain the time period for signature collection of between 30 and 60 days, and the questions subject to local referendum.
(4) Upon registration of the citizen initiative group, its members shall be issued a special document-card attesting their right to collect signatures according to rules established by the Central Election Commission.
(5) Information regarding the registration of the citizen initiative group shall be published in the local press.

Article 182. Collecting Signatures

(1) Members of the citizen initiative group registered in keeping with Article 181 shall have the right to collect signatures that support holding a local referendum.
(2) Signatures shall be collected according to Article 42 of this Code, to be correspondingly applied.
(3) For holding a local referendum, at least 10% of signatures of those entitled to vote and residing in respective territorial-administrative unit are necessary.

Article 183. Special Requirements for Signature Collecting Sheet

The question(s) proposed for referendum shall be written on each of the signature collecting sheets. Collection of signatures on sheets without the referendum question is prohibited.

Article 184. Responsibility for Accuracy of Signature Collecting Sheet

(1) The person collecting the signatures shall sign every sheet of the signature collecting sheet and make a note stipulating that the collector personally collected the signatures and confirmed the identity of the persons whose names appear on that sheet by verifying their ID. Each petition shall be authenticated by applying the stamp of the local public authorities.
(2) Persons collecting signatures on the signature collecting lists shall bear responsibility for the authenticity of the data on the signature collecting lists, and shall caution the person who signs that he/she may sign only one signature collecting sheet.
(3) Signature collecting lists on which data have been entered before the initiative group was registered, or those which have not been signed by the signature collector, or have not been validated by a stamp from local public administration bodies, shall be considered null and void.

Article 185. Submission and Verification of Signature collecting lists

(1) Signature collecting lists shall be submitted, after authentication, to the local council or to the representative bodies of the special status territorial-administrative unit. Where a referendum to recall the mayor is being initiated, signature collecting lists are submitted to the sector (rayon) or municipal court where the respective locality is situated.
(2) Signature collecting lists submitted by a citizen initiative group shall be verified within 15 days. Signatures by persons who have signed the signature-collecting sheets multiple times shall be excluded. If upon verification it is

established that the required number of signatures has not been collected, then the procedure shall be suspended and the registration of the citizen initiative group shall be cancelled.

Article 186. Adoption and Publication of the Decision on Holding Local Referendum

(1) Within 15 days after submitting the signature collecting lists or after the adoption of a decision by the local council, by the representative authority of the territorial-administrative unit or by the mayor, the respective local council or the representative authorities of special status territorial-administrative unit shall either approve or reject the proposal to hold the local referendum.
(2) The decision on holding the referendum shall contain:
a) proposal on the date of the referendum (no sooner than one month and no later than 45 days of the day the decision was adopted);
b) questions proposed for referendum;
c) the reasons for recalling the mayor, where a referendum to that effect is proposed.
(3) *repealed*
(4) The decision to conduct local referendum shall be made public within three days of the day of its adoption.

Article 187. Electoral Districts and Precincts

(1) For holding local referendum, the following electoral districts shall be established (according to the case): villages (communes), sector, towns (municipalities), rayon or special status territorial-administrative unit.
(2) Electoral districts shall be established by the Central Election Commission at the proposal of local public administration authorities, at least 30 days prior to local referendum.
(3) Precincts shall be established by respective district electoral councils at least 20 days prior to a local referendum.
(4) Precincts shall be established pursuant to territorial-administrative principles, by dividing localities into precincts between 30 and 3,000 voters. Precincts shall be numbered.
(5) Where the electoral district includes only one locality and only one precinct has been established, the district electoral council shall exercise the responsibilities of the precinct electoral bureau.

Article 188. Establishment of Electoral Councils and Bureaus for Local Referendum

(1) District electoral councils of 5-11 members for local referendums shall be established by the Central Election Commission, at the proposal of local councils or representative authorities of special status territorial-administrative unit, parties, other socio-political organisations represented in the Parliament no later than 25 days prior to the date of a local referendum. Conditions of district electoral councils' formation and their responsibilities are stipulated by Articles 27 and 28.
(2) Precinct electoral bureaus of 5-11 members established for local referendums shall be formed by district electoral councils at the proposal of local public administration bodies, parties, other socio-political organisations represented in the Parliament no later than 20 days prior to the date of a local referendum. Conditions of precinct electoral bureaus' formation and their responsibilities are stipulated by the Article 29 and 30.
(3) Chairpersons of rayon electoral councils, the Chisinau municipality electoral council and special status territorial-administrative unit electoral council established for the holding local referendums shall be elected by respective local councils.
(4) Electoral councils and bureaus established to conduct local referendum may not include councillors from local councils, members of the initiative group, members of parties or other socio-political organisations running in elections.
(5) During the first session of the second level territorial-administrative unit district electoral council established for the conduct of local referendum, the deputy-chairperson and the secretary of the council shall be elected by a vote of the majority of its members. During the first session of the village (communal), town (municipal) electoral council and precinct electoral bureau the chairperson, deputy-chairperson, and the secretary of the bureau shall be elected.
(6) Within two days of the date of their establishment, electoral councils and bureaus shall make public their personnel composition, address, and contact details.
(7) The authority of the electoral councils and bureaus shall expire after validation of the referendum results.

Article 189. Additional Responsibilities of Electoral Councils and Bureaus

In the event that the local referendum is held at the same time with elections (local, parliamentary) or republican referendum, electoral councils and bureaus established and functioning pursuant to Chapter 3 of this Code to administer the conduct of elections shall exercise the functions and responsibilities of the councils and bureaus for holding the referendum.

Article 190. Support for Electoral Councils and Bureaus in Holding Local Referendum, Their Activity Administration, Amendments in Composition and Dissolution

Support for electoral councils and bureaus in holding local referendum, their activity administration, amendments in composition and dissolution shall be conducted pursuant to Article 31-34 of this Code, to be correspondingly applied.

Article 191. Responsibilities of Electoral Councils and Bureaus for Holding Local Referendum

Electoral councils and bureaus established for the conduct of local referendum shall exercise the responsibilities provided in Articles 28, 30 of this Code, to be correspondingly applied.

Article 192. Lists of Citizens Eligible to Participate in Local Referendum

The lists of citizens eligible to participate in the local referendum (voter lists) shall be compiled pursuant to Chapter 5, (Article 39-40) of this Code, to be correspondingly applied.

Article 193. Ballots

(1) The ballots shall display the question brought to referendum, and to the right of the text two rectangles shall be placed horizontally with the words "pro" and "contra", with two circles underneath.
(2) In the event that several questions are brought to a local referendum, each question shall be printed on a different ballot. In the event that several referendums are held at the same time or the referendum is held at the same time with elections, the ballots shall be of different colour.
(3) Ballots shall be drawn up pursuant to the Law on languages spoken on the territory of the Republic of Moldova.
(4) Ballots shall be printed in a quantity that corresponds to the number of voters in the voter lists.
(5) Ballots setting up the same question shall be printed in the same format, with the same font, on paper of the same colour and density.
(6) Design of the ballots and the minutes forms of electoral councils and the minutes forms of electoral bureaus for holding local referendum shall be approved by the Central Election Commission, whereas the text of the ballots shall be approved by the district electoral councils.

(7) Ballots shall be passed over to precinct electoral bureaus two days prior to the date of local referendum.

Article 194. Referendum Campaigning

Free and thorough discussions upon the issues proposed for local referendum shall be conducted pursuant to Article 47 of this Code, to be correspondingly applied.

Article 195. Voting

(1) Voting in local referendum shall be held pursuant to Chapter 9, (Articles 50-55) of this Code, to be correspondingly applied.
(2) Voters shall fill out the ballot by applying "Voted" *("Votat" in the original)* stamp inside one of the two circles under the rectangles with the words "pro" and "contra", thus expressing their preference.

Article 196. Counting and Tabulation of Local Referendum Results

(1) Local referendum results shall be tabulated pursuant to Chapter 10 (Articles 56-60) of this Code, to be correspondingly applied.
(2) The number of the votes cast for "pro" and "contra" shall be entered separately on the minutes on tabulation of results.
(3) The results of the referendum shall be examined by the district electoral council which shall adopt a decision in this respect.

Article 197. Validation of the Local Referendum Results

(1) The district electoral council, within two days after tabulation of results, shall submit to the court of law of the respective territory the report on the conduct of local referendum, to which the minutes of district electoral council and precinct electoral bureaus as well as the complaints with results of their examination shall be attached. Chisinau municipality council shall submit the respective documents to the Court of Appeal of Chisinau.
(2) A court of law, within ten days of receiving the documents mentioned in paragraph (1) of this Article, shall confirm or not the legality of the conduct of local referendum and its results.
(3) Within 24 hours of adoption, the court of law rulings shall be transmitted to the Central Election Commission and district electoral council established for holding a local referendum, which shall publish the final results of the local referendum.

Article 198. Decision Adoption by Local Referendum, Cancellation or Amendment

(1) A local referendum proposal shall be considered adopted by local referendum if it gains the majority of voters' votes who participated in the referendum. The decision on the revocation of mayor is considered adopted through a local referendum, if it received the same number of votes or a more votes than the votes received by the mayor when he/she was elected, but not less than half of votes of persons who participated in the referendum. A referendum proposal is referred to as being adopted on the day upon which the referendum was conducted.
(2) When a mayor is recalled through referendum, the Central Election Commission calls the date of new elections for mayor, pursuant to Title V (Articles 118-140) thereof, which is to be applied correspondingly.
(3) An adopted referendum proposal may be cancelled or amended by local referendum, or by the decision of respective local council, adopted by the vote of 2/3 of the councillors, pursuant to the Law on Local Public Administration.

Article 199. Invalid Local Referendum

The referendum shall be declared invalid if less than 1/3 of voters included in the voter lists have voted. The Central Election Commission shall adopt a decision declaring a referendum invalid based on the documents submitted by the district electoral councils.

Article 200. Null Local Referendum

The court of law shall declare local referendum null throughout the entire district or only in some precincts, if serious violations of this Code occurred during the voting or vote counting and affected the results of the referendum.

Article 201. Repeated Local Referendum

If local referendum is declared null, bodies which adopted the decision to hold the referendum shall organise, within two weeks, a repeated referendum subject to provisions of this Title and this Code. The councils and bureaus established for conduct of local referendum, held responsible for violations of provisions of this Code, shall be replaced.

Article 202. New Local Referendum

New local referendum on the same issues may be held no sooner than a year of the previous referendum.

Title VII

Final and Transitional Provisions

Article 203. Entry into Force

This Code shall enter into effect on the day of its publication.

Article 204. Transitional provisions

After the Electoral Code is enforced:
1. The Parliament, within ten days, shall adopt a decree on setting up the Central Election Commission (permanent), pursuant to the provisions of Section I, Chapter 3 (Articles 16-22) of this Code.
2. Bodies mentioned in Article 16, paragraph (2), shall submit to the Parliament, within five days, candidates for the Central Election Commission.
3. The Government, -
a) within a month:
- shall submit proposals to Parliament on bringing the legislation in line with the Election Code provisions;
- shall provide information on headquarters, financial-material support, and equipment needed to the Central Election Commission.
b) shall include in the draft of the state budget for the 1998 fiscal year, funds necessary for the activity of the Central Election Commission and for the organisation and conduct of elections.
4. Elections to Parliament of the XIVth legislature, shall be conducted on March 22, 1998, pursuant to the President's decree No. 371-II, of November 18, 1997. All the terms related to elections to Parliament of the XIVth legislature shall commence at the date of the Code's publication.
5. Central Election Commission, -
a) shall draft and adopt its Regulation within ten days;
b) shall submit to the Government an estimation of expenses necessary for the Commission's activity and for holding elections;
c) after establishment, shall start exercise the responsibilities provided in Article 22.
6. Establishment and functioning of electoral administration bodies not provided under this Code shall be prohibited.

Article 205. Final Provisions
On the date of coming into force of this Code, the Law No. 1040-XII, enacted on 26.05.92 on Referendum, the Law No. 1609-XII, enacted on 14.10.93 on Elections to the Parliament, the Law No. 308-XIII, enacted on 07.12.94 on Local Elections, the Law No. 833-XIII, enacted on 16.05.96 on the Election of the President of the Republic of Moldova, the Law No. 1133-XIII, enacted on.02.04.97 on the Recall of the Mayor of the Village (commune), Towns, shall be abrogated and considered to have lost force.

Chairman of Parliament

Dumitru Motpan

Chisinau, November 21, 1997
No 1381-XIII