Liechtenstein State Law Gazette

Year 1973 No. 50 issued on 23 November 1973

Act
of 17 July 1973
on the Exercise of Political Rights in National Affairs
(Democratic Rights, VRG)[1]

I grant my approval to the following resolution adopted by the Landtag:

Title I
General Provisions

I. Paragraph

Right to Vote

Art. 1

Basic Principles

1) All nationals who have reached the age of eighteen and have been a normal resident (Art. 32 et seq. Person and Company Law, PGR) in the country for one month before the election or vote are granted the active and passive right to vote concerning national affairs. [2]

2) Persons attending an educational institution or those seasonally employed or temporarily residing in a foreign sanatorium are entitled to exercise their voting rights provided they meet the other requirements.

Art. 2[3]

Exclusion from the Right to Vote

1) He shall be excluded from voting, who:

a) is suspended by law of the right to vote;

b) is incapacitated with regard to elections and votes, so long as the exclusion from the right to vote has been judicially ordered (Art. 131a et seq.);

c) has been convicted legally by a domestic court owing to special circumstances:

1. to non-conditional imprisonment of at least one year for a criminal offense:

   aa) pursuant to Section14, 15, 16, 17, 18, 24 or 25 of the Special Section of the Criminal Code;

   bb) pursuant to §§ 278a to 278d of the Criminal Code;

   cc) in connection with an election or vote pursuant to Section 22 of the Special Section of the Criminal Code; or

2. to non-conditional imprisonment of more than five years for another intentionally committed criminal offense.

2) The exclusion from the right to vote pursuant to Para. 1 Lit c begins with the coming into force of the judgment and ends as soon as the sentence has been enforced and the preventive measures connected to imprisonment have been completed or have ceased; should the sentence have been served only by the imputation of a pre-eminence, the exclusion ends with the coming into force of the judgment. Should the end of the exclusion from the right to vote end after the effective date, admission to the register of votes may be requested by the end of the voting period (Art. 11).

3) Exclusion from the right to vote results in the loss of the right to vote and elect (active franchise) and the exclusion from the right to stand for election (passive franchise) in all national affairs.

Art. 2a[4]

Designations

The personal designations and functional designations utilised in this Act are to be understood as belonging to both the female and male sex.

Section II
Obligation to Vote

Art. 3

Basic Principles

Participation in elections and votes is a compulsory civic duty.

Art. 4[5]

Repealed

Paragraph III

Casting of Votes

Art. 5[6]

Exercise of the Right to Vote

The person entitled to vote shall exercise his right to vote in the municipality of his place of residence; in person by ballot at the polling station, or by means of postal voting. Subject to Art. 8b.

Art. 6[7]

Votes and Elections

Votes and elections shall take place on a Sunday.

Art. 7

Casting of Votes in Person at the Polling Station[8]

1) The person entitled to vote shall cast his vote during the appointed voting time.[9]

2) Repealed[10]

Postal Voting[11]

Art. 8

a) Casting of Votes[12]

1) The person entitled to vote may cast his vote from any place within the country, or by post from abroad.[13]

2) The eligible voter shall seal the ballot envelope and the ballot in the reply envelope officially printed and specially marked for the election or vote. The person entitled to vote confirms that the that the vote corresponds to his will by signing under the declaration printed on the ballot.[14]

3) The reply envelope may be deposited without postage at a post office anywhere within the country or in Switzerland; or delivered to the municipality, in person or by a representative.[15]

4) The postal vote shall be admissible as from the date of delivery of the official voting material (Art. 29). The reply envelope must be received or delivered to the municipality by 5:00 p.m. on the Friday preceding the election or voting day.[16]

Art. 8a

b) Examination[17]

1) Votes cast by post shall remain in the reply envelopes and kept in a secure place until opened by the Election or Voting Commission.[18]

2) The Election or Voting Commission shall open the reply envelopes at the earliest at 5:00 p.m. on the Friday preceding the election or voting day and shall confirm whether the postal vote is valid.[19]

3) It shall be considered valid, if:

a) the reply envelope officially printed and specially marked for election or voting was used for the postal vote, and remains sealed;

b) the person voting has been entered in the register of voters, subject to Art. 30 Para. 3;

c) the ballot is enclosed and the declaration regarding the postal vote printed on the vote card has been personally signed; and

d) the vote was received, at the latest, on the date referred to in Art. 8 Para. 4.[20]

4) The examination of the postal votes shall be noted expressly in the minutes (Art. 34). [21]

5) The Election or Voting Commission shall place the ballot envelopes that have been declared valid in the ballot box, unopened. The casting of vote shall be recorded in the voting register.[22]

6) Postal votes declared to be invalid shall be treated as invalid votes; the ballots, however, may not be removed from the ballot envelope.[23]

7) Postal votes which are delivered to the municipality after the deadline referred to in Art. 8 Para. 4 shall be destroyed.[24]

Art. 8b[25]

Electronic Voting

1) The Government may, under agreement with interested municipalities, approve e-voting pilot trials restricted to defined areas, dates and topics.

2) The control of the right to vote, the secrecy of the vote, as well as the recording of all votes shall be guaranteed, and abuses must be excluded.

3) The Government regulates the conditions for e-voting by decree; in particular, the conditions for valid casting of votes and the grounds for invalidity.

Art. 8c to 8e[26]

Repealed

Section IV

Electoral Register

Electoral Register

Art. 9

a) Keeping of the Register

Each municipality shall maintain a list of eligible voters (electoral register).

Art. 10[27]

b) Validation and Tracking

The municipal council shall ensure that the electoral register is adjusted and updated prior to an election or vote.

Art. 11

c) Public Edition, Objections[28]

1)The voting register shall be made available for public viewing for a period of three days, no later than four weeks before the election or vote.[29]

2) Objections concerning persons allegedly entitled to vote who do not appear on the list, or persons allegedly not entitled to vote who do appear may be filed verbally or in writing during the viewing period. The municipal council shall take a prompt decision.[30]

3) The Electoral or Voting Commission is granted time until the beginning of the vote to order the inclusion of voters in the electoral register who have obviously been overlooked.[31]

Art. 12[32]

d) Objections

Resolutions by municipal authorities concerning individuals already in the electoral register or those wishing to be added, may be appealed to the Government by the persons concerned within three days of disclosure. The Government shall take a prompt decision.

Art. 13

Appeal

1) Government resolutions which delete a person from the electoral register or reject a request for inclusion in the register of votes may be contested by the concerned persons within three days of notification by means of an administrative complaint.

2) The Administrative Court shall make its ruling before the beginning of the vote. The resolution shall be communicated immediately to the Electoral or Voting Commission of the competent municipality.[33]

Art. 14

Voting Rights of Registered Individuals

Only persons legally registered in the electoral register, subject to Art. 30 Para. 3 are authorised to participate in elections and votes.

Paragraph V

Ballots

Art. 15

Basic Principles[34]

1) Pursuant to Art. 30 Para. 3, the exercise of the right to vote is only permitted against the submission of the ballot.[35]

2) The ballot shall be issued by the municipal council.[36]

3) Repealed[37]

Art. 16[38]

Repealed

Art. 17

Ballots[39]

1) The ballot shall include:[40]

a) the title of "Ballot"[41];

b) the name, address and date of birth of the person entitled to vote;[42]

c) the name of the municipality for which it is valid;[43]

d) the number with which the person entitled to vote is registered;[44]

e) the designation of election or vote for which the ballot is valid;[45]

f) the official stamp.[46]

g) explanation of the postal vote.[47]

2) Repealed[48]

3)The ballot is valid for one election or voting day only.[49]

Art. 18[50]

Delivery

1) The municipality shall send the ballot and the official voting material at the latest two weeks before the date of the election or vote.

2) The municipality may also send the ballot and the official voting material to voters abroad. Prerequisite for this is a written request to the municipality not later than three weeks before the election or voting day.

Paragraph VI

Election or Voting Commissions

Municipality Election or Voting Commissions

Art. 19

a) Election

1) The municipal council of each municipality shall elect an Election or Voting Commission for the duration of its term of office. This shall consist of the mayor as chairman, no more than six other members and a maximum of three substitute members for cases of incapacity. The provisions of the Municipal Act on Exclusion and Liability apply mutatis mutandis.[51]

2) Each Election or Voting Commission shall assign an appropriate number of vote counters.

3) Candidates may not be members of the Electoral Commission. The Vice-Chairman shall preside should the mayor be a candidate.

Art. 20

b) Equal Representation

In case of elections, the voting blocs involved in the election shall be entitled to equal representation in the electoral commissions of the municipalities. They are afforded the opportunity to nominate their representatives.

Art. 21

c) Convocation

The chairman shall summon all members of the Election or Voting Commission. Substitute members are to be invited in the case individual members are not be able to attend.

Art. 22

d) Adoption / Passing of Resolutions

The Election or Voting Commissions of the municipalities are considered quorate if more than half of their members are present. They shall pass their resolutions by a majority of votes. The chairman shall decide in the event of a tie.

Art. 23

Head Election Commissions or Head Voting Commissions[52]

1) Following a state election, the Government shall elect one Head Election Commission or Head Voting Commission each for the Oberland (seat in Vaduz) and the Unterland (seat in Mauren). Their term of office coincides with that of the Landtag legislative assembly. It shall consist of a maximum of eleven members and six substitute members in case a member is prevented from participating. The Government shall appoint the Chairman.[53]

2) Art. 19 Para. 3, Art. 20, 21 and 22 shall apply.[54]

Art. 24

Instruction

The Government shall instruct the Electoral or Voting Commissions on their obligations, as necessary.

Paragraph VII

Preparation of Elections and Votes

Art. 25

Order

1) The Government determines the day for elections and votes, and stipulates the length of the voting time.

2) The public announcement of the order pursuant to Para. 1 shall take place at least four weeks before the relevant election or vote. The municipalities shall announce in the local customary manner where and when the ballot boxes will be made available for use by the persons entitled to vote.[55]

Art. 26[56]

Printed Matter

After ordering an election or vote, the Government shall provide the municipalities free of charge all printed matter required; especially templates, envelopes, ballots, reply envelopes for the postal vote, and meeting minutes.

Art. 27

Polling Stations; Voting Booths[57]

1) Elections and votes must be held in public locations which may be accessed without hindrance. The person casting a vote may only stay in the polling station for as long as is necessary to cast the vote.

2) Election booths shall be set up in the polling station for elections and votes. These are to be arranged such a way that voters can prepare the casting of their votes free from any form of observation.[58]

Art. 28

Ballot Boxes

1) Ballot boxes shall be used for votes and elections ordered by the Government. The municipality must make sufficient numbers of these available.

2) The ballot boxes must be lockable; the insertion slot and the lid must also be sealable.

Art. 29

Delivery of the Official Voting Materials

Every voter shall be provided with the official voting material through the delivery of the ballots (Art. 18).

Title II

The Voting and Election Procedure

Art. 30

Election and Voting Activities

1) The members of the Election or Voting Commission shall cast their ballot first, the other voting members in the order of their appearance.

2) The casting of votes is to be noted in the electoral register.

3) Persons not listed in the register of voters may be authorised to vote by the Election or Voting Commission, if it turns out that the person concerned apparently was unintentionally left off the register list. No appeal shall be permitted in case of a negative decision by the Commission.

Art. 31

Completion of the Election and Voting Activities

The polling stations shall close at the appointed time; any persons entitled to vote still present may continue exercising their right to vote.

Art. 32

Security Measures[59]

1) Municipalities are responsible for the safeguarding of the election and voting documents. This applies in particular to:[60]

a) reply envelopes sent by post, delivered personally, or by means of a deputy to the municipality for the purposes of the postal vote;[61]

b) votes cast and inspected by the Election or Voting Commission and deposited in the ballot box, provided the inspection has taken place in advance;[62]

c) ballot boxes sealed by Election or Voting Commission following the early casting of votes, including the electoral register and ballots.[63]

2) The Government may, following consultation with the municipalities, order instructions for additional security measures.[64]

Art. 33[65]

Determination of Results

1) After examining the postal votes for validity pursuant to Art. 8a, the Election or Voting Commission shall open the ballot boxes immediately following the end of the election or vote and determine the result.

2) The use of technical aids to expedite counting is permitted for the counting of votes.

Art. 34

Record

1) A written record shall be made concerning the result of the count. It must contain the:

a) location and time of the election or vote, and the composition of the Election or Voting Commission;

b) number of eligible voters in the municipality;

c) number of ballots delivered by post; the number of which were valid, invalid, as well as how many were not enclosed in ballot envelopes; [66]

d) number of ballots cast personally in the ballot box; the number which were not enclosed in ballot envelopes;[67]

e) number of ballots sent by post and the number deposited in person in the ballot box;[68]

f) number of voting envelopes deposited; thereof how many votes were valid invalid, as well as how many ballot envelopes (votes) were empty: [69]

g) the information required by Art. 50 in the case of elections;[70]

h) result of the vote in the case of votes;[71]

i) decisions taken by the Election or Voting Commissions, as well as any declarations whose inclusion is required in the record.[72]

2) The record shall be signed by all members of the Election or Voting Commission as well as by the vote counters, and shall be attached to the election or voting records.[73]

Art. 35

Transmission of the Results

The result of the election or vote shall be communicated immediately through the transmission of all election and voting records by members of the Election or Voting Commissions to the Head Election or Voting Commission of the respective territory.

Title III
Landtag Elections

Paragraph I
The Procedure prior to the Election, and the Election Process

Candidate Nominations

Art. 36

a) Call for Nominations

1) The Government shall call by public notice for nomination submissions for the relevant constituency simultaneous to fixing the date of the election. [74]

2) In doing so, it must state the relevant provisions of the law.

Art. 37

b) Deadline, Form and Content

1) The nomination must be submitted in writing within 14 days.

2) Each nomination may only contain candidates from one constituency and must be signed by at least 30 eligible voters of the same constituency. The authenticity of the signatures must be officially certified by a mayor or a Notary Public (Art. 81 RSO).[75]

3) The signature must be recorded in such a way that there can be no doubt concerning the identity of the signatory. It may therefore be necessary to provide details regarding their place of residence, house number, occupation, etc.

4) Nominations with less than 30 signatures shall not be considered.

5) A person entitled to vote may only sign one nomination and a signatory may not withdraw his signature after submitting the nomination.

Art. 38

c) Authorised Representative

1) Unless expressly arranged otherwise, the individual appearing at the top of the list of signatories shall be deemed to be the authorised representative of the voting bloc. In the event that he is unable to execute his responsibilities, or is absent, these matters shall be passed to the next signatory, etc.

2) The authorized representative shall be entitled to perform all activities provided for in this Act, and to make declarations to the public authorities in the name of the voting bloc.

Art. 39

d) Inspection, Consultation and Validation

1) The Government shall make the nominations available for inspection by the eligible voters of the electoral district.

2) Objections concerning the voting rights of the signatories, including all required proof, must be submitted to the Government in writing no later than two days after the end of the display period.

3) The Government shall remove the names of the signatories concerned if the evidence submitted with the objection is reliable, or if the Government is otherwise aware that one or more signatories are not entitled to vote, or if it is established that one or more signatures are not genuine.

4) Furthermore, the signature of a signatory who has signed more than one nomination, or is also designated as a candidate in the same nomination, shall be removed ex officio.

5) If, as a result of this deletion, no more than 30 signatories remain, the Government shall invite the authorised representative of the electoral group to replace the missing signatures within two days.

6) Each new signatory must certify the authenticity of their signature in accordance with the regulations regarding confirmation of authenticity in the original nomination; otherwise, the nomination must be considered to have failed in the timely fulfilment of these conditions.

7) If no timely objections have been received or rejected as unfounded by the Government, or if any defects have been rectified, the nomination shall be treated as valid without consideration for deficiencies arising post examination. Government decisions in this case are final.

Art. 40

e) Designation of the Nominations

1) Each nomination must bear the name of the voting bloc as its title.

2) Should several nominations with the same designation, or nominations without a designation be entered, the Government shall immediately invite the authorised representatives (Art. 38) of the signatories of each nomination, in the case of other invalidity of the electoral proposal, to ensure easily distinguishable names of the nominations within two days, whereby designations of existing parties may not be used for new voting blocs. In the event of a dispute, the Government decides, following consultation with the bodies of the party.

Art. 41[76]

f) Replacement Candidates

Repealed

Art. 42

g) Designation

1) Candidates must be identified in the nomination in such a way that there can be no doubt about the identity of the individuals proposed. It may therefore be necessary to provide details regarding their place of residence, house number, occupation, etc.

2) If a nomination does not comply with these requirements, the Government shall immediately invite the authorised representative of the voting bloc to complete the nomination fully within two days, otherwise the names of those candidates under doubt shall be deleted from the nomination.

h) Validation of the Nominations

Art. 43[77]

aa) in General

1) The nomination submitted to the Government shall also be accompanied by a written declaration of acceptance from the candidates declaring that they accept the candidacy. A declaration of acceptance cannot be withdrawn unless extraordinary circumstances confirmed by the Government justify such a move.

2) Should no acceptance declaration be submitted, or is not submitted within two days, or a justified withdrawal of the declaration of acceptance be made, the name of the candidate concerned shall be deleted from the nomination.

Art. 44[78]

bb) Domicile and Multiple Admission of the Same Person

A candidate may only be represented in a constituency in the electoral district of his normal place of residence (Art. 32 et seq. PGR); if this is not the case, the Government shall remove him from the list in accordance with Art. 45. The name of a candidate may not appear in more than one nomination in the same constituency, otherwise the Government shall, upon expiry of the submission

period, send the multiple copies of the nominations concerned to the nominee with an invitation to declare immediately which nomination he would like to be assigned to. If no explanation is given within the deadline set, the nominee concerned shall be deleted from all nominations.

Art. 45

cc) Notification of Deletion or Rejection

1) The Government shall immediately notify the authorised representative of the nominee's voting bloc of the deletions which have been made on the grounds of refusal or multiple nominations, together with the information that sub substitute nominations may be made within two days of notification. The substitute nominations shall be accompanied by a written declaration by the nominees that they accept the candidacy.

2) If this declaration is missing or if the nominee already appears on another nomination in the electoral district, the substitute nomination must be rejected.

Art. 46

Deadlines

The Government is authorized to prolong the deadlines cited in Art. 36 to 44, provided that this appears to be justified in the interests of the orderly handling of the procedure.

Art. 47

Electoral Lists

1) The resulting nominations are to be called electoral lists. The contents thereof may not be altered in any way.

2) The Government must publish all electoral lists together with their voting bloc designations, but without the names of the signatories, in the proposed order of election candidates in the official publishing bodies.[79]

3) The publication of all electoral lists shall be carried out simultaneously, in the order in which the nominations were submitted to the Government.

Art. 48

Ballots

1) Only official ballots may be used to conduct an election. They shall bear the designation of "Official Ballot" and the large state coat of arms, or the municipal coat of arms if it concerns an election at the municipal level. The ballots must list the candidates in the order submitted by the individual voting blocs, including sufficient address details. The name of the voting bloc must be placed on the head of the ballot. Unofficially printed ballot papers are to be considered invalid.[80]

2) There shall be sufficient official ballots made available in the election booths for each electoral list. [81]

Art. 49

Electoral Process for the Ballot Box[82]

1) Upon entering the polling station of the Election Commission, the person entitled to vote must hand over his ballot for registration and then place the ballot envelope containing the official ballot into the ballot box. Ballots not submitted in an envelope shall be rejected.[83]

2) Voting booths are to be set up in the polling station which enable the voter to fill out the ballot in privacy. Persons with a physical infirmity who are entitled to vote may, with the approval of the Election Commission, take a trusted person with them into the voting booth.[84]

3) There shall be sufficient official ballots provided in the voting booths. Additional official ballot envelopes may only be obtained from the Election Commission.[85]

Art. 49a[86]

Filling out the Ballot

1) The voter is permitted to make deletions or amendments to the official ballot, subject to Art. 51 to Art 53.

2) A vote may only be given to candidates who appear on a valid nomination list (electoral list).

Section II

Determination of the Election Results

Municipal Elections

Art. 50

a) in General

Following the end of the election, the Election Commission shall determine the municipal result. In addition to the information provided for in Art. 34, the record shall include:

a) The number of valid votes for each individual candidate - candidate votes - ;

b) The number of additional votes in accordance with Art. 51 Para. 2.

Art. 51

Examination of Ballots

1) The general principle for examining a ballot, is that the vote shall be regarded as valid if the content of the ballot cannot reasonably be doubted. Invalid ballots shall be excluded from the calculation of the election result. Should, upon opening an envelope or upon unfolding a ballot, several ballots have been submitted at the same time, all shall be deemed invalid, unless, in addition to an official ballot, an unofficial ballot or several copies of an official ballot remain unaltered, or several copies with the same change have been cast.

2) Should a ballot contain fewer valid candidate votes than Landtag members running for election in the corresponding constituency, the missing votes shall be regarded as additional votes for the voting bloc whose name is printed on the ballot.

3) Should a ballot contain more names for candidates than the number of choices to be made, the excess names shall be deleted from the bottom up without regard to whether they are handwritten or printed.[87]

4) Should the same name appear several times on a ballot, it shall be counted only once.

5) Should a ballot include candidates who are not listed on any of the submitted electoral lists, the same shall be deleted.

6) The deletion or modification of the voting bloc name on the ballot shall not be considered significant.

Invalid Ballots

Art. 52

a) in General

Invalid are:

a) Ballots which are unofficial in nature;

b) Ballots which list names that cannot be confirmed with certainty as the name of any of the nominated candidates;

c) Ballots containing remarks of an offensive nature;

d) Ballots containing obvious indications that further examination is required.

Art. 53

b) Invalid Votes for Candidates

Invalid candidate votes include,

a) those for a person who was not nominated as a candidate on any of the submitted electoral lists;

b) those which describe a candidate so imprecisely that there is reasonable doubt about the identity.

Constituency Results

Art. 54

a) in General

1) The Head Election Committee of each territory must review the municipal results. When reviewing the election results of each municipality, the respective chairperson of the Election Commission must be available and may be consulted, if necessary. The Head Election Commission must keep a record of its deliberations. The ballots shall be destroyed after recording is complete.[88]

2) Following this, the Government shall convene in Vaduz and carry out the allocation of the mandates according to the provisions of Art. 55 to 60. A special protocol shall be drawn up on these deliberations.

Art. 55

b) Assignment of Mandates to the Voting Blocs

1) Those votes cast for voting blocs who have not reached 8% of the total valid votes cast in the whole country shall be deducted first from the total number of all candidate votes and additional votes which have been cast validly in a constituency. The remaining number of votes shall then be divided by the number of representatives to be elected (with the exclusion of deputy representatives), and the resulting share increased in every case to the next whole number.[89]

2) The number thus determined shall be termed the electoral number.

3) Each electoral list partaking in the distribution of mandates according to Art. 46 Para. 3 of the Constitution will be assigned as many representatives as the electoral number in the number of candidate and additional votes cast for this electoral list (basic mandate distribution).

Art. 56

Assignment of the Remaining Mandates

1) Should, according to Art. 55, the assignment in one or both constituency not include as many members of the Landtag as are to be elected, then a distribution of the remaining mandates shall been made, in accordance with the provisions of the following paragraphs, among the voting blocs which have reached at least eight percent of the valid votes cast throughout the country.

2) The residual votes shall be arranged according to size and written down beside one another; half of the residual number of votes shall be written below each residual number of votes, followed by one third underneath, and one quarter, and so on, as required.

3) The electoral number shall be largest number in the case of only one residual mandate; with two, the second largest; and with three residual mandates, the third of the numbers calculated as such.

4) Each voting bloc shall receive as many residual mandates as the number of times the electoral number is contained in its residual number of votes. If, according to this calculation, two groups of voters have an identical claim to a

residual mandate, the voting bloc candidate who is eligible under Art. 57 with the greater number of votes has the advantage. If the number of votes is equal, it shall be decided by lot.

Art. 57

Determination of the Representatives

1) The number of candidates from each electoral list declared as elected must correspond with the mandates assigned to them pursuant to Art. 55 or 56; namely those candidates who received the most votes.

2) In case of an equal number of votes, the candidate named first on the list of candidates shall be declared elected.

3) Repealed[90]

Art. 58

Assignment of Mandates

1) If more candidates are to be allocated to one or more electoral list than the number of names appearing on the list, all of their candidates shall be declared elected for the time being.[91]

2) The remaining mandates shall be distributed among the other electoral lists in accordance with the procedure laid down in Art. 55 and 57.

Art. 59

Drawing of Lots

The drawing of lots (Art. 56) takes place at the Government meeting, as provided for in Art. 54 (2) by the oldest member of the Government in attendance.

Art. 60

Determination of Deputy Representatives

1) Provided that the electoral list contains enough candidates, each voting bloc shall also receive deputy representatives. One deputy representative shall be appointed for every three representatives, with a minimum of one should a voting bloc attain a mandate in a constituency. (Art. 46 Para. 2 of the Constitution).[92]

2) Deputies for the purposes of Art. 46 Para. 2 of the Constitution shall be those who have received the most votes among the non-elected candidates on the electoral list of the voting bloc concerned.[93]

3) In case of an equal number of votes, the candidate named first on the list shall be declared deputy representative.

Art. 61

Election Certificates

The Government shall issue an electoral certificate for those persons elected.

Art. 62

Publication

The election results shall be published by the Government in the official announcing bodies.

Art. 63

Resignation, Loss of Mandate, etc.

1) Representatives who lose their voting rights at a later date or move their regular residence (Art. 32 et seq. PGR) to another constituency during the term of office shall lose their mandate.[94]

2) Should, during the term of office, a mandate become vacated through loss of office, resignation, death, dismissal, or other permanent obstacles, the Landtag shall declare the person who received the most votes among the non-elected candidates from the same election list as the original mandate, to be elected.[95]

3) In case of an equal number of votes, the candidate named first on the list shall be declared elected.[96]

4) Should there be no unelected candidates on the list concerned, the Government must order by-elections under the provisions applicable to state elections (Art. 53 of the Constitution).

Section III

Electoral Challenge

Art. 64

Electoral Complaints

1) A voting bloc which had submitted proposals for elections on time for the contested election may file a complaint with the Government through their authorised representative, in connection with elections for one constituency or the whole country, or against the election of one or more representatives or deputies (Art. 38) based on the grounds of invalidity set out below.

2) The election of a representative or deputy shall be considered void if the person elected does not fulfil the statutory requirements.

3) The election shall be considered null and void if during the electoral preparation procedure, the electoral process, or the determination of the election results

a) mandatory legal provisions were not complied with; or

b) illegal actions or

c) criminal acts or

d) gross irregularities, provided that these facts have had or could have had a significant influence on the election result.

4) Should one or more intelligible voters participate as voters or should several voters be unlawfully excluded from participation in the election, the election remains valid if the difference in the number of votes does not influence the election result; should this be the case, the election is null and void.

5) The election complaint must be registered with the Government within three days after the election. The election day itself does not count in the calculation of the deadline. In the event of any other exclusion, the complaint must be submitted to the Government within a further five days and shall include specific requests and indicate the facts on which the complaint is based, together with the facts which are to serve as evidence. The Government must allow any voting bloc who has submitted an election complaint access to the election records in a timely manner.

6) The Government shall forward the complaint immediately to the Constitutional Court, along with the existing election records. The Constitutional Court shall initiate an investigation under the Law on the Constitutional Court. The Constitutional Court shall take a final decision regarding the complaints about the election of members of the Landtag, or the election as such (Art. 59 of the Constitution).[97]

Art. 65

Official Review

Should the Government be in a state of invalidity, as a result of the election records, or otherwise, the Government shall report to the Constitutional Court within eight days, not counting the election day, which in this case shall rule ex officio on the validity of the election.

Art. 66

Ruling

1) Should an elected representative or deputy representative not fulfil the legal requirements, the Constitutional Court shall declare his election as null and void. Concurrently, he it must declare the next candidate in the election list to be elected under the appropriate application of Art. 63.

2) Should the municipal results reviewed by the Head Election Commission have been counted incorrectly, or should the Head Election Commission have made other miscalculations, or should the provisions of Art. 55 to 60 of this Act have been applied incorrectly, and these events have influenced or may influence the election result considerably, the Constitutional Court shall review the results and the allocation of the mandates.

3) In all other cases of nullity, the Constitutional Court declares the election to be null and void, and the Government shall immediately order a new election.

4) A request for interpretation is the only admissible legal remedy against a ruling by the Constitutional Court regarding an electoral complaint.

5) The Constitutional Court must issue a ruling to the Government in every case.

Title IV
Referenda, Initiatives and Landtag Convocation

Section I
Common Provisions

Art. 67[98]

Requests (Proposals)

Requests by which the Constitutional right of the referendum and the initiative are exercised under this Act are:

a) Municipal Requests (Art. 48, 64, 66 and 66bis of the Constitution);

b) Collective Requests (Art. 48, 64, 66 and 66bis of the Constitution);

c) Landtag Requests (Art. 64, 66 and 66bis of the Constitution).

Art. 68

Municipal Requests

1) Should referendum and initiative requests be exercised by municipalities, the same requests must be made in a minimum number of municipalities at municipal meetings with an absolute majority of the citizens present.

2) The ordering and holding of these municipal assemblies takes place according to the provisions of the municipal law by the mayor of the municipality or upon request of one sixth of the persons entitled to vote.

3) A resolved municipality request must include:

a) an exact formulation of the referendum or initiative request; for initiatives that contain a simple proposal, the purpose of the requested resolution or law shall be indicated; it can also contain:

b) a brief and factual justification of the proposals in the case of a request for an initiative;

c) minutes of the municipality assembly, signed by the mayor of the municipality and a member of the municipal council, including the date of the municipal assembly, the form in which the request was voted on and accepted,

the number of the persons who were eligible to vote and the number of the accepting voters.

4) Should the minutes of the meeting not be connected with the request, they are to be added as a supplement.

5) Municipal votes which have not been preceded by a correct or complete notification of the referendum or initiative requests to the persons entitled to vote, whether at the meeting itself or by means of an announcement at a prior meeting or personal communication, are to be considered invalid.

6) The minutes of the meetings shall be communicated to the Government together with the requests, and the Government shall handle them as described in the following provisions concerning collective requests.

Art. 69

Collective Requests

1) Requests concerning a referendum or initiative must be submitted to the Government by the eligible voter requesting the vote, together with indication of the municipality, and must include the personal signature and be accompanied by the initial date of the signature on each sheet.

2) The right to vote and the signatures of the signatories shall be certified personally by the authorities of the municipality in which their political rights are exercised; on the relevant submission itself including the date, on the basis of the electoral register, and details of the signature collector or the signatories. No fees may be charged for this.

3) Entries may be submitted individually or collectively; in the latter case, however, with the restriction that one entire submission may not contain signatures of voters living in other municipalities.

4) Should signatures from citizens living in other municipalities be found during the inspection, they shall simply be ignored.

5) It is not permitted to make requests of unrelated nature in the same submission, that is, in the same submission the request to order a popular vote can only be made concerning one constitutional, legal, or financial resolution. Likewise, only one request concerning legislation (Constitution) may be made per initiative request. (Constitution). Combining a referendum and initiative request in the same petition is also prohibited.

6) Submissions not in accordance with the above provisions shall be rejected by the Government while stating the shortcoming, and shall be considered invalid if the shortcoming is not remedied within a reasonable period of time (Art. 70).

7) Collective, as well as municipality, requests must be identical on every signature sheet and / or in all municipal assembly minutes.

Art. 70

Deadlines

1) Referendum and initiative requests may be validated if they concern

a) a vote on a legislative, financial or constitutional resolution passed by the Landtag, in whole or part, within 30 days following the official announcement of the Landtag resolution in the legal publishing body, the period of which shall be counted from the publication's first appearance in a gazette, excluding the day of publication;

b) an initiative request within the meaning of Art. 48 and 64 of the Constitution that is filed within six weeks; this period begins with the official announcement of the request by the Government which is to be carried out on the basis of the notification, and shall be calculated according to Letter a.

2) Municipality initiative applications to the Government may be submitted by the municipality council, the mayor, or a voting member of the municipality. Applications for collective initiatives shall be carried out by the initiator concerned.

3) initiative requests (collective or municipality initiatives) for the adoption, amendment, or repeal of a law or the Constitution, if such a request has been rejected in a popular vote; they may be submitted on the same subject only after a period of two years following the popular vote and with only one dismissal request per year.

4) Submissions which violate the above provisions may be rejected by the authorities and the convocation of a municipal assembly may be refused. An appeal may be filed against such rejection or refusal.

Art. 70a[99]

Deadlines for Referenda against Government Treaties

1) Referendum requests concerning the Landtag's consent of a state treaty are valid for 30 days after the official announcement of the Landtag resolution in the official publishing body, whereby the deadline starts from the first publication in a gazette, and the day itself shall not be counted.

2) Submissions which violate the above provisions may be rejected by the authorities and the convocation of a municipal assembly may be refused. An appeal may be filed against such a denial or refusal.

Art. 70b[100]

Pre-examination

1) Should initiative requests (collective or community initiatives) be submitted to the Government, it will examine whether they are in accordance with the Constitution and the existing state treaties and shall forward their report together with the submissions to the Landtag for further consideration.

2) The Landtag shall consider the initiative request in its next session. Should it find that the initiative request is not compatible with the Constitution and the existing state treaties, it shall declare it null and void.

3) An appeal may be filed with the Constitutional Court against a nullification from the Landtag.

Art. 71

Review of Requests, and Publication

1) The Government immediately reviews the petition submitted by the requestor or the municipalities for its legality (Art. 69 and 70).

2) In addition to invalid and late signatures, the following shall be disregarded while ascertaining the number of signatures of a request:

a) signatures of persons ineligible to vote;

b) signatures not originating from the hand of the person entitled to vote;

c) signatures on sheets of paper which do not contain the particulars of the municipality of the signatories, provided that the signatories have not included the place of residence themselves;

d) each signature appearing more than once of the same eligible voter.

3) The Government shall arrange the publication of the results of the examination of the requests submitted.

Art. 72

Government Order

1) Should the request for a referendum (upon the dismissal of the Landtag or on a Constitutional, legal or financial resolution) be submitted by a sufficient number of municipalities or voters, or if the Landtag decides to hold a referendum (Art. 66 Para 1 and 3 of the Constitution), the Government shall order, within 14 days, a referendum to be held within three months.

2) Should, on the other hand, a request concerning the legislation (adoption, amendment, or repeal) be successful, the Government shall submit it to the Landtag for further consideration, together with its reports and all files.

3) Should a request to convene the Landtag be found to be valid, the Government shall initiate the immediate convocation thereof.

Art. 73

Review of the Ballots

1) Ballots whose content cannot be clearly determined either as a Yes or a No are to be considered invalid.

2) For the rest, the provisions of Art. 52 are to be applied analogously (Art. 84).

Art. 74

Annulment of a Vote

1) The Government is entitled to nullify a vote, upon the release of a complaint filed with the Higher Administrative Court by an eligible voter.[101]

2) It may declare the vote invalid, in whole or in part, based on the fact that the circumstances justifying nullification extend only to a specific voting location or to the whole country and, in this case, order a new vote for the voting location in questions, or for the whole country.

3) In all other respects, Art. 64 to 66 of this Act concerning the filing of a complaint and annulment apply mutatis mutandis, in so far as their provisions should not be regarded as inapplicable or no deviations described in the preceding paragraphs are present.

Section II

Referendum

Art. 75

Conditions

1) Any resolution taken by the Landtag and not declared by it as urgent, as well as any financial resolution declared by the Landtag not to be urgent, provided that it incurs a one-time new outlay of at least 500,000 francs or a recurring outlay of 250,000 francs per annum shall be subject to popular vote (optional referendum) when

a) the Landtag itself decides so, or

b) a minimum of 1,000 eligible voters, or at least three municipalities in the form of concordant municipal assembly resolutions, submit a request for a popular vote within 30 days of the official announcement of the relevant Landtag resolution.[102]

2) Should the resolution concern the Constitution as a whole, or in part, and the Landtag does not formulate a resolution of its own accord, the request shall require at least 1,500 voters or at least four municipalities according to Letter b of the preceding paragraph.[103]

3) The request for a referendum in Landtag must be submitted following the final vote, whereupon the Landtag must take a decision.

4) The resolution of the Landtag that a legal, financial or constitutional resolution is to be declared as urgent must be attached to the resolution in question. In this case, the Government shall submit the resolution forthwith to the sovereign for sanction, and publish it after the receipt thereof in the State Law Gazette.

Art. 75a[104]

Conditions for State Treaties

1) Any Landtag resolution concerning the consent for a state treaty (Art. 8) shall be subject to a referendum should the Landtag decide to do so or if, within 30 days after the official announcement of the Landtag resolution, a minimum of 1,500 eligible voters, or at least four municipalities submit a request for a referendum in the form of a concordant municipal resolution.

2) The request for a referendum in the Landtag must be made following the approval of a state contract, whereupon the Landtag must take a decision.

Art. 76

Unrealised or Failed Referendum Requests

1) After their acceptance in the Landtag, all other constitutional, legal or financial resolutions not falling under the abovementioned exemption shall be made public, citing the title, in the official publishing body by the Government, including the date on which the referendum period expires.

2) If the Landtag does not decide to call a referendum; or no legal request for a referendum is filed within thirty days after the official publication of a constitutional, legal or financial resolution; or if such a request has been received by the Government within the stated deadline but under official examination has been found to have insufficient number of voters or municipal resolutions, the Government shall submit the relevant resolutions concerning the Acts or the Constitution to the sovereign to be sanctioned, with the exception of financial decisions which are not in the form of a law and which do not concern the assets of the State Treasury (Article 70 of the Constitution), and shall

subsequently publish them in the State Law Gazette and have them implemented.

Art. 76a[105]

Unrealised or Failed Referenda on State Treaties

1) State treaties shall be published under their respective title by the Government in the official publishing bodies following approval in the Landtag, including indication of the date on which the referendum period expires.

2) If the Landtag does not decide to rescind a referendum, or if no legal request for a referendum has been submitted within thirty days after the official publication of the consent to a treaty, or if such a request has been lodged with the Government within the specified period, but upon examination it is found not to be supported by the required number of voters or municipal assembly resolutions, the Government shall publish the treaty in the State Law Gazette following ratification.

Art. 77

Successful Referendum Requests

1) The Government shall order a popular vote should a referendum decide contrary to the Landtag, or if the corresponding number of voters or municipalities demand a popular vote within the specified time period (Art. 72).

2) As a rule, the referendum applies to an act or others resolution in their entirety.

3) The Landtag, however, has the right to conduct the vote in such a way as to vote separately on individual parts of a law or a resolution; in the latter case, the relevant questions are to be printed on the ballot.

4) The Government must examine (validate) the results of the referendum on the basis of the voting protocols received and to publish them in the official publishing bodies.

Art. 78

Adopted or Rejected Resolutions

1) Should a Constitutional, statutory or financial resolution be adopted by the absolute majority of the valid voters of the entire country, the Government

shall publish and implement the Act in the State Law Gazette, after having obtained the sanction of the sovereign.

2) Should a vote on a submission be held on separate individual parts, the adopted part shall be deemed to be law (Constitution) in the event of a partial acceptance, with the exception of financial decisions which are not in the form of a law and which do not concern the assets of the State Treasury (Article 70 of the Constitution). The adopted part shall be published after the sanction has been obtained from the sovereign, and reported concurrently to the Landtag by the Government.

3) Prior to the signing and countersigning, the Government must add the following to every legislative or Constitutional resolution adopted by referendum to be published in the State Law Gazette:

"The Government, having regard to the report on the results of the popular vote of ....., which states that:

Number of eligible voters	.....
Number of votes cast	.....
Accepted are	.....
Rejected are	.....
Invalid votes	.....
Empty votes	.....

decides that:

the referendum submission regarding

..... is declared as accepted by the people. "[106]

4) Should a submission be rejected in a referendum, the Government shall declare the same to the Landtag, and their sanction and the execution shall to be omitted.

Art. 78a[107]

Accepted or Rejected Resolutions regarding State Treaties

1) The Government shall publish the treaty in the State Law Gazette should the consent of the treaty by the Landtag be accepted by the absolute majority of eligible voters in the entire country.

2) The nature of the publication shall be analogous to the manner referred to in Art. 78 Para. 3.

3) Should the Landtag resolution be rejected in a referendum, the Government shall report the same negative result to the Landtag.

Art. 79

Referenda

1) The Landtag is empowered to initiate a referendum on the inclusion of individual principles into a law to be enacted (Art. 66 Para. 3 of the Constitution).

2) Such a vote shall be ordered and executed by the Government in accordance with the relevant provisions of this Act.

Section III

Initiative

a) Legislative Initiative

Art. 80

Application

1) The right of the initiative, insofar as it relates to legislation, includes the request to adopt, amend, or repeal a law.

2) Such requests may be submitted by eligible voters or municipalities in the form of a simple proposal (simple initiative) or a draft (formulated initiative) and may be justified in both cases (Art. 64 Para.3 and Art. 66 Para. 6 of the Constitution).

3) A referendum (municipality or collective initiative) from which the country accrues either a one-time new outlay of at least 500,000 francs or a recurring outlay of 250,000 francs per annum, must be accompanied by a proposal for providing the necessary funds if it must be considered by the Landtag, unless it concerns a law already provided for in the Constitution.[108]

4) If the right of the initiative is exercised,

a) the government shall examine the collective or municipality request for a referendum and authorise it for publication (Art. 70); previously collected signatures or municipal resolutions shall be excluded;

b) the Government shall forward the submission in which the object of the request must be designated and supported by a minimum of 1,000 eligible voters or by at least three municipalities in the form of concordant municipal assembly resolution (municipality initiative), within the time limit of six weeks as laid down in Art. 70 lit. b.[109]

Art. 81

Opinion of the Landtag

1) The Landtag shall consider an initiative request in their next meeting following the submission, without delay.

2) Should a request be submitted in the form of a simple proposal, the Landtag must declare whether or not it agrees with the request.

3) In the case of consent, the Landtag shall handle the initiative by adopting, repealing, or amending a law (the Constitution) subject to the referendum and the consent of the sovereign.

4) Should the Landtag reject a simple proposal it shall be terminated, so far as it does not itself concern a referendum on simple proposals; should this be the case and the absolute majority of eligible voters pronounce themselves for the peoples' proposal or that Landtag's proposal, the Landtag must prepare the accepted proposal in the sense of the referendum results. As a rule, the resolution in question shall be subject to the optional referendum.

Art. 82

Formulated Initiatives

1) If the initiative request has been submitted in the form of a draft, the Landtag shall decide without delay whether or not to approve the draft initiative, which, if necessary, must be accompanied by a proposal for providing the necessary funds.

2) Should the Landtag reject the draft, it shall instruct the Government to order a referendum.

3) In this case, the Landtag is authorised to make its own motions regarding the initiative submitted by the initiators or municipalities, either to reject the proposal or submit a modified version itself and, if necessary, to justify its actions in a message addressed to the people.

Art. 82a[110]

Simultaneous Occurrence of Several Initiatives on the same Subject

1) Should more than one initiative request be submitted at the same time on the same subject matter, the Landtag shall consider them all in the same session.

2) Several initiatives on the same subject matter shall be deemed to have taken place simultaneously if the others have already been registered with the Government at the time of publication of the first request.

3) The procedure shall be governed by Art. 81 and 82.

Art. 82b[111]

Withdrawal of Initiatives

1) Should initiatives contain a withdrawal clause, they may be withdrawn by unanimous decision of all members of the Initiative Committee.

2) The withdrawal of an initiative is permissible until the Government has set the vote date. If an initiative is in the form of a simple proposal and the Landtag approves it, a withdrawal is permissible up to the approval resolution of the Landtag.

Art. 83

Questioning

1) Should only one proposal be put to vote, the ballot shall contain the question: "Do you wish to accept the draft?"

2) Should, in addition to the proposed initiative, a counter-proposal of the Landtag be submitted to a referendum, two questions shall be presented to the voters: "Do you wish to accept the draft of the initiates? or Do you wish to accept the counter-proposal of the Landtag?"

3) Should two or more initiative proposals be submitted for a referendum on the same subject matter, the eligible voters shall be presented with the following questions on the same ballot card: "Do you want to accept draft '...'?" and "Do you wish to accept draft '...'?" etc. Decisive for the order of the proposals is the date on which they were submitted to the Government. Should the proposals not be clearly distinguishable, the question must be supplemented so that the content of the initiative is evident.[112]

4) Should a counter-proposal of the Landtag be submitted in addition to two or more initiative proposals on the same subject matter for referendum, the eligible voters will be presented the following questions on the same ballot: "Do you wish to accept draft '...'?" and "Do you wish to accept draft '...'?" etc. and "Do you wish to accept the counter-proposal of the Landtag?"[113]

5) If two or more proposals (Para. 2 to 4) are submitted for voting, the eligible voters shall also be asked the following additional question on the same ballot: "If you agree with more than one proposal, which proposal do you prefer?"[114]

6) In this case, the adoption of an initiative draft by the eligible voters shall represent the resolution of the Landtag (Art. 66, Para. 6 of the Constitution), which would otherwise be required for the adoption of a law.[115]

Art. 84

Determination of the Result of the Vote

1) Blank and invalid ballots shall not be taken into account when determining the absolute majority. In the case of votes on several proposals, this also applies to unanswered individual questions; the absolute majority shall be determined separately for each proposal.[116]

2) Should, in the case of votes on more than one proposal, more than one proposal reach absolute majority, the ballots with a multiple "Yes" shall be awarded only to the proposal which is cited as preferred in the additional question. The proposal which, by virtue of this second count, receives the majority of votes, shall be adopted.[117]

3) Ballots with multiple "Yes" which do not, or do not clearly, answer the additional question will not be taken into account in the event of a second count.[118]

4) In addition to the particulars required for votes in Art. 34, it is also necessary to include in the record the number of votes which the initiative draft or the individual initiatory drafts received, and how many have adopted the proposal of the Landtag.[119]

5) Should a second count including the additional question be necessary, this result shall also be recorded.[120]

b) Constitutional Revision Initiatives

Art. 85

Admissibility and Procedures

1) A minimum of 1,500 voters or at least four municipalities in the form of concordant municipal assembly resolutions may submit a request for a revision of the Constitution (adoption, amendment, or repeal), in whole or in part (total or partial revision).[121]

2) In all other respects, the provisions on the legislative initiative apply to the procedure for constitutional initiatives and their implementation.

c) Dismissal of the Landtag

Art. 86

Admissibility and Procedures

1) A referendum shall be carried out by order of the Government on the basis of justified written requests from at least 1,500 voters, or on the basis of justified written requests from four municipalities in the form of concordant municipal assembly resolutions, if these initiatives require the dissolution of the Landtag and otherwise have been validly effected.[122]

2) The right to dismiss is only valid for the Landtag as a whole, not against individual members.

3) The provisions of this section apply mutatis mutandis to this petition for a referendum (submission, signature collection, versions of municipal assembly resolutions, order of referendums, etc.).

4) At time of voting, the eligible voters shall be asked: "Do you wish to have the Landtag dissolved?"

5) Should the absolute majority decide for the dissolution of the Landtag, the Government shall declare the Landtag as dissolved and order new elections immediately according to the Constitution.

6) The appointment of the National Committee (Art. 72 Para. 2 of the Constitution) remains reserved for the Landtag which is to be dissolved.

d) Nominations of Candidates for Judge [123]

Art. 86a[124]

Admissibility and Procedures

1) In the case of a national election of judges pursuant to Art. 96 Para. 2 of the Constitution, candidates may be nominated for election by at least 1,000 nationals who are eligible to vote or by concurring municipal assembly resolutions of at least three municipalities.

2) The nominations are to be declared to the Government in writing within 14 days of the Government's official announcement of the date of a direct election. The direct elections must take place no later than four months following the official announcement, without exception.

3) The Government shall confirm that the nominations received meet the formal requirements for the candidacy for the judge's position to be filled according to the statutory criteria which are to be defined in the official announcement.

4) The six-week deadline for the submission of nominations begins with the official announcement of the results of the Government's examination of the submitted nominations.

5) Should the nominations for judicial candidates be submitted with the required number of votes, the Government shall publish the nominations of the Judges Selection Committee, the Landtag, and the citizens entitled to vote in the official publishing bodies, together with the call for nominations and the statutory criteria for the open judges position.

6) Only official ballots may be used to conduct the election. Separate ballots shall be used for each nomination.

Section IV

Convening of the Landtag

Art. 87

Admissibility and Procedures

1) The Landtag shall be convened immediately (Art. 48 Para. 3 of the Constitution) on justified written requests of at least 1,000 voters, or on the basis of concordant municipal assembly resolutions of at least three municipalities.[125]

2) The provisions governing initiative requests shall have complementary application to the fulfilment of the request.

3) The request shall be communicated by the Government to the President of the Landtag.

4) the Landtag be dissolved, a new election shall be immediately strongly recommended within the meaning of the Constitution, and the Landtag shall then be convened.

5) Should the Landtag be adjourned or out of session, the Prime Minister or the Government must call it to convene immediately.

Title V

Sanctions

Art. 88

Offences

1) The provisions of this Article shall apply to the elections and votes in national affairs provided for in this Act.

2) The District Court shall order a prison sentence of up to six months or a fine of up to 360 daily rates for the following offences, for he who wilfully: [126]

a) Repealed[127]

b) Repealed[128]

c) Repealed[129]

d) Repealed[130]

e) Repealed[131]

f) Repealed[132]

g) signs a signature other than his own on a referendum or initiative request;

h) signs a signature other than his own on an election nomination;

i) disseminates official ballots; or commissions, produces, or disseminates official ballots, or similar ballots; or initiates any of the above without authorisation;

k) alone or in conjunction with others, impedes a meeting of voters who have been convened for the purpose of hearing electioneers or voting parties; or to discuss elections, votes or other political rights to be exercised pursuant to this Act, through unauthorized intrusion, the prevention of entry, repression

of those present or of the assembly leaders, or through violent resistance to the formal orders of the assembly leader.

3) An attempt shall also be punishable for cases a, b, d and e of the preceding paragraph.

4) Repealed[133]

5) Repealed[134]

6) Should an election or vote be declared null and void as a result of an offense, the guilty party may also be sentenced by the court to compensate for expenses incurred to the extent of which the state has been damaged by the nullified election or vote.

Art. 89[135]

Violations

He who creates a disturbance in the voting location or near its entries shall, unless an offense under Art. 88 has been committed, shall be fined up to 5,000 francs for the violation by the district court or sentenced to one month imprisonment in case of uncollectibility.

Art. 90[136]

Administrative Offences

A mayor who, based on the municipal law, does not convoke a municipal assembly at the request of one-sixth of the voting citizens within 14 days for the purpose of conducting a referendum, an initiative, or the right to convocation or dismissal, who does not deliver the official ballots to the voting members before the election or vote, or who refuses to certify the signatures (Art. 69 Para. 2) may be prosecuted by the Government upon complaint by an eligible voter, or ex officio, possibly with a fine of up to 1,000 francs.

Title VI

Final Provisions

Art. 91

Implementation

1) The Government shall issue an order concerning the provisions necessary for the proper conduct of elections and votes.

2) It is authorized to create formularies where it appears it appropriate.

Art. 91a[137]

Delegation of Tasks

The Government may, by means of an ordinance, transfer tasks normally assigned to the Government in Art. 24, 26, 32, 36, 39, 40, 42, 43, 44, 45, 46, 47, 69, 71, 76, 76a, 77, Para. 4, and 78 to an outside agency for independent execution, subject to recourse by the Collegial Government. The appeal period shall be 14 days from notification of the respective order or decision.

Art. 92

Repeal of Earlier Regulations

The following are repealed upon the entry into force of this Act:

a) the Act of 31 August 1922 on the Exercise of Political Rights in National Affairs, State Law Gazette (LGBl). 1922 No. 28; the following Articles shall remain in force;

b) the announcement of 1 May 1931, LGBl. 1931 No. 5;

c) the Act of 18 January 1939 on the introduction of proportional representation, LGBl. 1939 No. 4;

d) the Act of 30 September 1947 concerning the amendment of the provisions governing the conduct of municipal elections and votes in municipal matters, LGBl. 1947 No. 54;

e) the Act concerning the repeal of the Act of 13 July 1930 on the amendment of the Exercise of Political Rights in National Affairs, LGBl. 1947 No. 56;

f) the Act of 25 February 1958, LGBl. 1958 No. 2;

g) the announcement of 30 May 1962, LGBl. 1962 No. 17;

h) Art. 1 to 4 of the Act of 14 November 1969, LGBI 1969 No 48.

Art. 93

Repealed[138]

Art. 94

Entry into Force

This Act shall enter into force on the day of its announcement.

Art. 95

Referendum

This Act shall be adopted on the basis of Art. 30 Para. 1 lit. a of the Act on the Exercise of Political Rights in National Affairs of 31 August 1922.

The Government, after taking note of the report on the outcome of the popular vote of 12/14 October 1973, according to which:

Number of eligible voters 4528
Number of votes cast 3330
Accepted are 1705
Rejected are 1349
Invalid votes 125
Empty votes 151

decides:

that the referendum bill on the Act on the Exercise of Political Rights in National Affairs shall be declared as accepted by the people.

signed *Franz Josef*

signed *Dr. Alfred Hilbe*
Princely Prime Minister

Transitional Provisions

161 Democratic Rights Act (VRG)

Liechtenstein Law Gazette
Year 2011 No. 595 issued on 30 December 2011

Act
of 25 November 2011
on the Amendment of the Democratic Rights Act

...

II.
Transitional Provision

The current Act applies to pending proceedings in which, at the time of the entry into force of this Act[139], an accusation has already been lodged with the investigating judge.

...

Liechtenstein Law Gazette
Year 2012 No. 357 issued on 15 November 2012

Act
of 19 September 2012
on the Amendment of the Democratic Rights Act

...

III.
Transitional Provisions

1) With regards to the coming into force[140] of this Act, the District Court shall decide on the legally binding custodianship as well as pending procedures for the establishment of custodianship, on the exclusion from the right to vote pursuant to Article 2 Para. 1 lit. B of this Act. The procedure is governed by Art. 131a ff. Non-Contentious Proceedings Act (AussStrG).

2) Judicial decisions, including decisions of the Administrative Court, on the exclusion from the right to vote, which are based on Art. 2 lit. b VRG, in the wording of the Act enacted on 16 March 2010, LGBl. 2010 No. 130, remain in force.

..

1 *Title modified in LGBl. 2004 No. 235.*

2 *Art. 1 Para. 1 modified in LGBl. 2000 No. 56.*

3 *Art. 2 modified in LGBl. 2012 No. 357.*

4 *Art. 2a inserted in LGBl. 2004 No. 235.*

5 *Art. 4 repealed in LGBl. 2004 No. 235.*

6 *Art. 5 modified in LGBl. 2004 No. 235.*

7 *Art. 6 modified in LGBl. 2012 No. 357.*

8 *Art. 7 Title modified in LGBl. 2004 No. 235.*

9 *Art. 7 Para. 1 modified in LGBl. 2004 No. 235.*

10 *Art. 7 Para. 2 repealed in LGBl. 2012 No. 357.*

11 *Title before Art. 8 inserted in LGBl. 2004 No. 235.*

12 *Art. 8 Title modified in LGBl. 2004 No. 235.*

13 *Art. 8 Para. 1 modified in LGBl. 2004 No. 235.*

14 *Art. 8 Para. 2 modified in LGBl. 2004 No. 235.*

15 *Art. 8 Para. 3 modified in LGBl. 2012 No. 357.*

16 *Art. 8 Para. 4 modified in LGBl. 2012 No. 357.*

17 *Art. 8a Title modified in LGBl. 2004 No. 235.*

18 *Art. 8a Para. 1 modified in LGBl. 2004 No. 235.*

19 *Art. 8a Para. 2 modified in LGBl. 2012 No. 357.*

20 *Art. 8a Para. 3 modified in LGBl. 2004 No. 235.*

21 *Art. 8a Para. 4 modified in LGBl. 2012 No. 357.*

22 *Art. 8a Para. 5 modified in LGBl. 2012 No. 357.*

23 *Art. 8a Para. 6 modified in LGBl. 2004 No. 235.*

24 *Art. 8a Para. 7 modified in LGBl. 2004 No. 235.*

25 *Art. 8b modified in LGBl. 2004 No. 235.*

26 *Art. 8c to 8e repealed in LGBl. 2004 No. 235*

27 *Art. 10 modified in LGBl. 1992 No. 100.*

28 *Art. 11 Title modified in LGBl. 1992 No. 100.*

29 *Art. 11 Para. 1 modified in LGBl. 2012 No. 357.*

30 *Art. 11 Para. 2 modified in LGBl. 1992 No. 100.*

31 *Art. 11 Para. 3 modified in LGBl. 1992 No. 100.*

32 *Art. 12 modified in LGBl. 1992 No. 100.*

33 *Art. 13 Para. 2 modified in LGBl. 2004 No. 33.*

34 *Art. 15 Title modified in LGBl. 1978 No. 3.*

35 *Art. 15 Para. 1 modified in LGBl. 1978 No. 3.*

36 *Art. 15 Para. 2 modified in LGBl. 1978 No. 3.*

37 *Art. 15 Para. 3 repealed in LGBl. 1992 No. 100.*

38 *Art. 16 repealed in LGBl. 1992 No. 100.*

39 *Art. 17 Title modified in LGBl. 1992 No. 100.*

40 *Art. 17 Para. 1 Introductory sentence modified in LGBl. 1992 No. 100.*

41 *Art. 17 Para. 1 Lit. a modified in LGBl. 1992 No. 100.*

42 *Art. 17 Para. 1 Lit. b modified in LGBl. 1992 No. 100.*

43 *Art. 17 Para. 1 Lit. c modified in LGBl. 1992 No. 100.*

44 *Art. 17 Para. 1 Lit. d modified in LGBl. 1992 No. 100.*

45 *Art. 17 Para. 1 Lit. e modified in LGBl. 1992 No. 100.*

46 *Art. 17 Para. 1 Lit. f modified in LGBl. 1992 No. 100.*

47 *Art. 17 Para. 1 Lit. g inserted in LGBl. 1996 No. 115.*

48 *Art. 17 Para. 2 repealed in LGBl. 2004 No. 235.*

49 *Art. 17 Para. 3 modified in LGBl. 1992 No. 100.*

50 *Art. 18 modified in LGBl. 2004 No. 235.*

51 *Art. 19 Para. 1 modified in LGBl. 1992 No. 100.*

52 *Art. 23 Title modified in LGBl. 1992 No. 100.*

53 *Art. 23 Para. 1 modified in LGBl. 2004 No. 235.*

54 *Art. 23 Para. 2 modified in LGBl. 1992 No. 100.*

55 *Art. 25 Para. 2 modified in LGBl. 2004 No. 235.*

56 *Art. 26 modified in LGBl. 2004 No. 235.*

57 *Art. 27 Title modified in LGBl. 2012 No. 357.*

58 *Art. 27 Para. 2 modified in LGBl. 2012 No. 357.*

59 *Art. 32 Title modified in LGBl. 2004 No. 235.*

60 *Art. 32 Para. 1 Introductory sentence modified in LGBl. 2004 No. 235.*

61 *Art. 32 Para. 1 Lit. a modified in LGBl. 2012 No. 357.*

62 *Art. 32 Para. 1 Lit. b modified in LGBl. 2004 No. 235.*

63 *Art. 32 Para. 1 Lit. c modified in LGBl. 2004 No. 235.*

64 *Art. 32 Para. 2 modified in LGBl. 2004 No. 235.*

65 *Art. 33 modified in LGBl. 2004 No. 235.*

66 *Art. 34 Para. 1 Lit. c modified in LGBl. 2012 No. 357.*

67 *Art. 34 Para. 1 Lit. d modified in LGBl. 2012 No. 357.*

68 *Art. 34 Para. 1 Lit. e modified in LGBl. 2012 No. 357.*

69 *Art. 34 Para. 1 Lit. f modified in LGBl. 2012 No. 357.*

70 *Art. 34 Para. 1 Lit. g modified in LGBl. 2012 No. 357.*

71 *Art. 34 Para. 1 Lit. h modified in LGBl. 2012 No. 357.*

72 *Art. 34 Para. 1 Lit. i modified in LGBl. 2012 No. 357.*

73 *Art. 34 Para. 2 modified in LGBl. 2012 No. 357.*

74 *Art. 36 Para. 1 modified in LGBl. 1992 No. 100.*

75 *Art. 37 Para. 2 modified in LGBl. 2008 No. 138.*

76 *Art. 41 repealed in LGBl. 1996 No. 115.*

77 *Art. 43 modified in LGBl. 1996 No. 115.*

78 *Art. 44 modified in LGBl. 2008 No. 138.*

79 *Art. 47 Para. 2 modified in LGBl. 1996 No. 115.*

80 *Art. 48 Para. 1 modified in LGBl. 2004 No. 235.*

81 *Art. 48 Para. 2 modified in LGBl. 2012 No. 357.*

82 *Art. 49 Title modified in LGBl. 2004 No. 235.*

83 *Art. 49 Para. 1 modified in LGBl. 2004 No. 235.*

84 *Art. 49 Para. 2 modified in LGBl. 2012 No. 357.*

85 *Art. 49 Para. 3 modified in LGBl. 2012 No. 357.*

86 *Art. 49a inserted in LGBl. 2004 No. 235.*

87 *Art. 51 Para. 3 modified in LGBl. 1996 No. 115.*

88 *Art. 54 Para. 1 modified in LGBl. 2012 No. 357.*

89 *Art. 55 Para. 1 modified in LGBl. 1996 No. 115.*

90 *Art. 57 Para. 3 repealed in LGBl. 1996 No. 115.*

91 *Art. 58 Para. 1 modified in LGBl. 1996 No. 115.*

92 *Art. 60 Para. 1 modified in LGBl. 1996 No. 115.*

93 *Art. 60 Para. 2 modified in LGBl. 1996 No. 115.*

94 *Art. 63 Para. 1 modified in LGBl. 2008 No. 138.*

95 *Art. 63 Para. 2 modified in LGBl. 1996 No. 115.*

96 *Art. 63 Para. 3 modified in LGBl. 1996 No. 115.*

97 *Art. 64 Para. 6 modified in LGBl. 1992 No. 100.*

98 *Art. 67 modified in LGBl. 1992 No. 100.*

99 *Art. 70a inserted in LGBl. 1992 No. 100.*

100 *Art. 70b inserted in LGBl. 1992 No. 100.*

101 *Art. 74 Para. 1 modified in LGBl. 2004 No. 33.*

102 *Art. 75 Para. 1 modified in LGBl. 2010 No. 374.*

103 *Art. 75 Para. 2 modified in LGBl. 1985 No. 4.*

104 *Art. 75a inserted in LGBl. 1992 No. 100*

105 *Art. 76a inserted in LGBl. 1992 No. 100.*

106 *Art. 78 Para. 3 modified in LGBl. 2004 No. 235.*

107 *Art. 78a inserted in LGBl. 1992 No. 100.*

108 *Art. 80 Para. 3 modified in LGBl. 2010 No. 374.*

109 *Art. 80 Para. 4 Lit. b modified in LGBl. 1985 No. 4.*

110 *Art. 82a inserted in LGBl. 1985 No. 28 und modified in LGBl. 1996 No. 115.*

111 *Art. 82b inserted in LGBl. 1996 No. 115.*

112 *Art. 83 Para. 3 modified in LGBl. 1985 No. 28.*

113 *Art. 83 Para. 4 inserted in LGBl. 1985 No. 28.*

114 *Art. 83 Para. 5 modified in LGBl. 1987 No. 49.*

115 *Art. 83 Para. 6 modified in LGBl. 1985 No. 28 und LGBl. 1987 No. 49.*

116 *Art. 84 Para. 1 modified in LGBl. 1987 No. 49.*

117 *Art. 84 Para. 2 modified in LGBl. 1987 No. 49.*

118 *Art. 84 Para. 3 modified in LGBl. 1987 No. 49.*

119 *Art. 84 Para. 4 modified in LGBl. 1985 No. 28.*

120 *Art. 84 Para. 5 modified in LGBl. 1987 No. 49.*

121 *Art. 85 Para. 1 modified in LGBl. 1985 No. 4.*

122 *Art. 86 Para. 1 modified in LGBl. 1985 No. 4.*

123 *Signature for Art. 86a inserted in LGBl. 2004 No. 35.*

124 *Art. 86a inserted in LGBl. 2004 No. 35.*

125 *Art. 87 Para. 1 modified in LGBl. 1985 No. 4.*

126 *Art. 88 Para. 2 Introductory sentence modified in LGBl. 1988 No. 38.*

127 *Art. 88 Para. 2 Lit. a repealed in LGBl. 1988 No. 38.*

128 *Art. 88 Para. 2 Lit. b repealed in LGBl. 1988 No. 38.*

129 *Art. 88 Para. 2 Lit. c repealed in LGBl. 1988 No. 38.*

130 *Art. 88 Para. 2 Lit. d repealed in LGBl. 1988 No. 38.*

131 *Art. 88 Para. 2 Lit. e repealed in LGBl. 1988 No. 38.*

132 *Art. 88 Para. 2 Lit. f repealed in LGBl. 1988 No. 38.*

133 *Art. 88 Para. 4 repealed in LGBl. 2012 No. 357.*

134 *Art. 88 Para. 5 repealed in LGBl. 2011 No. 595.*

135 *Art. 89 modified in LGBl. 1988 No. 38.*

136 *Art. 90 modified in LGBl. 2004 No. 235.*

137 *Art. 91a inserted in LGBl. 1995 No. 13.*

138 *Art. 93 repealed in LGBl. 1974 No. 66.*

139 *Entry into force: 1. January 2012.*

140 *Entry into force: 1. December 2012*