ELECTION CODE

Promulgated, SG No. 19/5.03.2014, effective 5.03.2014, amended, SG No. 35/22.04.2014, effective 22.04.2014, SG No. 53/27.06.2014, SG No. 98/28.11.2014, effective 28.11.2014, SG No. 79/13.10.2015, effective 1.11.2015, amended and supplemented, SG No. 39/26.05.2016, effective 26.05.2016, SG No. 57/22.07.2016, effective 22.07.2016, SG No. 85/28.10.2016, effective 28.10.2016, supplemented, SG No. 97/6.12.2016; amended, Judgment No. 3/23.02.2017 of the Constitutional Court of the Republic of Bulgaria - SG No. 20/7.03.2017

Text in Bulgarian: ИЗБОРЕН КОДЕКС

PART ONE
GENERAL RULES

Chapter One
GENERAL DISPOSITIONS

Section I
Subject Matter, Scope and Principles

Subject Matter

Article 1. This Code establishes:

1. the terms, arrangements and procedure for conduct of elections in the Republic of Bulgaria;

2. the disputing of the election results;

3. the terms and procedure for filling vacancies.

Scope

Article 2. This Code shall apply to elections of:

1. National Representatives for a National Assembly;

2. National Representatives for a Grand National Assembly;

3. President and Vice President of the Republic;

4. Members of the European Parliament for the Republic of Bulgaria;

5. municipal councillors;

6. municipality mayors, borough mayors and mayoralty mayors.

Principles

Article 3. (1) (Amended, SG No. 39/2016, effective 26.05.2016) Elections shall be conducted on the basis of universal, equal and direct suffrage in a secret ballot and shall ensure free expression of voters' will. Voting shall be compulsory, shall be performed by the voter in person, and shall represent a discharge of the voter's civic duty.

(2) Each voter shall be entitled to a single vote.

(3) (New, SG No. 39/2016, effective 26.05.2016) No person may participate in one type of election in more than one capacity: as a candidate, observer, election agent, representative of a party, coalition or nomination committee, member of an election commission, attendant or other such.

Section II
Scheduling and Setting of Polling Day. Election Stationery

Scheduling of Elections

Article 4. (1) Elections of National Representatives for a National Assembly and of municipal councillors and of mayors shall be scheduled by the President of the Republic not later than 60 days in advance of polling day.

(2) Elections of Members of the European Parliament for the Republic of Bulgaria shall be conducted in conformity with the election period determined by the Council of the European Union and shall be scheduled by the President of the Republic not later than 60 days in advance of polling day.

(3) Elections of a Grand National Assembly shall be scheduled by the President of the Republic within the time limit referred to in Article 160 (2) of the Constitution.

(4) Elections of President and Vice President of the Republic shall be scheduled by the National Assembly not later than 60 days in advance of polling day.

Setting of Polling Day

Article 5. Elections shall be conducted on a single day, which is a non-working day countrywide.

Election Stationery

Article 6. (1) (Amended, SG No. 39/2016, effective 26.05.2016) The Central Election Commission shall endorse the standard forms of the election stationery for all types of elections and shall alter the said forms where necessary. The Central Election Commission shall forthwith promulgate any such alteration in the State Gazette.

(2) The election stationery endorsed for general elections of municipal councillors and of mayors shall also be applied, mutatis mutandis, upon conduct of by-elections and new elections.

(3) The Central Election Commission, in consultation with the Council of Ministers, shall establish the terms and procedure for the manufacture, delivery and safekeeping of the election stationery and materials, including for the safekeeping of the machine-voting technical devices. The Central Election Commission shall exercise control over the manufacture, delivery and safekeeping of the election stationery and materials, including over the safekeeping of the machine-voting technical devices.

(4) In case of detection of an omission or technical error in the election stationery, the Central Election Commission shall make a correction not later than five days after any such omission or error is detected. The Central Election Commission shall forthwith promulgate any such correction in the State Gazette.

Chapter Two
CONSTITUENCIES AND VOTING SECTIONS

Section I
Constituencies

Types of Constituencies

Article 7. (1) For the purposes of conduct of elections, the territory of Bulgaria shall be divided into constituencies.

(2) A constituency shall be a territory wherefrom National Representatives, President and Vice President of the Republic, Members of the European Parliament for the Republic of Bulgaria, municipal councillors and mayors shall be elected.

(3) A constituency shall be either single-member or multi-member.

(4) A constituency shall be single-member where a single candidate or a single pair of candidates on one and the same candidate list is elected therein.

(5) A constituency shall be multi-member where two or more candidates are elected therein.

Section II
Voting Sections within Bulgaria

Establishment of Voting Sections within Bulgaria

Article 8. (1) Voting and vote counting shall be carried out in voting sections.

(2) (Amended, SG No. 98/2014, effective 28.11.2014) The municipality mayor shall issue an order establishing the voting sections within the territory of the municipality not later than 50 days in advance of polling day and shall endorse the numbering, scope and address of the said sections. Within the period referred to in sentence one, the mayor shall transmit a copy of the order to the territorial units of the Directorate General of Civil Registration and Administrative Services at the Ministry of Regional Development and Public Works in the respective administrative region.

(3) The municipality mayor shall be bound to provide appropriate premises for the voting sections, including for the voting sections for the mobile section election commissions, and the said premises must ensure a normal balloting process on polling day.

(4) (Amended and supplemented, SG No. 39/2016, effective 26.05.2016) The mayor's order referred to in Paragraph (2) shall be made public. The said order may be disputed by the persons concerned within three days after being made public before the regional governor, who shall pronounce within three days by a decision which shall be made public. The decision of the regional governor may be appealed within three days after being made public before the competent administrative court. The court shall examine the appeal sitting in public session within three days after the arrival of the said appeal, with the interested parties being summoned. The appeal shall not stay the enforcement of the decision. The judgment of the court shall forthwith be made public and shall be unappealable.

(5) The amendments made to the numbering, scope or address of the voting sections shall be incorporated into the electoral rolls for voting.

(6) The municipality mayors shall notify the constituency election commission or the municipal election commission of the addresses of the voting sections.

(7) Upon creation of a new municipality, the voting sections shall be established by the interim mayor as appointed by the regional governor according to Article 4 (2) of the Local Self-government and Local Administration Act. The order shall be made public and may be disputed according to the procedure established by Paragraph (4).

(8) The constituency election commission or the municipal election commission shall generate the uniform numbers of the voting sections in the constituency or the municipality in accordance with the uniform numbering of the voting sections as determined by decision of the Central Election Commission not later than 35 days in advance of polling day.

Conditions for the Establishment of Voting Sections

Article 9. (1) A voting section shall include up 1,000 voters except in the cases referred to

in Article 93 (4) of the Civil Registration Act.

(2) In the nucleated settlements there shall be established as many voting sections as the times the number 1,000 is contained in the number of voters. If there is a remainder, an additional voting section may be established.

(3) In spatially self-contained nucleated settlements, the municipality mayor may establish voting sections with not fewer than 20 voters.

(4) Upon conduct of elections of municipal councillors and of mayors, in the nucleated settlements there shall be established as many voting sections as the times the number 1,000 is contained in the number of voters. If there is a remainder greater than or equal to 500, a separate voting section shall be established. If there is a remainder of fewer than 500 voters, there shall be established two voting sections with fewer than 1,000 voters each or one voting section with fewer than 1,000 but not fewer than 30 voters. In nucleated settlements with fewer than 1,000 voters, there shall be established a separate voting section.

(5) The boundaries of the voting sections shall reckon with the boundaries of the nucleated settlements. The boundaries of the voting sections in cities subdivided into boroughs shall reckon with the borough boundaries.

(6) Upon conduct of elections of National Representatives, of Members of the European Parliament for the Republic of Bulgaria and of President and Vice President of the Republic, there shall be established voting sections at medical-treatment facilities, nursing homes and other specialised institutions for the provision of social services and on board navigation vessels flying the Bulgarian flag while on international voyage provided that there are not fewer than 10 voters.

(7) Upon conduct of elections of municipal councillors and of mayors, there shall be established voting sections at medical-treatment facilities, nursing homes and other specialised institutions for the provision of social services provided that there are not fewer than ten voters who have resided in the respective nucleated settlement within the territory whereof the respective facility, home or another specialised institution is located during the last six months in advance of polling day.

(8) The voting sections referred to in Paragraphs (6) and (7) shall be established by the managers of the facilities, the homes, the other specialised institutions and by the masters of the navigation vessels not later than 48 hours in advance of polling day, of which they shall notify the mayor of the municipality within the territory whereof the facilities, homes and other specialised institutions are located, as well as the competent constituency election commission or municipal election commission.

(9) The detainees in respect of whom there is no enforceable sentence may vote at the detention facilities, where it is possible to establish a voting section there according to the procedure established by Paragraph (6) or (7).

Voting Sections for Visually Impaired Voters or Voters with Ambulant Difficulties

Article 10. (1) Where in a multi-storey building there are voting sections on any upstairs storeys as well, the constituency election commission or the municipal election commission shall adopt a decision designating a voting section on the first floor (ground floor) which has the least number of voters according to the electoral roll for voting by visually impaired voters or by voters with ambulant difficulties.

(2) A sign and other distinguishing marks, showing the additional assigned purpose of the voting section referred to in Paragraph (1), shall be placed in front of any such voting section.

(3) (New, SG No. 39/2016, effective 26.05.2016) Contact telephone numbers and telephone numbers for the submission of alerts to the precinct department of the Ministry of Interior and to the regional prosecutor on duty shall be displayed on an information board installed in a

conspicuous place in front of each of the voting sections.

Section III
Voting Sections Abroad

Terms and Procedure for Establishment of Voting Sections

(Heading amended, SG No. 39/2016, effective 26.05.2016)

Article 11. (1) The Central Election Commission shall establish the terms and procedure for the establishment of voting sections abroad, including the terms, procedure and arrangements for voting of Bulgarian nationals abroad, not later than 57 days in advance of polling day.

(2) (New, SG No. 39/2016, effective 26.05.2016) It shall be inadmissible to establish voting sections outside the compounds of the diplomatic missions and consular posts of the Republic of Bulgaria, except in the cases referred to in Article 14 (2) and (3) herein.

(3) (Renumbered from Paragraph 2, SG No. 39/2016, effective 26.05.2016) The Central Election Commission shall forthwith transmit the decision referred to in Paragraph (1) to the Ministry of Foreign Affairs.

Determining Places for Voting

Article 12. (Amended, SG No. 39/2016, effective 26.05.2016) Not later than 14 days in advance of polling day, the Central Election Commission shall determine the places in the States where voting sections abroad will be established and the number of voting sections in each place. The decision of the Central Election Commission may be contested according to the procedure established by Article 58 herein.

Authority Competent to Establish Voting Sections

Article 13. (1) Upon elections of National Representatives, of President and Vice President of the Republic and of Members of the European Parliament for the Republic of Bulgaria, the heads of diplomatic missions and consular posts of the Republic of Bulgaria shall establish voting sections abroad observing the legislation of the receiving State.

(2) (Repealed, SG No. 39/2016, effective 26.05.2016, new, SG No. 57/2016, effective 22.07.2016) The heads of diplomatic missions and consular posts shall determine the location of the voting sections abroad on the basis of the territorial distribution of the Bulgarian community in the respective place.

(3) (Repealed, SG No. 39/2016, effective 26.05.2016, new, SG No. 57/2016, effective 22.07.2016) The organisations of Bulgarian citizens in the respective place may submit a proposal for the location of the voting sections abroad to the heads of diplomatic missions and consular posts. Any such proposal shall be submitted not later than 25 days in advance of polling day and shall forthwith be published on the Internet site of the respective diplomatic missions and consular posts.

(4) (Repealed, SG No. 39/2016, effective 26.05.2016, new, SG No. 57/2016, effective 22.07.2016) The heads of diplomatic missions and consular posts may determine the location of the voting sections abroad on the basis of the proposals referred to in Paragraph (3).

(5) The voting sections shall be established by order of the heads of diplomatic missions and consular posts of the Republic of Bulgaria not later than 18 days in advance of polling day on the basis of the decision of the Central Election Commission referred to in Article 12 herein. The order shall state the location of the voting sections in the respective places.

(6) The order referred to in Paragraph (5) shall be made public and may be disputed within three days after being made public before the Central Election Commission, which shall pronounce by a decision within three days, and the said decision shall be made public. The

decision of the Central Election Commission may be contested according to the procedure established by Article 58 herein.

Establishment of Voting Sections Abroad

Article 14. (Amended, SG No. 39/2016, effective 26.05.2016, SG No. 57/2016, effective 22.07.2016) (1) The voting sections abroad shall be established at a diplomatic mission or consular post, except in the cases referred to in Paragraphs (2) and (3).

(2) In the places in the Member States of the European Union outside a diplomatic mission or consular post, voting sections shall be established provided there are not fewer than 60 voters who have submitted an application under Article 16 (1) herein.

(3) By a decision of the Central Election Commission, at the discretion of the heads of diplomatic missions and consular posts, voting sections shall be established outside a diplomatic mission or consular post in the places in the States which are not Member States of the European Union on the basis of not fewer than 60 voters who have submitted an application under Article 16 (1) herein. The heads of diplomatic missions and consular posts, on the basis of the territorial distribution of the Bulgarian community, the distant location of the voting sections and the requirement of Paragraph (5), shall transmit a reasoned proposal to the Central Election Commission not later than 25 days in advance of polling day.

(4) Paragraph (3) shall not apply to elections of Members of the European Parliament for the Republic of Bulgaria.

(5) (Supplemented, SG No. 85/2016, effective 28.10.2016) The total number of voting sections established in any single State which is not a Member State of the European Union may not exceed 35.

Establishment of New Sections

Article 15. Where the number of voters referred to in Article 14 herein exceeds 500, there shall be established as many voting sections as the times the number 500 is contained in the number of voters. If there is a remainder, an additional voting section may be established.

Procedure for Submitting Applications for Establishment of Voting Sections Abroad

Article 16. (1) A Bulgarian national, who has the right to elect upon elections of National Representatives, of Members of the European Parliament for the Republic of Bulgaria and of President and Vice President of the Republic and who wishes to vote, shall declare this not later than 25 days in advance of polling day by means of an application in writing completed in a standard form, signed manually and submitted in person or dispatched by letter post to the diplomatic mission or consular post of the Republic of Bulgaria in the respective State, or by means of an electronic application via the Internet site of the Central Election Commission. One letter may contain more than one application, and only one person may be entered in each application.

(2) (Amended and supplemented, SG No. 39/2016, effective 26.05.2016) In the application referred to in Paragraph (1), the voter shall enter, in Bulgarian, the names thereof as they appear in the passport, military card or identity card, the Standard Public Registry Personal Number thereof and the permanent address thereof in the Republic of Bulgaria. The voter shall enter in Cyrillic or in Latin characters the place abroad where he of she wishes to vote and present address (residence address) in the respective State. In the application, the voter may state an electronic address at which he or she is to be notified of the result of the check under Article 17 (3) herein.

(3) Upon elections of Members of the European Parliament for the Republic of Bulgaria, the voter shall present a declaration completed in a standard form, to the effect that the said voter satisfies the conditions to vote.

(4) (New, SG No. 39/2016, effective 26.05.2016) The applications shall be submitted for the purpose of determining the number of voting sections and compiling the roll referred to in Article 31 (1) herein.

Publishing of Applications and Check of Particulars

Article 17. (1) The heads of the diplomatic mission or consular post of the Republic of Bulgaria shall forthwith transmit the applications received under Article 16 (1) herein by electronic means to the Central Election Commission.

(2) The applications received shall forthwith be published on the Internet site of the Central Election Commission complying with the requirements of the Personal Data Protection Act.

(3) (Amended and supplemented, SG No. 39/2016, effective 26.05.2016) The Central Election Commission shall check the particulars referred to in Article 16 (2) herein not later than 22 days in advance of polling day. The electronic applications received shall be checked in an automated manner simultaneously with the submission thereof. The particulars in the applications received in writing care of the diplomatic missions and consular posts shall be checked upon the entry of the said applications according to the procedure established by Paragraph (1). A voter whose application has not been confirmed but who has stated an electronic address shall forthwith be notified. The names of the persons whose applications have not been confirmed shall forthwith be published on the Internet site of the Central Election Commission.

(4) Not later than 22 days in advance of polling day, the Central Election Commission shall check whether the persons referred to in Article 16 (1) herein satisfy the requirements to elect.

(5) (Amended, SG No. 98/2014, effective 28.11.2014) For conduct of the check referred to in Paragraphs (3) and (4), the Directorate General of Civil Registration and Administrative Services at the Ministry of Regional Development and Public Works shall provide to the Central Election Commission access to the data in the National Population Register. On the basis of the results of the check, the Central Election Commission shall forthwith transmit the information referred to in Article 16 (2) herein to the Ministry of Foreign Affairs solely in respect of the persons who have the right to vote and solely in respect of the places where voting sections are established.

(6) Not later than 20 days in advance of polling day, the Ministry of Foreign Affairs shall sum the data by State and shall forthwith transmit the said data to the heads of the relevant diplomatic missions and consular posts to establish voting sections and to enter the persons in the rolls referred to in Article 31 (1) herein.

Chapter Three
ADMINISTRATIVE AND LOGISTICAL PREPARATION OF ELECTIONS

Section I
Preparation for Elections and Resourcing.

Competent Authority. Cost Estimate for Elections

Article 18. (1) (Amended, SG No. 39/2016, effective 26.05.2016, SG No. 57/2016, effective 22.07.2016) Elections shall be prepared and organised by the election commissions, the executive authorities and the other institutions in accordance with the powers vested therein under this Code. The executive authorities and the other institutions shall implement

administrative and logistical activities in providing the election commissions, inter alia, with ballots, election stationery, equipment and consumables and other materials. The printing of the paper ballots, the arrangements for machine voting and the related activities shall be assigned and controlled by the Central Election Commission. The Council of Ministers shall coordinate the activity of the executive authorities in connection with the logistical support of the elections.

(2) The expenditures on the preparation and conduct of the elections, including on the machine voting and on the forms referred to in Articles 193 and 195 herein, shall be for the account of the State budget according to a cost estimate adopted by the Council of Ministers in consultation with the Central Election Commission. The cost estimate for the elections shall be adopted not later than 55 days in advance of polling day.

(3) The funds for the administrative and logistical preparation for the elections shall be provided to the municipal administrations or to the regional administrations, as the case may be, not later than 30 days in advance of polling day.

(4) Within seven days after the date of scheduling of the elections, the Council of Ministers may assign the coordination and implementation of the activities as referred to in Paragraph (1) to a particular minister.

(5) (New, SG No. 39/2016, effective 26.05.2016) The Prosecutor General and the Minister of Interior shall form joint situation centres (teams) for interoperability in the fight against criminal offences related to the election process. The said situation centres (teams) shall operate throughout the election campaign.

Applications, Complaints, Certificates and Other Papers

Article 19. (1) Any applications, complaints, certificates and other papers under this Code shall be exempt from stamp duty.

(2) Any documents under this Code, which are issued in a foreign language, shall be presented accompanied by a legalised translation into the Bulgarian language.

(3) (New, SG No. 39/2016, effective 26.05.2016) Notarisation of any documents and papers under this Code shall not be required, except in the cases specified therein.

Section II
Preparation and Arrangements for Elections Abroad

Publishing of Terms and Procedure for Conduct of Elections Abroad

Article 20. The Minister of Foreign Affairs and the heads of diplomatic missions and consular posts of the Republic of Bulgaria shall forthwith publish the terms and procedure for establishment of voting sections abroad, including the terms, procedure and arrangements for voting of Bulgarian nationals abroad, on the Internet site of the Ministry of Foreign Affairs and of the diplomatic missions and consular posts.

Consent of Receiving State

Article 21. (1) Forthwith but not later than 55 days in advance of polling day, the heads of diplomatic missions and consular posts of the Republic of Bulgaria must approach the receiving State with a request for consent, if such consent is required, to:

1. the conduct of Elections;

2. the opening of voting sections at the diplomatic missions and consular posts;

3. the opening of voting sections outside the diplomatic missions and consular posts;

4. the opening of voting sections in a State where the Republic of Bulgaria does not have a diplomatic mission or consular post but has diplomatic relations and has appointed an accredited ambassador.

(2) The heads of diplomatic missions and consular posts shall forthwith notify the Ministry of Foreign Affairs of the answers received from the receiving State. The Ministry of Foreign Affairs shall forthwith notify the Central Election Commission.

(3) The Ministry of Foreign Affairs shall notify the Central Election Commission of the States in which consent under Paragraph (1) is not required.

Rendering Assistance

Article 22. (1) The heads of diplomatic missions and consular posts of the Republic of Bulgaria shall render administrative and logistical assistance to the candidates and the representatives of the parties, coalitions and nomination committees which have registered candidates upon the holding of meetings with the voters.

(2) The heads of diplomatic missions and consular posts of the Republic of Bulgaria shall extend an invitation for assistance to organisations of Bulgarian nationals abroad. The organisations may assist the activity for the preparation and arrangements for the elections abroad, ensure contacts with the local administration, an appropriate hall for conduct of the elections, ballot boxes, polling booths, a scanner, mobile Internet and other equipment.

Chapter Four
ROLLS

Section I
Electoral Rolls

Competent Authority

Article 23. (1) The electoral rolls shall be compiled by the municipal administrations in the nucleated settlements where a population register is kept and shall be signed by the municipality mayor or, respectively, by the mayoralty mayor or by the lieutenant mayor, and by the municipal secretary. In the cities subdivided into boroughs, the electoral rolls shall be signed by the borough mayor and secretary.

(2) Each voter shall be entered on a single electoral roll.

Procedure and Manner of Compilation of Electoral Rolls

Article 24. (1) A separate electoral roll shall be compiled for each voting section. The preliminary electoral rolls shall be made public in advance in a conspicuous place in the area of the voting section and shall be published on the Internet site of the relevant municipality. The electoral rolls for voting shall be delivered to the section election commissions on the day before polling day.

(2) Electoral rolls shall be compiled according to the permanent address.

(3) Should the name of the nucleated settlement, street, residential complex or the numbering of the residential building have been altered within the six months last preceding polling day, the municipality shall prepare a list of the alterations, which shall be provided to the section commissions.

Compilation of Electoral Rolls

Article 25. (1) Upon elections of National Representatives and of President and Vice President of the Republic, the electoral rolls shall be compiled in a single part wherein all Bulgarian nationals who have the right to vote in the respective type of election shall be entered.

(2) Upon elections of Members of the European Parliament for the Republic of Bulgaria and of municipal councillors and of mayors, the electoral rolls shall be compiled in two parts:

Part I and Part II. All Bulgarian nationals who have the right to vote in the respective type of election shall be entered on Part I, and the nationals of another Member State of the European Union who have the right to vote in the respective type of election shall be entered on Part II.

(3) Voters shall be entered on the electoral rolls for voting, including on Part I of the electoral rolls, in alphabetical order, stating the names of the voter, the permanent address or the present address, where the voter has submitted a request under Article 36 herein, with the columns for entry of the Standard Public Registry Personal Number and of the type and number of the identity document remaining empty and not being completed, and formatting a separate column designated "Notes".

(4) Upon elections of Members of the European Parliament for the Republic of Bulgaria and of municipal councillors and of mayors, Part II of the electoral rolls shall be compiled on the basis of the declarations submitted under Article 359 (1) herein or under Article 408 (1) herein by nationals of another Member State of the European Union.

(5) Any voters, who have not replaced the personal documents thereof under the terms established by § 9a of the Transitional and Final Provisions of the Bulgarian Personal Documents Act, shall be included in the electoral roll according to the address shown in the green passport thereof.

Printing Out of Electoral Rolls

Article 26. (1) (Amended, SG No. 98/2014, effective 28.11.2014) The electoral rolls, including Part I of the electoral rolls, shall be printed out on the basis of the National Population Register by the Directorate General of Civil Registration and Administrative Services at the Ministry of Regional Development and Public Works.

(2) (Amended, SG No. 98/2014, effective 28.11.2014) Upon elections of Members of the European Parliament for the Republic of Bulgaria and of municipal councillors and of mayors, Part II of the electoral rolls shall be printed out by the Directorate General of Civil Registration and Administrative Services at the Ministry of Regional Development and Public Works. The data for the automated printing out of Part II of the electoral rolls shall be delivered by the municipality mayor not later than 35 days in advance of polling day.

Removal, Entries and Additional Entries

Article 27. (1) The names of any citizens who have become disfranchised or who are deceased by polling day, as well as the names of any persons in respect of whom this is expressly provided for in this Code, shall be removed from the electoral rolls.

(2) (Amended, SG No. 98/2014, effective 28.11.2014) The Directorate General of Implementation of Penal Sanctions at the Ministry of Justice shall provide the Directorate General of Civil Registration and Administrative Services at the Ministry of Regional Development and Public Works data about the persons serving custodial sentences for the automated removal of the said persons from the electoral rolls. The said information shall be provided 55 and 15 days in advance of polling day, respectively.

(3) The names of any citizens who have the right to vote but have been omitted, as well as those for whom the ground on which they have been removed has lapsed, shall be entered on or, respectively, added to, the electoral rolls. Any persons, who have completed the service of a custodial sentence or are no longer interdicted, or in respect of whom the grounds on which they have been deprived of the right to elect in a Member State of the European Union have lapsed, shall be entered on the electoral rolls upon presentation of a relevant document at the municipality or borough, or mayoralty.

(4) The entry referred to in Paragraph (3) shall be effected at the request of the voter by the authorities under Article 23 (1) herein before delivery of the rolls to the section election

commissions.

(5) The additional entry referred to in Paragraph (3) herein shall be effected on polling day by the section election commission according to the permanent address (residence address).

(6) The entry, respectively, the additional entry, shall be effected upon presentation of an identity document and of a residence certificate, applicable to a national of another Member State of the European Union who has submitted a declaration under Article 359 (1) or under Article 408 (1) herein in due time.

Section II
Electoral Rolls at Medical-Treatment Facilities, Specialised Institutions, Places of Deprivation of Liberty and Detention Facilities, on Board Navigation Vessels

Electoral Rolls at Medical-Treatment Facilities and Specialised Institutions

Article 28. (1) The electoral rolls at medical-treatment facilities, nursing homes and other specialised institutions for provision of social services shall be compiled and signed by the manager of the facility, home or other specialised institution.

(2) Not later than 48 hours in advance of polling day, the manager of the facility, home or other specialised social institution shall notify the authorities under Article 23 (1) herein of the persons entered on the roll, so that the said persons be removed from the electoral rolls according to the permanent address (residence address) thereof before delivery of the electoral rolls for voting to the section election commissions.

(3) (Supplemented, SG No. 39/2016, effective 26.05.2016) Any voter referred to in Paragraph (2), who on polling day is outside of the medical-treatment facility, home or other specialised institution, shall be added to the electoral roll by the section election commission according to the permanent address (residence address) upon presentation of a document to the effect that the said voter was accommodated at any of the institutions referred to in Paragraph (1), an identity document and of a declaration completed in a standard form to the effect that the said voter has not voted and will not vote elsewhere.

(4) (New, SG No. 39/2016, effective 26.05.2016) Any voter, who has been admitted to the medical-treatment facility, care home or another specialised institution after the expiry of the time limit referred to in Paragraph (2), shall be added to the electoral roll by the section election commission upon presentation of an identity document and of a declaration completed in a standard form to the effect that the said voter has not voted and will not vote elsewhere.

Electoral Rolls at Places of Deprivation of Liberty and Detention Facilities

Article 29. (1) Upon elections of National Representatives, of President and Vice President of the Republic and of Members of the European Parliament for the Republic of Bulgaria, the chiefs of the places of service of custodial sentences and of the detention facilities shall compile and sign electoral rolls of the detainees who do not serve a custodial sentence.

(2) Upon elections of municipal councillors and of mayors, the chiefs of the places of service of custodial sentences and of the detention facilities shall compile and sign electoral rolls of the detainees who do not serve a custodial sentence if the relevant place or facility is located in the nucleated settlement where the said persons have resided at least during the last six months, according to Article 396 (1) or (2) herein.

(3) The chiefs of the places of service of custodial sentences and of the detention facilities shall notify the authorities referred to in Article 23 (1) herein not later than 48 hours in advance

of polling day of the persons entered on the roll so that the said persons could be removed from the electoral rolls according to the permanent address (residence address) thereof before delivery of the electoral rolls to the section election commissions.

(4) Any voter referred to in Paragraph (3), who on the polling day is outside of the place of service of custodial sentences or of the detention facility, shall be added to the electoral roll by the section election commission according to the permanent address (residence address) upon presentation of a relevant document, an identity document and a declaration completed in a standard form to the effect that he or she has not voted and will not vote elsewhere.

(5) (New, SG No. 39/2016, effective 26.05.2016) Any voter, who has been detained at a place of service of custodial sentences or at a detention facility after the expiry of the time limit referred to in Paragraph (3), shall be added to the electoral roll by the section election commission upon presentation of an identity document and of a declaration completed in a standard form to the effect that the said voter has not voted and will not vote elsewhere.

Electoral Rolls on Board Navigation Vessels

Article 30. (1) Upon elections of National Representatives, of President and Vice President of the Republic and of Members of the European Parliament for the Republic of Bulgaria, the electoral rolls on board navigation vessels flying the Bulgarian flag shall be compiled and signed by the master of the navigation vessel.

(2) Not later than 48 hours in advance of polling day, the master of the navigation vessel shall notify the authorities under Article 23 (1) herein of the persons entered on the roll so that the said persons could be removed from the electoral rolls according to the permanent address thereof before delivery of the electoral rolls to the section election commissions.

(3) (Supplemented, SG No. 39/2016, effective 26.05.2016) Any voter referred to in Paragraph (2), who on polling day is outside of the navigation vessel flying the Bulgarian flag, shall be added to the electoral roll by the section election commission according to the permanent address (residence address) upon presentation of a document by the master of the navigation vessel, an identity document and of a declaration completed in a standard form to the effect that he or she has not voted and will not vote elsewhere.

Section III
Rolls for Voting Abroad
(Heading amended, SG No. 39/2016, effective 26.05.2016)

Compiling of the Rolls

Article 31. (1) (Amended, SG No. 39/2016, effective 26.05.2016) Upon elections of National Representatives, of President and Vice President of the Republic and of Members of the European Parliament for the Republic of Bulgaria, the heads of diplomatic missions and consular posts of the Republic of Bulgaria shall compile and sign rolls where the persons as referred to in Article 17 (5) herein shall be entered by State and place.

(2) (Amended, SG No. 98/2014, effective 28.11.2014) The Ministry of Foreign Affairs shall transmit the summed data from all States with the names, the Standard Public Registry Personal l Numbers and the permanent address in the Republic of Bulgaria of the persons entered on the rolls referred to in Paragraph (1) in the form of a structured electronic image to the Directorate General of Civil Registration and Administrative Services at the Ministry of Regional Development and Public Works not later than 18 days in advance of polling day so that the said person could be removed from the electoral rolls for voting in the Republic of Bulgaria.

Publishing of Rolls

Article 32. The rolls referred to in Article 31 (1) herein shall be published by the Minister of Foreign Affairs and by the heads of diplomatic missions and consular posts of the Republic of Bulgaria not later than 18 days in advance of polling day on the Internet site of the Ministry of Foreign Affairs and of the diplomatic missions and consular posts, respectively, and shall state the names of the voter and the number and address of the voting section. The heads of diplomatic missions and consular posts of the Republic of Bulgaria shall ensure to each voter searchability of the roll by Standard Public Registry Personal Number, including by means of a free-of-charge telephone number. Any applications received additionally and any intervening changes in the rolls shall be published forthwith.

Disputing and Additional Entry

Article 33. (1) Any persons, who have not been entered on a roll under Article 31 (1) herein, may dispute the non-entry thereof within three days after the publishing of the roll before the Central Election Commission, which shall pronounce within three days by a decision, which shall be appealable before the Supreme Administrative Court according to the procedure established by Article 58 herein.

(2) (Amended and supplemented, SG No. 39/2016, effective 26.05.2016) Any voter, who has not been entered on the roll under Article 31 (1) herein but has the right to vote, shall be added to the roll by the section election commission upon presentation of an identity document and of a declaration completed in a standard form to the effect that he or she satisfies the conditions to elect. Upon elections of President and Vice President of the Republic, of National Representatives and of Members of the European Parliament for the Republic of Bulgaria, the voter shall furthermore present a declaration completed in a standard form to the effect that he or she has not voted and will not vote elsewhere in the same elections. The said declaration shall be attached to the electoral roll and shall constitute an integral part thereof. All particulars of the voter according to the identity document thereof shall be entered on the roll.

(3) Any refusal by a section election commission abroad to admit to voting and to effect an additional entry of a voter on polling day shall be in writing, shall be served upon the person concerned and may be disputed before the Central Election Commission by electronic means. The Central Election Commission shall forthwith pronounce by a decision which shall be made public immediately on the Internet site of the Commission.

Section IV
Non-Resident Voting Certificates

Issue of Certificates

Article 34. (1) Upon elections of National Representatives, of President and Vice President of the Republic and of Members of the European Parliament for the Republic of Bulgaria, non-resident voting certificates shall be issued solely to:

1. the candidates for the respective type of election;

2. the members of the Central Election Commission;

3. (amended, SG No. 39/2016, effective 26.05.2016) the members of the constituency election commissions;

4. the observers.

(2) Non-resident voting certificates shall be issued upon submission of an application completed in a standard form. The persons shall declare in the application that they will vote once only.

(3) Non-resident voting certificates shall be issued by the authorities referred to in Article 23 (1) herein in a single copy not later than 14 days in advance of polling day.

(4) Non-resident voting certificates shall be received in person upon signed acknowledgement or through an authorised representative holding a notarised authorisation.

(5) (Amended, SG No. 98/2014, effective 28.11.2014) The authority referred to in Article 23 (1) herein shall transmit information on the non-resident voting certificates as issued to the Directorate General of Civil Registration and Administrative Services at the Ministry of Regional Development and Public Works not later than twelve days in advance of polling day for the automated removal of the person from the electoral rolls according to the permanent address.

(6) Non-resident voting certificates shall not be issued upon elections of municipal councillors and of mayors.

(7) Where, after the issuing of a non-resident voting certificate, the municipal administration exercising jurisdiction over the permanent address of the voter receives a notification of the entry of the said voter on the electoral roll according to the present address, the said administration shall forthwith notify the municipal administration exercising jurisdiction over the present address of the non-resident voting certificate issued. In such case, the voter shall be removed from the electoral roll according to the present address by the municipal administration exercising jurisdiction over the present address, and the grounds for the removal shall be noted in the column designated "Notes" as "non-resident voting certificate issued".

Public Register of Certificates

Article 35. (1) Non-resident voting certificates shall have a uniform numbering for the entire country, including the number of the constituency (district) within the territory whereof the said certificates are issued, the number of the relevant voting section in which the person is supposed to vote according to the permanent address thereof, and the sequential number in the register for issuing non-resident voting certificates of the competent municipal administration.

(2) The municipal administration shall keep a public register of the non-resident voting certificates as issued, entering therein the number of the certificate issued, the names and the Standard Public Registry Personal Number (the Personal Number) of the person whereto the certificate has been issued, the date of issuing and the signature of the person who received the certificate, and noting whether the certificate was received in person or through an authorised representative. The personal data in the register shall be accessed in compliance with the requirements of the Personal Data Protection Act.

(3) The municipal administrations and the mayoralties shall present to the constituency election commissions a copy of the register of non-resident voting certificates as issued not later than ten days in advance of polling day.

Section V
Entry on Electoral Roll According to Present Address

Entry on Electoral Roll

Article 36. (1) Any voter, whereof the permanent and present addresses are located in different nucleated settlements, may request to be entered on the electoral roll according to the present address thereof not later than 14 days in advance of polling day. Any such request shall be submitted in writing to the municipality mayor, the borough mayor, the mayoralty mayor or to the lieutenant mayor and shall state the Standard Public Registry Personal Number of the voter, the type and number of the identity document thereof and signature, or by an electronic application via the Internet site of the relevant municipality exercising jurisdiction over the

present address of the person.

(2) Upon elections of municipal councillors and of mayors, the request referred to in Paragraph (1) shall be submitted subject to the condition that the voter has had a present address in the relevant nucleated settlement during the last six months in advance of polling day. The request referred to in Paragraph (1) shall furthermore state the date of the present-address registration.

(3) (Amended, SG No. 98/2014, effective 28.11.2014) The authority referred to in Article 23 (1) herein shall transmit information on the requests submitted, referred to in Paragraph (1), to the Directorate General of Civil Registration and Administrative Services at the Ministry of Regional Development and Public Works not later than twelve days in advance of polling day for automated entry of the voter on the electoral rolls according to the present address and the removal thereof from the electoral roll according to the permanent address.

(4) A non-resident voting certificate may not be issued to a voter after the said voter is entered on the electoral roll according to the present address.

Section VI
Roll for Voting by Means of Mobile Ballot Box

Submission of Application and Entry on Roll for Voting by Means of Mobile Ballot Box

Article 37. (1) (Amended and supplemented, SG No. 39/2016, effective 26.05.2016) Voters with permanent disabilities which prevent them from exercising their franchise at the polling site but who wish to vote by means of a mobile ballot box shall state the desire thereof not later than 14 days in advance of polling day in writing by an application completed in a standard form, signed manually and submitted by an authorised person or dispatched by post, a facsimile message or an electronic application via the Internet site of the authorities referred to in Article 23 (1) herein exercising jurisdiction over the permanent address or over the present address, where a request under Article 36 herein has been submitted.

(2) Voters with permanent disabilities which prevent them from exercising their franchise at the polling site and who wish to vote by means of a mobile ballot box but have not submitted an application within the time limit referred to in Paragraph (1) may vote by means of a mobile ballot box if that state this not later than five days in advance of polling day and subject to the condition that a mobile section election commission has been appointed within the territory of the nucleated settlement.

(3) Any such application shall state the names of the voter, the Standard Public Registry Personal Number (Personal Number) thereof, the permanent address (residence address) or the present address, where a request under Article 36 herein has been submitted, and a copy of a document issued by the Territorial Medical Expert Board (National Medical Expert Board) shall be attached.

(4) The names of the voter who has submitted a request under Paragraph (1) or 2 shall be removed from the electoral roll and shall be entered by the authority under Article 23 (1) herein on a roll for voting by means of a mobile ballot box.

Section VII
List of Removed Persons

Content of List

Article 38. (1) (Amended, SG No. 98/2014, effective 28.11.2014) The list of removed

persons shall be compiled according to the permanent address of the said persons by the Directorate General of Civil Registration and Administrative Services at the Ministry of Regional Development and Public Works.

(2) The list shall contain the names, the Standard Public Registry Personal Number and the grounds for removal of the persons who:

1. are interdicted;

2. are serving a custodial sentence and are not due for release until polling day;

3. are entered on the electoral roll according to the present address thereof;

4. have been issued a non-resident voting certificate;

5. have been issued a voting certificate for a specified place;

6. are entered on the rolls referred to in Article 31 (1) herein;

7. have a present address as at the date of compilation of the electoral rolls in a State which is not a Member State of the European Union: upon elections of Members of the European Parliament for the Republic of Bulgaria;

8. have a present address during the last six months in advance of the date of conduct of the elections outside the Republic of Bulgaria: upon elections of municipal councillors and of mayors.

Exclusion from List of Removed Persons Prior to Polling Day

Article 39. (1) The list of removed persons shall be published on the Internet site of the relevant municipality not later than ten days in advance of polling day and shall state the names of the person, the number and the address of the voting section. Searchability of the list shall be available to any person.

(2) Any person who is entered on the roll but has the right to vote may request to familiarise himself or herself with the grounds for removal from the electoral roll and may request to be excluded from the list of removed persons by an application in writing to the municipality mayor, the borough mayor, the mayoralty mayor or to the lieutenant mayor or by an electronic application via the Internet site of the relevant municipality, which shall forthwith be transmitted by the municipal administration of the competent municipality mayor, borough mayor, mayoralty mayor or lieutenant mayor.

(3) The application shall state evidence and documents certifying the right of the person to vote.

(4) The mayor or the lieutenant mayor shall forthwith examine the application and shall pronounce by a reasoned decision.

(5) A refusal to be excluded from the list referred to in Paragraph (1) shall forthwith be communicated to the applicant and shall be appealable before the competent administrative court within 24 hours after such communication. The court shall examine the appeal sitting in public session within 24 hours after the arrival of the said appeal, with the appellant and the mayor or the lieutenant mayor being summoned. The judgment of the court shall forthwith be made public and shall be unappealable.

(6) On the basis of the decision on exclusion from the list of removed persons, the voter concerned shall be entered on the electoral roll by the authorities under Article 23 (1) herein before delivery of the list to the section election commission.

Exclusion from List of Removed Persons on Polling Day

Article 40. (1) Any person, who finds on polling day that he or she has been entered in the list of removed persons shall have the right to vote if the said person presents a certificate to the effect that the grounds have lapsed or that there are no grounds for entry of the said person in the list or if the said person presents himself or herself in the voting section according to the

permanent address in the cases referred to in Items 4, 5 and 6 of Article 38 (2) herein.

(2) The certificate referred to in Paragraph (1) shall be issued by the municipality mayor, borough mayor, mayoralty mayor or by the lieutenant mayor on polling day according to a standard form endorsed by the Central Election Commission, after conduct of a check of existence or absence of grounds for entry of the person on the roll. Any refusal to issue the certificate shall be reasoned.

(3) Upon presentation of the certificate or of the identity document in the cases referred to in Items 4, 5 and 6 of Article 38 (2) herein and of a declaration completed in a standard form to the effect that he or she has not voted and will not vote elsewhere, the voter shall be excluded from the list of removed persons and all particulars thereof shall be entered on the supplementary page of the electoral roll by the chairperson of the section election commission according to the permanent address thereof. The certificate shall be attached to the electoral roll, and the grounds for entry shall be noted in the column designated "Notes" as "certificate issued by the municipal administration".

(4) Any refusal by the section election commission to effect an additional entry shall be in writing, shall be served upon the person concerned and may be disputed before the constituency election commission or municipal election commission, which shall forthwith pronounce on the complaint.

Section VIII
Making Public and Publishing of Electoral Rolls

Making Public Electoral Rolls

Article 41. (1) The preliminary electoral rolls, including Part I, shall be made public by the authorities under Article 23 (1) herein not later than 40 days in advance of polling day at a conspicuous place in the area of the respective voting section.

(2) (Amended, SG No. 39/2016, effective 26.05.2016) Upon elections of Members of the European Parliament for the Republic of Bulgaria and of municipal councillors and of mayors, Part II of the electoral rolls shall be made public according to the procedure established by Paragraph (1) not later than 25 days in advance of polling day.

(3) Not later than 45 days in advance of polling day, the competent municipality mayor shall designate the places referred to in Paragraph (1) and shall notify the constituency election commission or the municipal election commission of this.

Publishing of Electoral Rolls

Article 42. (1) The electoral rolls, including Part I and Part II, shall be published on the Internet site of the relevant municipality and shall state the names of the voter and the number and address of the voting section.

(2) The electoral rolls shall be published not later than 40 days in advance of polling day in the cases under Article 41 (1) herein and not later than 25 days in advance of polling day in the cases under Article 41 (2) herein.

(3) The competent municipality mayor shall ensure to each voter who is a Bulgarian national searchability of the electoral roll by Standard Public Registry Personal Number, including by means of a free-of-charge telephone number. Upon elections of Members of the European Parliament for the Republic of Bulgaria and of municipal councillors and of mayors, the competent municipality mayor shall ensure to each voter who is a national of another Member State of the European Union searchability of the electoral roll by Personal Number.

Section IX
Elimination of Omissions and Errors. Corrections

Omissions and Errors in Electoral Roll

Article 43. (1) (Supplemented, SG No. 39/2016, effective 26.05.2016) Each voter may request elimination of any omissions and errors in the electoral roll, made in respect of the said voter, by an application in writing to the municipality mayor, borough mayor, mayoralty mayor or the lieutenant mayor. A national of another Member State of the European Union, who has been entered on an electoral roll, may be removed on the basis of an application in writing submitted to the municipality mayor, borough mayor, mayoralty mayor or the lieutenant mayor.

(2) The applications shall be received by the competent administration not later than seven days in advance of polling day.

(3) The mayor or the lieutenant mayor shall examine any such application within two days and shall pronounce thereon by a reasoned decision, which shall forthwith be made public in a public place.

(4) The decision referred to in Paragraph (3) shall be appealable before the competent administrative court within two days after being made public. The court shall examine the appeal and shall pronounce by a judgment within two days after the receipt of the said appeal, sitting in public session with the appellant and the mayor being summoned. The judgment of the court shall forthwith be made public and shall be unappealable.

Corrections and Removal

Article 44. (1) Any corrections in the electoral rolls shall forthwith be made public and shall furthermore be incorporated into the rolls published on the Internet site of the relevant municipality.

(2) Any removal from the electoral rolls shall be effected in an automated manner prior to the printing out of the said rolls and, after the printing out thereof, any such removal shall be effected by crossing the name with a horizontal line which leaves the removed name legible.

Section X
Appeal of Refusal of Entry or Additional Entry on Electoral Roll

Appeal of Refusal

Article 45. (1) Any refusal of an entry on the electoral roll shall forthwith be communicated to the applicant and shall be appealable before the competent administrative court within two days after the communication. The court shall examine the appeal sitting in public session within two days after the arrival of the said appeal, with the appellant and the authorities under Article 23 (1) herein being summoned, and shall render judgment, which shall forthwith be made public and shall be unappealable.

(2) Any refusal of the section election commission to effect an additional entry of a voter on polling day shall be in writing, shall be served upon the person concerned and may be disputed before the constituency election commission or, respectively, the municipal election commission, which shall forthwith pronounce on the complaint.

Chapter Five

ELECTION COMMISSIONS

Section I
Central Election Commission

Constitution. Complement

Article 46. (1) There shall be established a Central Election Commission for conduct of all types of elections, which shall be an independent State body.

(2) The Commission shall be a legal person, a budget authoriser by delegation, with a head office in Sofia.

(3) (Amended, SG No. 35/2014, effective 22.04.2014) The Commission shall consist of 18 members, including a Chairperson, Deputy Chairpersons and a Secretary, who shall be nominated by the parties and coalitions represented in Parliament, as well as of one member each, nominated by the parties and coalitions which have Members of the European Parliament elected from the candidate lists thereof but are not represented in Parliament.

(4) The Chairperson, the Deputy Chairpersons and the Secretary of the Central Election Commission shall be elected by the National Assembly on the basis of a nomination under Item 1 of Article 47 (2) herein. The rest of the members of the Commission shall be appointed by the President of the Republic on the basis of a nomination under Item 2 of Article 47 (2) herein.

(5) Nominations for election of members may be put forward by the National Representatives, the parliamentary groups, as well as the parties and coalitions which have Members of the European Parliament elected from the candidate lists thereof but are not represented in Parliament.

(6) Bulgarian non-governmental organisations may approach the National Representatives and the parliamentary groups with proposals for appointment of members of the Central Election Commission. Where a National Representative or a parliamentary group puts forward a nomination on the basis of a proposal by a non-governmental organisation, this fact shall be indicated in any such nomination.

(7) Persons nominated by one and the same parliamentary group or by National Representatives of one and the same parliamentary group may not be nominated as chairperson, deputy chairpersons and secretary.

(8) (Amended, SG No. 35/2014, effective 22.04.2014) Upon appointment of the members of the Central Election Commission, the correlation of the parties and coalitions represented in Parliament shall be retained. The representatives of a single party or coalition may not have a majority in the Commission.

(9) Where the parties and coalitions represented in Parliament and the parties and coalitions which have Members of the European Parliament elected from the candidate lists thereof but are not represented in Parliament fail to put forward nominations under Paragraph (5) for all members to whom they are entitled, including where any such parties and coalitions have nominated fewer members, the vacant positions shall be filled on a nomination by other parties and coalitions represented in Parliament conforming with Paragraph (8).

Publicity upon Constitution. Nominations

Article 47. (1) The members of the Central Election Commission shall be elected and appointed, as the case may be, after conduct of a public procedure.

(2) After conduct of the procedure referred to in Paragraph (1):

1. the parties and coalitions represented in Parliament shall approach the National Assembly with a proposal for election of a Chairperson, Deputy Chairpersons and Secretary;

2. the parties and coalitions represented in Parliament, as well as the parties and coalitions represented in Parliament and the parties and coalitions which have Members of the European Parliament elected from the candidate lists thereof but are not represented in Parliament, shall approach the President of the Republic with a proposal for appointment of the rest of the members of the Commission complying with the requirement of Article 46 (8) herein.

Status

Article 48. (1) The Central Election Commission shall be a standing body, which shall be assisted by an administration, and shall be represented by the Chairperson thereof.

(2) The activity of the administration shall be implemented by persons working under an employment relationship.

(3) The organisation of the activity of the Commission, the structure and functions of the administration shall be governed by rules which shall be adopted by the Commission and shall be promulgated in the State Gazette.

Seal

Article 49. The Central Election Commission shall have a seal bearing the designation thereof and a design of the coat of arms of the Republic of Bulgaria.

Members' Eligibility Qualifications

Article 50. (1) Eligibility for election or, respectively, for appointment as a member of the Central Election Commission shall be limited to persons who are Bulgarian nationals and:

1. are not interdicted;

2. hold an educational qualification degree not lower than Master, awarded thereto upon graduation from a higher educational establishment; the higher education should preferably be in Law, Informatics and Computer Science, Mathematics, Public Communications and Information Science, Political Science and Sociology;

3. possess professional experience of not less than seven years;

4. have a good professional reputation and enjoy public authority and trust.

(2) The Chairperson of the Commission must be a qualified lawyer with a practice of not less than ten years and must satisfy the requirements under Paragraph (1).

(3) The following shall be ineligible for member of the Commission:

1. any person who has been convicted of an intentional publicly prosecutable offence, regardless of the rehabilitation, as well as any person who has been released from criminal responsibility for an intentional offence;

2. any person holding elective office in a central or local government authority;

3. any person hired under an employment relationship or a civil-service relationship, except in a teaching capacity;

4. the spouse or a de facto cohabitant, or any lineal relative up to any degree of consanguinity or any collateral relative up to the fourth degree of consanguinity and any affine up to the second degree of consanguinity, of another member of the Commission;

5. any sole trader, partner in a commercial corporation, managing director, business agent, commercial agent, managerial agent, broker, liquidator or trustee in bankruptcy, member of a management or control body of any commercial corporation;

6. any candidate for the relevant type of election;

7. any member of the leadership of a campaign headquarters of any party, coalition or nomination committee.

(4) The members of the Commission shall vacate the offices occupied thereby or shall

discontinue any activities incompatible with the requirements of Items 2, 3, 5 and 7 of Paragraph (3) within one month after the election or, respectively, the appointment thereof.

Term of Office

Article 51. (1) The term of office of the members of the Commission shall be five years. The election or, respectively, the appointment of new members of the Commission shall be conducted not earlier than three months and not later than one month prior to the expiry of the term of office of the incumbent members. The members of the Commission shall execute the powers thereof even after the expiry of the term of office thereof until the new members assume office.

(2) The credentials of a member of the Commission shall be terminated prior to the expiry of the term of office thereof:

1. upon tendering of resignation;

2. when a sentence whereby a penal sanction of deprivation of liberty has been imposed becomes enforceable;

3. upon interdiction;

4. upon sustained actual inability to perform the duties thereof for a period exceeding six months;

5. upon incompatibility;

6. (supplemented, SG No. 39/2016, effective 26.05.2016) upon failure, without a valid excuse, to attend three successive meetings or a total of five meetings during the year, which failure has been established according to a procedure established by the Commission;

7. when an act whereby a conflict of interests has been ascertained under the Conflict of Interest Prevention and Ascertainment Act becomes enforceable;

8. upon death.

(3) Upon pre-term termination of the credentials of a member of the Commission, a replacement shall be elected or, respectively, appointed for the remainder of the term of office.

Remuneration

Article 52. (1) The Chairperson of the Commission shall receive monthly remuneration equal to the monthly remuneration of a minister.

(2) The remuneration of the Deputy Chairpersons and of the Secretary shall amount to 90 per cent as of the remuneration of the Chairperson of the Central Election Commission.

(3) The remuneration of the rest of the members shall amount to 85 per cent of the remuneration of the Chairperson of the Central Election Commission.

Meetings

Article 53. (1) The Central Election Commission shall be convened to a meeting by the Chairperson thereof or on a requisition by at least one-third of the members thereof.

(2) The meetings of the Commission shall be presided over by the Chairperson, and in the absence thereof, by a Deputy Chairperson designated by the Chairperson.

(3) The Central Election Commission shall meet when more than one-half of the members thereof are present.

(4) (Supplemented, SG No. 39/2016, effective 26.05.2016) The Central Election Commission shall pronounce by decisions, which shall be adopted by a majority of two-thirds of the members present and shall be signed by the Chairperson and the Secretary. Where the required majority has not voted in favour of a decision, a decision on rejection shall be presumed, and the said decision shall be appealable according to the procedure established by this Code. Upon appeal of decisions on rejection, the Supreme Administrative Court shall pronounce on the merits or shall return the case file with binding instructions on the application of the substantive

law.

(5) Minutes of proceedings shall be taken for the meetings of the Commission, and the said minutes shall be signed by the Chairperson and the Secretary.

(6) The decisions of the Commission shall be adopted by a roll-call vote, which shall be recorded in the minutes of proceedings for the meeting.

(7) The members of the Commission shall sign minutes and shall vote on decisions with a dissenting opinion where they disagree with the decision or with the content of the minutes, specifying the nature of the dissenting opinion.

(8) Where the Chairperson or, respectively, the Secretary is absent, the decisions, minutes and certificates shall be signed by the Secretary or, respectively, by the Chairperson, and by a Deputy Chairperson. Where both the Chairperson and the Secretary are absent, the decisions shall be signed by a Deputy Chairperson and a member designated by decision of the Commission.

(9) Election agents, representatives of parties, coalitions or nomination committees, observers, members of the Public Council and members of the mass communication media may be present at the meetings of the Commission. The views, opinions and objections expressed shall be recorded in the minutes.

(10) The members of the Central Election Commission may not wear distinguishing signs of any party, coalition and nomination committee and may not canvass.

Transparency

Article 54. (1) (Amended and supplemented, SG No. 57/2016, effective 22.07.2016) All meetings of the Central Election Commission, including the working meetings, shall be streamed live in their entirety, complete with picture and sound, via the Internet site of the Commission, whereon a draft agenda shall be made public in advance.

(2) (Supplemented, SG No. 57/2016, effective 22.07.2016) The Central Election Commission shall host an Internet site, whereon it shall forthwith publish the decisions thereof, the full verbatim records of the meetings thereof, including the working meetings, the methodological guidelines, the early and final election results, including the machine voting results and the results of voting by paper ballots after the summing of the said results by constituency, the copies of the tally sheets of the section election commissions, the constituency election commissions and municipal election commissions as scanned and received by electronic means, and other documents and data. As from the day of scheduling of the respective type of election and until one month after the declaration of the election results, the Central Election Commission shall publish the full verbatim records not later than 24 hours after the close of the relevant meeting. All public registers shall also be published on the Internet site of the Commission, complying with the requirements of the Personal Data Protection Act.

(3) (Supplemented, SG No. 57/2016, effective 22.07.2016) The Central Election Commission shall publish on the Internet site thereof a video recording (archive) of the meetings of the Commission, including of the working meetings, forthwith after the close of the relevant meeting, as well as the agenda according to which the meeting was held, including a time index making it possible to visualise the video recording of the meeting in parts depending on the items on the agenda.

Public Council

Article 55. (1) (Amended, SG No. 39/2016, effective 26.05.2016) There shall be established a Public Council with the Central Election Commission, consisting of representatives of the Bulgarian non-governmental organisations which have participated in elections with observers, in order to ensure transparent, democratic and fair elections, The Public Council shall assist the operation of the Commission.

(2) The complement, functions and working arrangements of the Public Council shall be determined by rules adopted by the Council and approved by the Central Election Commission. The rules shall be published on the Internet site of the Commission.

Training Unit

Article 56. (Amended, SG No. 39/2016, effective 26.05.2016) The Central Election Commission shall establish a training unit, which shall organise and conduct the training of the members of election commissions.

(2) The complement, manner of formation and functions of the Unit and the training plan shall be determined by rules adopted by the Commission. The rules shall be published on the Internet site of the Commission.

(3) (New, SG No. 39/2016, effective 26.05.2016) Training of the members of election commissions abroad may furthermore be delivered by means of distance forms of training.

Commission's Powers

Article 57. (1) The Central Election Commission shall:

1. implement the activities and exercise control as to the application of this Code and the statutory instruments related thereto;

2. implement methodological guidance and exercise control over the operation of the election commissions;

3. issue methodological guidelines for the operation of the election commissions in application of this Code;

4. ensure and resource the creation of Internet sites of the constituency election commissions and municipal election commissions;

5. appoint the constituency election commissions, the municipal election commissions and the section election commissions abroad and endorse lists of alternate members; appoint the section election commissions within Bulgaria as well, in the cases where the constituency election commission or the municipal election commission has failed to appoint the said commissions in due time;

6. dismiss members of constituency election commissions and municipal election commissions and of section election commissions abroad in the cases of violations of this Code and of the decisions of the Central Election Commission, as well as upon occurrence of any circumstance covered under Article 51 (2) herein;

7. determine, by means of a methodology, the remunerations of the members of election commissions and of the experts with the said commissions;

8. endorse a standard design of the seal of the election commissions and the method of protection of the said design;

9. keep a public register of the voters; ensure to each voter searchability of the register by Standard Public Registry Personal Number (Personal Number);

10. register, make public and issue certificates to:

(a) the parties and coalitions for contesting all types of elections;

(b) the nomination committees for entry in elections of President and Vice President of the Republic and of Members of the European Parliament for the Republic of Bulgaria;

11. strike the registration of any party which does not satisfy the requirements of Item 5 of Article 133 (3) herein and of any coalition which does not satisfy the requirements of Item 6 of Article 140 (3) herein;

12. register and make public the candidate lists of the parties, coalitions and nomination committees upon elections of President and Vice President of the Republic and of Members of the European Parliament for the Republic of Bulgaria;

13. keep public registers of:

(a) the parties and coalitions upon all types of elections;

(b) the nomination committees upon elections of President and Vice President of the Republic and of Members of the European Parliament for the Republic of Bulgaria

(c) the candidate lists for President and Vice President of the Republic and for Members of the European Parliament for the Republic of Bulgaria;

14. establish the terms and procedure for participation of observers not later than 50 days in advance of polling day, register the observers and issue certificates to the observers; keep a public register of the observers;

15. register, until polling day, the election agents of the candidate lists abroad and issue certificates to the said agents; keep a public register of the election agents by candidate list;

16. determine the structure and the content of the uniform numbering of the voting sections;

17. determine the places where voting sections abroad will be established;

18. generate and endorse the uniform numbers of the voting sections abroad;

19. endorse the standard technical design and the security features of the ballot not later than 30 days in advance of polling day; endorse a specimen of a book of paper ballots;

20. publish a list stating the numbers and addresses of the voting sections in the constituencies (districts) and the number of voters therein;

21. (amended and supplemented, SG No. 39/2016, effective 26.05.2016) determine by lots the sequential numbers on the ballot assigned to the parties and coalitions upon elections of National Representatives, the sequential numbers on the ballot assigned to the parties, coalitions and independent candidates upon elections of Members of the European Parliament for the Republic of Bulgaria, the order of appearance of the candidate lists on the ballot upon elections of President and Vice President of the Republic and the sequential numbers on the ballots assigned to the parties and coalitions upon elections of municipal councillors and mayors, and make public the said numbers not later than 31 days in advance of polling day;

22. establish the terms and procedure for conduct of the election campaign;

23. control the handling of the election campaign by the media service providers operating within a national range;

24. for the exercise of the control referred to in Item 23 and for the establishment of breaches by the media service providers, require information from the Council for Electronic Media on the specialised monitoring performed, whereof the scope and parameters shall be determined under an agreement between the Commission and the Council for Electronic Media concluded prior to the opening of the election campaign, irrespective of the territorial range of the programme services; in case such monitoring applies to any media service provider which does not operate within a national range, the Commission shall transmit the information on the said monitoring to the competent election commission;

25. establish the terms and procedure for conduct of sociological surveys on polling day not later than 20 days in advance of polling day; keep a public register of the sociological agencies;

26. (amended, SG No. 39/2016, effective 26.05.2016) examine all complaints and alerts about irregularities affecting the election process in accordance with the powers vested therein, including against steps of the constituency election commissions, municipal election commissions and section election commissions abroad, pronounce on any such complaints and alerts within 24 hours after the arrival thereof; on polling day, pronounce by a decision within one hour after the arrival of any such complaint or alert and before the closing of the polls;

26a. (new, SG No. 39/2016, effective 26.05.2016) examine all complaints against decisions

of the constituency election commissions, municipal election commissions and section election commissions abroad; on polling day, pronounce by a decision within one hour after the receipt of any such complaint or alert and before the closing of the polls;

27. (supplemented, SG No. 39/2016, effective 26.05.2016) establish the procedure for examination of complaints and alerts by the election commissions and publish the said complaints and alerts on the Internet site of the Commission;

27a. (new, SG No. 39/2016, effective 26.05.2016) complete the pending administrative penalty proceedings after the expiry of the term of credentials of the constituency election commission;

28. keep a public register of the complaints and alerts lodged with the Commission and of the decisions on the said complaints and alerts;

29. establish the terms and procedure for machine voting;

30. (amended, SG No. 98/2014, effective 28.11.2014) establish the procedure for a check for voting in breach of the rules of this Code, including for a check of the decisions referred to in Article 39 herein and the certificates referred to in Article 40 herein, and assign the conduct of such check to the Directorate General of Civil Registration and Administrative Services at the Ministry of Regional Development and Public Works;

31. provide the results of the check referred to in Item 30 to the persons concerned and, upon detection of voting in breach of the rules of this Code, apprise the prosecuting magistracy;

32. (amended, SG No. 39/2016, effective 26.05.2016) provide information; organise and conduct, through the mass communication media, an awareness campaign regarding citizens' rights and duties in the preparation and conduct of the elections, including regarding machine voting; the awareness campaign shall commence not later than 15 days prior to the expiry of the relevant time limit whereafter rights and duties arise for the citizens in connection with the elections;

33. establish the terms, procedure and timeframe for commissioning of the computer processing of the voting data not later than 50 days in advance of polling day;

34. commission the computer processing of the voting data and the publication of the election results in a bulletin, including the machine voting results;

35. (amended, SG No. 98/2014, effective 28.11.2014) determine the format and the structured electronic image of the lists, as well as the procedure for a check of the lists for the entry of independent candidates and commission the execution of the said check to the Directorate General of Civil Registration and Administrative Services at the Ministry of Regional Development and Public Works;

36. (amended, SG No. 98/2014, effective 28.11.2014) establish the procedure for a check of the lists of the voters supporting the registration of the parties and coalitions, as well as the procedure for a check of the candidate lists, and commission the execution of the said checks to the Directorate General of Civil Registration and Administrative Services at the Ministry of Regional Development and Public Works;

37. determine the uniform numbering and the security features of non-resident voting certificates before each election;

38. communicate data on the number of voters who have voted before the time limit referred to in Item 39;

39. (amended, SG No. 39/2016, effective 26.05.2016) declare the polls closed after completion of the voting within the territory of Bulgaria not later than 21:00 hours;

40. publish, on the Internet site thereof, preliminary results of the processing of the tally sheets of the section election commissions in the constituency election commissions or the

municipal election commissions disaggregated by voting section;

41. publish, on the Internet site thereof, the voting results, including the machine voting results, disaggregated by voting section and, upon request, provide the said results to parties, coalitions and nomination committees stored on a machine-readable data medium;

42. publish the election results disaggregated by voting section in the bulletin referred to in Item 34, including a machine-readable data medium as well, not later than 40 days after polling day;

43. deliver to the National Archival Fonds the copy of the tally sheets of the section election commissions, constituency election commissions and municipal election commissions;

44. endorse the standard designs of the direction signs and panels, as well as the standard designs of the distinguishing signs of election agents, the observers and the representatives of parties, coalitions and nomination committees not later than 55 days in advance of polling day;

45. adopt a decision on the removal or seizure of canvassing materials placed or circulated in violation of this Code in an area spanning multiple constituencies (districts) or where affecting multiple constituencies (districts);

46. determine the recordable circumstances and establish the procedure for keeping and maintaining the public registers by the election commissions;

47. analyse the elections conducted and submit to the National Assembly a report which may contain proposals for improvement of election legislation;

48. (new, SG No. 39/2016, effective 26.05.2016) adopt rules for the application of this Code.

(2) The decisions of the Central Election Commission shall forthwith be made public by means of publication on the Internet site of the Commission and in the bulletin of the Bulgarian News Agency.

(3) The Central Election Commission shall implement other powers as well as provided for in this Code.

Appeal

Article 58. (1) The decisions of the Central Election Commission shall be appealable before the Supreme Administrative Court care of the Central Election Commission within three days after being made public. The Central Election Commission shall transmit the appeal to the Court forthwith.

(2) The appeal shall state the decision appealed, the grounds, the nature of the demand, the names and address of the appellant and telephone number, telefax number or electronic mail address.

The Supreme Administrative Court shall examine the appeal and shall pronounce by a judgment within three days after receipt of the said appeal, sitting in public session with the appellant, the Central Election Commission and the persons concerned being summoned. The judgment of the court shall forthwith be made public and shall be unappealable.

(4) The time limits under the Administrative Procedure Code shall not apply upon appeal of the decisions of the Central Election Commission. The time limits shall be calculated in calendar days and shall expire on the last day of the said time limits.

Section II
Constituency Election Commissions

Appointment

Article 59. (1) The Central Election Commission shall appoint constituency election

commissions upon elections of:

1. National Representatives: for each multi-member constituency;

2. Members of the European Parliament for the Republic of Bulgaria and of President and Vice President of the Republic: for each district according to the districting of the territory of Bulgaria for the last elections of National Representatives for a National Assembly.

(2) Constituency election commissions shall be appointed not later than 50 days in advance of polling day.

Conduct of Consultations

Article 60. (1) Public consultations shall be held at the regional governor. The day, the hour and the place of conduct of such consultations shall be communicated to the public and shall be published on the Internet site of the regional administration not later than three days in advance of the conduct of the consultations.

(2) The parties and coalitions represented in Parliament and the parties and coalitions which have Members of the European Parliament elected from the candidate lists thereof but are not represented in Parliament shall participate in the consultations. Other parties and coalitions may also participate in the consultations.

(3) At the consultations, the parties and coalitions referred to in Paragraph (2) shall present:

1. (supplemented, SG No. 39/2016, effective 26.05.2016) a proposal in writing for a complement of the constituency election commission, which shall state the names of the persons proposed, Standard Public Registry Personal Number, position in the commission, educational attainment, specialist qualifications, and proposing party or coalition, as well as declarations by the persons of the consent thereof to be proposed and declarations by the persons under Article 65 (3) herein;

2. a copy of the certificate of legal status of the party current as at the date of scheduling of the elections or of the decision on the formation of the coalition, which certifies the credentials of the persons representing the party or coalition;

3. an authorisation from the persons representing the party or coalition, where authorised persons participate in the consultations.

(4) The parties and coalitions shall present, attached to the proposal thereof referred to in Item 1 of Paragraph (3), a list of the alternate members who will replace the persons proposed thereby in the cases referred to in Article 51 (2) herein or where a member of the constituency election commission does not attend the meetings thereof for more than ten days. Any such replacement shall require a decision of the Central Election Commission.

(5) A memorandum on the results of the consultations held shall be drawn up and shall be signed by the participants in the said consultations. Upon a refusal to sign the memorandum, as well as where the memorandum is signed with a dissenting opinion, the reasons of the participants shall be attached. The written objections of the parties and coalitions or parties, if any, shall be attached as well.

(6) Where no consensus has been reached among the parties and coalitions which participated in the consultations, not later than 55 days in advance of polling day the regional governor shall transmit the documents covered under Paragraphs (3), (4) and (5) to the Central Election Commission.

(7) Where consensus has been reached, the regional governor shall present to the Central Election Commission:

1. (supplemented, SG No. 39/2016, effective 26.05.2016) a proposal in writing for a complement of the constituency election commission together with a list of the alternate members, which shall state the names of the persons proposed, Standard Public Registry Personal

Number, position in the commission, educational attainment, specialist qualifications, and proposing party or coalition, as well as declarations by the persons of the consent thereof to be proposed and declarations by the persons under Article 65 (3) herein;

2. the documents covered under Paragraphs (3) and (4), as presented by the parties and coalitions;

3. the memorandums on the consultations held with the representatives of the parties and coalitions, including the written objections thereof;

4. a copy of the notice of conduct of the consultations and the manner of announcement of the said notice.

(8) The regional governor shall make the proposal referred to in Paragraph (7) not later than 55 days in advance of polling day.

(9) Where the regional governor has failed to make a proposal within the time limit referred to in Paragraph (8), the said governor shall forthwith transmit the documents covered under Paragraphs (3), (4) and (5) to the Central Election Commission.

(10) In the cases where consensus has been reached, the Central Election Commission shall appoint the constituency election commission on the basis of the proposal of the regional governor made according to the procedure established by Paragraph (7).

(11) In the cases where consensus has not been reached or the regional governor has failed to make a proposal within the time limit referred to in Paragraph (8), the Central Election Commission shall appoint the constituency election commission on the basis of the proposals made by the parties and coalitions.

Complement

Article 61. (1) The constituency election commission shall consist of a chairperson, deputy chairpersons, secretary and members.

(2) The constituency election commission shall be represented by the chairperson thereof, and in specified cases, the said commission shall be represented by a deputy chairperson, secretary or member designated by decision of the commission.

(3) The representatives of any single party or coalition may not have a majority in the constituency election commission. The chairperson, the deputy chairperson and the secretary may not be of one and the same party or coalition.

(4) The parties and coalitions represented in Parliament shall nominate members of the constituency election commission, including a chairperson, deputy chairperson and secretary, as follows:

1. for up to nine-member constituencies: 13 members;

2. for ten-member and more-than-ten-member constituencies: 17 members.

(5) Upon appointment of the members referred to in Paragraph (4), including a chairperson, deputy chairperson and secretary, the proportion of the political parties and coalitions represented in Parliament shall be retained.

(6) The parties and coalitions which have Members of the European Parliament elected from the candidate lists thereof but are not represented in Parliament shall be entitled to have one member each in the constituency election commission, besides the number of members referred to in Paragraph (4).

(7) In case the parties and coalitions represented in Parliament and the parties and coalitions which have Members of the European Parliament elected from the candidate lists thereof but are not represented in Parliament, have failed to nominate all members to whom they are entitled, including where the said parties and coalitions have nominated fewer members, the vacant positions shall be filled on a nomination by other parties and coalitions which have

participated in the consultations referred to in Article 60 (2) herein . Any such filling shall be made by lots under terms and according to a procedure established by a decision of the Central Election Commission.

(8) In case the total number of members of the constituency election commission is an even number, the party or coalition represented in Parliament with the greatest unused remainder shall nominate one more member of the constituency election commission. If the remainders are equal, the parties and coalitions with equal remainders shall draw lots.

(9) In case the party or coalition which should nominate a member under the terms established by Paragraph (8) forms a majority in the constituency election commission, this right shall pass to the party or coalition with the next greatest unused remainder. If the remainders are equal, the parties and coalitions with equal remainders shall draw lots.

(4) The total number of members of the constituency election commission shall be determined according to the procedure established by Paragraphs (4) to (9).

Status

Article 62. (1) The constituency election commission shall implement the powers vested therein as from the day of appointment thereof and until 14 days after the conduct of the relevant type of election.

(2) In the execution of the powers thereof, the members of the constituency election commission shall be treated as domestic public officials within the meaning given by the Criminal Code.

(3) The members of a constituency election commission may not wear distinguishing signs of any party, coalition and nomination committee and may not canvass.

Assistance to Commission's Operation

Article 63. The constituency election commission may form expert working groups. The remunerations of the experts shall be fixed by the Central Election Commission according to the methodology referred to in Item 7 of Article 57 (1) herein.

Seal

Article 64. The constituency election commission shall have a seal. The seal shall state the designation and the number of the relevant constituency election commission.

Members' Eligibility Qualifications

Article 65. (1) Eligibility for appointment as members of a constituency election commission shall be limited to persons who have graduated from higher educational establishments, who have the right to vote and who have a command of the Bulgarian language.

(2) The members of the constituency election commission should preferably be qualified lawyers.

(3) (New, SG No. 39/2016, effective 26.05.2016) Any person, who has been convicted of an intentional publicly prosecutable offence, regardless of the rehabilitation, as well as any person who has been released from criminal responsibility for an intentional offence, shall be ineligible for member of a constituency election commission.

Incompatibility

Article 66. (1) For the duration of occupation of office, a member of a constituency election commission may not be:

1. a candidate, spouse of a candidate or a de facto cohabitant with a candidate for the respective type of election;

2. any person holding elective office in a central or local government authority;

3. an executive authority;

4. a deputy minister, a chief secretary to the President of the Republic, the National

Assembly or the Council of Ministers, a chief secretary of a ministry or a regional administration, a secretary of a municipality, borough or mayoralty;

5. a judge in the Constitutional Court, a judge in the Supreme Administrative Court or in an administrative court, a prosecutor or an Investigating magistrate;

6. a regional vice governor or a deputy mayor;

7. (amended, SG No. 79/2015, effective 1.11.2015) a service person in the armed forces, an employee at the Ministry of Interior, the State Intelligence, the National Bodyguard Service, the State Agency for Technical Operations or the State Agency for National Security.

(2) The members of the constituency election commission may not be one another's spouses, lineal relatives or siblings.

Steps upon Pre-term Termination of Credentials

Article 67. (1) Within two days after the entry into effect of the decision on termination of the credentials of a member of the constituency election commission due to the existence of a circumstance covered under Article 51 (2) herein, the Central Election Commission shall appoint a member of the commission from the list of alternate members referred to in Article 4 (4) herein of the respective party or coalition. The Central Election Commission shall forthwith notify the respective party or coalition.

(2) Any member of the constituency election commission, who does not attend the meetings of the commission for more than ten days, may be replaced temporarily for the period during which the said member is unable to execute the powers thereof by a member nominated by the respective party or coalition. Within two days after the nomination, the Central Election Commission shall appoint a member of the constituency election commission.

Remuneration and Social Insurance

Article 68. (1) The members of the constituency election commission shall be remunerated for working on the commission.

(2) The remuneration of the members of the constituency election commission shall be fixed by the Central Election Commission. The amount of the remunerations by position shall be fixed according to the methodology referred to in Item 7 of Article 57 (1) herein.

(3) The remuneration of the members of the constituency election commission shall be exempt from taxes under the Income Taxes on Natural Persons Act.

(4) For the time necessary for working on the respective commission, the members of the constituency election commission shall be provided with social and health insurance as persons performing work in elective office. The social and health insurance contributions under the Social Insurance Code and the Health Insurance Act of the members of the constituency election commission shall be for the account of the State budget.

Leave

Article 69. The members of the constituency election commission shall be excused from the official duties or labour duties thereof for the time necessary for participation in the commission. During that time, the said persons shall use an unpaid service leave which shall be assimilated to the length of employment-service or civil-service seniority or, at their request, the paid annual leave to which they are entitled.

Meetings

Article 70. (1) The constituency election commission shall be convened to a meeting by the chairperson thereof or on a requisition by at least one-third of the members thereof.

(2) The meetings of the Commission shall be presided over by the Chairperson, and in the absence thereof, by a Deputy Chairperson designated by the Chairperson.

(3) The constituency election commission shall meet when more than one-half of the

members thereof are present.

(4) The constituency election commission shall pronounce by decisions which shall be adopted by a majority of two-thirds of the members present and shall be signed by the chairperson and the secretary. Where the required majority has not voted in favour of a decision, a decision on rejection shall be presumed, and the said decision shall be appealable according to the procedure established by this Code.

(5) Minutes of proceedings shall be taken for the meetings of the Commission, and the said minutes shall be signed by the Chairperson and the Secretary.

(6) The decisions of the Commission shall be adopted by a roll-call vote, which shall be recorded in the minutes of proceedings for the meeting.

(7) The members of the Commission shall sign minutes and shall vote on decisions with a dissenting opinion where they disagree with the decision or with the content of the minutes, specifying the nature of the dissenting opinion.

(8) Where the chairperson or, respectively, the secretary is absent, the decisions, minutes and certificates shall be signed by the secretary or, respectively, by the chairperson and by a deputy chairperson. Where both the chairperson and the secretary are absent, the decisions shall be signed by a deputy chairperson and a member designated by a decision of the commission who have been nominated by different parties and coalitions.

(9) Election agents, representatives of parties, coalitions or nomination committees, observers and members of the mass communication media may be present at the sessions of the commission. The views, opinions and objections expressed shall be recorded in the minutes.

Transparency in Commission's Work

Article 71. (1) The meetings of the constituency election commission shall be streamed live via the Internet site of the commission, whereon a draft agenda draft shall be made public in advance.

(2) The constituency election commission shall host an Internet site, whereon it shall forthwith publish the decisions thereof, the full minutes of the meetings thereof, the preliminary and final election results in the respective constituency (district), including the machine voting results, the scanned tally sheets of the section election commissions and other documents and data. All public registers shall also be published on the Internet site of the commission, complying with the requirements of the Personal Data Protection Act.

(3) The constituency election commission shall publish on the Internet site thereof a video recording (archive) of the meetings of the commission forthwith after the close of the relevant meeting.

Commission's Powers

Article 72. (1) The constituency election commission shall:

1. implement the activities for the application of this Code and the statutory instruments related thereto;

2. exercise control over the operation of the section election commissions within the territory of the constituency or of the district according to the districting of Bulgaria for the last elections of National Representatives for a National Assembly;

3. conduct training of the members of the section election commissions in the constituency (district), jointly with the training unit referred to in Article 56 (1) herein;

4. appoint the section election commissions in the respective constituency (district) within Bulgaria and endorse the lists of alternate members;

5. dismiss members of section election commissions in the respective constituency (district) within Bulgaria in the cases of violations of this Code, of the decisions of the Central Election

Commission and of the constituency election commission, as well as upon existence of any circumstance covered under Article 51 (2) herein;

6. see to the timely and correct establishment of voting sections in the constituency (district) and generate and endorse the uniform numbers thereof;

7. register and make public the nomination committees for contesting elections of National Representatives, issue certificates to the said nomination committees and keep a public register;

8. register and make public the candidate lists of the parties, coalitions and nomination committees upon elections of National Representatives and keep a public register;

9. strike the registration where it is established that the candidate for a National Representative does not satisfy the conditions under Article 65 (1) of the Constitution, as well as in the cases referred to in Article 258 (5) herein;

10. strike the registration where the independent candidate is not supported by the required number of voters according to Article 257 (1) herein;

11. strike the registration of nomination committee in the cases referred to in Item 10;

12. make public the numbers on the ballot of the independent candidates upon elections of National Representatives not later than 31 days in advance of polling day;

13. exercise control as to the timely making public of the electoral rolls, as to the delivery and safekeeping of the ballots and as to the issuing of non-resident voting certificates;

14. see to ensuring conditions for voting by persons with disabilities under Sections VIII and IX of Chapter Fourteen herein;

15. register, until polling day, the election agents of the candidate lists and issue certificates to the said agents;

16. keep a register of election agents, disaggregated by candidate list, upon elections of National Representatives, President and Vice President of the Republic and of Members of the European Parliament for the Republic of Bulgaria and publish the said register on the Internet site thereof;

17. control the handling of the election campaign by the media service providers operating within a regional and a local range, pronounce on complaints and alerts about irregularities affecting the election campaign within 17 hours after the arrival of any such complaints;

18. jointly with the municipal administration furnish the section election commissions with ballot boxes, voting ballots, electoral rolls, seals, blank forms of tally sheets, lists, drafts, and control the safekeeping, distribution among voting sections and transportation thereof;

19. exercise control as to discharge of the duty referred to in Article 62 (3) herein;

20. examine all complaints and alerts about irregularities affecting the election process in accordance with the powers vested therein, including against decisions and steps of the section election commissions; on polling day, pronounce by a decision within one hour after the arrival of the complaint or the alert and before the closing of the polls;

21. establish and maintain an electronic public register of the complaints and alerts lodged with the commission and the decisions thereon;

22. ascertain and declare the voting results in the constituency (district) within 48 hours after the completion of the voting and prepare a tally sheet;

23. within the time limit referred to in Item 22, scan and transmit to the Central Election Commission the tally sheet thereof showing the voting data in the constituency (district) and publish the said tally sheet on the Internet site thereof;

24. declare the independent candidates who have been elected upon elections of National Representatives and issue certificates to the said candidates;

25. provide, upon signed acknowledgement, the members of the commission, the

candidates, the election agents, the representatives of the parties, coalitions and nomination committees and the observers with a copy of the signed tally sheet showing the voting results in the constituency (district), stamped on each page with the seal of the commission and signed by the chairperson, the deputy chairperson and the secretary;

26. deliver to the Central Election Commission the copy of the tally sheet of the constituency election commission, the copies of the tally sheets of the section election commissions destined for the Central Election Commission, the receipts on the computer processing of the tally sheets of the section election commissions, a copy of the computer print-out of the data on the tally sheet and the decision of the constituency election commission provided by the computation centre, and two machine-readable data mediums storing the numerical data generated by the processing of the tally sheets of the section election commissions, as well as the machine voting recording devices;

27. deliver the rest of the papers and materials to the regional administration with the exception of those destined for the Central Election Commission within seven days after the declaration of the election results;

28. scan the tally sheets of the section election commissions not later than 48 hours after the closing of the polls and transmit the said tally sheets to the Central Election Commission;

29. implement any other powers provided for in this Code.

(2) The constituency election commission shall forthwith make public the decisions thereof by means of displaying the said decisions in a generally accessible place in the building where the said commission is housed and by means of publication on the Internet site thereof. The place for making the decisions public shall be determined by a decision of the commission forthwith after the appointment of the commission and shall be arranged in a manner indicating the assigned use thereof. The copies of the decisions which are made public shall be marked with the date and hour when the said decisions are displayed in the generally accessible place. The copies of the decisions made public shall be removed not earlier than three days after the said decisions were displayed in the generally accessible place and shall be preserved in the archives of the commission.

Disputing Commission's Decisions

Article 73. (1) The decisions of the constituency election commission may be disputed within three days after being made public before the Central Election Commission, which shall pronounce, within three days, by a decision which shall be appealable before the Supreme Administrative Court.

(2) Upon appeal of the decisions of the constituency election commission before the Supreme Administrative Court, Article 58 herein shall apply.

Section III
Municipal Election Commissions

Appointment

Article 74. Upon election of municipal councillors and of mayors, the Central Election Commission shall appoint municipal election commissions for each municipality not later than 50 days in advance of polling day.

Conduct of Consultations

Article 75. (1) Public consultations shall be held at the mayor of the relevant municipality. The day, hour and place of the conduct of the consultations shall be communicated to the public and shall be published on the Internet site of the municipality not later than three days before the

conduct of the said consultations.

(2) The parties and coalitions represented in Parliament and the parties and coalitions which have Members of the European Parliament elected from the candidate lists thereof but are not represented in Parliament shall participate in the consultations. Other parties and coalitions may also participate in the consultations.

(3) At the consultations, the parties and coalitions referred to in Paragraph (2) shall present:

1. (supplemented, SG No. 39/2016, effective 26.05.2016) a proposal in writing for a complement of the municipal election commission, which shall state the names of the persons proposed, Standard Public Registry Personal Number, position in the commission, educational attainment, specialist qualifications, and proposing party or coalition, as well as declarations by the persons of the consent thereof to be proposed and declarations by the persons under Article 80 (3) herein;

2. a copy of the certificate of legal status of the party current as at the date of scheduling of the elections or of the decision on the formation of the coalition, which certifies the credentials of the persons representing the party or coalition;

3. an authorisation from the persons representing the party or coalition, where authorised persons participate in the consultations.

(4) The parties and coalitions shall present, attached to the proposal thereof referred to in Item 1 of Paragraph (3), a list of the alternate members who will replace the persons proposed thereby in the cases referred to in Article 51 (2) herein or where a member of the municipal election commission does not participate in the meetings of the said commission for more than ten days. Any such replacement shall require a decision of the Central Election Commission.

(5) A memorandum on the results of the consultations held shall be drawn up and shall be signed by the participants in the said consultations. Upon a refusal to sign the memorandum, as well as where the memorandum is signed with a dissenting opinion, the reasons of the participants shall be attached. The written objections of the parties and coalitions or parties, if any, shall be attached as well.

(6) Where consensus has not been reached among the parties and coalitions which participated in the consultations, not later than 55 days in advance of polling day the municipality mayor shall transmit the documents covered under Paragraphs (3), (4) and (5) to the Central Election Commission.

(7) In the cases where consensus has been reached, the municipality mayor shall present to the Central Election Commission:

1. (supplemented, SG No. 39/2016, effective 26.05.2016) a proposal in writing for a complement of the constituency election commission together with a list of the alternate members, which states the names of the persons proposed, Standard Public Registry Personal Number, position in the commission, educational attainment, specialist qualifications and proposing party or coalition, as well as declarations by the persons of the consent thereof to be proposed and declarations by the persons under Article 80 (3) herein;

2. the documents covered under Paragraphs (3) and (4), as presented by the parties and coalitions;

3. the memorandums on the consultations held with the representatives of the parties and coalitions, including the written objections thereof;

4. a copy of the notice of conduct of the consultations and the manner of announcement of the said notice.

(8) The mayor shall make the proposal referred to in Paragraph (7) not later than 55 days in advance of polling day. Upon creation of a new municipality, the proposal shall be made by the

appointed interim mayor under the same terms.

(9) Where the municipality mayor or the interim mayor of the newly created municipality has failed to make a proposal within the time limit referred to in Paragraph (8), the regional governor shall make a proposal on the basis of the documents referred to in Paragraphs (3), (4) and (5) not later than 52 days in advance of polling day.

(10) In the cases where consensus has been reached, the Central Election Commission shall appoint the municipal election commission on the basis of the proposal of the municipality mayor made according to the procedure established by Paragraph (7) or of the proposal of the regional governor made according to the procedure established by Paragraph (9).

(11) In the cases where consensus has not been reached or the regional governor has failed to make a proposal within the time limit referred to in Paragraph (9), the Central Election Commission shall appoint the municipal election commission on the basis of the proposals made by the parties and coalitions.

Complement

Article 76. (1) The municipal election commission shall consist of a chairperson, deputy chairpersons, secretary and members.

(2) The municipal election commissions shall be represented by the chairperson thereof, and in specified cases, the said commission shall be represented by a deputy chairperson, secretary or member designated by decision of the commission.

(3) The representatives of any single party or coalition may not have a majority in the municipal election commission. The chairperson, the deputy chairperson and the secretary may not be of one and the same party or coalition.

(4) The parties and coalitions represented in Parliament shall nominate members of the municipal election commission, including a chairperson, deputy chairperson and a secretary, according to the number of voting sections within the territory of the municipality as follows:

1. for municipalities with up to 150 voting sections: up to eleven members;

2. for municipalities with more than 150 voting sections: 13 members;

3. (amended, SG No. 39/2016, effective 26.05.2016) for boroughs in the cities subdivided into boroughs: 27 members;

4. (amended, SG No. 39/2016, effective 26.05.2016) for Sofia Municipality: 39 members.

(5) Upon appointment of the members referred to in Paragraph (4), including a chairperson, deputy chairperson and secretary, the proportion of the political parties and coalitions represented in Parliament shall be retained.

(6) The parties and coalitions which have Members of the European Parliament elected from the candidate lists thereof but are not represented in Parliament shall be entitled to have one member each in the municipal election commission, besides the number of members referred to in Paragraph (4).

(7) In case the parties and coalitions represented in Parliament and the parties and coalitions which have Members of the European Parliament elected from the candidate lists thereof but are not represented in Parliament have failed to nominate all members to whom they are entitled, including where the said parties and coalitions have nominated fewer members, the vacant positions shall be filled on a nomination by other parties and coalitions which have participated in the consultations referred to in Article 75 (2) herein . Any such filling shall be made by lots under terms and according to a procedure established by a decision of the Central Election Commission.

(8) In case the total number of members of the municipal election commission is an even number, the party or coalition represented in Parliament with the greatest unused remainder shall

nominate one more member of the municipal election commission. If the remainders are equal, the parties and coalitions with equal remainders shall draw lots.

(9) In case the party or coalition which should nominate a member under the terms established by Paragraph (8) forms a majority in the municipal election commission, this right shall pass to the party or coalition with the next greatest unused remainder. If the remainders are equal, the parties and coalitions with equal remainders shall draw lots.

(10) The total number of members of the municipal election commission shall be determined according to the procedure established by Paragraphs (4) to (9).

Status

Article 77. (1) (Amended, SG No. 39/2016, effective 26.05.2016) The municipal election commission shall be appointed for the term until the appointment of the municipal election commission for the next general elections of municipal councillors and of mayors.

(2) In the execution of the powers thereof, the members of the municipal election commission shall be treated as domestic public officials within the meaning given by the Criminal Code.

(3) The members of a municipal election commission may not wear distinguishing signs of any party, coalition and nomination committees and may not canvass.

Assistance to Commission's Operation

Article 78. The municipal election commission may form expert working groups. The remunerations of the experts shall be fixed by the Central Election Commission according to the methodology referred to in Item 7 of Article 57 (1) herein.

Seal

Article 79. The municipal election commission shall have a seal. The seal shall state the designation and the number of the relevant municipal election commission.

Members' Eligibility Qualifications

Article 80. (1) Eligibility for appointment as members of the municipal election commission shall be limited to persons who have graduated from higher educational establishments, who have the right to vote and who have a command of the Bulgarian language.

(2) The members of the constituency election commission should preferably be qualified lawyers.

(3) (New, SG No. 39/2016, effective 26.05.2016) Any person, who has been convicted of an intentional publicly prosecutable offence, regardless of the rehabilitation, as well as any person who has been released from criminal responsibility for an intentional offence, shall be ineligible for member of a municipal election commission.

Incompatibility

Article 81. The restrictions under Article 66 herein shall apply to the members of the municipal election commission.

Steps upon Pre-term Termination of Credentials

Article 82. (1) Within two days after the entry into effect of the decision on termination of the credentials of a member of the municipal election commission due to the existence of a circumstance covered under Article 51 (2) herein, the Central Election Commission shall appoint a member of the commission from the list of alternate members referred to in Article 75 (4) herein of the respective party or coalition. The Central Election Commission shall forthwith notify the respective party or coalition.

(2) Any member of the municipal election commission, who does not attend the meetings of the commission for more than ten days, may be replaced temporarily for the period during which the said member is unable to execute the powers thereof by a member nominated by the

respective party or coalition. Within two days after the nomination, the Central Election Commission shall appoint a member of the municipal election commission.

Remuneration and Social Insurance

Article 83. (1) The members of the municipal election commission shall be remunerated for working on the respective commission.

(2) The remuneration of the members of the municipal election commission shall be fixed by the Central Election Commission. The amount of the remunerations by position shall be fixed according to the methodology referred to in Item 7 of Article 57 (1) herein.

(3) The members of the municipal election commission shall receive a monthly remuneration for the period commencing upon the appointment thereof and ending seven days after the declaration of the election results.

(4) (Amended, SG No. 39/2016, effective 26.05.2016) For the period after the expiry of the time limit referred to in Paragraph (3) until the appointment of the municipal election commission for the next general elections of municipal councillors and of mayors, the members of the municipal election commission shall receive remuneration for the account of the State budget for attending meetings and for duty service according to a procedure and in an amount established by the Central Election Commission according to the methodology referred to in Item 7 of Article 57 (1) herein.

(5) The remuneration of the members of the municipal election commissions shall be exempt from taxes under the Income Taxes on Natural Persons Act.

(6) (New, SG No. 39/2016, effective 26.05.2016) The provision of Article 97 (4) herein shall furthermore apply to the members of municipal election commissions for the period commencing seven days after the declaration of the election results and ending upon the appointment of the relevant municipal election commission for the next general elections of municipal councillors and of mayors.

(7) (Renumbered from Paragraph 6, SG No. 39/2016, effective 26.05.2016) For the time necessary for working on the respective commission, the members of the municipal election commissions shall be provided with social and health insurance as persons performing work in elective office. The social and health insurance contributions under the Social Insurance Code and the Health Insurance Act of the members of the municipal election commissions shall be for the account of the State budget.

Leave

Article 84. The members of the municipal election commission shall be excused from the official duties or labour duties thereof for the time necessary for participation in the commission. During that time, the said persons shall use an unpaid service leave which shall be assimilated to the length of employment-service or civil-service seniority or, at their request, the paid annual leave to which they are entitled.

Meetings

Article 85. (1) The municipal election commission shall be convened to a meeting by the chairperson thereof or on a requisition by at least one-third of the members thereof.

(2) The meetings of the Commission shall be presided over by the Chairperson, and in the absence thereof, by a Deputy Chairperson designated by the Chairperson.

(3) The municipal election commission shall meet when more than one-half of the members thereof are present.

(4) The municipal election commissions shall pronounce by decisions which shall be adopted by a majority of two-thirds of the members present and shall be signed by the chairperson and the secretary. Where the required majority has not voted in favour of a decision,

a decision on rejection shall be presumed, and the said decision shall be appealable according to the procedure established by this Code.

(5) Minutes of proceedings shall be taken for the meetings of the Commission, and the said minutes shall be signed by the Chairperson and the Secretary.

(6) The decisions of the Commission shall be adopted by a roll-call vote, which shall be recorded in the minutes of proceedings for the meeting.

(7) The members of the Commission shall sign minutes and shall vote on decisions with a dissenting opinion where they disagree with the decision or with the content of the minutes, specifying the nature of the dissenting opinion.

(8) Where the chairperson or, respectively, the secretary is absent, the decisions, minutes and certificates shall be signed by the secretary or, respectively, by the chairperson and by a deputy chairperson. Where both the chairperson and the secretary are absent, the decisions shall be signed by a deputy chairperson and a member designated by a decision of the commission who have been nominated by different parties and coalitions.

(9) Election agents, representatives of parties, coalitions or nomination committees, observers and members of the mass communication media may be present at the sessions of the commission. The views, opinions and objections expressed shall be recorded in the minutes.

Transparency in Commission's Work

Article 86. The constituency election commission shall host an Internet site, whereon it shall forthwith publish the decisions thereof, the full minutes of the meetings thereof, the preliminary and final election results in the respective constituency, including the machine voting results, the scanned tally sheets of the section election commissions and other documents and data. Furthermore, the commission shall publish on the Internet site thereof all public registers kept thereby, complying with the requirements of the Personal Data Protection Act.

Commission's Powers

Article 87. (1) The municipal election commission shall:

1. implement the activities for the application of this Code and the statutory instruments related thereto;

2. exercise control on the operation of the section election commissions within the territory of the constituency;

3. determine and make public the numbers assigned to the constituencies within the municipality; upon the numbering of the said constituencies, the municipal election commission shall reckon with the Uniform Classifier of Political and Territorial Units in Bulgaria;

4. conduct a training of the members of the section election commissions in the constituency, jointly with the training unit under Article 56 (1) herein;

5. appoint the section election commissions in the respective constituency and endorse the lists of alternate members;

6. dismiss members of section election commissions in the respective constituency in the cases of violations of this Code, of the decisions of the Central Election Commission and of the municipal election commission, as well as upon existence of any circumstance covered under Article 51 (2) herein;

7. see to the timely and correct establishment of voting sections in the constituency and generate and endorse the uniform numbers thereof;

8. exercise control as to the timely making public of the electoral rolls;

9. endorse the standard forms of the ballots for municipal councillors and for mayors in the relevant municipality and exercise control as to the delivery and safekeeping of the said ballots;

10. (repealed, SG No. 39/2016, effective 26.05.2016);

11. see to ensuring conditions for voting by persons with disabilities under Sections VIII and IX of Chapter Fourteen herein;

12. register and make public parties and coalitions for contesting elections of municipal councillors and of mayors in the relevant municipality;

13. register and make public the nomination committees and the local coalitions for contesting elections of municipal councillors and of mayors in the relevant municipality and issue certificates to the said nomination committees; keep a public register;

14. register and make public the candidate lists of the parties, coalitions and nomination committees for election of municipal councillors and the candidates for mayors and keep a public register;

15. strike the registration where it is established that the candidate does not satisfy the conditions under Article 397 (1) or (2) herein, as well as in the cases under Article 417 (5) herein;

16. strike the registration where the independent candidate is not supported by the required number of voters according to Article 416 (1) herein;

17. strike the registration of a nomination committee in the cases referred to in Item 16;

18. register, until polling day, the election agents of the candidate lists and issue certificates to the said agents; keep a public register of the election agents by candidate list;

19. control the handling of the election campaign by the media service providers operating within a regional and local range;

20. jointly with the municipal administration furnish the section election commissions with ballot boxes, voting ballots, electoral rolls, seals, blank forms of tally sheets, lists, drafts, and control the safekeeping, distribution among voting sections and transportation thereof;

21. exercise control as to discharge of the duty referred to in Article 77 (3) herein;

22. examine all complaints and alerts about irregularities affecting the election process in accordance with the powers vested therein, including against decisions and steps of the section election commissions; on polling day, pronounce by a decision within one hour after the arrival of the complaint or the alert and before the closing of the polls;

23. establish and maintain a public register of the complaints and alerts lodged with the commission and the decisions thereon;

24. upon pre-term termination of the credentials of a municipal councillor, pronounce the candidate ranked next on the relevant list elected;

25. (amended, SG No. 39/2016, effective 26.05.2016) declare the polls closed after completion of the voting in the voting sections within the territory of the municipality not later than 21:00 hours;

26. ascertain and declare the voting results within 48 hours after the completion of the voting, prepare a tally sheet and issue certificates to the elected municipal councillors and mayors;

27. within the time limit referred to in Item 26, scan and transmit to the Central Election Commission the tally sheets thereof on an election of municipal councillors, municipality mayor and mayoralty mayor and publish the said tally sheets on the Internet site thereof;

28. provide, upon signed acknowledgement, the members of the commission, the election agents, the representatives of the parties, coalitions and nomination committees and the observers with a copy of the signed tally sheet on the respective type of election showing the voting results in the constituency, stamped on each page with the seal of the commission and signed by the chairperson, the deputy chairperson and the secretary;

29. schedule a second round of voting for mayor, where no candidate has been elected;

30. (supplemented, SG No. 39/2016, effective 26.05.2016) in the cases where there is no

elected mayor in the second round of voting or where the election of municipal councillors or mayor has been declared invalid, or upon pre-term termination of the credentials of a mayor or of the Municipal Council, within seven days notify the Central Election Commission to propose the scheduling of a new election;

31. make public the date of the election as scheduled by the President in a conspicuous place in the municipality (mayoralty, borough) and through the local mass communication media;

32. deliver to the Central Election Commission the copies of the tally sheets and the decisions of the municipal election commission on each type of election, the copies of the tally sheets of the section election commissions destined for the Central Election Commission, the receipts on the computer processing of the tally sheets of the section election commissions, a copy of the computer print-out of the data on the tally sheet and the decision of the municipal election commission on each type of election as provided by the computation centre, two machine-readable data mediums storing the numerical data generated by the processing of the tally sheets of the section election commissions, as well as the machine voting recording devices;

33. deliver to the municipal administration the rest of the stationery and materials with the exception of those destined for the Central Election Commission within seven days after the declaration of the election results;

34. implement any other powers provided for in this Code.

(2) The municipal election commission shall forthwith make public the decisions thereof by means of displaying the said decisions in a generally accessible place in the building where the said commission is housed and by means of publication on the Internet site thereof. The place for making the decisions public shall be determined by a decision of the commission forthwith after the appointment of the commission and shall be arranged in a manner indicating the assigned use thereof. The copies of the decisions which are made public shall be marked with the date and hour when the said decisions are displayed in the generally accessible place. The copies of the decisions made public shall be removed not earlier than three days after the said decisions were displayed in the generally accessible place and shall be preserved in the archives of the commission.

Disputing the Decisions

Article 88. (1) The decisions of the municipal election commission may be disputed within three days after being made public before the Central Election Commission, which shall pronounce, within three days, by a decision which shall be appealable before the Supreme Administrative Court.

(2) Article 58 herein shall apply upon appeal of the decisions of the municipal election commission before the Supreme Administrative Court.

Section IV
Section Election Commissions within Bulgaria

Appointment

Article 89. (1) The constituency election commissions or the municipal election commissions shall appoint section election commissions for each voting section within Bulgaria not later than 25 days in advance of polling day.

(2) The constituency election commissions or the municipal election commissions shall appoint the mobile section election commissions upon voting by means of mobile ballot boxes not later than ten days in advance of polling day.

Conditions for Appointment of Mobile Election Commissions

Article 90. (1) (Supplemented, SG No. 39/2016, effective 26.05.2016) Within the territory of each nucleated settlement, there shall be appointed at least one mobile section election commission provided that there are not fewer than ten voters who have submitted applications under Article 37 herein. The constituency election commission or the municipal election commission shall determine the number of mobile section election commissions in the constituency (district) on the basis of the number of applications submitted. Upon elections of President and Vice President of the Republic and elections of Members of the European Parliament for the Republic of Bulgaria, the mobile section election commission may cover the territory of more than one borough in the cities subdivided into boroughs if fewer than ten applications have been submitted in the borough concerned.

(2) The consultations under Article 91 herein shall be held not later than 18 days in advance of polling day. The proposal of the mayor shall be made not later than 15 days in advance of polling day.

(3) The municipality mayor shall be bound to provide transport for the mobile section election commissions.

(4) The provisions of this Code regarding the section election commissions within Bulgaria shall furthermore apply to the mobile section election commissions.

Conduct of Consultations

Article 91. (1) Public consultations shall be held at the mayor of the relevant municipality. The day, hour and place of conduct of such consultations shall be communicated to the public and shall be published on the Internet site of the regional administration not later than three days before the conduct of the said consultations.

(2) The parties and coalitions represented in Parliament and the parties and coalitions which have Members of the European Parliament elected from the candidate lists thereof but are not represented in Parliament shall participate in the consultations. Other parties and coalitions may also participate in the consultations.

(3) The consultations shall be held not later than 35 days in advance of polling day.

(4) At the consultations, the parties and coalitions referred to in Paragraph (2) shall present:

1. a proposal in writing for a complement of the section election commissions, which shall state the names of the persons proposed, Standard Public Registry Personal Number, position in the commission, educational attainment, specialist qualifications, and proposing party or coalition;

2. a copy of the certificate of legal status of the party current as at the date of scheduling of the elections or of the decision on the formation of the coalition, which certifies the credentials of the persons representing the party or coalition;

3. an authorisation from the persons representing the party or coalition, where authorised persons participate in the consultations.

(5) The parties and coalitions shall present, attached to the proposal thereof referred to in Item 1 of Paragraph (4), a list of the alternate members who will replace the persons proposed thereby in the cases referred to in Article 51 (2) herein or where a member of the section election commission does not appear on polling day. Any such replacement shall require a decision of the constituency election commission or the municipal election commission.

(6) A memorandum on the results of the consultations held shall be drawn up and shall be signed by the participants in the said consultations. Upon a refusal to sign the memorandum, as well as where the memorandum is signed with a dissenting opinion, the reasons of the participants shall be attached. The written objections of the parties and coalitions or parties, if any, shall be attached as well.

(7) In the cases where consensus has not been reached among the parties and coalitions which participated in the consultations, the municipality mayor shall, not later than 30 days in advance of polling day, transmit the documents covered under Paragraphs (4), (5) and (6) to the constituency election commission or municipal election commission.

(8) In the cases where consensus has been reached, the municipality mayor shall present to the constituency election commission or to the municipal election commission:

1. a proposal in writing for a complement of the section election commissions together with a list of the alternate members, which shall state the names of the persons proposed, Standard Public Registry Personal Number, position in the commission, educational attainment, specialist qualifications, and proposing party or coalition;

2. the documents covered under Paragraphs (4) and (5), as presented by the parties and coalitions;

3. the memorandums on the consultations held with the representatives of the parties and coalitions, including the written objections thereof;

4. a copy of the notice of conduct of the consultations and the manner of announcement of the said notice.

(9) The mayor shall make the proposal referred to in Paragraph (8) not later than 30 days in advance of polling day. Upon creation of a new municipality, the proposal shall be made by the appointed interim mayor under the same terms.

(10) Where the municipality mayor or the interim mayor of the newly created municipality has failed to make a proposal within the time limit referred to in Paragraph (9), the said mayor or interim mayor shall forthwith transmit the documents covered under Paragraphs (4), (5) and (6) to the constituency election commission or to the municipal election commission.

(11) In the cases where consensus has been reached, the constituency election commission or the municipal election commission shall appoint the section election commissions on the basis of the proposal of the municipality mayor made according to the procedure established by Paragraph (8).

(12) In the cases where consensus has not been reached or the municipality mayor has failed to make a proposal within the time limit referred to in Paragraph (9), the constituency election commission or the municipal election commission shall appoint the section election commissions on the basis of the proposals made by the parties and coalitions.

(13) Where the constituency election commission or the municipal election commission fails to appoint the section election commissions within the time limit referred to in Article 89 herein, the said commission shall forthwith transmit the complete documentation to the Central Election Commission, which shall appoint the section election commissions.

Complement

Article 92. (1) The section election commission shall consist of a chairperson, a deputy chairperson, a secretary and members.

(2) The section election commission shall be represented by the chairperson thereof, and in specified cases, the said commission shall be represented by a deputy chairperson, secretary or a member designated by a decision of the commission.

(3) The representatives of any single party or coalition may not have a majority in the section election commission. The chairperson, the deputy chairperson and the secretary may not be of one and the same party or coalition.

(4) The number of members of section election commissions, including a chairperson, a deputy chairperson and a secretary, shall be:

1. for voting sections with up to 500 voters inclusive: up to seven members, but not fewer

than five;

2. for voting sections with more than 500 voters: up to nine members, but not fewer than five.

(5) The number of the members of the mobile section election commission, including a chairperson, a deputy chairperson and a secretary, shall be up to seven members, but not fewer than five.

(6) The proportion of the parties and coalitions represented in the constituency election commission or the municipal election commission shall be retained upon determining the complement and the leadership of the section election commissions within the municipality for the respective constituency (district).

(7) Upon elections of National Representatives, President and Vice President of the Republic and of Members of the European Parliament for the Republic of Bulgaria, the parties and coalitions which have Members of the European Parliament elected from the candidate lists thereof but are not represented in Parliament shall be entitled to not more than 2 per cent of the members of the section election commissions within the municipality for the respective constituency (district).

(8) (Amended, SG No. 39/2016, effective 26.05.2016) Upon elections of municipal councillors and of mayors, the parties and coalitions which have Members of the European Parliament elected from the candidate lists thereof but are not represented in Parliament shall be entitled to not more than 2 per cent of the members of the section election commissions, but not fewer than one member within the municipality for the constituency.

(9) In case the parties and coalitions represented in Parliament and the parties and coalitions which have Members of the European Parliament elected from the candidate lists thereof but are not represented in Parliament have failed to nominate all members to whom they are entitled, including where the said parties and coalitions have nominated fewer members, the vacant positions shall be filled on a nomination by other parties and coalitions which have participated in the consultations referred to in Article 91 (2) herein. Any such filling shall be made by lots under terms and according to a procedure established by a decision of the Central Election Commission.

Status

Article 93. (1) The section election commission shall implement the powers thereof as from the day of appointment thereof and until the completion of the respective type of election, the delivery of the election stationery and materials to the constituency election commission or municipal election commission and the municipal administration and the displaying in a conspicuous place of the copy of the signed tally sheet referred to in Article 282 (6) or Article 441 (6) herein and of the signed receipt containing the numerical data from the respective tally sheet.

(2) In the execution of the powers thereof, the members of the section election commission shall be treated as domestic public officials within the meaning given by the Criminal Code.

(3) The members of a section election commission may not wear distinguishing signs of any party, coalition and nomination committee and may not canvass.

Seal

Article 94. (1) The section election commission shall have a seal. The seal shall state the designation and the number of the relevant section election commission.

(2) The seal of the section election commission and of the mobile section election commission shall differ in shape.

Members' Eligibility Qualifications

Article 95. Eligibility for appointment as members of a section election commission shall be limited to persons who have the right to vote in the respective type of election and who have a command of the Bulgarian language.

Incompatibility

Article 96. The restrictions under Article 66 herein shall apply to the members of the section election commission.

Remuneration and Social Insurance

Article 97. (1) (Supplemented, SG No. 39/2016, effective 26.05.2016) The members of the section election commissions shall be remunerated for working on the day before polling day, on polling day and for the succeeding day.

(2) The remuneration of the members shall be fixed by the Central Election Commission. The amount of the remunerations by position shall be fixed according to the methodology referred to in Item 7 of Article 57 (1) herein.

(3) The remuneration of the members of the section election commission shall be exempt from taxes under the Income Taxes on Natural Persons Act.

(4) (New, SG No. 39/2016, effective 26.05.2016) The payment of a remuneration under Paragraph (1) to members of section election commissions who are registered as unemployed and/or entitled to social assistance shall not deprive the persons of the receipt of benefits and/or allowances and shall not require an alteration of circumstances declared thereby theretofore.

(5) (Renumbered from Paragraph 4, SG No. 39/2016, effective 26.05.2016) For the time necessary for working on the respective commission, the members of the section election commission shall be provided with social and health insurance as persons performing work in elective office. The social and health insurance contributions under the Social Insurance Code and the Health Insurance Act of the members of the section election commissions shall be for the account of the State budget.

Leave

Article 98. (Supplemented, SG No. 39/2016, effective 26.05.2016) The members of the section election commission shall be excused from the official duties or labour duties thereof for the day preceding the elections, for polling day and for the succeeding day. During that time, the said persons shall use, at their choice, an unpaid service leave which shall be assimilated to the length of employment-service or civil-service seniority or, at their request, the paid annual leave to which they are entitled. Sentence two shall not apply to the members of section election commissions abroad who are posted by the Minister of Foreign Affairs. The posting order shall be presented to the employer or, respectively, the appointing authority of the posted person.

Meetings

Article 99. (1) The meetings of the section election commission shall be presided over by the chairperson and in the absence thereof by the deputy chairperson.

(2) The section election commission shall meet when more than one-half of the members thereof are present.

(3) The section election commission shall pronounce by decisions, which shall be adopted by a majority of two-thirds of the members present and shall be signed by the chairperson and the secretary. Where the required has not voted in favour of a decision, a decision on rejection shall be presumed, and the said decision shall be appealable according to the procedure established by this Code.

(4) (Supplemented, SG No. 39/2016, effective 26.05.2016) Minutes of proceedings shall be taken for the meetings of the commission, and the said minutes shall be signed by the chairperson and the secretary. The decisions of the commission shall be adopted by a roll-call vote, which

shall be recorded in the minutes of proceedings for the meeting.

(5) The members of the commission shall sign minutes and shall vote on decisions with a dissenting opinion when they disagree with the decision or with the content of the minutes, specifying the nature of the dissenting opinion.

(6) Where the chairperson or, respectively, the secretary is absent, the decisions, minutes and certificates shall be signed by the secretary or, respectively, by the chairperson and by a deputy chairperson. Where both the chairperson and the secretary are absent, the decisions shall be signed by a deputy chairperson and a member designated by a decision of the commission who have been nominated by different parties and coalitions.

Commission's Powers

Article 100. (1) The section election commission within Bulgaria shall:

1. implement the activities for the application of this Code and the statutory instruments related thereto at the polling site and in the area of the voting section;

2. assist to the arrangement of the polling site according to the requirements of this Code and with a view to ensuring access to voting by visually impaired persons or persons with ambulant difficulties;

3. ensure the free and peaceful conduct of the voting in the voting section;

4. count the votes for the candidate lists upon all types of elections; count the preferences for the candidates of parties and coalitions upon elections of National Representatives, of Members of the European Parliament for the Republic of Bulgaria and of municipal councillors; prepare a tally sheet on the voting result in the voting section and deliver the said tally sheet to the constituency election commission or to the municipal election commission within 24 hours after completion of the voting;

5. deliver the rest of the papers and materials to the municipal administration within the time limit referred to in Item 4;

6. examine all complaints and alerts about irregularities affecting the election process in accordance with the powers thereof and pronounce on any such complaints and alerts by a decision forthwith and before the closing of the polls; the decision shall be communicated immediately to the complainant or the whistle blower;

7. declare the voting results in a generally accessible place in front of the voting section by displaying the copy of the signed tally sheet referred to in Article 282 (6) or Article 441 (6) herein for the respective type of election;

8. provide, upon signed acknowledgement, the members of the commission, the candidates, the election agents, the representatives of the parties, coalitions and nomination committees and the observers with a copy of the signed tally sheet on the respective type of election showing the voting results in the voting section, stamped on each page with the seal of the commission and signed by the chairperson, the deputy chairperson and the secretary.

(2) The activities shall be distributed among the members of the section election commission by a decision in writing upon the opening of the polls.

(3) The directions of the chairperson of the section election commission shall be binding upon all citizens at the polling site. Such directions may be revoked or modified by a decision of the section election commission.

(4) A decision of the section election commission related to barring a voter from voting shall be in writing and shall be served on the person concerned. Any such decision may be disputed before the constituency election commission or the municipal election commission, which shall pronounce forthwith.

Section V
Section Election Commissions Abroad

Appointment

Article 101. Upon elections of National Representatives, of Members of the European Parliament for the Republic of Bulgaria and of President and Vice President of the Republic, the Central Election Commission shall appoint section election commissions for each voting section abroad not later than twelve days in advance of polling day, except in the cases referred to in Article 104 herein.

Conduct of Consultations

Article 102. (1) Consultations shall be held at the Central Election Commission. The day, hour and place of conduct of such consultations shall be communicated to the public and shall be published on the Internet site of the Central Election Commission not later than three days before the conduct of the said consultations.

(2) The parties and coalitions represented in Parliament and the parties and coalitions which have Members of the European Parliament elected from the candidate lists thereof but are not represented in Parliament shall participate in the consultations. Other political parties and coalitions which have registered candidates may also participate in the consultations.

(3) At the consultations, not later than 16 days in advance of polling day the parties and coalitions referred to in Paragraph (2) shall present:

1. a proposal in writing for a complement of the section election commissions, which shall state the names of the persons proposed, Standard Public Registry Personal Number, position in the commission, educational attainment, specialist qualifications, and proposing party or coalition;

2. a copy of the certificate of legal status of the party current as at the date of scheduling of the elections or of the decision on the formation of the coalition, which certifies the credentials of the persons representing the party or coalition;

3. an authorisation from the persons representing the party or coalition, where authorised persons participate in the consultations.

(4) The parties and coalitions shall present, attached to the proposal thereof referred to in Item 1 of Paragraph (3), a list of the alternate members who will replace the persons proposed thereby in the cases referred to in Article 51 (2) herein or where a member of the section election commission does not appear on polling day. Any such replacement shall require a decision of the Central Election Commission.

(5) A memorandum on the results of the consultations held shall be drawn up and shall be signed by the participants in the said consultations. Upon a refusal to sign the memorandum, as well as where the memorandum is signed with a dissenting opinion, the reasons of the participants shall be attached. The written objections of the parties and coalitions, if any, shall be attached as well.

(6) The Central Election Commission shall appoint the section election commissions on the basis of the proposals of the parties and coalitions represented in Parliament and of the parties and coalitions which have Members of the European Parliament elected from the candidate lists thereof but are not represented in Parliament.

(7) In case the parties and coalitions represented in Parliament and the parties and coalitions which have Members of the European Parliament elected from the candidate lists thereof but are not represented in Parliament have failed to nominate all members to whom they

are entitled, including where the said parties and coalitions have nominated fewer members, the vacant positions shall be filled on a nomination by other parties and coalitions which have participated in the consultations referred to in Paragraph (2). Any such filling shall be made by lots under terms and according to a procedure established by a decision of the Central Election Commission.

(8) (New, SG No. 39/2016, effective 26.05.2016) The positions remaining vacant after the consultations under Paragraph (2) shall forthwith be published on the Internet site of the Central Election Commission.

Nomination by Minister of Foreign Affairs

Article 103. (1) The Central Election Commission shall appoint in each section election commission abroad one member nominated by the Minister of Foreign Affairs or a deputy minister empowered thereby.

(2) The Minister of Foreign Affairs or the deputy minister empowered thereby may make the proposal referred to in Paragraph (1) on the basis of proposals by organisations of Bulgarian nationals in the respective country.

(3) The Minister of Foreign Affairs or the deputy minister empowered thereby shall make the proposal referred to in Paragraph (1) not later than 16 days in advance of polling day. The proposal shall be accompanied by a list of alternate members who will replace the persons proposed in the cases referred to in Article 51 (2) herein or where a member of the section election commission does not appear on polling day. Any such replacement shall require a decision of the Central Election Commission.

Filling Vacancies

Article 104. (1) (Amended, SG No. 39/2016, effective 26.05.2016) Where a party or a coalition referred to in Article 102 (6) or (7) herein has failed to make a proposal, not later than seven days in advance of polling day the Central Election Commission shall appoint as members of the section election commissions persons nominated by the heads of the relevant diplomatic missions or consular posts or by the Minister of Foreign Affairs or a deputy minister empowered thereby.

(2) (Supplemented, SG No. 39/2016, effective 26.05.2016) The heads of the relevant diplomatic missions or consular posts or the Minister of Foreign Affairs or the deputy minister empowered thereby may make the proposals on the basis of proposals by organisations of Bulgarian nationals in the respective country. The proposals by the organisations of Bulgarian nationals shall forthwith be published on the Internet site of the diplomatic missions and consular posts concerned.

Changes in Members Proposed

Article 105. The parties and the coalitions, as well as the Minister of Foreign Affairs or a deputy minister empowered thereby, may make proposals for replacement of a member of a section election commission nominated thereby. Any such proposal shall be presented to the Central Election Commission not later than seven days in advance of polling day. The Commission shall effect the changes not later than five days in advance of polling day.

Meeting Expenses

Article 106. (1) The expenses on sending the persons included in the section election commissions abroad, who have been nominated by parties and coalitions, shall be for the account of the party and coalition concerned.

(2) The members included in the section election commissions, who have been nominated by the Minister of Foreign Affairs or by a deputy minister empowered thereby, shall be posted by the Minister of Foreign Affairs.

Complement

Article 107. (1) The section election commission abroad shall consist of a chairperson, a deputy chairperson, a secretary and members.

(2) The section election commission shall be represented by the chairperson thereof, and in specified cases, the said commission shall be represented by a deputy chairperson, secretary or a member designated by a decision of the commission.

(3) The representatives of any single party or coalition may not have a majority in the section election commission. The chairperson, the deputy chairperson and the secretary may not be of one and the same party or coalition.

(4) The number of members of section election commissions, including a chairperson, a deputy chairperson and a secretary, shall be:

1. for voting sections with up to 500 voters inclusive: up to seven members, but not fewer than five;

2. for voting sections with more than 500 voters: up to nine members, but not fewer than five.

(5) The ratio of the parties and coalitions represented in Parliament shall be retained upon determining the complement and the leadership of the section election commissions. The said proportion shall be determined after excluding the members nominated by the Minister of Foreign Affairs or by a deputy minister empowered thereby under Article 103 herein from the number of members referred to in Paragraph (4).

Commission's Powers

Article 108. (1) The section election commission abroad shall:

1. implement the activities for the application of this Code and the statutory instruments related thereto at the polling site and in the area of the voting section;

2. assist to the arrangement of the polling site according to the requirements of this Code and with a view to ensuring access to voting by visually impaired persons or persons with ambulant difficulties;

3. ensure the free and peaceful conduct of the voting in the voting section;

4. count the votes cast for the candidate lists upon all types of elections, as well as the preferences for the candidates of parties and coalitions upon elections of Members of the European Parliament for the Republic of Bulgaria and prepare a tally sheet;

5. forthwith but not later than 24:00 hours local time on polling day, transmit to the Central Election Commission a scanned copy of the signed tally sheet of the section election commission referred to in Article 282 herein and of the roll for voting abroad;

6. deliver, care of the diplomatic mission or the consular post, the election stationery and materials, as well as the tally sheet of the section election commission by the next Diplomatic Bag to the Ministry of Foreign Affairs for delivery to the Central Election Commission; within seven days after the receipt of the tally sheet and the rest of the election stationery and materials, the Ministry of Foreign Affairs shall transmit them to the Central Election Commission;

7. examine all complaints and alerts about irregularities affecting the election process, and pronounce on any such complaints and alerts forthwith and before the closing of the polls and pronounce on any such complaints and alerts by a decision forthwith and before the closing of the polls; the decision shall be communicated immediately to the complainant or the whistle blower;

8. declare the voting results in a generally accessible place in front of the voting section by displaying the copy of the signed tally sheet referred to in Article 282 (6) herein for the respective type of election;

9. provide, upon signed acknowledgement, the members of the commission, the candidates,

the election agents, the representatives of the parties, coalitions and nomination committees and the observers with a copy of the signed tally sheet on the respective type of election showing the voting results in the voting section, stamped on each page with the seal of the commission and signed by the chairperson, the deputy chairperson and the secretary.

(2) The activities shall be distributed among the members of the section election commission by a decision in writing upon the opening of the polls.

(3) The directions of the chairperson of the section election commission shall be binding upon all citizens at the polling site. Such directions may be revoked or modified by a decision of the section election commission.

Disputing

Article 109. The steps of the section election commissions abroad may be disputed before the Central Election Commission. Any such complaint may be lodged with the Central Election Commission by electronic means or care of the head of the diplomatic mission or consular post, who shall forthwith transmit the said complaint to the Central Election Commission. The Central Election Commission shall pronounce forthwith, within one hour after the arrival of the complaint and before the closing of the polls. The decision shall forthwith be made public and shall be unappealable.

Unregulated Matters

Article 110. The rules for the section election commissions within Bulgaria shall apply to any matters which are not regulated in this Section.

Chapter Six
OBSERVERS

Scope of Activity. Total Number of Observers

Article 111. (1) The observers shall implement the activity thereof as from the registration thereof and until the scheduling of the next elections of the same type.

(2) Upon elections of municipal councillors and of mayors, the observers shall implement the activity thereof as from the registration thereof and until the scheduling of the next general elections, with the registration of organisations and of observers under Article 112 herein subsisting in effect. The organisation may make changes in the list of registered observers.

(3) The total number of observers registered by any single non-governmental organisation may not exceed the number of voting sections within Bulgaria.

(4) The total number of observers abroad registered by any single non-governmental organisation upon elections of National Representatives, of President and Vice President of the Republic and of Members of the European Parliament for the Republic of Bulgaria may not exceed the number of voting sections abroad.

Registration of Observers

Article 112. (1) Until polling day, he Central Election Commission shall register the observers:

1. (amended, SG No. 39/2016, effective 26.05.2016) who are expressly authorised representatives of the registered Bulgarian non-governmental organisations, which can only be associations registered for the public benefit and with objects in the field of protection of citizens' political rights;

2. (amended, SG No. 39/2016, effective 26.05.2016) who are foreign representatives of the European Parliament, of foreign parliaments, of the Organization for Security and Cooperation in Europe, of the Parliamentary Assembly of the Council of Europe and other parliamentary

assemblies, of foreign parties and non-governmental organisations, as well as persons who are not Bulgarian nationals and have been designated by parties, coalitions and nomination committees which have registered candidates.

(2) The Central Election Commission shall register the Bulgarian non-governmental organisations which wish to participate by expressly authorised representatives as observers in the elections.

(3) The registration of the organisations referred to in Paragraph (2) shall be effected on the basis of an application signed by the person representing the organisation according to the current court registration thereof or by a person expressly authorised by the said person.

(4) The following shall be attached to the application referred to in Paragraph (3):

1. a certificate of current legal status;

2. an express authorisation from the person representing the organisation, where the documents are submitted by an authorised person;

3. (supplemented, SG No. 39/2016, effective 26.05.2016) a list signed by the person representing the respective organisation or by a person expressly authorised thereby, stating the names and the Standard Public Registry Personal Number or, respectively, another identifying number for the persons who are not Bulgarian nationals, of the expressly authorised representatives of the organisation to be registered as observers for Bulgaria or, respectively, for abroad; the expressly authorised representatives of the organisation shall submit declarations of the consent thereof to be registered as observers, which shall constitute an integral part of the list;

(5) (Amended, SG No. 39/2016, effective 26.05.2016) The Ministry of Foreign Affairs shall extend an invitation to the organisations referred to in Item 2 of Paragraph (1), as well as to the persons specified by the parties, coalitions and nomination committees which have registered candidates or by foreign parties and non-governmental organisations.

(6) (Amended, SG No. 39/2016, effective 26.05.2016) The Central Election Commission shall register the observers referred to in Item 2 of Paragraph (1) on the basis of a request by the Ministry of Foreign Affairs, whereto a list stating the names, the sending organisation, party or non-governmental organisation and the State of origin of the observers proposed for registration shall be attached.

(7) (Supplemented, SG No. 39/2016, effective 26.05.2016) The Central Election Commission shall register the observers for Bulgaria and, respectively, for abroad on the basis of the list referred to in Item 3 of Paragraph (4) complying with the requirement of Article 111 (3) and (4) herein.

(8) (Supplemented, SG No. 39/2016, effective 26.05.2016) The Central Election Commission shall issue certificates to the registered observers within three days after submission of the application or request, which shall specify whether the observer is registered for Bulgaria or for abroad.

Register of Observers. Publicity

Article 113. The Central Election Commission shall publish on the Internet site thereof a Register of Observers stating the organisations and the authorised representatives registered as observers in the respective type of election. The personal data in the register shall be accessed in compliance with the requirements of the Personal Data Protection Act.

Observers' Rights

Article 114. (1) The observers shall be entitled:

1. to be present at the meetings of the election commissions;

2. to be present upon the printing and the delivery of the paper ballots;

3. to be present upon the receipt of the election stationery and materials and the preparation

of the polling sites;

4. to be present at the polling site upon the opening and closing of the polls;

5. to be present at the polling site while voting is in progress;

6. to be present in the polling site upon the opening of the ballot boxes and upon the ascertainment of the voting results, for which direct visibility shall be ensured thereto;

7. to be present upon the delivery of the ballots, the rest of the papers and materials to the commissions under Article 287 (7) herein and Article 445 (7) herein;

8. to be present upon the entry and re-entry at the election commissions and the computation centres of the data from the tally sheets showing the voting results of the section election commissions; only one observer from one and the same organisation may be present upon the entry of the data;

9. to receive, upon signed acknowledgement, a copy of the tally sheet on the respective type of election showing the voting results in the voting section, as well as showing the voting results in the respective constituency (district);

10. to lodge complaints and alerts about irregularities affecting the election process;

11. to audit and check the machine voting system;

12. to be present at all other stages of the election process.

(2) Not more than two observers from one and the same organisation may be present in any single voting section, and only one such observer may be present at the polling site. The observers shall not be bound to a particular voting section.

(3) The observers shall have the right to vote on a non-resident voting certificate issued according to the procedure established by Article 34 herein.

(4) The central and local government authorities and the administrations thereof and the election commissions shall be bound to render assistance to the observers and, upon request, to provide them with information and documents in connection with the execution of the powers thereof.

Identification and Distinguishing Signs

Article 115. (1) At all stages of the election process the observer shall identify himself or herself by producing the certificate issued thereto. Any such certificate shall be issued in a single copy.

(2) On polling day, observers shall be bound to wear only distinguishing signs of a standard design endorsed by the Central Election Commission. Any observers, who wear any distinguishing signs other than those approved by the Central Election Commission or who do not wear distinguishing signs, shall be excluded from the voting section by a decision of the section election commission. Any such decision may be disputed before the constituency election commission or the municipal election commission, which shall pronounce forthwith. The decision shall be unappealable.

Observers' Duties

Article 116. (1) One and the same person may not be simultaneously an observer and a poll taker.

(2) The observer may not be an attendant.

(3) The observers may not be remunerated for the activity thereof by parties, coalitions, nomination committees and the candidates thereof.

Chapter Seven
ELECTION AGENTS

Scope of Activity. Total Number of Election Agents

Article 117. (1) The election agents shall assist and represent the interests of the candidates on the candidate lists of the parties, coalitions and nomination committees in dealings with the central and local government authorities, the public organisations and the election commissions.

(2) The election agent shall enjoy freedom of expression and shall be free to canvass, whether orally and in writing, at campaign meetings, as well as through the media service providers.

(3) (Amended and supplemented, SG No. 39/2016, effective 26.05.2016) Eligibility for registration as election agent shall be limited to persons who have attained the age of 18 years, are not interdicted, do not serve a custodial sentence, and have not been convicted of an intentional publicly prosecutable offence.

(4) The total number of election agents of each candidate list of a party, coalition and nomination committee may not exceed the number of voting sections in the respective constituency (district).

(5) The total number of election agents abroad of each candidate list of a party and coalition and of a nomination committee upon elections of National Representatives, of President and Vice President of the Republic and of Members of the European Parliament for the Republic of Bulgaria may not exceed the number of voting sections abroad.

(6) Any single candidate list may be represented by a single election agent in any single voting section on polling day. Upon elections of municipal councillors and of mayors, the candidate lists for municipal councillors and for mayors of one and the same party or coalition, may be represented jointly by a single election agent in any single voting section on polling day. The election agents shall not be bound to a particular voting section.

(7) One and the same person may be an election agent of only one candidate list.

Registration of Election Agents

Article 118. (1) (Supplemented, SG No. 39/2016, effective 26.05.2016) The election agents shall be registered until polling day on the basis of an application signed by the person representing the party or the persons representing the coalition or by persons expressly authorised thereby. The application of the nomination committee shall be signed by the person representing the nomination committee. In the cases where the application is submitted by authorised persons, the relevant authorisation shall be presented as well. The application shall be accompanied by a list signed by the persons referred to in sentence one or two, stating the names and the Standard Public Registry Personal Number or, respectively, another identifying number for the persons who are not Bulgarian nationals, of the persons to be registered as election agents and a declaration by the persons to the effect that they satisfy the requirements of Article 117 (3) herein.

(2) The registration of the election agents shall be effected by the constituency election commission or municipal election commission complying with the requirement of Article 117 (4) herein.

(3) The registration of the election agents abroad shall be effected by the Central Election Commission complying with the requirement of Article 117 (5) herein.

(4) An election agent may be replaced by an additionally registered election agent in the cases where the election agent is unable to exercise the rights thereof or where a proposal has been made by the party, coalition or nomination committee concerned. The total number of additional election agents of each candidate list of a party, coalition and nomination committee may be up to one-third of the number of voting sections in the respective constituency (district). The constituency election commission or municipal election commission shall register the

election agent according to the procedure established by Paragraph (1) and shall issue a certificate to the said agent. The certificate of the replaced election agent shall be cancelled. Any such replacement shall forthwith be entered in the public register of election agents.

(5) Upon conduct of a new election of President and Vice President of the Republic in the cases referred to in Article 93 (4) of the Constitution or, respectively, a second round of voting in elections of a mayor, the registration of the election agents of the candidate lists of the parties, coalitions and nomination committees effected at the Central Election Commission, the constituency election commission or the municipal election commission for the first election or, respectively, the first round, shall subsist in effect. New election agents may furthermore be registered between the two elections or, respectively, between the two rounds.

Election Agent Capacity

Article 119. (Amended, SG No. 39/2016, effective 26.05.2016) The election agents shall qualify as domestic public officials within the meaning given by Item 1 (b) of Article 93 of the Criminal Code as from the registration of the candidate lists and until the declaration of the election results. Where the registration of a candidate list is stricken, the effect of the striking shall extend to the election agents of the said candidate list.

Election Agents' Rights and Duties

Article 120. (1) The election agent shall be entitled:

1. to assist the candidates on the candidate list of a party, coalition or nomination committee in the constituency (district) and to represent the interests of the said candidates;

2. to be present at the meetings of the election commissions;

3. to be present upon the receipt of the election stationery and materials and the preparation of the polling sites;

4. to be present at the polling site upon the opening and closing of the polls;

5. to be present at the polling site while voting is in progress;

6. to be present in the polling site upon the opening of the ballot boxes and upon the ascertainment of the voting results, for which direct visibility shall be ensured thereto;

7. to be present upon the entry and re-entry at the election commissions and at the computation centres of the data from the tally sheets showing the voting results of the section election commissions;

8. to receive, upon signed acknowledgement, a copy of the tally sheet on the respective type of election showing the voting results in the voting section, as well as showing the voting results in the respective constituency (district);

9. (new, SG No. 39/2016, effective 26.05.2016) to lodge complaints and alerts about irregularities affecting the election process.

(2) Only one election agent of a candidate list from each political party, coalition or nomination committee may be present at the meetings of the commissions, and upon elections of municipal councillors and of mayors, the candidate lists for municipal councillors and for mayors of one and the same party or coalition may be represented jointly by a single election agent.

(3) The election agent may not be an attendant.

Distinguishing Signs

Article 121. (1) On polling day, election agents shall be bound to wear only distinguishing signs of a standard design endorsed by the Central Election Commission. Any election agents, who wear any distinguishing signs other than those endorsed by the Central Election Commission or who do not wear distinguishing signs, shall be excluded from participation in the polls by a decision of the section election commission. Any such decision may be disputed before the constituency election commission or the municipal election commission, which shall pronounce

forthwith. The decision shall be unappealable.

(2) As from the registration thereof and until the declaration of the election results, the election agents shall identify themselves by producing the certificate issued thereto. Any such certificate shall be issued in a single copy.

Register of Election Agents. Publicity

Article 122. (1) The constituency election commission or municipal election commission shall publish on the Internet site thereof a register of the election agents, disaggregated by candidate list. The personal data in the register shall be accessed in compliance with the requirements of the Personal Data Protection Act.

(2) The Central Election Commission shall publish on the Internet site thereof a register of election agents abroad, disaggregated by candidate list.

Election Agents Abroad

Article 123. This Chapter shall furthermore apply to the election agents abroad.

Chapter Eight
REPRESENTATIVES OF PARTIES, COALITIONS AND NOMINATION COMMITTEES

Total Number of Representatives. Identification

Article 124. (1) Only one representative of any party, coalition and nomination committee which have registered candidates may be present in any given voting section on polling day.

(2) The total number of representatives of any party, coalition and nomination committee may not exceed the number of voting sections in the respective constituency (district).

(3) The total number of the representatives of any party, coalition or nomination committee abroad upon elections of National Representatives, President and Vice President of the Republic and of Members of the European Parliament for the Republic of Bulgaria may not exceed the number of voting sections abroad.

(4) Each party, coalition or nomination committee shall prepare a list of the names, Standard Public Registry Personal Number, number and date of the authorisation of the persons who are authorised to represent the said party, coalition or committee on polling day. The said list shall be signed and delivered until polling day to the constituency elections commissions or, respectively, the municipal election commissions in the respective constituency (district) by the person representing the party or the persons representing the coalition or by persons expressly authorised thereby. The constituency election commissions or, respectively, the municipal election commissions shall publish the list on the Internet site thereof complying with the requirements of the Personal Data Protection Act.

(5) The representative of any party, coalition and nomination committee shall identify himself or herself by producing an authorisation issued by the person representing the respective party, coalition or nomination committee or by a person authorised thereby.

(6) The representatives of any parties, coalitions and nomination committees whose candidates contest a new election of President and Vice President of the Republic in the cases referred to in Article 93 (4) of the Constitution or, respectively, in a second round upon elections of mayor, may alternatively identify themselves by producing the authorisation issued for the first election or, respectively, the first round of voting. Between the two elections or, respectively, between the two rounds, the parties, coalitions and nomination committees contesting the elections may furthermore authorise new representatives.

Distinguishing Signs

Article 125. On polling day, the representatives of the parties, coalitions and nomination committee shall be bound to wear only distinguishing signs of a standard design endorsed by the Central Election Commission. Any representatives who wear any distinguishing signs other than those approved by the Central Election Commission or who do not wear distinguishing signs shall be excluded from the voting section by a decision of the section election commission. Any such decision may be disputed before the constituency election commission or the municipal election commission, which shall pronounce forthwith. The decision shall be unappealable.

Rights and Duties

Article 126. (1) The representatives of the parties, coalitions and nomination committees shall be entitled:

1. to be present at the polling site upon the opening and closing of the polls;

2. to be present at the polling site while voting is in progress;

3. to be present in the polling site upon the opening of the ballot boxes and upon the ascertainment of the voting results, for which direct visibility shall be ensured thereto;

4. to be present upon the entry and re-entry at the election commissions and at the computation centres of the data from the tally sheets showing the voting results of the section election commissions;

5. to receive, upon signed acknowledgement, a copy of the tally sheet on the respective type of election showing the voting results in the voting section, as well as showing the voting results in the respective constituency (district);

6. to lodge complaints and alerts about irregularities affecting the election process.

(2) Only one representative of each political party, coalition or nomination committee may be present at the meetings of the commissions.

(3) The representatives of parties, coalitions and nomination committees may not be attendants.

Chapter Nine
REGISTRATION OF PARTIES, COALITIONS AND NOMINATION COMMITTEES

Section I
Contesting Elections

Manner of Contesting Elections

Article 127. (1) Each party may contest each separate type of election either independently or in a coalition with other parties.

(2) Each party may contest each separate type of election in only one coalition.

(3) Each party or coalition, which is registered at the Central Election Commission, may contest the elections of municipal councillors, municipality mayors, borough mayors and mayoralty mayors either independently or as part of different local coalitions for each separate type of election.

(4) Independent candidate nomination committees may be established and contest each separate type of election.

Full or Abbreviated Name

Article 128. (1) (Supplemented, SG No. 39/2016, effective 26.05.2016) The full or abbreviated name of any coalition, including of any local coalition, may not replicate the full or abbreviated name of any party registered under the Political Parties Act until the date of promulgation in the State Gazette of the decree of the President or of the resolution of the National Assembly scheduling the elections, including by means of adding any words, letters, numbers or other signs to any such name. The full or abbreviated name of any coalition, including of any local coalition, may not replicate the full or abbreviated name of any coalition registered at the Central Election Commission to contest the last elections of National Representatives, or the name of any existing parliamentary group, as well as the adding of any words, letters, numbers or other signs to any such names. The full or abbreviated name of any local coalition shall contain only the full or abbreviated name of some of the parties or coalitions participating in the said local coalition.

(2) (Amended, SG No. 39/2016, effective 26.05.2016) The prohibition referred to in Paragraph (1) shall not apply where the full or abbreviated name of the coalition replicates the full or abbreviated name of any of the parties participating in the said coalition, as well as where there is consent in writing with notarised signatures by the persons representing the coalition or by the leadership of the parliamentary group.

(3) The full or abbreviated name of the parties participating in a coalition may be added in parentheses to the full or abbreviated name of the coalition.

(4) The Central Election Commission upon all types of elections and the competent municipal election commission upon elections of municipal councillors and of mayors shall check the compliance with the requirements of Paragraphs (1) and (2). Upon ascertainment of any omissions or non-conformities, the Central Election Commission and, respectively, the municipal election commission shall forthwith give directions for the elimination of the said omissions or non-conformities within three days but not later than the closing date for registration.

(5) Where the omissions or non-conformities are not eliminated within the time limit referred to in Paragraph (4), the competent election commission shall refuse registration.

(6) The refusal of registration by the Central Election Commission shall be appealable before the Supreme Administrative Court according to the procedure established by Article 58 herein.

(7) The refusal of registration by the municipal election commission may be disputed before the Central Election Commission according to the procedure established by Article 88 herein.

Deposit

Article 129. (1) For contesting elections of National Representatives, of President and Vice President of the Republic and of Members of the European Parliament for the Republic of Bulgaria, the parties, coalitions and nomination committees shall remit an interest-free deposit to an account with the Bulgarian National Bank. The said deposit shall be:

1. for parties and coalitions: BGN 2,500;

2. for nomination committees: BGN 100.

(2) The parties, coalitions and nomination committees shall not remit a deposit for contesting elections of municipal councillors and of mayors.

Refund

Article 130. Within seven days after declaration of the final election results, the Central Election Commission shall refund the deposit by a decision to:

1. the parties and coalitions which have gained not less than 1 per cent of the valid votes at

a national level;

2. the nomination committees whose candidates have gained:

(a) valid votes that are not less than one-quarter of the constituency electoral quota: upon elections of National Representatives;

(b) not less than 1 per cent of the valid votes: upon elections of President and Vice President of the Republic and of Members of the European Parliament for the Republic of Bulgaria.

Non-refunded Amounts. Accounting

Article 131. (1) Any non-refunded amounts from deposits under Article 129 (1) herein shall be credited to the Fund for Medical Treatment of Children Centre with the Minister of Health.

(2) The amounts of deposits under Article 129 (1) herein shall not be treated as financial resources spent by the parties, coalitions and nomination committees in connection with the financing of the election campaign.

Section II
Registration of Parties

Competent Authority

Article 132. (1) Parties shall register to contest the elections at the Central Election Commission.

(2) Upon elections of municipal councillors and of mayors, the parties registered at the Central Election Commission shall furthermore register to contest the elections at the competent municipal election commission.

Documents for Registration of Parties

Article 133. (1) Parties shall present an application for registration o the Central Election Commission not later than 45 days in advance of polling day. Any such application shall be signed by the person representing the party according to the current court registration thereof. The application may alternatively be signed by persons expressly authorised by the person representing the party.

(2) The application referred to in Paragraph (1) shall state:

1. the full or abbreviated name of the party according to the court registration thereof;

2. the full or abbreviated name of the party as declared for printing on the ballot;

3. a request for registration to contest the elections;

4. address, telephone number and contact person.

(3) The party shall present, attached to the application for registration:

1. a certificate of legal status current as at the date of scheduling of the elections;

2. a specimen of the signature of the person representing the party;

3. a specimen of the [impression of the] seal of the party;

4. documentary proof from a bank on remittance of a deposit under Article 129 (1) herein: only upon elections of National Representatives, of President and Vice President of the Republic, and of Members of the European Parliament for the Republic of Bulgaria;

5. (supplemented, SG No. 39/2016, effective 26.05.2016) a list containing the names, the Standard Public Registry Personal Number and manual signature of not fewer than 2,500 voters supporting the registration, affixed in the presence of persons authorised by the party; upon elections of Members of the European Parliament for the Republic of Bulgaria and upon elections of municipal councillors and of mayors, the registration of the party may furthermore be

supported by voters who are nationals of another Member State of the European Union, with the lists stating the names, the Personal Number, the number of the residence certificate and the date of registration stated therein, and signature; each voter may participate in only one list; the list shall be delivered also in the form of a structured electronic image, stating the names and the Standard Public Registry Personal Number (Personal Number) of the voters who have affixed a manual signature, in the order in which they have been entered in the list;

6. a certificate issued by the Bulgarian National Audit Office under Article 37 (1) of the Political Parties Act on financial statements submitted by the party for each of the last three years and, applicable to newly registered parties, since the date of the court registration thereof;

7. a certificate of an active bank account to be used to service the election campaign;

8. the names and positions of the persons to be responsible for the financial resources raised and spend and the bookkeeping of the party in connection with the election campaign;

9. an express authorisation from the person representing the party, where the documents are submitted by an authorised person.

(4) The personal data referred to in Item 5 of Paragraph (3) shall be processed and provided complying with the requirements of the Personal Data Protection Act.

Conditions for Registration. Refusal of Registration

Article 134. (1) The Central Election Commission shall conduct a check of the documents presented under Article 133 herein and shall adopt a decision on the registration of the party not later than 45 days in advance of polling day.

(2) Upon ascertainment of any omissions or non-conformities, the Central Election Commission shall forthwith give directions for the elimination of the said omissions or non-conformities within three days but not later than the closing date for registration. In case the omissions or non-conformities are not eliminated within the time limit referred to in sentence one, the Central Election Commission shall refuse registration.

(3) The refusal of registration shall be appealable before the Supreme Administrative Court according to the procedure established by Article 58 herein. If the court revokes the decision appealed, the Central Election Commission shall forthwith register the party to contest the elections, regardless of whether the time limit referred to in Paragraph (1) has expired, but not later than 65 days in advance of polling day.

Check of Lists. Ex Officio Striking of Registration

Article 135. (1) (Amended, SG No. 98/2014, effective 28.11.2014, supplemented, SG No. 39/2016, effective 26.05.2016) The lists referred to in Item 5 of Article 133 (3) herein in the form of a structured electronic image and on hard copy shall forthwith be delivered for a check to the Directorate General of Civil Registration and Administrative Services at the Ministry of Regional Development and Public Works.

(2) (Amended, SG No. 98/2014, effective 28.11.2014) The Directorate General of Civil Registration and Administrative Services at the Ministry of Regional Development and Public Works shall conduct the check not later than 42 days in advance of polling day.

(3) (Amended, SG No. 98/2014, effective 28.11.2014) The Directorate General of Civil Registration and Administrative Services at the Ministry of Regional Development and Public Works shall draw up a memorandum on the result of the check in two copies and shall provide one of the copies to the Central Election Commission. The data of the check shall be kept for a period of up to six months after conduct of the elections.

(4) (Amended, SG No. 98/2014, effective 28.11.2014) The Central Election Commission shall ascertain the result for the lists referred to in Item 5 Article 133 (3) herein on the basis of the check conducted by the Directorate General of Civil Registration and Administrative Services at

the Ministry of Regional Development and Public Works. Upon request by any party registered to contest the elections, the Central Election Commission shall provide to it in writing the data of the memorandum referred to in Paragraph (3) and the result ascertained for the lists submitted by the party under Item 5 of Article 133 (3) herein.

(5) (Amended, SG No. 98/2014, effective 28.11.2014) Where, as a result of the check conducted by the Directorate General of Civil Registration and Administrative Services at the Ministry of Regional Development and Public Works and after the closing date for registration it is established that the party does not conform to the requirements referred to in Item 5 of Article 133 (3) herein, the registration of the said party shall be stricken by a decision which shall be communicated immediately to the party and shall be appealable according to the procedure established by Article 58 herein.

Search of List

Article 136. The Central Election Commission shall ensure to each voter who is a Bulgarian national searchability of the list referred to in Item 5 Article 133 herein by Standard Public Registry Personal Number, and, respectively, to each voter who is a national of another Member State of the European Union, searchability of the said list by Personal Number upon elections of Members of the European Parliament for the Republic of Bulgaria and of municipal councillors and mayors, including by means of a free-of-charge telephone number.

Striking of Registration

Article 137. (1) A party may request that the registration thereof to contest the elections be stricken not later than 32 days in advance of polling day. The striking shall be effected acting on an application in writing by the party to the Central Election Commission, signed by the person representing the party or by a person expressly authorised thereby. The party shall also attach the decision on striking to any such application.

(2) By the decision to strike the registration, the Central Election Commission shall also refund the deposit remitted by the respective party or coalition under Article 129 (1) herein.

(3) The deposit referred to in Article 129 (1) herein shall be refunded within seven days after the entry into effect of the decision of the Central Election Commission referred to in Paragraph (2).

(4) Paragraphs (2) and (3) shall furthermore apply upon striking of the registration of a party under Article 135 (5) herein.

Transmittal of Lists to Constituency Election Commissions or Municipal Election Commissions after Completion of Registration

Article 138. (Supplemented, SG No. 39/2016, effective 26.05.2016) Upon elections of National Representatives and elections of municipal councillors and of mayors, after the completion of the registration of the parties, the Central Election Commission shall forthwith transmit the following to the constituency election commissions or to the municipal election commissions:

1. a list of the registered parties;
2. information on the stricken parties.

Section III
Registration of Coalitions

Authority Competent to Register Coalitions

Article 139. Coalitions shall register to contest the elections at the Central Election Commission.

(2) Upon elections of municipal councillors and of mayors, the coalitions registered at the Central Election Commission shall furthermore register to contest the elections at the competent municipal election commission.

Documents for Registration of Coalitions

Article 140. (1) The parties which have formed a coalition to contest elections on the basis of a joint decision shall present an application for registration to the Central Election Commission not later than 45 days in advance of polling day. Any such application shall be signed by the persons representing the coalition according to the decision on the formation thereof. The application may alternatively be signed by persons expressly authorised by the persons representing the coalition.

(2) The application referred to in Paragraph (1) shall state:

1. the full or abbreviated name of the coalition according to the decision on the formation thereof;

2. the full or abbreviated name of the coalition as declared for printing on the ballot;

3. a request for registration to contest the elections;

4. address, telephone number and contact person.

(3) The coalition shall present, attached to the application for registration:

1. for each of the parties participating in the coalition:

(a) a certificate of legal status current as at the date of scheduling of the elections;

(b) a specimen of the signature of the person representing the party;

(c) a specimen of the [impression of the] seal of the party;

(d) a certificate issued by the Bulgarian National Audit Office under Article 37 (1) of the Political Parties Act on financial statements submitted by the party for each of the last three years and, applicable to newly registered parties, since the date of the court registration thereof;

2. a decision on the formation of the coalition signed by the persons representing the parties and stamped with the seals of the participating parties.

3. a specimen of the signatures of the persons representing the coalition;

4. a specimen of the [impression of the] seal of the coalition, if any;

5. documentary proof from a bank on remittance of a deposit under Article 129 (1) herein: only upon elections of National Representatives, of President and Vice President of the Republic, and of Members of the European Parliament for the Republic of Bulgaria;

6. (amended and supplemented, SG No. 39/2016, effective 26.05.2016) a list containing the names, the Standard Public Registry Personal Number and manual signature of not fewer than 2,500 voters supporting the registration, affixed in the presence of persons authorised by the coalition; upon elections of Members of the European Parliament for the Republic of Bulgaria and elections of municipal councillors and of mayors, the registration of the coalition may furthermore be supported by voters who are nationals of another Member State of the European Union, with the lists stating the names, the personal number, the number of the residence certificate and the date of registration stated therein, and signature; each voter may participate in only one list; the list shall be delivered also in the form of a structured electronic image, stating the names and the Standard Public Registry Personal Number (Personal Number) of the voters who have affixed a manual signature, in the order in which they have been entered in the list;

7. a certificate of a bank account in the name of the party referred to in Article 164 (2) herein, to be used only to service the election campaign;

8. the names and positions of the persons to be responsible for the financial resources raised and spend and the bookkeeping of the coalition in connection with the election campaign;

9. an authorisation from the persons representing the coalition, in the cases where the

documents are submitted by authorised persons.

(4) The personal data referred to in Item 6 of Paragraph (3) shall be processed and provided complying with the requirements of the Personal Data Protection Act.

Conditions for Registration. Refusal of Registration

Article 141. (1) The Central Election Commission shall conduct a check of the documents presented under Article 140 herein and shall adopt a decision on the registration of the coalition not later than 45 days in advance of polling day.

(2) Upon ascertainment of any omissions or non-conformities, the Central Election Commission shall forthwith give directions for the elimination of the said omissions or non-conformities within three days but not later than the closing date for registration. In case the omissions or non-conformities are not eliminated within the time limit referred to in sentence one, the Central Election Commission shall refuse registration.

(3) The refusal of registration shall be appealable before the Supreme Administrative Court according to the procedure established by Article 58 herein. If the court revokes the decision appealed, the Central Election Commission shall forthwith register the coalition to contest the elections, regardless of whether the time limit referred to in Paragraph (1) has expired, but not later than 35 days in advance of polling day.

Check of Lists. Ex Officio Striking of Registration

Article 142. (1) (Amended, SG No. 98/2014, effective 28.11.2014, supplemented, SG No. 39/2016, effective 26.05.2016) The lists referred to in Item 6 of Article 140 (3) herein in the form of a structured electronic image and on hard copy shall forthwith be delivered for a check to the Directorate General of Civil Registration and Administrative Services at the Ministry of Regional Development and Public Works.

(2) (Amended, SG No. 98/2014, effective 28.11.2014) The Directorate General of Civil Registration and Administrative Services at the Ministry of Regional Development and Public Works shall conduct the check not later than 42 days in advance of polling day.

(3) (Amended, SG No. 98/2014, effective 28.11.2014) The Directorate General of Civil Registration and Administrative Services at the Ministry of Regional Development and Public Works shall draw up a memorandum on the result of the check in two copies and shall provide one of the copies to the Central Election Commission. The data of the check shall be kept for a period of up to six months after conduct of the elections.

(4) (Amended, SG No. 98/2014, effective 28.11.2014) The Central Election Commission shall ascertain the result for the lists referred to in Item 6 Article 140 (3) herein on the basis of the check conducted by the Directorate General of Civil Registration and Administrative Services at the Ministry of Regional Development and Public Works. Upon request by any coalition registered to contest the elections, the Central Election Commission shall provide to it in writing the data of the memorandum referred to in Paragraph (3) and the result ascertained for the lists submitted by the coalition under Item 6 of Article 140 (3) herein.

(5) (Amended, SG No. 98/2014, effective 28.11.2014) Where, as a result of the check conducted by the Directorate General of Civil Registration and Administrative Services at the Ministry of Regional Development and Public Works and after the closing date for registration it is established that the coalition does not conform to the requirements referred to in Item 6 of Article 140 (3) herein, the registration of the said coalition shall be stricken by a decision which shall be communicated immediately to the coalition and shall be appealable according to the procedure established by Article 58 herein.

Search of List under Item 6 of Article 140 (3) Herein

Article 143. The Central Election Commission shall ensure to each voter who is a

Bulgarian national searchability of the list referred to in Item 6 of Article 140 (3) herein by Standard Public Registry Personal Number, and, respectively, to each voter who is a national of another Member State of the European Union, searchability of the said list by Personal Number upon elections of Members of the European Parliament for the Republic of Bulgaria and of municipal councillors and mayors, including by means of a free-of-charge telephone number.

Changes in Set of Partners Forming Coalition

Article 144. (1) Any changes in the set of partners forming a coalition, which have occurred after the registration of the said coalition at the Central Election Commission, shall be effected after submission of an application and presentation of a decision on the changes, which must satisfy the conditions for formation of the coalition, not later than 35 days in advance of polling day.

(2) In case new parties join the coalition, the said parties shall present the documents referred to in Item 1 of Article 140 (3) herein not later than 35 days in advance of polling day.

(3) In case one or more parties leave the coalition, the registration of the said coalition shall subsist if at least two parties remain therein.

(4) In case a party whose full or abbreviated name is included in the name of the coalition leaves the coalition, the Central Election Commission shall, by the decision whereby it effects the change in the set of partners forming the coalition, also set a three-day time limit for a change of the name of the coalition. The coalition shall retain the registration thereof to contest the elections if, within the time limit set, the said coalition changes the name thereof by a decision on such change and submits an application to the Central Election Commission. The Central Election Commission shall remove the full or abbreviated name of the party which has left the coalition from the name of the said coalition.

(5) The changes which have occurred in the set of partners forming the coalition shall be noted in the register of the Central Election Commission after submission of an application by the persons representing the party or the coalition not later than 32 days in advance of polling day.

(6) Not later than 32 days in advance of polling day, the Central Election Commission shall remove the parties which have left the set of parties forming the coalition from the name of the said coalition.

(7) Any party, which is included in a set of partners forming a coalition, may not contest elections independently.

(8) Any party, which is included in a set of partners forming a coalition and which leaves the said coalition after the registration of the said coalition but not later than 45 days in advance of polling day, may contest the elections independently after registering according to the procedure established by Section II of this Chapter.

Striking of Registration

Article 145. (1) A coalition may request that the registration thereof to contest the elections be stricken not later than 32 days in advance of polling day. The striking shall be effected acting on an application in writing by the coalition to the Central Election Commission, signed by the persons representing the coalition. The coalition shall also attach to the application a decision on striking, signed by the persons representing the parties participating in the coalition or by persons expressly authorised thereby.

(2) By the decision to strike the registration, the Central Election Commission shall also refund the deposit remitted by the respective coalition under Article 129 (1) herein.

(3) The deposit referred to in Article 129 (1) herein shall be refunded within seven days after the entry into effect of the decision of the Central Election Commission referred to in Paragraph (2).

(4) Paragraphs (2) and (3) shall furthermore apply upon striking of the registration of a coalition under Article 142 (5) herein.

Transmittal of Lists to Constituency Election Commissions or Municipal Election Commissions after Completion of Registration

Article 146. (Supplemented, SG No. 39/2016, effective 26.05.2016) Upon elections of National Representatives and of municipal councillors and of mayors, after the completion of the registration of the coalitions, the Central Election Commission shall forthwith transmit the following to the constituency election commissions or to the municipal election commissions:

1. a list of the registered coalitions;

2. information on the changes in the set of partners forming the coalitions and in the name of the coalitions effected according to the procedure established by Article 144 (4), (5), (6) and (8) herein;

3. information on the stricken coalitions.

Section IV
Registration of Parties, Coalitions and Local Coalitions at Municipal Election Commissions

Registration of Parties and Coalitions Registered at Central Election Commission

Article 147. (1) The parties and coalitions registered at the Central Election Commission shall be registered to contest the elections of municipal councillors and of mayors on the basis of an application for registration presented to the competent municipal election commission not later than 40 days in advance of polling day. The application shall state the type of election for which registration is sought. A separate application shall be submitted for each separate type of election.

(2) The parties participating in any one coalition registered at the Central Election Commission may not be registered independently at a municipal election commission nor join independently, that is to say, not as part of the coalition wherein they are registered at the Central Election Commission, other coalitions within the territory of the municipality.

(3) The application shall be presented acting on a decision of the party. The application shall be signed by the persons representing the party or the coalition or by persons expressly authorised thereby.

(4) The application shall state:

1. the full or abbreviated name of the party or the coalition as it will appear on the ballot;

2. a request for registration to contest the elections, specifying the type of election for which the registration is to be effected;

3. address, telephone number and contact person.

(5) The following shall be attached to the application:

1. (repealed, SG No. 39/2016, effective 26.05.2016);

2. a decision on the formation of the coalition signed by the persons representing the parties and stamped with the seals of the participating parties;

3. an authorisation of the persons authorised to represent the party or the coalition in dealings with the municipal election commission, in the cases where the documents are submitted by authorised persons.

(6) The Central Election Commission shall conduct a check of the documents presented and shall adopt a decision on the registration of the party or the coalition not later than 40 days in advance of polling day.

(7) Upon ascertainment of any omissions or non-conformities, the municipal election commission shall forthwith give directions for the elimination of the said omissions or non-conformities within three days but not later than the closing date for registration. In case the omissions or non-conformities are not eliminated within the time limit referred to in sentence one, the municipal election commission shall refuse registration.

(8) The refusal of the municipal election commission shall be appealable before the Central Election Commission according to the procedure established by Article 88 herein.

Registration of Local Coalitions

Article 148. (1) Local coalitions shall be formed to contest the elections of municipal councillors and of mayors only by parties and coalitions registered at the Central Election Commission.

(2) Local coalition shall be registered on the basis of an application for registration presented to the competent municipal election commission not later than 40 days in advance of polling day. The application shall state the type of election for which registration is sought. A separate application shall be submitted for each separate type of election.

(3) The application shall be presented acting on a decision of the local coalition. The application shall be signed by the persons representing the local coalition or by persons expressly authorised thereby.

(4) The application shall state:

1. the full or abbreviated name of the local coalition as it will appear on the ballot;

2. a request for registration to contest the elections, specifying the type of election for which the registration is to be effected;

3. address, telephone number and contact person.

(5) The following shall be attached to the application of a local coalition:

1. a decision on the formation of the local coalition, specifying the person authorised to represent the said coalition and the type of election for which the said coalition is formed; the decision must be signed by authorised representatives of the constituent parties and coalitions; where the decision is for contesting more than one type of election, only one original for the respective municipality shall be presented to the municipal election commission;

2. a specimen of the signatures of the persons representing the local coalition;

3. a specimen of the [impression of the] seal of the local coalition, if any;

4. authorisations of the persons who signed the decision on the formation of the local coalition;

5. (repealed, SG No. 39/2016, effective 26.05.2016);

6. a certificate of a bank account in the name of the party referred to in Article 164 (2) herein, to be used only to service the election campaign;

7. the names and positions of the persons to be responsible for the financial resources raised and spend and the bookkeeping of the local coalition in connection with the election campaign;

(6) The municipal election commission shall conduct a check of the documents presented and shall adopt a decision on the registration of the local coalition not later than 40 days in advance of polling day.

(7) Upon ascertainment of any omissions or non-conformities, the municipal election commission shall forthwith give directions for the elimination of the said omissions or non-conformities within three days but not later than the closing date for registration. In case the omissions or non-conformities are not eliminated within the time limit referred to in sentence one, the municipal election commission shall refuse registration.

(8) (Supplemented, SG No. 39/2016, effective 26.05.2016) The refusal of the municipal

election commission may be disputed before the Central Election Commission according to the procedure established by Article 88 herein. If the court revokes the decision appealed, the municipal election commission shall forthwith register the local coalition to contest the elections of municipal councillors and of mayors, regardless of whether the time limit referred to in Paragraph (6) has expired, but not later than 32 days in advance of polling day.

Changes in Set of Partners Forming Local Coalition

Article 149. (1) Any changes in the set of partners forming a local coalition, which have occurred after the registration of the said coalition at the municipal election commission, shall be effected after submission of an application and presentation of a decision on the changes, which must satisfy the conditions for formation of the local coalition, not later than 35 days in advance of polling day.

(2) (Repealed, SG No. 39/2016, effective 26.05.2016).

(3) In case one or more parties or coalitions leave the local coalition, the registration of the said coalition shall subsist if at least two parties or coalitions remain therein.

(4) In case a party or coalition whose full or abbreviated name is included in the name of the local coalition leaves the coalition, the municipal election commission shall, by the decision whereby it effects the change in the set of partners forming the coalition, also set a three-day time limit for a change of the name of the local coalition. The local coalition shall retain the registration thereof to contest the elections if, within the time limit set, the said coalition changes the name thereof by a decision on such change and submits an application to the municipal election commission. The municipal election commission shall remove the full or abbreviated name of the party which has left the local coalition from the name of the said coalition.

(5) The changes which have occurred in the set of partners forming a coalition shall be noted in the register of the municipal election commission after submission of an application by the persons representing the coalition not later than 32 days in advance of polling day.

(6) Not later than 32 days in advance of polling day, the municipal election commission shall remove the parties and coalitions which have left the set of partners forming the local coalition from the name of the said coalition.

(7) Any party or coalition, which is included in a set of partners forming a local coalition and which leaves the said coalition after the registration of the local coalition but not later than 40 days in advance of polling day, may contest the elections independently after registering according to the procedure established by Article 147 herein.

Striking of Registration of Parties, Coalitions and Local Coalitions Registered at Municipal Election Commission

Article 150. The parties, coalitions and local coalitions registered at the municipal election commission may request that their registration to contest the elections be stricken not later than 32 days in advance of polling day. The striking shall be effected acting on an application in writing by the respective party, coalition or local coalition, signed by the persons who represent the party or coalition or by persons expressly authorised thereby. The coalition or, respectively, the local coalition shall also attach to the application a decision on striking, signed by the persons representing the parties or, respectively, the coalitions participating in the coalition or by persons expressly authorised thereby.

Section V
Registration of Nomination Committee

Establishment of Nomination Committee

Article 151. (1) A nomination committee shall be established for the nomination of an independent candidate.

(2) A nomination committee shall be established by not fewer than three and not more than seven voters with a permanent address or a residence address (applicable to nationals of another Member State of the European Union) within:

1. the territory of the constituency: upon elections of National Representatives and of municipal councillors and of mayors;

2. the territory of Bulgaria: upon elections of Members of the European Parliament for the Republic of Bulgaria.

(3) For the nomination of candidates for President and Vice President of the Republic, there shall be established a nomination committee of not fewer than 21 voters with a permanent address within the territory of Bulgaria.

(4) Each voter may participate in only one nomination committee.

(5) The members of the nomination committee shall designate, by a decision, the person who shall represent the said committee.

Authority Competent to Register Nomination Committees

Article 152. Nomination committees shall be registered at:

1. the Central Election Commission upon elections of:

(a) President and Vice President of the Republic;

(b) Members of the European Parliament for the Republic of Bulgaria;

2. the constituency election commissions: upon elections of National Representatives;

3. the municipal election commissions: upon elections of municipal councillors and of mayors.

Conditions for Registration

Article 153. (1) The nomination committee shall present an application for registration, signed by all members of the committee, not later than 40 days in advance of polling day.

(2) The application shall be submitted by the person representing the nomination committee.

(3) The application shall state:

1. the names, the Standard Public Registry Personal Number (Personal Number) and permanent address (residence address) of the voters referred to in Article 151 (2) or (3) herein.

2. the names, the Standard Public Registry Personal Number (Personal Number) and address of the candidate for whom the nomination committee is established;

3. a request for registration of the nomination committee to contest the elections;

4. address, telephone number and contact person.

(4) The following shall be attached to the application:

1. a decision on the establishment of the nomination committee and a decision designating the person who shall represent the said committee;

2. notarised specimens of the signatures of the persons participating in the nomination committee;

3. a declaration completed in a standard form, signed by each member of the nomination committee, to the effect that the said member has the right to vote in the respective type of election;

4. a declaration completed in a standard form, signed by each member of the nomination committee, to the effect that the said member will not process and provide the personal data of the persons included in the list for support of the independent candidate for purposes other than those provided for in this Code;

5. documentary proof from a bank on remittance of a deposit under Article 129 (1) herein: only upon elections of National Representatives, of President and Vice President of the Republic, and of Members of the European Parliament for the Republic of Bulgaria;

6. a certificate of a bank account in the name of the person representing the nomination committee, to be used only to service the election campaign;

7. the names and positions of the persons to be responsible for the financial resources raised and spend and the bookkeeping of the nomination committee in connection with the election campaign;

Check and Registration

Article 154. (1) The competent election commission shall conduct a check of the documents covered under Article 153 herein and shall adopt a decision on the registration of the nomination committee. Upon ascertainment of any omissions or non-conformities, the commission shall forthwith give directions for the elimination of the said omissions or non-conformities within three days but not later than the closing date for registration.

(2) In case the omissions or non-conformities are not eliminated within the time limit referred to in Paragraph (1), the competent election commission shall refuse registration.

(3) The refusal of the Central Election Commission shall be appealable before the Supreme Administrative Court according to the procedure established by Article 58 herein.

(4) The refusal of the constituency election commission or the municipal election commission may be disputed before the Central Election Commission according to the procedure established by Article 73 herein or, respectively, according to the procedure established by Article 88 herein.

(5) (New, SG No. 39/2016, effective 26.05.2016) If the court revokes the decision appealed, the Central Election Commission or, respectively, the constituency election commission or the municipal election commission, shall forthwith register the nomination committee to contest the elections, regardless of whether the time limit referred to in Article 153 (1) has expired, but not later than 32 days in advance of polling day.

Striking of Registration of Nomination Committee

Article 155. (1) A nomination committee may request that the registration thereof to contest the elections be stricken not later than 32 days in advance of polling day. The striking shall be effected acting on an application in writing by the nomination committee to the competent election commission, signed by the person representing the nomination committee.

(2) By the decision to strike the registration, the election commission shall also refund the deposit remitted by the respective nomination committee under Article 129 (1) herein.

(3) The deposit under Article 129 (1) herein shall be refunded within seven days after the entry into effect of the decision of the election commission referred to in Paragraph (2).

Chapter Ten
CANDIDATES

Section I
Requirements

Nomination of Candidates

Article 156. (1) Candidates may be nominated by parties, coalitions and nomination committees registered for the respective type of election.

(2) The candidates nominated by parties, coalitions and nomination committees shall be ranked on candidate lists.

Formation of Candidate Lists

Article 157. (1) Each independent candidate, as well as each candidate for mayor, shall form a separate candidate list.

(2) Coalitions shall contest the elections on a single candidate list. The parties participating in coalitions may not contest the elections on separate lists.

(3) The parties and coalitions participating in local coalitions may not register own lists or candidates other than those of the local coalitions.

(4) An independent candidate may not be included in a candidate list of a party or coalition.

Persons Ineligible for Nomination as Candidates by Parties and Coalitions

Article 158. (Amended, SG No. 79/2015, effective 1.11.2015) Service persons of the armed forces, members of the Diplomatic Service, employees of the Ministry of Interior, the State Intelligence, the National Bodyguard Service and the State Agency for Technical Operations, the civil servants of the State Agency for National Security, judges, prosecutors and investigating magistrates, as well as other persons in respect of whom membership of a political party is prohibited by law, may not be named and registered as candidates on behalf of parties and coalitions. Such citizens may contest the elections as independent candidates.

Section II
Candidates' Rights and Duties

Status

Article 159. (1) During the period commencing upon the registration of the candidate lists and ending upon the declaration of the election results, the candidates shall qualify as domestic public officials within the meaning given by the Criminal Code.

(2) Where the registration of a candidate is stricken, the rights and duties referred to in Paragraph (1) shall be terminated as from the day of the striking.

Candidates' Inviolability

Article 160. (1) During the period commencing upon the day of registration of the candidate lists and ending upon the declaration of the election results, registered candidates may not be detained or constituted as accused parties except for the commission of a publicly prosecutable offence and on authorisation by the Central Election Commission on the basis of a reasoned motion by the Prosecutor General.

(2) No authorisation for detention shall be required where a candidate is detained in the act of committing a serious criminal offence, and in such case the Central Election Commission shall forthwith be notified.

(3) If the registration of a candidate is stricken, the rights referred to in Paragraph (1) shall be terminated as from the day of the striking.

(4) The provision of Paragraph (1) shall not apply where the registered candidates were detained or constituted as accused parties before the date of registration.

(5) The Central Election Commission shall establish the procedure for issuing the authorisation referred to in Paragraph (1).

Candidates' Leave

Article 161. (1) (Amended, SG No. 39/2016, effective 26.05.2016) Any candidate, who is a central or local government authority or who holds office in the administration of a central or local government authority, with the exception of any candidate for municipal councillor, shall

mandatorily use, at his or her choice, either unpaid service leave or paid annual leave for the period commencing upon the registration and ending upon the declaration of the election results.

(2) Any candidate for municipal councillor, who has entered civil service, shall mandatorily use a leave for the days on which he or she participates in election campaign events during working time.

(3) Any such leave shall be assimilated to the length of employment-service or civil-service seniority and to the length of contributory service.

(4) If the registration is stricken, the leave shall be interrupted as from the day of the striking. Where the striking is revoked, the leave shall be presumed uninterrupted.

(5) The provisions of Paragraph (1) shall not apply to the Prime Minister, the deputy prime ministers, the ministers, the President and the Vice President of the Republic. The credentials thereof shall subsist even after the registration thereof as candidates.

(6) The provisions of Paragraphs (1), (3), (4) and (5) shall furthermore apply to the candidates for Member of the European Parliament for the Republic of Bulgaria who occupy any of the positions covered under Article 389 herein.

Chapter Eleven
ELECTION CAMPAIGN FINANCING

Sources of Financing

Article 162. (1) A party which has registered candidates may finance the election campaign thereof by:

1. own financial resources of the party;
2. financial resources of the candidates;
3. contributions by natural persons.

(2) A coalition which has registered candidates may finance the election campaign thereof by:

1. own financial resources of the parties which participate in the said coalition;
2. financial resources of the candidates;
3. contributions by natural persons to one of the parties in the coalition designated under Article 164 (2) herein.

(3) A nomination committee which has registered a candidate may finance the election campaign thereof by:

1. financial resources of the members of the nomination committee;
2. financial resources of the candidates;
3. contributions by natural persons to the person designated under Article 164 (1) herein.

Provision of Bank Account Particulars

Article 163. (1) Within five days after the registration of the parties and coalitions for entry upon types of elections and of the nomination committees to contest elections of President and Vice President of the Republic and of Members of the European Parliament for the Republic of Bulgaria, the Central Election Commission shall provide to the Bulgarian National Audit Office the particulars of the bank account of the said parties, coalitions and committees, intended to service the election campaign thereof, and the names and positions of the persons referred to in Article 164 herein. In case of replacement of the persons, the party, the coalition or nomination committee shall present to the Bulgarian National Audit Office the names and positions of the new persons within three days after the replacement.

(2) Within five days after the registration of the nomination committees to contest the

elections of National Representatives, the constituency election commissions shall provide to the Bulgarian National Audit Office the particulars of the bank account of the said committees, intended to service the election campaign thereof, and the names and positions of the persons referred to in Article 164 herein. In case of replacement of the persons, the nomination committee shall present to the Bulgarian National Audit Office the names and positions of the new persons within three days after the replacement.

(3) Within five days after the registration of the local coalitions and of the nomination committees to contest the elections of municipal councillors and of mayors, the municipal election commissions shall provide to the Bulgarian National Audit Office the particulars of the bank account of the said coalitions and committees, intended to service the election campaign thereof, and the names and positions of the persons referred to in Article 164 herein. In case of replacement of the persons, the coalition or the nomination committee shall present to the Bulgarian National Audit Office the names and positions of the new persons within three days after the replacement.

Persons Responsible for Financial Resources Raised and Spent and for Bookkeeping

Article 164. (1) Each party and nomination committee shall designate a person or persons to be responsible for the financial resources raised and spent and for the bookkeeping of the party or committee in connection with the election campaign.

(2) Each coalition shall designate one of the parties participating in it to be responsible for the financial resources raised and spent and for the bookkeeping of the coalition in connection with the election campaign thereof, and a person or persons referred to in Paragraph (1).

Aggregate Amount of Financing

Article 165. (1) The aggregate amount of financing of each election campaign of the parties, coalitions and nomination committees may not exceed:

1. upon elections of National Representatives for a National Assembly:

(a) BGN 3,000,000 for a party and for a coalition;

(b) BGN 200,000 for a nomination committee;

2. upon elections of National Representatives for a Grand National Assembly:

(a) BGN 4,000,000 for a party and for a coalition;

(b) BGN 200,000 for a nomination committee;

3. upon elections of President and Vice President of the Republic and of Members of the European Parliament for the Republic of Bulgaria:

(a) BGN 2,000,000 for a party, a coalition and a nomination committee for elections of President and Vice President of the Republic, as well as for a party and coalition for elections of Members of the European Parliament for the Republic of Bulgaria;

(b) BGN 100,000 for a nomination committee for elections of Members of the European Parliament for the Republic of Bulgaria;

4. upon elections of municipal councillors and of mayors:

(a) BGN 8,000,000 for a party and for a coalition;

(b) the maximum amount of the financial resources referred to in Paragraphs (2), (3), (4) and (5) for a nomination committee.

(2) Not more than BGN 5,000 may be spent per candidate for municipal councillor within the aggregate amount of the financing referred to in Item 4 of Paragraph (1).

(3) Within the aggregate amount of the financing referred to in Item 4 of Paragraph (1), the following amounts may be spent per candidate for municipality mayor:

1. for a municipality with a population not exceeding 30,000 residents: not more than BGN 25,000;

2. for a municipality with a population not exceeding 60,000 residents: not more than BGN 50,000;

3. for a municipality with a population not exceeding 100,000 residents: not more than BGN 100,000;

4. for a municipality with a population not exceeding 200,000 residents: not more than BGN 250,000;

5. for a municipality with a population not exceeding 500,000 residents: not more than BGN 500,000;

6. for a municipality with a population exceeding 500,000 residents: not more than BGN 1,000,000.

(4) Within the aggregate amount of the financing referred to in Item 4 of Paragraph (1), the following amounts may be spent per candidate for borough mayor:

1. for a borough with a population not exceeding 25,000 residents: not more than BGN 20,000;

2. for a borough with a population not exceeding 50,000 residents: not more than BGN 40,000;

3. for a borough with a population not exceeding 100,000 residents: not more than BGN 60,000;

4. for a borough with a population exceeding 100,000 residents: not more than BGN 60,000.

(5) Within the aggregate amount of the financing referred to in Item 4 of Paragraph (1), the following amounts may be spent per candidate for municipality mayor:

1. for a mayoralty with a population not exceeding 1,000 residents: not more than BGN 2,000;

2. for a mayoralty with a population not exceeding 3,000 residents: not more than BGN 6,000;

3. for a mayoralty with a population exceeding 3,000 residents: not more than BGN 10,000.

(6) All sources covered under Article 162 herein shall be included in the aggregate amount of the financial resources which the parties, coalitions and nomination committees have the right to spend on each election campaign.

Financing Elections within Same Calendar Year

Article 166. Upon conduct of different types of elections within the same calendar year, the requirements of Article 155 herein shall apply separately to each type of election.

Election Campaign Financing and Facilitation

Article 167. (1) The contribution by one natural person to one party or coalition may not exceed BGN 10,000 for one calendar year.

(2) The contribution by one natural person to one nomination committee and the candidate or, respectively, candidates registered thereby may not exceed BGN 10,000.

(3) Natural persons may provide only own movable and immovable things to a party, coalition or nomination for gratuitous use in connection with the election campaign.

(4) Natural persons may provide gratuitous services only performed through work done in person to a party, a coalition or a nomination committee in connection with the election campaign.

Prohibited Practices in Connection with Election Campaign Financing and Facilitation

Article 168. (1) A party, a coalition or a nomination committee may not receive the following in connection with the election campaign:

1. anonymous contributions in any form whatsoever;

2. financial resources from legal persons and from sole traders;

3. financial resources from non-resident natural persons, with the exception of the persons who are nationals of another Member State of the European Union, who are enfranchised under this Code;

4. financial resources from religious institutions;

5. financial resources from foreign governments or from foreign State-owned enterprises, foreign commercial corporations or foreign non-profit organisations.

(2) The entities referred to in Items 2 to 5 of Paragraph (1) may not provide any movable and immovable things for gratuitous use in connection with the election campaign, or any gratuitous services in any form whatsoever.

(3) It shall be prohibited to use public administrative resources gratuitously in connection with the election campaign.

Duty to Declare

Article 169. (1) Where the aggregate amount of the contribution by any natural person exceeds one minimum wage, the contributor shall present a declaration, completed in a standard form, on the origin of the financial resources contributed.

(2) Where the aggregate amount of the financial resources provided by a candidate or a member of a nomination committee exceeds one minimum wage, the said candidate or member shall present a declaration, completed in a standard form, on the origin of the financial resources.

(3) Where any natural person provides own movable or immovable things for gratuitous use in connection with the election campaign, the said person shall present a declaration, completed in a standard form, on the ownership of the said things.

Bank Transfer and Check

Article 170. (1) The financing of any financial resources raised and spent in connection with the election campaign in an amount exceeding BGN 1,000 shall be effected by bank transfer.

(2) Where the amount of the financial resources contributed or provided exceeds BGN 1,000, the Bulgarian National Audit Office shall check the correspondence between the amount of the financial resources contributed or provided for the relevant election campaign and the amount of the income of the person. The check shall cover the period from the conduct of the previous elections of the same type to the day of submission of the relevant declaration under Article 169 (1) or (2) herein.

(3) For conduct of the check, the President of the Bulgarian National Audit Office shall request information from the National Revenue Agency and other competent authorities and institutions.

(4) The authorities and institutions referred to in Paragraph (3) shall be bound to provide the requisite information to the Bulgarian National Audit Office within one month after the receipt of the request.

(5) The domestic public officials conducting the check shall have the right to direct access to the electronic database of the authorities and institutions referred to in Paragraph (3). The granting of access shall not exempt the authorities and institutions referred to in Paragraph (3) from the duty to transmit the information requested by the Bulgarian National Audit Office in writing.

(6) The Bulgarian National Audit Office shall make public the results of the check by means of the register referred to in Article 171 (1) herein.

Single Public Register

Article 171. (1) A single public register of the parties, coalitions and nomination

committees registered to contest the respective type of election shall be established at the Bulgarian National Audit Office and shall be maintained from the opening of the election campaign until the next elections of the same type.

(2) The following shall be published in the register referred to in Paragraph (1):

1. the circumstances covered under Article 17 of the Political Parties Act;

2. the name of the coalition and the name of the nomination committee and the names of the persons who represent the said coalition and committee;

3. the name of the party which has been designated by the coalition to be responsible for the financial resources raised and spent and for the bookkeeping of the said coalition;

4. the names of the person or persons who are responsible for the financial resources raised and spent and for the bookkeeping;

5. the names of the contributors, the type, purpose, amount or value of the contributions made;

6. the names of the candidates and of the members of the nomination committees who have provided financial resources and the amount of the said resources;

7. the names of the natural persons who provided things or services for gratuitous use for the election campaign, the period of use, the type and the description of the things provided for use and the type of the services;

8. the declarations on the origin of the financial resources contributed, the declarations on the origin of the financial resources of the candidates and of the members of the nomination committees and the declarations by the natural persons on ownership of the things provided for gratuitous use;

9. the names of the sociological agencies and of the advertising agencies, as well as of the public relations agencies hired by the parties, coalitions and nomination committees.

(3) Within five days after the opening of the election campaign, the parties, coalitions and nomination committees shall transmit the information covered under Paragraph (2) on hard copy and on soft copy to the Bulgarian National Audit Office for inclusion in the register.

(4) While the election campaign is in progress, the parties, coalitions and nomination committees shall transmit within seven days the newly received information covered under Paragraph (2) on hard copy and on soft copy to the Bulgarian National Audit Office for inclusion in the register.

(5) After conduct of the elections, the reports referred to in Article 172 (1) herein shall be published in the register.

(6) The Bulgarian National Audit Office shall establish the terms and procedure for entering the information covered under Paragraph (2) into the register, as well as for the elimination of any inaccuracies and omissions, and shall make public the said terms and procedure on the Internet site thereof.

Report

Article 172. (Amended, SG No. 39/2016, effective 26.05.2016) Within 30 working days after polling day, the person who represents the party or the nomination committee and the persons who represent the coalition shall present to the Bulgarian National Audit Office a report on hard copy and on soft copy on the financial resources raised and spent and the payment obligations assumed in connection with the election campaign, accompanied by a statement of the bank account of the party, committee or coalition. The declarations referred to in Article 169 (1) and (3) herein shall be attached to the report.

(2) (Amended, SG No. 39/2016, effective 26.05.2016) Within 30 working days after polling day, the media service providers, the sociological and advertising agencies, as well as the

public relations agencies, shall present to the Bulgarian National Audit Office, on hard copy and on soft copy, information on the services provided to the parties, coalitions and nomination committees. The information shall be provided in a standard form endorsed by the Bulgarian National Audit Office and shall be published on the Internet site thereof.

(3) The financial resources of the candidate or of a member of the nomination committee for the election campaign shall be accounted for in the report of the party, coalition or nomination committee referred to in Paragraph (1). The declaration referred to in Article 169 (2) herein shall be attached to the report.

(4) The report referred to in Paragraph (1) shall be prepared and presented in a standard form for each type of election, endorsed by the Bulgarian National Audit Office. Any report, which does not conform to the requirements regarding the format, content and manner of presentation, shall be considered unsubmitted. The Bulgarian National Audit Office shall establish the terms and procedure for elimination of inaccuracies and omissions.

(5) The Bulgarian National Audit Office shall publish the reports of the parties, coalitions and nomination committees referred to in Paragraph (1) on the Internet site thereof within 15 days after expiry of the time limit for the submission of the said reports.

(6) (Supplemented, SG No. 39/2016, effective 26.05.2016) Where the declared financial resources raised and spent in connection with the election campaign exceed BGN 1,000, the Bulgarian National Audit Office shall perform a compliance audit within six months after the expiry of the time limit referred to in Paragraph (1).

Standard Forms of Declarations

Article 173. The standard forms of the declarations under this Section shall be endorsed by the Bulgarian National Audit Office not later than 50 days in advance of polling day and shall be made public on the Internet site thereof.

Unregulated Matters

Article 174. The Political Parties Act shall apply to any matters which are not regulated in this Section.

Chapter Twelve
ELECTION CAMPAIGN CONDUCT RULES

Section I
Common Rules

Election Campaign Start

Article 175. The election campaign shall be opened 30 days in advance of polling day.

Access to Information Sources

Article 176. The candidates and the parties, coalition and nomination committees which have registered candidates shall be entitled to equal access to the sources of any information as may be needed thereby for the purposes of the election campaign.

Unsigned Items Prohibited

Article 177. The publication and broadcasting of unsigned items related to the election campaign shall be prohibited.

Financial Resources for Media Packages

Article 178. (1) (Supplemented, SG No. 39/2016, effective 26.05.2016) The State shall

provide financial resources for media packages in the amount of BGN 40,000 to the parties and coalitions which have registered candidates upon elections of President and Vice President of the Republic and of Members of the European Parliament for the Republic of Bulgaria and in all constituencies upon elections of National Representatives and which are not entitled to State subsidy under the Political Parties Act. Any coalition in which parties entitled to State subsidy according to the procedure established by the Political Parties Act participate shall be provided with financial resources for media packages in an amount proportionate to the share of the parties participating in the coalition which are not entitled to State subsidy.

(2) The State shall provide financial resources for media packages in the amount of BGN 40,000 to the nomination committees which have registered candidates upon elections of President and Vice President of the Republic and in the amount of BGN 5,000 to the nomination committees which have registered candidates upon elections of Members of the European Parliament for the Republic of Bulgaria and upon elections of National Representatives.

(3) The resources for the media packages referred to in Paragraphs (1) and (2) shall be for the account of the State budget and shall be used to pay for the different paid forms of coverage of the election campaign through the media service providers.

(4) The Central Election Commission shall pay for the various paid forms of coverage of the election campaign until depletion of the financial resources of the party, coalition or nomination committee referred to in Paragraph (1) or (2).

(5) The procedure for the provision and spending of the financial resources for the media packages shall be established by the Central Election Commission in consultation with the Minister of Finance.

(6) The parties, coalitions and nomination committees shall make public the financial resources for the media packages, which have been paid for the coverage of the campaign appearances of the candidates thereof, in the register referred to in Article 171 herein and shall account for the said resources in the report referred to in Article 172 (1) herein.

Identification of Paid Content

Article 179. (Amended, SG No. 39/2016, effective 26.05.2016) Where paid forms of coverage of the election campaign are broadcast, published and distributed, the media service providers shall keep any such forms separate by an optical, acoustic or audiovisual indication containing a written or spoken message to the effect that the item is paid.

Information on Contracts Concluded

Article 180. (1) (Supplemented, SG No. 39/2016, effective 26.05.2016) The media service providers shall be bound to make public on the Internet sites thereof information on the contracts, including the gratuitous contracts, concluded with the parties, coalitions and nomination committees which have registered candidates and/or with another client in connection with the election campaign, including if any such contract has been concluded with an intermediary.

(2) (Supplemented, SG No. 39/2016, effective 26.05.2016) The information on the onerous and gratuitous contracts referred to in Paragraph (1), made public by the electronic media, shall contain data on:

1. the party, coalition or nomination committee;

2. the subject matter of the contract;

3. the term of the contract;

4. the programme service in which the contracted forms will be broadcast;

5. (supplemented, SG No. 39/2016, effective 26.05.2016) the total value in leva exclusive of value added tax of the onerous contracts.

(3) (Supplemented, SG No. 39/2016, effective 26.05.2016) The information on the onerous

and gratuitous contracts covered under Paragraph (1), which is made public by the print media (newspapers, magazines and other periodicals) and online news services (electronic editions of newspapers, magazines, news agencies and other electronic editions) shall contain data on:

1. the party, coalition or nomination committee;

2. the subject matter of the contract;

3. the term of the contract;

4. the print media and the online news services in which the contracted forms will be distributed;

5. (supplemented, SG No. 39/2016, effective 26.05.2016) the total value in leva exclusive of value added tax of the onerous contracts.

(4) The information referred to in Paragraphs (2) and (3) shall be published on the Internet sites of the media service providers within three days after the signing of the relevant contract and shall be removed not earlier than the declaration of the election results.

Section II
Canvassing

Canvassing Procedure

Article 181. (1) The citizens, the parties, the coalitions, the nomination committees, the candidates and the election agents shall be free to canvass, whether orally and in writing, at campaign meetings, as well as through the media service providers.

(2) The election campaign shall be conducted in the Bulgarian language.

(3) Campaign meetings shall be open to the public. Maintenance of order at any such meetings shall be the responsibility of the organisers and of the authorities of the Ministry of Interior. The meetings shall be organized according to the Meetings, Rallies and Demonstrations Act.

When Canvassing Is Prohibited

Article 182. (1) No canvassing shall be admissible at State and municipal offices, institutions, State-owned and municipal-owned enterprises and at commercial corporations wherein the State or a municipality holds a participating interest in the capital exceeding 50 per cent.

(2) Persons holding elective office in the trade-union and the employer organisations may not canvass at the places of work thereof.

(3) It shall be prohibited to use State-owned or municipal-owned transport for canvassing.

(4) No canvassing shall be admissible during a period commencing 24 hours in advance of polling day and on polling day.

(5) (New, SG No. 39/2016, effective 26.05.2016) It shall be inadmissible for ministers of religion to canvass. The performance of religious rites shall not be canvassing.

Campaign Materials

Article 183. (1) During the election campaign, the candidates, the parties, the coalitions and the nomination committees may prepare and circulate posters, messages and other campaign materials. Each item of campaign material shall mandatorily identify the issuer thereof.

(2) Each item of campaign material shall contain a statement that vote buying and selling is a criminal offence, and the said statement shall occupy not less than 10 per cent of the face space of the campaign material and shall be boxed. In the audio and audiovisual materials, this statement shall be contained as an unambiguous and understandable message.

(3) Campaign materials may be displayed in places designated by the mayor, and display

on buildings, fences and shop windows shall require permission from the owner or manager of the property.

(4) (Supplemented, SG No. 39/2016, effective 26.05.2016) It shall be prohibited to use any campaign materials which jeopardise human life and health, private, municipal and State property, and the safety of road traffic, as well any such materials which are contrary to good morals and damaging to the honour and reputation of the candidates. It shall be prohibited to use the coat of arms or the flag of the Republic of Bulgaria or of any foreign State, as well as any religious signs or designs, in any campaign materials.

(5) It shall be prohibited to destroy and deface any campaign materials displayed according to the procedure established by this Code before the closing of the polls.

Display of Canvassing Materials Prohibited in Polling Sites and Elsewhere

Article 184. (1) It shall be prohibited to display canvassing materials of any parties, coalitions and nomination committees in the polling sites, as well as within less than 50 metres from the entrance to the building where the polling site is located, on polling day and until the end of the voting.

(2) Where the section election commission ascertains the presence of any materials referred to in Paragraph (1), the said commission shall forthwith remove the said materials, where necessary with the assistance of the mayor or the lieutenant mayor and of the authorities of the Ministry of Interior.

Use of Canvassing Materials Prohibited Outside Election Campaign

Article 185. (1) It shall be prohibited to display election canvassing materials outside the election campaign.

(2) Alerts about any campaign canvassing materials displayed under Paragraph (1) shall be submitted to the regional governor or, respectively, the municipality mayor, borough mayor or mayoralty mayor.

(3) The order to remove the campaign canvassing materials shall forthwith be issued by the municipality mayor, borough mayor or mayoralty mayor of by the regional governor.

(4) The said order shall be served upon the person in whose favour the material is.

(5) In case the person in whose favour the campaign canvassing material is fails to remove the said material within three days after the issuing of the order, the material shall be removed by the regional governor, the competent municipality mayor, borough mayor or mayoralty mayor, and, where necessary, the authorities of the Ministry of Interior may be approached for assistance.

Removal and Seizure of Canvassing Materials

Article 186. (1) The municipality mayor, borough mayor or mayoralty mayor or the lieutenant mayor, acting on a decision of the constituency election commission or the municipal election commission, and, where necessary, with the assistance of the authorities of the Ministry of Interior, shall remove or seize any campaign materials displayed or circulated in violation of this Code. The removal and seizure of any such materials on polling day may furthermore be done by a decision of the section election commissions.

(2) Any campaign materials displayed or circulated in violation of this Code in the territory of more than one constituency (district) or such concerning more than one constituency (district) shall be removed or seized by the regional governor, acting on a decision of the Central Election Commission.

(3) The parties, coalitions and nomination committees shall remove the canvassing materials displayed thereby within seven days after polling day.

Section III
Print Media and Online News Services

Conditions, Procedure and Prices

Article 187. (1) (Previous text of Article 187, SG No. 39/2016, effective 26.05.2016) The print media and the online news services shall offer identical terms and rates to all parties, coalitions and nomination committees which have registered candidates, which shall be made public on the Internet site of the said media providers not later than 40 days in advance of polling day and shall forthwith be transmitted to the Bulgarian National Audit Office and to the Central Election Commission. Payment shall be effected in advance.

(2) (New, SG No. 39/2016, effective 26.05.2016) The print media and the online news services may alternatively cover at no charge the election campaign of the parties, coalitions and nomination committees which have registered candidates.

(3) (New, SG No. 39/2016, effective 26.05.2016) The rates referred to in Paragraph (1) may not exceed the average market rates for commercial advertising during the last six months before the start of the election campaign.

(4) (New, SG No. 39/2016, effective 26.05.2016) It shall be prohibited to make political insinuations in commercial advertising to the benefit or to the detriment of any party, coalition or nomination committee or candidate.

Publishing of Reply

Article 188. (1) Any print media and online news services, which have published an iterm encroaching on the rights and damaging the reputation of any candidate or of any person who represents the party, coalition or nomination committee, shall be bound to publish a reply forthwith after the receipt thereof. The reply shall be laid out in the same position and using the same font size, type and format and shall appear unaccompanied by any comment.

(2) A reply which does not exceed in size the item whereto it is reacting shall be published at no charge.

(3) (New, SG No. 39/2016, effective 26.05.2016) Paragraphs (1) and (2) shall furthermore apply where any central or local government authorities are affected by the item published.

Section IV
Coverage of Election Campaign by Public Electronic Media

Coverage Forms

Article 189. (1) The election campaign shall be covered in the programme services of the Bulgarian National Television and the Bulgarian National Radio in the form of spots, debates and in other forms agreed under the terms referred to in Paragraph (4), during a time appointed for this purpose.

(2) It shall be impermissible to use the programme services of the Bulgarian National Television and the Bulgarian National Radio for the purposes of the election campaign outside the time appointed to the forms specified in Paragraph (1).

(3) The Bulgarian National Television and the Bulgarian National Radio shall cover objectively and fairly the campaign appearances of the candidates registered by the parties, coalitions and nomination committees, respecting the non-discrimination and significance thereof on the basis of rules adopted by the Central Election Commission.

(4) On the basis of the rules referred to in Paragraph (3), the Director General of the

Bulgarian National Television, respectively, of the Bulgarian National Radio shall offer an agreement on the forms, election campaign topics, formats and crews to authorised representatives of the parties, coalitions and nomination committees which have registered candidates. The said agreement shall be approved by the Central Election Commission not later than 31 days in advance of polling day and shall forthwith be transmitted to the Bulgarian National Audit Office.

Right to Reply

Article 190. Where a broadcast has been transmitted encroaching on the rights and damaging the reputation of any candidate or of any person who represents the party, coalition or nomination committee, the said candidate or person shall enjoy the right of reply under the terms established by Article 18 of the Radio and Television Act. The relevant radio or television broadcaster may be approached with a request [for a reply] within 24 hours after transmission of the broadcast. The reply shall be transmitted unaccompanied by any comment.

Commercial Advertising Prohibited

Article 191. It shall be prohibited to make political insinuations in commercial advertising to the benefit or to the detriment of any party, coalition or nomination committee or candidate.

Presentation of Candidates

Article 192. (1) The order of presentation of the candidates registered by the parties, coalitions and nomination committees in the various forms of the election campaign shall be determined by the Central Election Commission by lots. The lost shall be drawn in the presence of authorised representatives of the parties, coalitions and nomination committees and of representatives of the Bulgarian National Television and the Bulgarian National Radio.

(2) The Central Election Commission shall make public the order so determined not later than 31 days in advance of polling day.

Free-of-Charge Spots and Messages

Article 193. (1) The election campaign in the programme services of the Bulgarian National Television and the Bulgarian National Radio shall open and close with spots of the parties, coalitions and nomination committees of a length not exceeding 40 seconds, which shall be transmitted at no charge.

(2) Upon elections of President and Vice President of the Republic, the election campaign in the programme services of the Bulgarian National Television and the Bulgarian National Radio shall open and close with messages by the pairs of candidates of a length not exceeding 3 minutes for each of the said pairs, which shall not be paid for.

(3) Upon conduct of a new election of President and Vice President of the Republic in the cases referred to in Article 93 (4) of the Constitution, the candidates shall have the right to broadcast messages not longer than 10 minutes in the programme services of the Bulgarian National Television and the Bulgarian National Radio on the last day of the election campaign between the two rounds, in an order determined by lots according to a procedure established by the Central Election Commission. The addresses shall not be paid for.

(4) The time slot to be assigned for transmission of the spots shall be determined by agreement between the Director General of the Bulgarian National Television, respectively, of the Bulgarian National Radio, and authorised representatives of the parties, coalitions and nomination committees.

Paid Forms

Article 194. (1) In the course of the election campaign, paid forms may be used as well for the purpose of popularising the parties, coalitions and nomination committees which have registered candidates and to canvass for voting for the candidates thereof.

(2) The length of the paid forms, the time slot and the number of transmissions thereof shall be determined by agreement between the Director General of the Bulgarian National Television, respectively, of the Bulgarian National Radio, and authorised representatives of the parties, coalitions and nomination committees.

(3) The audio materials and the audiovisual materials included in the paid forms shall be provided by authorised representatives of the parties, coalitions and nomination committees which have registered candidates, or shall be produced by crews of the Bulgarian National Television and the Bulgarian National Radio on identical terms and at identical rates determined by the managements thereof. The terms and the rates shall forthwith be transmitted to the Bulgarian National Audit Office and to the Central Election Commission.

Debates

Article 195. (1) The Bulgarian National Television and the Bulgarian National Radio shall allot air time to the parties, coalitions and nomination committees which have registered candidates for debates at no charge on topics coordinated in advance of a length aggregating not less than 240 minutes.

(2) The order for participation in the debates shall be determined in the agreement referred to in Article 189 (4) herein. The time shall be distributed evenly among the participants.

(3) Upon conduct of a new election of President and Vice President of the Republic in the cases referred to in Article 93 (4) of the Constitution, in the period between the two rounds, by mutual agreement the candidates may hold a debate at no charge of a length of not less than 60 minutes within the appointed transmission time on the Bulgarian National Television and the Bulgarian National Radio. The debate shall take place according to the procedure established by this Section.

Regional Radio and Television Centres

Article 196. (1) The programme services of the regional radio and television centres shall be used by the nomination committees and by the parties and coalitions within the period of the campaign transmissions according to the procedure provided for the Bulgarian National Television and the Bulgarian National Radio.

(2) The Bulgarian National Television and the Bulgarian National Radio shall allot at least 60 minutes in aggregate of airtime in the programme services and, respectively, in the broadcasts of the regional radio and television centres for debates at no charge between the representatives of the parties, coalitions and nomination committees which have registered candidates.

(3) The order for participation in the debates shall be determined by the constituency election commissions or the municipal election commissions by lots not later than 31 days in advance of polling day. The forms, the topics of the election campaign, the formats and the crews shall be determined by the heads of the regional radio and television centres and authorised representatives of the parties, coalitions and nomination committees which have registered candidates, or in the agreement referred to in Article 189 (4) herein.

Payment for Paid Forms

(Heading amended, SG No. 39/2016, effective 26.05.2016)

Article 197. (Amended, SG No. 39/2016, effective 26.05.2016) The paid forms on the Bulgarian National Television and the Bulgarian National Radio and the regional centres thereof shall be paid for by the parties, coalitions and nomination committees according to a rate schedule adopted by the Council of Ministers not later than 40 days in advance of polling day, which shall forthwith be transmitted to the Bulgarian National Audit Office and to the Central Election Commission. Payment shall be effected before transmission of the campaign broadcast.

Section V
Coverage of Election Campaign by Commercial Electronic Media

Commercial Electronic Media

Article 198. (1) In respect of the election campaign, the electronic media other than the Bulgarian National Television and the Bulgarian National Radio and the regional centres thereof may use paid and free-of-charge forms of coverage of the election campaign of the parties, coalitions and nomination committees which have registered candidates.

(2) It shall be prohibited to make political insinuations in commercial advertising to the benefit or to the detriment of any party, coalition or nomination committee or candidate.

(3) The commercial electronic media referred to in Paragraph (1) may allot time for paid coverage of the election campaign of the parties, coalitions and nomination committees which have registered candidates on identical terms and at identical rates.

(4) (New, SG No. 39/2016, effective 26.05.2016) The rates referred to in Paragraph (3) may not exceed the average market rates for commercial advertising during the last six months before the start of the election campaign.

(5) (Renumbered from Paragraph 4, SG No. 39/2016, effective 26.05.2016) The terms and procedure for the allotment of time for coverage of the election campaign, as well as the rate schedules, shall be made public on the Internet site of the respective medium referred to in Paragraph (1) not later than 40 days in advance of polling day. Payment shall be effected in advance.

(6) (Renumbered from Paragraph 5, amended, SG No. 39/2016, effective 26.05.2016) The terms, procedure and rate schedules referred to in Paragraph (5) shall be transmitted to the Bulgarian National Audit Office and shall be provided to the Central Election Commission in respect of an electronic medium operating within a national range and to the constituency election commissions or, respectively, to the municipal election commissions in respect of an electronic medium operating within a regional or a local range, not later than the opening of the election campaign.

(7) (Renumbered from Paragraph 6, SG No. 39/2016, effective 26.05.2016) The time allotted by the media referred to in Paragraph (1) for paid forms of coverage of the election campaign shall be excluded from the limitation referred to in Article 89 (1) of the Radio and Television Act.

Right to Reply

Article 199. Where a broadcast has been transmitted encroaching on the rights and damaging the reputation of any candidate or of any person who represents the party, coalition or nomination committee, the said candidate or person shall enjoy the right of reply under the terms established by Article 18 of the Radio and Television Act. The relevant radio or television broadcaster may be approached with a request [for a reply] within 24 hours after transmission of the broadcast. The reply shall be transmitted unaccompanied by any comment.

Section Va
(New, SG No. 39/2016, effective 26.05.2016)
Awareness Campaign

Awareness Campaign Conduct

Article 199a. (New, SG No. 39/2016, effective 26.05.2016) For the conduct of an awareness campaign regarding citizens' rights and duties, all media service providers operating within a national range may allot the Central Election Commission free-of-charge airtime of not less than 15 minutes weekly during the period of preparation and conduct of the elections.

Section VI
Disputing upon Breach of Procedure for Conduct of Election Campaign

Competent Authority

Article 200. (1) Upon breach of the procedure for conduct of the election campaign by the media service providers, the parties, coalitions and nomination committees, acting through the persons who represent the said parties, coalitions and committees or through persons authorised thereby, may lodge a complaint within 24 hours after transmission of the broadcast concerned.

(2) Any such complaint shall be lodged with:

1. the Central Election Commission, in respect of a provider holding a licence or a registration for operation within a national range, as well as where the breach was committed in multiple constituencies;

2. the constituency election commission or, respectively, the municipal election commission exercising jurisdiction over the registered office of the provider, where the provider holds a licence or a registration for operation within a regional or local range.

(3) Should any complaint be lodged with a commission which is not competent to examine it, the said commission shall forthwith forward the said complaint to the competent commission and shall notify the complainant.

(4) The competent election commission shall examine the complaint within 24 hours after the receipt thereof, and forthwith on polling day, and shall render a decision.

(5) Upon breach of the procedure for conduct of the election campaign by media service providers, the competent election commission may also take action against the offenders on its own initiative.

Disputing Decision of Constituency Election Commission or Municipal Election Commission

Article 201. The decision of the constituency election commission or the municipal election commission may be disputed before the Central Election Commission within 24 hours after the said decision is made public. The Central Election Commission shall examine the complaint and shall pronounce within 24 hours after the receipt of the said appeal by a decision which shall be appealable before the Supreme Administrative Court according to the procedure established by Article 58 herein.

Chapter Thirteen
SOCIOLOGICAL SURVEYS

Registration of Sociological Agencies

Article 202. (1) The Central Election Commission shall register the sociological agencies which will conduct sociological surveys on polling day.

(2) The agencies shall be registered not later than seven days in advance of polling day and

shall be entered in a public register.

(3) The registration shall be effected acting on an application signed by the person representing the respective agency or by a person expressly authorised thereby.

(4) The following shall be attached to the application referred to in Paragraph (3):

1. a certificate of current legal status;

2. an express authorisation by the person representing the agency, where the documents are submitted by an authorised person;

3. a list containing the names, the Standard Public Registry Personal Numbers of the poll takers and the numbers of the voting sections outside which the polling will be implemented;

4. methodology for conduct of sociological surveys on polling day.

Poll Takers

Article 203. (1) The Central Election Commission shall issue certificates to the registered poll takers. Any such certificate shall be issued in a single copy.

(2) On polling day, poll takers shall be bound to wear only distinguishing signs of a standard design endorsed by the Central Election Commission. Any poll takers, who wear any distinguishing signs other than those endorsed by the Central Election Commission or who do not wear distinguishing signs in the cases referred to in Article 272 herein, shall be excluded from the voting section by a decision of the section election commission. Any such decision may be disputed before the constituency election commission or the municipal election commission, which shall pronounce forthwith. The decision shall be unappealable.

(3) The poll takers shall identify themselves by producing the certificate issued thereto.

Sociological Surveys on Polling Day

Article 204. (1) Sociological surveys on polling day shall be conducted outside the voting sections by means of interviewing voters who have voted, where this does not pose difficulties to the election process.

(2) Poll takers may not conduct sociological surveys in front of the voting sections themselves.

(3) (Amended, SG No. 39/2016, effective 26.05.2016) The results of the sociological surveys shall be announced after 20:00 hours on polling day.

Announcement of Public Opinion Poll Results or Sociological Survey Results

Article 205. (1) From the day of promulgation in the State Gazette of the decree of the President or, respectively, of the resolution of the National Assembly scheduling the respective type of election and until polling day and including on polling day, any making public of results of public opinion polls or of sociological surveys in connection with the elections, performed by means of a media service or in another manner, must contain, inter alia, information on the client who commissioned the poll or the survey, the agency which conducted the poll or the survey, and the sources of financing the said poll or survey.

(2) The information referred to in Paragraph (1) shall be presented fully and clearly, being boxed in a conspicuous place in a printed or another textual material and occupying not less 5 per cent of the total space of the material, and in audio and audiovisual materials broadcast on the electronic media or in a presentation before an audience, the said information shall appear once at the beginning and once at the end of the material or presentation.

(3) The provisions of Paragraphs (1) and (2) shall furthermore apply in the cases where canvassing materials of parties, coalitions, nomination committees and candidates contain or refer to results of public opinion polls or of sociological surveys.

(4) The persons who conduct public opinion polls or sociological surveys in connection with the elections and/or make public the results of any such polls or surveys may not invoke an

official secret, a trade secret or another secret protected by law as a reason not to disclose the information referred to in Paragraph (1).

(5) Results of public opinion polls in connection with the elections may not be made public in any form whatsoever during a period commencing 24 hours in advance of polling day and ending upon the declaration of the closing of the polls within the territory of Bulgaria.

Chapter Fourteen
VOTING

Section I
Method of Voting in Voting Section

Types of Ballots

Article 206. (1) In the voting section, the voter may choose to vote by paper ballot or by voting machine ballot.

(2) Voting by voting machine ballot shall be equivalent to voting by paper ballot.

(3) A voter, who has opted to vote by voting machine ballot, may not vote by paper ballot.

(4) The rules applicable to voting by paper ballot shall apply, mutatis mutandis, to voting by voting machine ballot.

Type of Election Noted on Ballot

Article 207. Upon simultaneous conduct of different types of elections, the particular type of election to which the ballots apply shall be noted thereon.

Section II
Voting by Paper Ballots

Paper Ballots

Article 208. (1) Combined paper ballots conforming to a standard design endorsed by the Central Election Commission shall be used for voting.

(2) The paper ballots referred to in Paragraph (1) shall be white, manufactured of dense non-transparent paper, which does not allow the secrecy of the ballot to be compromised, with sequential numbers and shall be protected by print security features.

Printing of Paper Ballots

Article 209. (1) The paper ballots shall be printed by the printing works of the Bulgarian National Bank which, if necessary, may use other specialised printing works. The ballots shall be printed conforming to the requirements of the Ordinance on the Terms and Procedure for Printing of and Control over Securities (promulgated in the State Gazette No. 101 of 1994; amended in No. 38 of 1995, No. 73 of 1998, No. 8 of 2011, No. 54 of 2008 and No. 22 of 2011). The ballots shall be printed under the control of the Ministry of Finance and the Central Election Commission.

(2) (Supplemented, SG No. 39/2016, effective 26.05.2016) Ballots shall be arranged in books of 100 ballots each. Upon elections of municipal councillors and of mayors, the number of ballots in a book shall be determined by the Central Election Commission. When a ballot is detached, an identical number must remain on the ballot and on the counterfoil, which shall be compared by the election commission after the ballot is completed and before it is deposited in the ballot box.

(3) The number of ballots printed under Paragraph (1) upon all types of elections shall equal the number of voters for the respective type of election increased by 10 per cent.

Ballot Boxes

Article 210. The ballot boxes, wherein the paper ballots are to be deposited, shall be transparent and shall be sealed with paper tapes stamped with the seal of the section election commission and signed by the members of the commission who are present.

Ballot Box Filled. Opening

Article 211. (1) When the ballot box is filled with ballots, a paper tape bearing the signatures of the members of the commission shall be pasted over the slot thereof, thus precluding further use of the said ballot box, and the said tape shall be stamped with the seal of the section election commission. The full box shall remain on the voting table.

(2) The chairperson shall check whether the second box is serviceable and whether the said box is empty. The box shall be closed and sealed with paper tapes signed by the members of the commission present. The paper tapes shall be stamped with the seal of the section election commission, and voting shall proceed. This circumstance shall be entered in the tally sheet of the section election commission.

(3) The two boxes shall be opened simultaneously after completion of the voting, and the ballots found therein shall be counted together.

Section III
Machine Voting

Method of Voting

Article 212. (1) A voter may vote in the voting section by means of specialised voting devices.

(2) A combined ballot for the respective type of election shall be created on a visual-display terminal or touch-screen terminal, and the voter shall mark unequivocally the vote thereof on the said ballot.

(3) The ballot shall be designed in the same manner as the paper ballot, enabling the voter not to vote for any one party, coalition or nomination committee. The Central Election Commission shall endorse the standard design of the ballot.

(4) (Amended, SG No. 39/2016, effective 26.05.2016) After the voting is conducted, the system shall print out a control receipt which shall be deposited in a special machine voting box. The voter may not change the vote thereof by means of second machine voting.

System. Requirements

Article 213. (1) Machine voting shall be implemented with the help of electronic means.

The electronic system shall be designed, implemented and maintained in a manner which:

1. ensure an easy and understandable access to the mechanisms and methods of machine voting, including facilitated access for visually impaired voters or voters with ambulant difficulties;

2. offers voters step-by-step instructions for machine voting;

3. ensures information of identical size and quality about each party, coalition, nomination committee or candidate;

4. guarantees the secrecy of the ballot and a free expression of the will of the voters;

5. does not allow vote manipulating, as well as any other undue influence on the election process;

6. ensures a possibility for easy handling of the user software and in particular of the ballot;

7. conforms to the highest standard for quality and reliability of the hardware and software used;

8. does not require from the voter any special skills other than the skills necessary for the use of computer terminals;

9. guarantees that each voter casts only one vote and that each vote is saved and counted only once;

10. ensures maximum reliability of safeguards against external interference and unauthorised access, including against hacker attacks;

11. in case of interruption of the election process due to the occurrence of insuperable external circumstances, saves the data on the voting and allows a resumption of the said process after elimination of the said circumstances;

12. allows the summing of the results and the transmittal thereof in the form of an electronic image to the constituency election commissions or the municipal election commissions and to the Central Election Commission after the completion of the voting;

13. ensures integrity and secrecy of the information which is transferred by means of encryption of the data and protection of the communication links;

14. maintains an electronic log of the election process, recording all irregularities and deviations from the envisaged mode which have occurred;

15. guarantees easy maintenance of the hardware and quick elimination of technical failures as they occur;

16. allows monitoring of the election process by independent authorised bodies;

17. allows audit and verification on the part of authorised bodies.

(3) The Central Election Commission shall determine the technical requirements to the hardware and software part of the electronic system and shall give mandatory directions to the implementors of the hardware and software.

Information. Arrangements. Results

Article 214. (1) Not later than seven days after the scheduling of the respective type of election, the Central Election Commission shall launch a page on the Internet site thereof for provision of information upon machine voting.

(2) The Central Election Commission shall organise, direct and control the procedure for conduct of the machine voting and the processing of the machine voting data.

(3) The results of the machine voting disaggregated by party, coalition or candidate shall not be announced before the closing of the polls.

Section IV
Day before Polling Day

Taking Delivery of Election Stationery and Materials

Article 215. (1) On the day before polling day, the section election commission shall take delivery of the following from the municipal administration and from the constituency election commission or the municipal election commission:

1. ballot boxes, including special boxes for the machine voting and separate boxes for the counterfoil showing the ballot number;

2. books of paper ballots for voting, sealed in a manner determined by the Central Election Commission; the first and last serial numbers of the ballots in a book shall be entered in the memorandum of delivery and acceptance of the election stationery and materials referred to in Paragraph (4);

3. an electoral roll;

4. a blank form of a list for additional entry of attendants;

5. a blank form of a list of the persons who have received a copy of the signed tally sheet on the respective type of election;

6. a list of the removed persons;

7. two blank forms of the tally sheet (tally sheets) of the section election commission; the serial numbers of the tally sheet shall be entered in the memorandum of delivery and acceptance of the election stationery and materials referred to in Paragraph (4); if there is any mismatch between the serial numbers of the separate leaves of the tally sheets, this circumstance shall be described; the blank forms of the tally sheets shall be delivered sealed in an envelope in a manner leaving visible only the serial numbers thereof; the said envelope shall be stamped and signed by the members of the constituency election commission or the municipal election commission; after the closing of the polls, the counting of the votes and the completion of the draft, one of the blank forms shall be unsealed and the other blank form shall be unsealed as well only in case of miscompletion;

8. blank forms of drafts for recording the results of the counting of the preferences for the candidates of the parties and coalitions upon elections of National Representatives, Members of the European Parliament for the Republic of Bulgaria and municipal councillors;

9. blank forms of drafts of the tally sheets of the section election commission;

10. a seal of the section election commission;

11. a memorandum on marking of the seal of the section election commission;

12. standard forms of the declarations which are submitted for the relevant type of election according to this Code;

13. distinguishing signs of the members of the section election commissions referred to in Article 231 herein;

14. equipment and consumables and other auxiliary and technical materials.

(2) On the day before polling day, the section election commission shall take delivery of the technical devices and all other election stationery and materials necessary for the machine voting according to a procedure established by the Central Election Commission.

(3) On the day before polling day, the mobile section election commission shall take delivery from the municipal administration and from the constituency municipal commission or the municipal election commission of the election stationery and materials referred to in Items 1, 2, 4, 5, 7, 8, 9, 12, 13 and 14 of Paragraph (1), as well as:

1. a roll for voting by means of a mobile ballot box;

2. a seal of the mobile section election commission;

3. a memorandum on marking of the seal of the mobile section election commission.

(4) The chairperson of the section election commission or, respectively, of the mobile section election commission, a member of the said commission designated by the constituency election commission or municipal elections commission, and the municipality mayor, borough mayor or mayoralty mayor or a domestic public official of the municipal administration designed thereby by order shall sign a memorandum of delivery and acceptance of the electoral roll or the roll for voting by means of a mobile ballot box, as the case may be, and a memorandum of delivery and acceptance of the election stationery and materials referred to in Items 1, 2, 4 to 14 of Paragraph (1) or, respectively, in Items 1, 2, 4, 5, 7, 8, 9, 12, 13 and 14 of Paragraph (1) and Items 2 and 3 of Paragraph (3). In case of non-appearance of the chairperson of the section election commission or, respectively, of the mobile section election commission, the deputy chairperson of the commission shall take delivery of the election stationery and materials and

shall sign the memorandums. The memorandums shall be drawn up and signed in three identical copies: one copy each for the section election commission, for the constituency election commission or municipal election commission, and for the municipality (or borough, applicable to cities subdivided into boroughs).

(5) The seal of the section election commission referred to in Item 10 of Paragraph (1) or, respectively, the seal of the mobile section election commission referred to in Item 2 of Paragraph (3), shall be delivered in a sealed envelope, which shall be signed by the persons referred to in Paragraph (4) upon delivery and shall be opened upon the opening of the polls in the voting section. After the completion of the voting, the seal shall be placed and closed in an envelope, which shall be signed by the chairperson and secretary of the commission.

(6) After the memorandums are signed, the responsibility for safe-keeping of the election stationery and materials shall pass to the chairperson of the section election commission or, respectively, of the mobile section election commission.

Papers and Materials Delivered to Navigation Vessel Masters

Article 216. (Amended, SG No. 39/2016, effective 26.05.2016) The masters of any navigation vessels flying the Bulgarian flag, which leave Bulgaria before the opening of the polls, shall take delivery of the election stationery and materials covered under Article 215 (1) herein from the constituency election commission exercising jurisdiction over the location of the ship not later than 20:00 hours on the day before polling day.

Taking Delivery of Papers and Materials

Article 217. (Supplemented, SG No. 39/2016, effective 26.05.2016) The chairperson and the secretary of a section election commission abroad shall take delivery of the election stationery and materials covered under Article 215 (1) herein, including the roll for voting abroad referred to in Article 31 (1) herein, from the head of the Bulgarian diplomatic mission or consular post or from a domestic public official empowered thereby.

Polling Site and Polling Booths

Article 218. (1) Specimens of the voting ballots shall be displayed in front of the polling site.

(2) (Supplemented, SG No. 39/2016, effective 26.05.2016) Polling booths and machine voting enclosures shall be placed in the polling site in a manner such as to ensure the secrecy of the ballot. The booths and enclosures must accommodate the voting of visually impaired voters or voters with ambulant difficulties.

(3) (Amended, SG No. 39/2016, effective 26.05.2016) A panel shall be placed in front of the polling site and in the polling booths, directing voters by a text in capital letters how to vote expressing a preference and that they may express the vote thereof only by marking the ballot with an "X" or a "V" placed by means of a ballpoint pen writing in blue ink. The size and type of the said panel shall be determined by the Central Election Commission.

(4) (Amended, SG No. 35/2014, effective 22.04.2014) Upon elections of National Representatives, Members of the European Parliament for the Republic of Bulgaria and of municipal councillors, a panel shall be placed in front of the polling site and in the polling booths whereon the names and numbers of the candidates, disaggregated by candidate list of parties and coalitions, shall be written using the same font size, type and format. The names of the nationals of a Member State of the European Union, who are not Bulgarian nationals but are registered as candidates for Member of the European Parliament for the Republic of Bulgaria or for municipal councillor, shall be transliterated in Cyrillic as they appear on the application for contesting the elections according to the identity card or passport. To the left of the name of each candidate on a candidate list of a party or coalition, there shall be placed a circle with the sequential number of

the candidate on the list under which number the said candidate has been registered by the competent election commission.

(5) Upon completion of the preparation for voting, the site shall be locked and sealed with a paper tape bearing the signatures of the members of the section election commission who are present.

(6) The polling sites shall be guarded on the outside by employees of the Ministry of Interior.

Section V
Polling Site. Opening and Closing of the Polls

Voting by Voting Section

Article 219. (Supplemented, SG No. 39/2016, effective 26.05.2016) Voting shall be conducted by voting section in polling sites intended for this purpose, wherein there shall be polling booths and machine voting enclosures.

Beginning and End of Voting

Article 220. (1) (Amended, SG No. 39/2016, effective 26.05.2016) Voters shall vote from 7:00 hours until 20:00 hours. The polls abroad shall open at 7:00 hours local time and shall close at 20:00 hours local time. Should any voters who have not voted be outside the polling site at 20:00 hours, the chairperson and the secretary of the section election commission shall establish the number and identity of the said voters.

(2) (Amended, SG No. 39/2016, effective 26.05.2016) The voters who have not voted shall deliver the identity documents thereof to the commission, and the voters who are nationals of another Member State of the European Union shall deliver the residence certificate thereof as well. Only these voters shall be admitted to voting after 20:00 hours, but not later than 21:00 hours.

Persons Who Are Not Admitted into Polling Sites

Article 221. (1) Persons behaving in a manner offensive to good morals, as well as persons carrying any objects endangering human life and health, shall not be admitted into the polling site.

(2) Armed persons shall not be admitted into the polling site, except in the cases referred to in Article 222 (4) herein.

Irregularities Affecting Election Process

Article 222. (1) The section election commission may suspend voting in the event of serious irregularities affecting the election process. Voting shall be resumed after elimination of any such irregularities.

(2) The decision to suspend the voting shall forthwith be communicated to the Central Election Commission care of the constituency election commission or municipal election commission.

(3) The circumstances referred to in Paragraphs (1) and (2) shall be recorded in the tally sheet of the section election commission.

(4) Should it be necessary to restore order and acting by a decision of the section election commission, the chairperson may seek assistance from the mayor or the lieutenant mayor and from the authorities of the Ministry of Interior. These circumstances shall be recorded in the tally sheet of the section election commission.

Section VI

Prohibitions upon Voting

Distribution of Election Stationery and Materials Prohibited

Article 223. The advance distribution of election stationery and materials shall be prohibited.

Removal of Election Stationery and Materials Prohibited

Article 224. (1) The removal of the ballot boxes, the electoral rolls and the ballots from the polling site after the acceptance of the said stationery and materials by the section election commission on the day before polling day, while the voting and the counting of the votes and the preferences are in progress, shall be prohibited.

(2) Mobile section election commissions may remove the stationery and materials from the premise referred to in Article 8 (3) herein for voting by means of mobile ballot boxes.

(3) The removal of ballots by voters from the polling site shall be prohibited.

Voting outside Polling Site Prohibited

Article 225. Voting outside the polling site shall be prohibited, except in the cases referred to in Article 237 herein.

Presence Prohibited

Article 226. The presence of any persons other than voters in the process of balloting within less than 3 metres from the polling booth, where occupied by a voter, shall be impermissible.

Use of Image Reproducing Equipment Prohibited

Article 227. (1) The use of mobile telephones, still cameras or other image reproducing equipment for the purpose of recording the voting choice shall be prohibited.

(2) Upon violation of the prohibition referred to in Paragraph (1), the commission shall forthwith declare the ballot invalid and shall note this circumstance on the ballot and in the column designated "Notes" of the electoral roll. The voter shall not be readmitted to voting.

(3) The ballot referred to in Paragraph (2) shall be counted as invalid, shall be cancelled by means of an inscription "Invalid under Article 227", and shall be entered on a separate line in the tally sheet of the section election commission.

Displaying Voting Choice Prohibited

Article 228. (1) After the ballot is completed and before it is deposited in the ballot box, the voter shall be prohibited from unfolding the ballot in a manner making the voting choice visible.

(2) Upon violation of the prohibition referred to in Paragraph (1), the commission shall forthwith pronounce the ballot invalid and shall note this circumstance on the ballot and in the column designated "Notes" of the electoral roll. The voter shall not be readmitted to voting.

(3) The ballot referred to in Paragraph (2) shall be counted as invalid, shall be cancelled by means of an inscription "Invalid under Article 228", and shall be entered on a separate line in the tally sheet of the section election commission.

Section VII
Polling Day. Voting

Opening of the Polls

Article 229. (1) (Amended, SG No. 39/2016, effective 26.05.2016) The polling site shall be unsealed and the polls shall be declared open by the chairperson of the section election

commission at 7:00 hours provided that more than one-half of the members of the commission are present. If a quorum is not present, the constituency election commission or municipal election commission shall be notified. Should more than one-half of the members of the commission presented themselves at 7:00 hours but the chairperson fails to present himself or herself, the polling site shall be unsealed and the polls shall be declared open by the deputy chairperson, and this circumstance shall be entered in the tally sheet of the section election commission.

(2) Should a sufficient number of members of the section election commission fail to present themselves within one hour, the constituency election commission or municipal election commission shall appoint the requisite number of members from amongst the alternate members in lieu of the absent members.

(3) Should the chairperson of the section election commission be absent, the constituency election commission or municipal election commission shall appoint the deputy chairperson and a member of the section election commission deputy chairperson. Should the deputy chairperson or the secretary of the section election commission be absent, the constituency election commission or municipal election commission shall appoint a member of the section election commission deputy chairperson or secretary.

(4) Should the chairperson, the deputy chairperson and the secretary of the section election commission be absent, the constituency election commission or municipal election commission shall appoint a chairperson, a deputy chairperson and a secretary from amongst the members and the alternate members.

(5) In the cases referred to in Paragraphs (3) and (4), the constituency election commission or the municipal election commission shall comply with the requirement of Article 61 (3) or, respectively, of Article 76 (3) herein.

(6) The Central Election Commission, acting on a proposal by the constituency election commission or municipal election commission, may allow voting in certain voting sections to begin at 5:00 hours.

Steps upon Opening

Article 230. (1) The ballots shall be unsealed Immediately before the opening of the polls.

(2) Candidates, election agents and representatives of parties, coalitions and nomination committees according to Article 117 (6) and Article 124 (1) herein, observers (complying with the requirement of Article 114 (2) herein), members of the mass communication media and voters may be present in the polling sites upon the opening of the polls.

(3) The chairperson of the section election commission shall verify the availability of the election stationery and materials covered under Article 215 (1) herein and shall check whether the ballot box is serviceable and whether the said box is empty. After the check, the box shall be closed and sealed with paper tapes signed by the members of the commission who are present, and shall be stamped with the seal of the commission.

(4) Upon the opening of the polls, the chairperson of the section election commission and a member of the commission designated with a decision of the commission shall mark in a unique manner the seal of the section election commission used to stamp the election stationery. A memorandum signed by the members of the commission shall be drawn up on the marking, and the said memorandum shall contain at least three impressions of the marked seal.

(5) After the steps referred to in Paragraphs (1), (3) and (4) are performed, the chairperson of the section election commission shall declare the polls open.

Distinguishing Signs of Members of Section Election Commissions

Article 231. On polling day, the members of the section election commissions shall be

bound to wear distinguishing signs of a standard design endorsed by the Central Election Commission. The distinguishing signs shall be printed by the Central Election Commission.

Persons Entitled to Be Present in Polling Site

Article 232. (1) While voting is in progress, only election agents and representatives of parties, coalitions and nomination committees according to Article 117 (6) and Article 124 (1) herein, observers (complying with the requirement of Article 114 (2) herein) and members of the mass communication media may be present in the polling site.

(2) The persons referred to in Paragraph (1) may not interfere with the voting.

Voting by Persons Engaged in Conduct of Elections

Article 233. The persons engaged in the conduct of the elections as members of a section election commission or as security guards of the relevant voting section may exercise the franchise thereof after entry on the supplementary page of the electoral roll if they have the right to vote in the respective type of election and upon presentation of a declaration completed in a standard form to the effect that they have not voted and will not vote elsewhere. The said declaration shall be attached to the electoral roll and shall constitute an integral part thereof.

Section VIII

Voting by Visually Impaired Voters or Voters with Ambulant Difficulties

Announcement of Measures

Article 234. (1) Not later than seven days in advance of polling day, the constituency election commission or the municipal election commission shall announce, in an appropriate manner through the mass communication media, the measures enabling visually impaired voters or voters with ambulant difficulties to vote on polling day.

(2) The announcement referred to in Paragraph (1) shall state a telephone number and an address at which assistance can be requested on polling day.

Voting

Article 235. (1) Visually impaired voters or voters with ambulant difficulties shall vote in a voting section designated under Article 10 (1) herein.

(2) Any voter referred to in Paragraph (1) shall establish the identity thereof before the section election commission by producing an identity document.

(3) A voter referred to in Paragraph (1) may alternatively vote in a suitable voting section of his or her choice.

(4) A voter referred to in Paragraph (1) shall be entered on the supplementary page of the electoral roll in the voting section after the said voter presents a declaration in a standard form to the effect that the said voter has not voted and will not vote elsewhere. The said declaration shall be attached to the electoral roll and shall constitute an integral part thereof. All particulars of the voter shall be entered on the supplementary page of the electoral roll.

Voting with Attendant's Assistance

Article 236. (1) (Amended, SG No. 39/2016, effective 26.05.2016) Where a voter is visually impaired or with ambulant difficulties, which prevents him or her from performing the requisite steps upon voting on his or her own, the chairperson of the commission may allow the voting to be performed with the assistance of an attendant named by the voter. If the decision of the chairman is disputed by a member of the commission, the dispute shall be resolved finally by the section election commission. In the case of a voter who moves with the assistance of an

attendant but can perform the requisite steps upon voting on his or her own, the attendant shall be admitted only to the polling booth and shall thereafter exit the booth while the voter is voting.

(2) The names and the Standard Public Registry Personal Number of the attendant shall be entered in the column designated "Notes" of the electoral roll opposite the name of the voter by a member of the commission. The particulars of the attendant shall furthermore be entered on the list for additional entry of attendants, whereupon the attendant shall sign. The said list shall furthermore be signed by the chairperson and the secretary.

(3) Where the impairment prevents the voter from signing, a member of the commission shall note "voted" and shall sign in the signature space. This circumstance shall be noted in the column designated "Notes" and in the tally sheet of the section election commission.

(4) Illiteracy shall not be grounds for voting with the assistance of an attendant.

(5) One person may not act as an attendant to more than two voters.

(6) A member of the commission, a representative of a party, coalition or nomination committee, an election agent or an observer may not act as an attendant.

Section IX
Voting by Means of Mobile Ballot Box

Taking Delivery of Stationery. Marking of Seal

Article 237. (1) A voter with permanent disability which prevents him or her from exercising the franchise thereof in the polling site, and who has submitted an application under Article 37 (1) or (2) herein, shall be visited by a mobile section election commission on polling day.

(2) The members of the mobile section election commission, who service the mobile ballot box and who are not fewer than four, shall take delivery from the chairperson of the commission of the roll referred to in Article 37 (4) herein, of an empty sealed ballot box with a text directing the voter in capital letters that he or she may express the vote thereof only by marking the ballot with an "X" or a "V" placed by means of a ballpoint pen writing in blue ink, a book of ballots and a seal. The number of the ballots shall equal the number of voters entered on the list for voting by means of a mobile ballot box increased by 10 per cent.

(3) The seal for voting by means of a mobile ballot box shall be marked, on which a memorandum shall be drawn up, and the said memorandum shall contain at least three impressions of the marked seal and shall be signed by all members of the mobile section election commission.

Voting

Article 238. (1) The members of the mobile section election commission shall place the mobile ballot box in an accessible and conspicuous place at the home of the voter. The particulars of the identity document produced by the voter shall be checked against those on the roll, and the Standard Public Registry Personal Number (Personal Number) and the type and number of the identity document or, respectively, the number of the residence certificate and the registration date stated therein shall be entered on the roll. The identity document and, respectively, the residence certificate of a national of another Member State of the European Union, shall be left with the members of the commission until the voter signs the roll.

(2) Upon voting by means of a mobile ballot box, other persons, including the members of the section election commission who service the mobile ballot box, may not be present in the room with the voter unless the voter is unable to perform the requisite steps on his or her own and has to vote with the assistance of an attendant. The names and the Standard Public Registry

Personal Number (Personal Number) of the attendant, as well as the reason for voting with the assistance of an attendant, shall be entered in the column designated "Notes" of the roll opposite the name of the voter by the member of the commission. The particulars of the attendant shall furthermore be entered on the list for additional entry of attendants, whereupon the attendant shall sign. The said list shall be signed by the members of the mobile section election commission who service the mobile ballot box. The requirements of Article 116 (2), Article 120 (3), Article 3 and Article 236 (3) to (6) herein shall also apply upon voting by means of a mobile ballot box.

(3) After the particulars are entered on the roll, the voter shall receive from the members of the commission a ballpoint pen writing in blue ink and a ballot from the book of ballots, which shall be detached from the book upon delivery. The ballot shall be stamped with the seal of the commission upon its receipt by the voter. Upon elections of municipal councillors and of mayors, the voter shall receive a ballot for each type of election.

(4) (Amended, SG No. 35/2014, effective 22.04.2014) The voter shall vote by marking the square with the number of the candidate list of his or her choice with an "X" or a "V", which expresses unequivocally the vote thereof. Upon elections of National Representatives, of Members of the European Parliament for the Republic of Bulgaria and of municipal councillors, the voter may, if he or she so wishes, mark with an "X" or a "V" the circle with the number under which the candidate of a party or coalition of his or her choice is registered, thereby showing unequivocally the preference thereof for the relevant candidate.

(5) (Supplemented, SG No. 39/2016, effective 26.05.2016) The voter shall fold the ballot in a manner making invisible the marked choice of a party, coalition or nomination committee or the preference. The folded ballot shall be handed to the members of the commission, who shall check if the number on the ballot matches the number on the book. If the two numbers match, the members shall restamp the ballot with the seal of the commission and shall detach the counterfoil showing the ballot number, and the said counterfoil shall be deposited in a separate box. The voter shall deposit the folded ballot in the ballot box, shall sign the electoral roll, and shall be given back the documents thereof. The members of the commission shall enter the time of the voting in the column designated "Notes".

Mobile Ballot Box Servicing

Article 239. (1) (Amended, SG No. 39/2016, effective 26.05.2016) The members of the mobile section election commission who service the mobile ballot box shall visit the voters on the list at the homes thereof until exhaustion of the said list but not later than 20:00 hours, and shall be provided with transport and security. If the voter is not found at the named address, this circumstance shall be noted in the column designated "Notes" opposite the name of the voter and the members of the mobile section election commission who service the mobile ballot box shall sign.

(2) (Amended, SG No. 39/2016, effective 26.05.2016) After the completion of the voting by means of the mobile ballot box, a paper tape shall be pasted over the slot thereof, and the time of the last voting, which may not be later than 21:00 hours, shall be noted on the said tape. The paper tape shall be signed by the members of the mobile section election commission who service the box and shall be stamped with the seal of the commission. The mobile ballot box shall be returned to the premise referred to in Article 8 (3) herein.

(3) The rules for voting in a section election commission shall apply to any unregulated matters.

Section X

Voting on Non-Resident Voting Certificate

Voting

Article 240. (1) Voters holding a non-resident voting certificate shall be entered on the supplementary page of the electoral roll by the section election commission exercising jurisdiction over the whereabouts of the said voters on the day of the elections. The non-resident voting certificate shall be handed to the commission, which shall check the particulars therein. The certificate shall be attached to the electoral roll and shall constitute an integral part thereof.

(2) A voter holding a non-resident voting certificate may alternatively vote in the voting section where the permanent address (residence address) thereof is located. The commission shall enter any such voter on the supplementary page of the electoral roll, whereto the non-resident voting certificate shall be attached.

(3) All particulars of the voter shall be entered on the supplementary page of the electoral roll referred to in Paragraphs (1) and (2).

Section XI
Voting by Pupils and Students

Voting

Article 241. (1) Upon elections of National Representatives, of President and Vice President of the Republic and of Members of the European Parliament for the Republic of Bulgaria, any voter who is a full-time pupil or student may vote in a voting section of his or her choice in the nucleated settlement where the said voter pursues his or her studies where the said settlement is other than the nucleated settlement of the permanent address thereof, upon presentation of:

1. an identity document;

2. a pupil's card, duly certified for the relevant school year by the educational establishment with a head office in the nucleated settlement, or a student's card, duly certified for the relevant term;

3. a declaration completed in a standard form, to the effect that the voter has not voted and will not vote elsewhere.

(2) The voter who is a pupil or a student shall be entered on the supplementary page of the electoral roll. All particulars of the voter shall also be entered on the supplementary page of the electoral roll.

(3) The declaration referred to in Item 3 of Paragraph (1) shall be attached to the electoral roll and shall constitute an integral part thereof.

(4) While voting is in progress, the pupil's card or student's card shall be left with the section election commission together with the identity document of the voter who is a pupil or a student.

(5) After the voter sings the electoral roll, the date of the elections shall be entered in the pupil's card or student's card with a note that the pupil or student has voted. The card shall be signed by the chairperson or the secretary and by one member of the section election commission, who have been nominated by different parties and coalitions, whereupon the said card shall be returned to the voter together with the identity document thereof.

Excuse from Classes

Article 242. Voters who are pupils and students, upon conduct of elections of municipal

councillors and of mayors in the nucleated settlement where the said voters have the right to vote, shall be excused from classes one day before polling day, on polling day, and one day after polling day.

Section XII
(New, SG No. 39/2016, effective 26.05.2016)
Consequences after Voting

Consequences of Non-exercise of Right to Vote

Article 242a. (New, SG No. 39/2016, effective 26.05.2016; declared unconstitutional by the Constitutional Court of the Republic of Bulgaria - SG No. 20/2017)

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(1) Any persons, who have not exercised the right thereof to vote in two successive elections of one and the same type without a valid excuse, shall be removed from the electoral roll for the next elections and shall be entered in the list of removed persons under terms and according to a procedure established by the Central Election Commission.

(2) Any such voters may exercise the right thereof to vote in the next election by submitting, in person or through an authorised representative, an application in writing to the respective authority referred to in Article 23 (1) herein according to the permanent address. The application may alternatively be submitted signed with an electronic signature. The application for entry on the electoral rolls shall be submitted not later than 30 days in advance of polling day, and Articles 33, 39 and 40 herein shall apply, mutatis mutandis, after the expiry of this time limit.

(3) The electoral rolls shall be updated on the basis of the applications and documents submitted by citizens.

(4) Paragraph (1) shall not apply if the voter proves that compelling reasons have prevented him or her from voting. "Compelling reasons" means absence from Bulgaria for the period of conduct of the relevant type of elections, illness, engagement with study/business, and other unforeseen circumstances.

(5) The voter must present the relevant documents to the authority referred to in Article 23 (1) herein in order to certify the existence of the reasons referred to in Paragraph (4).

(6) Paragraph (1) shall not apply to any Bulgarian nationals resident abroad, to any persons with permanent disabilities, to any visually impaired persons or persons with ambulant difficulties, as well as to any persons over 70 years of age, who have not exercised the right thereof to vote.

PART TWO
TYPES OF ELECTIONS

Chapter Fifteen
ELECTIONS OF NATIONAL REPRESENTATIVES FOR NATIONAL ASSEMBLY AND FOR GRAND NATIONAL

ASSEMBLY

Section I
Electoral Franchise. Principles

Right to Elect

Article 243. The right to elect National Representatives shall vest in the Bulgarian nationals who satisfy the conditions of Article 42 (1) of the Constitution.

Right to Be Elected

Article 244. The right to be elected National Representative shall vest in the Bulgarian nationals who satisfy the conditions of Article 65 (1) of the Constitution.

Applicable Provisions

Article 245. The provisions of this Chapter and the respective provisions of Part One herein shall be apply to the elections of National Representatives.

Section II
Election System. Powers of Central Election Commission. Allocation of Seats

Proportional Representation Election System

Article 246. (1) National Representatives shall be elected according to a proportional representation election system from candidate lists of the following registered in multi-member constituencies by:

1. parties and coalitions;

2. nomination committees.

(2) When voting for a candidate list of a party or coalition, the voter may mark one preference for a candidate on the candidate list, thereby expressing the preference thereof regarding the ranking of the candidates on the candidate list for which the voter votes.

Powers of Central Election Commission under this Chapter

Article 247. The Central Election Commission shall:

1. determine the number of seats in the multi-member constituencies on the basis of a uniform ratio of representation for the entire country depending on the size of the population according to data provided by the National Statistical Institute on the basis of the results of the latest population census;

2. ascertain and pronounce invalid the registration of any candidates who do not conform to the requirements covered under Article 254 (1) or (4) herein;

3. strike the registration, where it is established that the candidate does not satisfy the conditions referred to in Article 65 (1) of the Constitution, as well as where the collection of signatures in support of an independent candidate does not conform to the requirements of Article 257 (1) herein;

4. declare the election results and issue certificates to the elected National Representatives;

5. promulgate the election results in the State Gazette forthwith after the declaration of the said results;

6. upon pre-term termination of the credentials of a National Representative, pronounce the candidate ranked next on the respective list [elected as] National Representative;

Allocation of Seats

Article 248. The voting results in elections of National Representatives for a National Assembly, as well as for a Grand National Assembly, shall be determined and the seats shall be allocated to candidate lists using a methodology described in Annex 1 hereto.

Section III
Constituencies. Number of Seats

Delimitation of Constituencies

Article 249. (1) For the conduct of elections, the territory of Bulgaria shall be divided into 31 multi-member constituencies, of which three in the Administrative Region of Sofia City and two in the Administrative Region of Plovdiv. The rest of the constituencies shall be coextensive with the administrative regions.

(2) The names, boundaries and numbering of the constituencies shall be determined by the President of the Republic not later than 56 days in advance of polling day.

Determination of Number of Seats

Article 250. (1) The Central Election Commission shall determine the number of seats for each multi-member constituency according to Item 1 of Article 247 herein not later than 55 days in advance of polling day, using the greatest remainder method.

(2) The number of seats in a multi-member constituency may not be lesser than four.

Section IV
Entry and Additional Entry on Electoral Rolls

Entry on Rolls

Article 251. All Bulgarian nationals who satisfy the conditions of Article 42 (1) of the Constitution shall be entered on the electoral rolls.

Request for Entry and Additional Entry on Rolls

Article 252. (1) Any Bulgarian national, who resides outside the Republic of Bulgaria but who is present in Bulgaria on polling day, may vote according to the permanent address thereof.

(2) Where the person referred to in Paragraph (1) has been removed from the electoral roll, the said person shall be entered on the roll according to the procedure established by Article 39 herein before delivery of the rolls to the section election commissions upon presentation of a declaration, completed in a standard form, to the effect that the said person will not vote elsewhere.

(3) Where the request is made on polling day, the person shall be added to the roll by the section election commission according to the procedure established by Article 40 herein.

Section V
Registration of Candidate Lists

Candidate Lists

Article 253. (1) The parties, coalitions and nomination committees shall rank the candidates on candidate lists by multi-member constituency. The candidates of the parties and coalitions shall be entered in the register of candidate lists and shall be registered by the number under which they are ranked on the candidate list.

(2) The coalitions shall contest the elections on a single candidate list in each separate

multi-member constituency.

(3) The number of candidates on one candidate list may not exceed the double number of seats in the multi-member constituency.

Registration Rules

Article 254. (1) A candidate for National Representative may be proposed for registration by only one party or coalition in not more than two multi-member constituencies.

(2) Where a candidate for National Representative is registered by more than one party, coalition or nomination committee, the earliest registration shall be valid.

(3) Where a candidate for National Representative is registered in more than two multi-member constituencies, the earliest two registrations shall be valid.

(4) In cases other than those referred to in Paragraph (1), an independent candidate for National Representative may be proposed for registration by only one nomination committee and in only one multi-member constituency.

(5) In cases other than those referred to in Paragraph (1), where an independent candidate for National Representative is registered in more than one multi-member constituency, the earliest registration shall be valid.

(6) The constituency election commissions shall notify the Central Election Commission of the registered candidates not later than 24 hours after the closing date for registration.

Documents and Closing Date for Registration

Article 255. (1) The registration of the candidate lists shall be effected by the constituency election commissions upon presentation of:

1. a proposal by the party or coalition stating the name, Standard Public Registry Personal Number and permanent address of the parties; any such proposal shall be signed by the persons representing the party or coalition or by persons expressly authorised thereby;

2. a proposal by the nomination committee, stating the names, Standard Public Registry Personal Number and permanent address of the candidate; any such proposal shall be signed by the person representing the nomination committee;

3. (amended, SG No. 39/2016, effective 26.05.2016) a representation-declaration, completed in a standard form, by each one of the candidates of the consent thereof to be registered by the proposing party, coalition or nomination committee and to the effect that the candidate satisfies the conditions referred to in Article 65 (1) of the Constitution and under Article 254 (1) or (4) herein;

4. (repealed, SG No. 39/2016, effective 26.05.2016);

5. (repealed, SG No. 39/2016, effective 26.05.2016);

6. an authorisation of the persons authorised to represent the party or coalition in dealings with the constituency election commission, in the cases where the documents are submitted by authorised persons.

(2) The registration of the candidate lists at the constituency election commissions shall be effected not later than 32 days in advance of polling day.

(3) The documents covered under Paragraph (1) shall be recorded in a separate register with a sequential number assigned thereto. The order of arrival of the documents shall determine the order of entry in the register of the constituency election commission.

Validity of Registration

Article 256. (1) The Central Election Commission shall ascertain and pronounce invalid any registrations effected in violation of Article 254 (1) or (4) herein. The decisions shall forthwith be made public, and the constituency election commission and the candidates, parties, coalitions and nomination committees concerned shall be notified.

(2) The decisions referred to in Paragraph (1) shall be appealable before the Supreme Administrative Court according to the procedure established by Article 58 herein.

List of Voters Supporting Independent Candidate's Registration

Article 257. (1) An independent candidate shall be registered when the candidature thereof is supported by at least 1 per cent but not more than 1,000 of the voters with a permanent address within the territory of the constituency.

(2) (Amended, SG No. 39/2016, effective 26.05.2016) Any voter, who supports the contesting of the elections by an independent candidate, shall certify this by affixing the signature thereof before a member of the nomination committee. Any such voter shall state the names, Standard Public Registry Personal Number and permanent address thereof. Each voter may participate in only one list. The list shall be delivered also in the form of a structured electronic image, stating the names, Standard Public Registry Personal Number and permanent address of the voters who have affixed a manual signature, in the order in which they have been entered in the list.

(3) The member of the nomination committee referred to in Paragraph (2) shall process and provide the personal data complying with the requirements of the Personal Data Protection Act and shall bear responsibility as controller within the meaning given by Article 3 (2) of the Personal Data Protection Act.

(4) (Amended, SG No. 39/2016, effective 26.05.2016) The list shall be delivered to the constituency election commission together with the documents referred to in Items 2 and 3 of Article 255 (1) herein not later than 32 days in advance of polling day.

Conditions for Registration. Refusal of Registration

Article 258. (1) The constituency election commission shall conduct a check as to whether the requirements of this Section are satisfied and shall adopt a decision on the registration of the candidate lists.

(2) Upon ascertainment of any omissions or non-conformities, the constituency election commissions shall forthwith give directions and set a time limit for the elimination thereof. In case the omissions or non-conformities are not eliminated within the time limit set, the constituency election commission shall refuse registration.

(3) The refusal referred to in Paragraph (2) may be disputed before the Central Election Commission according to the procedure established by Article 73 herein.

(4) If registration is refused or if the registration of a candidate on a list of a party or coalition is pronounced invalid, the party or coalition may propose another candidate for registration not later than 30 days in advance of polling day.

(5) (Amended, SG No. 39/2016, effective 26.05.2016) If any of the candidates on a registered candidate list of a party or coalition dies or lapses into a sustained inability to contest the elections, the party or coalition may propose another candidate not later than seven days in advance of polling day. If any of the candidates on a registered candidate list of a party or coalition withdraws, the party or coalition may propose another candidate not later than 30 days in advance of polling day.

(6) (New, SG No. 39/2016, effective 26.05.2016) In the cases referred to in Paragraph (4) or (5), on a proposal by the party or coalition, the new candidate shall fill the place which has fallen vacant or the last place on the candidate list, and in the latter case the rest of the candidates shall be re-ranked by being moved one place up.

Check of Lists. Ex Officio Striking of Registration

Article 259. (1) (Amended, SG No. 98/2014, effective 28.11.2014, supplemented, SG No. 39/2016, effective 26.05.2016) The lists referred to in Article 257 (2) herein in the form of a

structured electronic image and on hard copy shall forthwith be delivered by the constituency election commission for a check to the competent territorial unit of the Directorate General Civil Registration and Administrative Services at the Ministry of Regional Development and Public Works.

(2) (Amended, SG No. 98/2014, effective 28.11.2014) The territorial unit of the Directorate General of Civil Registration and Administrative Services at the Ministry of Regional Development and Public Works shall conduct the check referred not later than 27 days in advance of polling day.

(3) (Amended, SG No. 98/2014, effective 28.11.2014) The territorial unit of the Directorate General Civil Registration and Administrative Services at the Ministry of Regional Development and Public Works shall draw up a memorandum on the result of the check in two copies and shall provide one of the copies to the constituency election commission. The data of the check shall be kept for a period of up to six months after conduct of the elections.

(4) (Amended, SG No. 98/2014, effective 28.11.2014) The constituency election commission shall ascertain the result for the lists referred to in Article 257 (2) herein on the basis of the check conducted by the territorial unit of the Directorate General Civil Registration and Administrative Services at the Ministry of Regional Development and Public Works. Upon request by the nomination committee, the constituency election commission shall provide the said committee in writing with the data of the memorandum referred to in Paragraph (3) and the result ascertained for the lists referred to in Article 257 (2) herein as submitted by the nomination committee.

(5) Where the constituency election commission or the Central Election Commission establishes that an independent candidate is not supported by the required number of voters, the registration of the said candidate shall be stricken by a decision which shall forthwith be transmitted to the nomination committee. Where any such decision has been adopted by the Central Election Commission, the said Commission shall forthwith transmit the said decision to the constituency election commission, which shall forthwith transmit the said decision to the nomination committee.

(6) The decision of the constituency election commission referred to in Paragraph (5) may be disputed before the Central Election Commission according to the procedure established by Article 73 herein.

(7) The decision of the Central Election Commission referred to in Paragraph (5) shall be appealable before the Supreme Administrative Court according to the procedure established by Article 58 herein.

Search of List under Article 257 (2) Herein

Article 260. The constituency election commission shall ensure to each voter who is a Bulgarian national searchability of the list referred to in Article 257 (2) herein by Standard Public Registry Personal Number, including by means of a free-of-charge telephone number.

Section VI
Voting Ballot

Content

Article 261. (1) The voting ballot shall be combined and the face side thereof shall contain:

1. the name and number of the constituency;

2. the full and/or abbreviated name of the party or coalition as stated in the application for registration thereof, or the designation "Nomination Committee", with the abbreviation for a

party being written as "ПП" [abbreviation for "political party" in Bulgarian], for a coalition of parties as "КП" [abbreviation for "coalition of parties" in Bulgarian];

3. a square to be marked with an "X" or a "V", showing the choice of the voter, with the sequential number of the party, coalition or nomination committee being written inside the said square;

4. (amended, SG No. 35/2014, effective 22.04.2014) circles with sequential numbers written inside the said circles, whereof the number corresponds to the doubled number of seats in the respective constituency, to be marked with an "X" or a "V", showing the preference of the voter for a candidate on the candidate list of a party or coalition; the number written in each separate circle shall designate the sequential number by which the candidate has been registered on the candidate list of a party or coalition;

5. (new, SG No. 39/2016, effective 26.05.2016) a square to be marked with an "X" or a "V", showing the choice of the voter, with "Не подкрепям никого [None Of The Above]" being written inside the said square.

(2) The lines of the separate parties, coalitions and nomination committees shall be separated from one another by a solid black horizontal line.

(3) (Amended, SG No. 39/2016, effective 26.05.2016) The name and number of the constituency shall be written on the top line in the ballot. The essential elements referred to in Items 2, 3 and 5 of Paragraph (1) shall be written sequentially from left to right on a separate horizontal line for each party, coalition or nomination committee. In the ballot for voting abroad, the name and number of the constituency shall be replaced by the text "Бюлетина за гласуване извън страната" [Ballot for Voting Abroad].

(4) The essential element referred to in Item 4 of Paragraph (1) shall be written on the right-hand side of the ballot.

(5) The reverse side of the ballot shall be marked with two areas where the seal of the competent section election commission is to be affixed.

(6) A ballot for parties and coalitions which does not contain the essential element referred to in Item 4 of Paragraph (1) shall be used for voting abroad.

Drawing Lots to Determine Number on Ballot

Article 262. (1) The sequential numbers of the parties and coalitions on the ballot shall be determined by the Central Election Commission by lots drawn in the presence of representatives of the parties and coalitions not later than 31 days in advance of polling day. The lots shall be drawn publicly and the registered candidates and members of the mass communication media may also be present thereat. The assigned sequential number shall be the same for the entire country and for the voting abroad. The result of the drawing of lots shall be made public by the Central Election Commission by a decision according to the procedure established by Article 57 (2) herein.

(2) The numbers of the nomination committees shall follow the numbers of the parties and coalitions on the ballot according to the sequence of the registration of the independent candidate by the constituency election commission.

(3) The number of any party or coalition which has not registered a candidate list in the respective constituency shall not be written on the ballot and an empty line shall not be left for any such party or coalition.

(4) Any parties and coalitions which have not registered candidate lists shall not participate in the drawing of the lots and any such parties and coalitions shall not be assigned a number and an empty line shall not be left for them on the ballot. Any nomination committees which have not registered candidate lists shall not participate in the drawing of the lots and any such committees

shall not be assigned a number and an empty line shall not be left for them on the ballot.

Section VII
Voting

Voter Identification

Article 263. (1) Voters shall establish the identify thereof to the chairperson or a member of the commission, designated by a decision of the said commission before the opening of the polls, by producing an identity card or, applicable only to voters who have not replaced the personal documents thereof under the terms established by § 9a of the Transitional and Final Provisions of the Bulgarian Personal Documents Act, an internal (green) passport. In the cases where the validity of the internal (green) passport or the identity card has expired or the said passport or card is damaged, destroyed, lost or stolen or in a process of being issued, the voter shall be admitted to voting if he or she presents a certificate of issuing of personal documents.

(2) Voters who vote abroad shall establish the identity thereof by producing a passport, identity card or military identity card according to Items 1 and 2 of Article 13 (1) of the Bulgarian Personal Documents Act. In case the validity of the identity document of the voter has expired, the said voter shall be admitted to voting if he or she presents a certificate issued by the diplomatic mission or consular post of the Republic of Bulgaria to the effect that the said person has submitted an application for the issuance of a new identity document.

(3) Voters voting on board navigation vessels flying the Bulgarian flag shall establish the identity thereof as follows:

1. the passengers: by producing a passport or identity card;

2. the members of the crew: by producing a seafarer's passport.

(4) Pupils and students, in addition to the identity document thereof in the cases referred to in Article 241 herein, shall produce a pupil's or student's card before the section election commission.

Entry of Voter`s Particulars on Electoral Roll

Article 264. (1) The chairperson or a member designated by a decision of the commission shall check the particulars of the identity document produced by the voter or, respectively, of the certificate referred to in sentence two of Article 263 (1) or (2) herein, against the particulars on the electoral roll (the roll) and shall enter the Standard Public Registry Personal Number and the type and number of the identity document or, respectively, the number of the certificate referred to in sentence two of Article 263 (1) or (2) herein, on the electoral roll (the roll) and shall admit the voter to voting.

(2) Should any discrepancy be detected in any of the names of a voter as they appear on the roll and in the identity document or, respectively, the certificate referred to in sentence two of Article 263 (1) or (2) herein, if the permanent address matches, the names of the voter as they appear in the identity document or, respectively, in the certificate referred to in sentence two of Article 263 (1) or (2) herein, shall be recorded in the column designated "Notes" of the electoral roll.

(3) The identity document or the certificate referred to in sentence two of Article 263 (1) or (2) herein shall be left with the chairperson or, respectively, with the member of the section election commission until the voter signs the electoral roll (the roll).

(4) (Supplemented, SG No. 39/2016, effective 26.05.2016) If the voter is not entered on the electoral roll (the roll) but has the right to vote after a check in the list of removed persons, all particulars thereof shall be entered on the supplementary page of the electoral roll, whereupon the

voter shall be admitted to voting. The voter shall present a declaration in a standard form to the effect that the said voter has not voted and will not vote elsewhere. The said declaration shall be attached to the electoral roll and shall constitute an integral part thereof.

(5) Where the voter votes on a certificate referred to in sentence two of Article 263 (1) or (2) herein, the chairperson or, respectively, the member of the section election commission, shall note on the certificate the fact that the person has voted, the date of voting and the number of the voting section.

Conduct of Voting by Paper Ballot

Article 265. (1) After being admitted to vote, the voter shall receive a paper ballot from a member of the section election commission who shall detach the said ballot from the book of ballots immediately before delivering the said ballot and shall stamp the said ballot with the seal of the commission. The voter shall proceed with the paper ballot so received to the booth in order to vote.

(2) Only one voter may be present in the booth.

(3) The voter shall vote by performing the following steps:

1. marking the square with the number of the candidate list of his or her choice with an "X" or a "V", which expresses unequivocally the vote thereof;

2. (amended, SG No. 35/2014, effective 22.04.2014) if he or she so wishes, the voter shall mark the circle with the number whereby the candidate of his or her choice is registered on the list of a party or coalition of his or her choice with an "X" or a "V", which shows unequivocally his or her preference for the respective candidate;

3. the voter shall fold the ballot in a manner which makes invisible the marked choice of a party, coalition or nomination committee or preference;

4. the voter shall exit the booth and shall hand the folded ballot to a member of the commission.

(4) The member of the commission shall check whether the number on the ballot matches the number on the book of ballots and if the two numbers match shall restamp the ballot with the seal of the commission and shall detach the counterfoil showing the ballot number which the said member shall deposit in a separate box.

(5) If the two numbers mismatch, the ballot shall be pronounced invalid and this circumstance shall be noted on the ballot and in the column designated "Notes" on the electoral roll. The voter shall not be readmitted to voting.

(6) After the ballot is restamped, the voter shall deposit the said ballot in the ballot box, shall sign the electoral roll, shall be given the documents thereof back, including the certificate referred to in sentence two of Article 263 (1) or (2) herein, and shall leave the polling site.

Prohibitions to Write Special Symbols on Ballot

Article 266. (1) Writing any special symbols, such as letters, numbers or other signs, on the ballot shall render the vote invalid.

(2) Writing any special symbols, such as letters, numbers or other signs, on the book of ballots shall be prohibited.

Handling Miscompleted Ballot

Article 267. (1) Any voter, who misplaces the mark expressing the vote thereof, may return the folded miscompleted ballot to the section election commission and may receive a new ballot for voting of the same type. This right shall be granted to the voter on a single occasion.

(2) The ballot referred to in Paragraph (1) shall, without being unfolded, be cancelled by means of an inscription "Miscompleted" and shall be signed by the chairperson and the secretary and a member of the section election commission who have been nominated by different parties

and coalitions. The miscompleted ballots shall be inventoried in the tally sheet of the section election commission.

Conduct of Voting by Voting Machine Ballot

Article 268. (1) In machine voting, the voter, after being admitted to voting, shall be given access to the voting device.

(2) The voter shall vote by means of a magnetic card, with the device displaying a ballot identical with the paper ballot. The voter shall have an option not to vote for any one party, coalition or nomination committee.

(3) The voter shall mark unequivocally the vote thereof for a candidate list and, if he or she so wishes, shall express the preference thereof for a candidate on the candidate list of a party or coalition of his or her choice. The voter may change the choice thereof once before confirming it.

(4) After the choice is confirmed, the vote of the voter shall be saved and stored in an electronic ballot box which shall not allow disclosure of the identity of the voter and the voting choice. The voter shall receive a message that the voting has been completed, a control receipt showing the vote shall be printed out, and the said receipt shall be deposited in a special machine voting box.

(5) After the receipt is deposited in the box, the voter shall return the magnetic card, shall sign the electoral roll, shall be given the documents thereof back, and shall leave the polling site. The fact that the voter has voted by means of voting machine shall be noted in the column designated "Notes" of the electoral roll.

(6) After the completion of the voting, the information on the choice made shall become inaccessible to the next voter, and the voting choice shall be deleted as well.

Insuperable External Circumstances upon Machine Voting

Article 269. In the cases where, owing to the occurrence of insuperable external circumstances, the machine voting proves impossible, the section election commission shall forthwith notify the constituency election commission and the Central Election Commission. Voting shall proceed by paper ballots.

Section VIII
Vote Counting

Steps before Opening of Ballot Box

Article 270. (1) After the closing of the polls, the chairperson of the section election commission shall declare the voting completed.

(2) Any unused and miscompleted ballots shall be counted before the opening of the ballot box, shall be packed separately, shall be sealed with a paper tape, and shall be removed from the counting table. The counterfoils showing the ballot numbers and the control receipts of the machine voting shall be packed separately and shall be sealed with a paper tape. The paper tape shall be stamped with the seal of the commission and signed by the members of the commission.

Tallying Machine Voting

Article 271. (1) After the completion of the voting, the section election commission shall tally the machine voting results in the voting section complying with the provisions of this Section according to a procedure established by the Central Election Commission under Item 29 of Article 57 (1) herein.

(2) Upon ascertainment of the machine voting results, the number of voters who voted by voting machine shall equal the number of votes confirmed in the machine voting.

Persons Entitled to Be Present in Polling Site

Article 272. Candidates, election agents and representatives of parties, coalitions and nomination committees according to Article 117 (6) and Article 124 (1) herein, observers (complying with the requirement of Article 114 (2) herein), one registered poll taker per registered sociological agency and members of the mass communication media representatives may be present in the polling site upon the opening of the ballot boxes and upon the ascertainment of the voting results and shall be ensured direct visibility upon the counting of the votes.

Constituency Election Commission Tally Sheet

Article 273. (1) The section election commission shall ascertain the results of voting by paper ballots and the machine voting results and shall enter the said results in a tally sheet.

(2) The tally sheet of the section election commission shall be in three identical copies and shall be manufactured of three-ply carbonless copy paper. The tally sheet shall be protected by print security features determined by a decision of the Central Election Commission. The tally sheet shall state the names of the parties, coalitions and nomination committees in the form in which they were registered to contest the elections. The names shall be printed in the tally sheet according to the sequential number on the ballot of the relevant party, coalition and nomination committee.

(3) Each copy of the tally sheet shall consist of two leaves with separate pages. The general data about the voting in the voting section and the votes for the parties, coalitions and nomination committees shall be entered on the first leaf. The preferences for the candidates of the parties and coalitions shall be entered on the second leaf.

(4) Before completing the tally sheet, a draft consisting of two leaves shall be prepared, whereof the form and content shall be identical with the tally sheet.

Miscompleted Tally Sheet

Article 274. (1) If a mistake is made in completing one of the blank forms of the tally sheet, the section election commission shall cancel the miscompleted tally sheet by writing "Miscompleted" on it and the tally sheet shall be signed by all members of the section election commission. The section election commission shall return the miscompleted form of a tally sheet to the constituency election commission or municipal election commission when delivering the tally sheet showing the voting results, and the serial number of the miscompleted tally sheet shall be checked against the number of the tally sheet as entered in the memorandum of delivery and acceptance of the election stationery referred to in Article 215 (4) herein. In case both forms of the tally sheet are miscompleted, the cancelled tally sheets shall be returned to the constituency election commission or municipal election commission after checking the serial numbers of the said tally sheets against the numbers of the tally sheets as entered in the memorandum of delivery and acceptance of the election stationery referred to in Article 215 (4) herein.

(2) In the cases referred to in Paragraph (1), the section election commission shall receive a new tally sheet. This circumstance shall be described in a memorandum of delivery and acceptance, wherein the serial number of the new tally sheet shall be entered. The memorandum of delivery and acceptance shall be signed by all members of the section election commission.

(3) (New, SG No. 39/2016, effective 26.05.2016) If a mistake is made in completing the tally sheet referred to in Paragraph (2) with the data of the election results as ascertained, the said mistake shall be corrected by crossing out the mistaken entry and writing the correct data above the said entry. A marginal note reading "Correction" shall be made as near as possible to the correction in the tally sheet, and all members of the section election commission shall sign.

Entry of Data in Tally Sheet before Opening of Ballot Box

Article 275. (1) Before the opening of the ballot box, the following shall be entered in this

order in the tally sheet:

1. the particulars of the voting section, including the names of the members of the commission and of the other persons present;

2. the time of opening of the polls and of the completion of voting;

3. the number of voters according to the electoral roll;

4. the number of voters entered on the supplementary page of the electoral roll;

5. (repealed, SG No. 39/2016, effective 26.05.2016);

6. the number of voters who have voted according to the signatures affixed to the electoral roll;

7. the number of voters who voted by voting machine according to the notices in the column designated "Notes" of the electoral roll;

8. the number of invalid ballots under Article 227 herein;

9. the number of invalid ballots under Article 228 herein;

10. the number of invalid ballots under Article 265 (5) herein;

11. the number of miscompleted ballots;

12. the number of unused ballots;

13. the number of ballots received according to the procedure established by Article 215 herein;

14. the number of ballots cancelled by the section election commission;

15. (repealed, SG No. 39/2016, effective 26.05.2016);

16. (repealed, SG No. 39/2016, effective 26.05.2016).

(2) (Amended, SG No. 39/2016, effective 26.05.2016) The data referred to in Items 3 to 14 of Paragraph (1) shall be entered in the tally sheet in words and figures.

Removal of Objects Before Opening of Ballot Box

Article 276. (1) Before opening of the ballot box, all objects with the exception of the drafts shall be removed from the table.

(2) Only one member, by a decision of the commission, shall have access to the ballots under the observation and control of the rest of the members.

Opening of Ballot Box

Article 277. (1) The ballot box shall be opened, the ballots shall be extracted one by one, shall be placed with the face side down, and shall be counted.

(2) Where a spare ballot box has been used in the balloting, the said ballot box shall be opened together with the first ballot box.

(3) The ballots from the mobile ballot box shall be extracted on the table on the premise referred to in Article 8 (3) herein, and the counting of the votes, including the drawing up of the tally sheet, shall follow the procedure established by this Section.

Valid and Invalid Vote

Article 278. (1) Upon ascertainment of the voting results, one ballot shall correspond to one vote, which may be either valid or invalid.

(2) A vote shall be valid where:

1. the ballot conforms to the established standard design for the respective constituency;

2. any special symbols, such as letters, numbers or other signs, are not written on the ballot;

3. the ballot contains two impressions of the seal of the competent section election commission;

4. only one of the voting squares for a party, coalition or independent committee is marked with an "X" or a "V", placed by means of a ballpoint pen writing in blue ink, for one candidate list, which expresses unequivocally the vote of the voter; the vote shall be valid for the candidate

list even if no preference is marked for a candidate on the list of the party or coalition for which the vote is cast;

5. only one of the voting squares for a party or coalition is marked with an "X" or a "V", placed by means of a ballpoint pen writing in blue ink, even though more than one preference is marked with an "X" or a "V", placed by means of a ballpoint pen writing in blue ink: it shall be assumed that the ballot does not contain any preference and the vote shall be treated as cast only for the chosen candidate list;

6. only one of the voting squares for a party or coalition is marked with an "X" or a "V", placed by means of a ballpoint pen writing in blue ink, for one candidate list, and only one preference is marked with an "X" or a "V", placed by means of a ballpoint pen writing in blue ink;

7. the "X" or "V" placed by the voter by means of a ballpoint pen writing in blue ink leaves the square of the relevant candidate list but does not run into the square of another list;

8. there are deviations in the ballot due to defects and manufacturing errors, or where the ballot is mechanically damaged or stained;

9. (new, SG No. 39/2016, effective 26.05.2016) the "None Of The Above" square in the ballot is marked with an "X" or a "V", placed by means of a ballpoint pen writing in blue ink.

(3) A vote shall be invalid where:

1. the ballot does not conform to the established standard design for the respective constituency;

2. any special symbols, such as letters, numbers or other signs, are written on the ballot;

3. the ballot does not contain two impressions of the seal of the competent section election commission;

4. the vote of the voter is not marked on the ballot with an "X" or a "V" and by means of a ballpoint pen writing in blue ink;

5. the vote of the voter is not marked on the ballot;

6. a vote is marked on the ballot with an "X" or a "V" or with another sign, placed by means of a ballpoint pen writing in blue ink, for two or more candidate lists, or an "X" or a "V" is placed which runs into more than one voting square and it is impossible to determine unequivocally the choice of the voter;

7. preferences are marked on the ballot with a sign other than an "X" or a "V" and by means of a ballpoint pen not writing in blue ink.

(4) (Amended, SG No. 35/2014, effective 22.04.2014) The voter shall be entitled to one preference for a candidate on the candidate list of a party or coalition of his or her choice. The preference shall count only where marked with an "X" or a "V" placed by means of a ballpoint pen writing in blue ink, as well as where the "X" or the "V" in the circle with the number whereby the candidate has been registered leaves the contour of the said circle without running into the other circles.

(5) (Amended, SG No. 39/2016, effective 26.05.2016) Where the voter has not marked a preference for a candidate on the candidate list of his or her choice, a preference for the candidate ranked first on the list shall count.

(6) The number of voters who voted by paper ballots shall equal the number of ballots found in the ballot boxes.

Segregation of Ballots

Article 279. (1) After the ballot box is opened and the ballots are extracted, the ballots shall be segregated in piles as follows:

1. a pile of ballots which do not conform to the established standard design for the

respective constituency;

2. a pile of ballots with special symbols, such as letters, numbers or other signs, written thereon;

3. a pile of ballots conforming to the established standard design wherein the vote of the voter is not marked;

4. a pile of ballots conforming to the established standard design:

(a) whereon a vote is marked with an "X" or a "V" or with another sign, placed by means of a ballpoint pen writing in blue ink or in another colour, for two or more candidate lists, or with an "X" or a "V" placed which runs into more than one voting square and it is impossible to determine unequivocally the choice of the voter;

(b) whereon preferences are marked with a sign other than an "X" or a "V" and by means of a ballpoint pen not writing in blue ink;

(c) whereon the vote of the voter is not marked with an "X" or a "V" and by means of a ballpoint pen writing in blue ink, or

(d) which do not contain two impressions of the seal of the competent section election commission; any such ballots shall be cancelled by means of an inscription "Cancelled" on each ballot;

5. a pile of ballots conforming to the established standard design:

(a) whereon a vote is marked with an "X" or a "V" placed by means of a ballpoint pen writing in blue ink for one candidate list without preference or with one or more than one preference;

(b) which contain two impressions of the seal of the competent section election commission;

6. (new, SG No. 39/2016, effective 26.05.2016) a pile of ballots conforming to the established standard design:

(a) whereon a vote is marked with an "X" or a "V" or with another sign, placed by means of a ballpoint pen writing in blue ink, in the "None Of The Above" square;

(b) which contain two impressions of the seal of the competent section election commission.

(2) The ballots shall be examined one by one in order to count the preferences, including under Article 278 (5) herein, for the candidates of the parties and coalitions.

(3) Where the validity or invalidity of any vote is disputed, after a decision of the commission the case shall be described in a memorandum. The said memorandum shall be attached to the tally sheet of the section election commission, and the number of the decision, the grounds for invalidity shall be noted on the reverse side of the ballot, and the chairperson and the secretary shall sign.

Total Number of Valid and Invalid Votes

Article 280. (1) The section election commission shall count the votes cast in the voting section by paper ballot and the preferences.

(2) The number of invalid votes shall equal the sum total of the number of ballots referred to in Items 1 to 4 of Article 279 (1) herein.

(3) (Supplemented, SG No. 39/2016, effective 26.05.2016) The number of valid votes shall equal the number of ballots referred to in Items 5 and 6 of Article 279 (1) herein.

(4) (Amended, SG No. 35/2014, effective 22.04.2014) The number of preferences for a candidate of a party or coalition shall equal the total number of the markings with an "X" or a "V" placed by a ballpoint pen writing in blue ink in the circle with the number whereby the candidate has been registered on the candidate list, including under Article 278 (5) herein.

Entry of Data in Tally Sheet

Article 281. (1) After the opening of the ballot box and the counting of the votes, the following shall be entered in this order on the first leaf of the tally sheet of the section election commission:

1. the number of ballots found in the ballot boxes;

2. the number of invalid votes, disaggregated by candidate list;

3. (supplemented, SG No. 39/2016, effective 26.05.2016) the number of valid votes for all candidate lists;

3a. (new, SG No. 39/2016, effective 26.05.2016) the number of valid votes referred to in Item 6 of Article 279 (1) herein;

4. the number of votes cast for each candidate list;

5. the number of applications, objections and complaints lodged and the decisions adopted thereon.

(2) The total number of preferences for each candidate of a party and coalition shall be entered on the second leaf of the tally sheet.

(3) The machine voting results shall be added accordingly to the data of the tally sheet of the section election commission under Paragraphs (1) and (2).

(4) The data on the voting by paper ballots and the machine voting data shall be summed, with the combined number of the voters who voted by paper ballots and of the voters who voted by voting machine equalling the combined number of ballots found in the ballot boxes and the number of votes confirmed in the machine voting.

(5) The data referred to in Paragraph (1) shall be entered in the tally sheet in words and figures.

Signing of Tally Sheet. Correction

Article 282. (1) After being drawn up, the tally sheet of the section election commission shall be signed by all members of the commission. After the signing, the chairperson shall declare the voting results disaggregated by party, coalition and independent candidate, as well as the number of preferences for each candidate of a party and coalition.

(2) After the signing of the tally sheet, corrections therein may be made prior to the declaration of the voting results. Any such correction shall be signed by all members of the commission, with a marginal note reading "Correction". Any apparent error of fact may be corrected even after the declaration of the result.

(3) No member of the commission may refuse to sign the tally sheet. A member who disagrees with what the tally sheet records shall sign the said tally sheet with a dissenting opinion, specifying the nature of the dissenting opinion. The reasons shall be set forth in writing on a separate leaf and shall be attached as an integral part of the tally sheet.

(4) Where a member of the commission is prevented from signing the tally sheet for compelling reasons, this fact shall be noted, also specifying the reasons.

(5) Non-signing of the tally sheet by a member of the commission shall not render the said tally sheet invalid.

(6) The section election commission shall display a copy of the signed tally sheet, stamped on each page with the seal of the commission and signed by the chairperson, the deputy chairperson and the secretary, in a conspicuous place in front of the building where the said commission is housed.

Receiving Copy of Tally Sheet

Article 283. Upon request, the members of the section election commission, the candidates, the election agents, the representatives of the parties, coalitions and nomination

committees and the observers shall receive a copy of the signed tally sheet, stamped on each page with the seal of the commission and signed by the chairperson, the deputy chairperson and the secretary, before delivery of the said tally sheet to the constituency election commission. The signed tally sheet shall be copied in the voting section. The names and the Standard Public Registry Personal Number of the person who has received the copy shall be entered by the section election commission in the list of persons who have received a copy of the signed tally sheet, whereupon the person shall sign. The list shall furthermore be signed by the chairperson and the secretary.

Packing and Sealing of Election Stationery and Materials

Article 284. After the counting of the votes, the election stationery and materials shall be packed and sealed with a paper tape. The paper tape shall be stamped with the seal of the commission and signed by the members of the commission.

Delivery of Section Election Commission Tally Sheet and Recording Technical Device to Constituency Election Commission

Article 285. (1) The chairperson or the deputy chairperson, the secretary and a member of the section election commission, nominated by different parties and coalitions, shall deliver to the constituency election commission the copies of the tally sheet destined for the constituency election commission and for the Central Election Commission, the machine voting recording technical device and the machine print-out showing the machine voting data. The second blank form of the tally sheet of the section election commission, received according to the procedure established by Item 7 of Article 215 (1) herein, shall be delivered as well, with the serial number of the said blank form being checked against the number of the tally sheet as entered in the memorandum of delivery and acceptance of the election stationery and materials.

(2) The tally sheet of the section election commission shall be delivered at the constituency election commission with unseparated plies.

Results of Voting Abroad

Article 286. (1) The chairperson of the section election commission abroad, or where the said chairperson is absent, the secretary, or where both the chairperson and the secretary are absent, a person designated by a decision of the commission, shall forthwith transmit the voting results to the Central Election Commission by means of a scanned copy of the tally sheet of the section election commission and of the roll for voting abroad.

(2) The election stationery and materials used for the voting abroad shall be delivered by the section election commissions abroad to the head of the Bulgarian diplomatic mission or consular post or to a representative empowered thereby. The said stationery and materials shall be dispatched by the next Diplomatic Bag but not later than 14 days after polling day to the Ministry of Foreign Affairs for delivery of the said stationery and materials to the Central Election Commission, where they shall be safe-kept until the next elections.

(3) The results of the voting on board navigation vessels flying the Bulgarian flag shall forthwith be communicated by radio to the shipping companies (tally sheet cables) and, care of the said companies, to the competent constituency election commission. The said results must contain all numerical data as described in the tally sheet of the section election commission. The election stationery and materials shall be dispatched to the regional administration exercising jurisdiction over the location of the navigation vessel and shall be safe-kept until the next elections.

Section IX
Determining of Election Results by Constituency Election

Commission

Acceptance and Check of Tally Sheets of Section Election Commission and Rest of Papers and Materials

Article 287. (1) The constituency election commission shall accept and check the tally sheets of the section election commissions.

(2) Upon acceptance of the tally sheet of the section election commission, the constituency election commission shall check the serial number of the said tally sheet against the number of the tally sheet as entered in the memorandum of delivery and acceptance of the election stationery and materials referred to in Article 215 (4) herein or in the memorandum referred to in Article 274 (2) herein.

(3) Where the constituency election commission detects any mismatch between the serial numbers of the tally sheet as received and as delivered by the section election commission or any material discrepancy in the data entered in the tally sheet which cannot be eliminated by the section election commission, the section election commission together with the constituency election commission shall recount the votes after acceptance of the tally sheets of all section election commissions.

(4) The members of the section election commission referred to in Article 285 (1) herein shall trace the accuracy of entry of the data from the tally sheet at the computation centre of the constituency election commission.

(5) Where the constituency election commission detects any apparent errors of fact in the tally sheet, the said errors shall be noted therein and shall be signed by the members of the section election commission referred to in Article 285 (1) herein.

(6) Upon acceptance of the tally sheet, the constituency election commission shall issue a signed receipt which shall contain the numerical data from the tally sheet. Upon return to the area of the voting section, the members of the section election commission referred to in Article 285 (1) herein shall display the said receipt next to the copy of the tally sheet referred to in Article 282 (6) herein.

(7) After acceptance of the tally sheet by the constituency election commission, the ballots, the book of ballots with the counterfoils showing the numbers, the copy of the tally sheet destined for the municipal administration and the rest of the papers and materials shall be delivered by the members of the section election commission referred to in Article 285 (1) herein at the municipal administration to a commission whereof the complement shall be designated by an order of the municipality mayor. Domestic public officials of the municipal administration shall be included in the complement of the said commission.

(8) (Amended, SG No. 39/2016, effective 26.05.2016) The ballots, the copy of the tally sheet destined for the municipal administration and the rest of the papers and materials shall be safe-kept until the next elections. The premises whereon the said stationery and materials are safe-kept shall be designated by the municipality mayor and shall be sealed with paper tapes stamped by a seal with a unique sign placed thereon and signed by the members of the commission. The standard design of the seal, the safekeeping of the ballots, of the copy of the tally sheet destined for the municipal administration and of the rest of the stationery and materials and the access to the premises shall be determined by a decision of the Central Election Commission.

Data Transfer from Recording Technical Device

Article 288. (1) The members of the section election commission referred to in Article 285

(1) herein shall trace the transfer of the data from the machine voting recording technical device at the computation centre of the constituency election commission.

(2) The data from the recording technical device shall be checked against the machine voting data in the tally sheet of the section election commission.

Tallying Voting Results in Constituency

Article 289. (1) On the basis of the data from the tally sheets of the section election commissions, the constituency election commission shall tally the results of the voting in the constituency and shall draw up a tally sheet.

(2) By a decision of the constituency election commission, the votes from the navigation vessels on board of which a voting section has been established shall be added to the votes for candidate lists of the constituency.

Determining Elected Independent Candidates

Article 290. (1) The constituency election commission shall determine the elected independent candidates in the constituency using a constituency electoral quota on the basis of the valid votes cast there.

(2) An independent candidate shall be considered elected if he or she has gained the constituency electoral quota of the votes in the constituency. The votes for the independent candidates shall be excluded from the subsequent allocation of seats.

Constituency Election Commission Tally Sheet

Article 291. (1) The voting data shall be recorded in a tally sheet of the constituency election commission disaggregated by party, coalition and nomination committee.

(2) The tally sheet of the constituency election commission shall be in two identical copies and shall be manufactured of three-ply carbonless copy paper. The tally sheet shall be protected by print security features determined by a decision of the Central Election Commission. Before completing the tally sheet, a draft shall be prepared, whereof the form and content shall be identical with the tally sheet.

(3) Each copy of the tally sheet shall consist of two leaves with separate pages.

(4) The tally sheet of the constituency election commission shall state the names of the parties, coalitions and nomination committees in the form in which they were registered to contest the elections. The names shall be printed in the tally sheet according to the sequential number in the ballot.

Entry of Data in Tally Sheet

Article 292. (1) The number of section election commissions in the constituency, the number of section election commissions which have presented tally sheets on the voting, and the data covered under Article 275 (1) and under Article 281 herein shall be entered in this order in the tally sheet of the constituency election commission.

(2) The data referred to in Paragraph (1) shall be entered in the tally sheet in words and figures.

Signing of Tally Sheet

Article 293. (1) The tally sheet of the constituency election commission shall be signed by all members of the commission. After the signing of the tally sheet, the chairperson shall declare the voting results disaggregated by candidate list, as well as the number of preferences for each candidate of a party and coalition.

(2) No member of the commission may refuse to sign the tally sheet. A member who disagrees with what the tally sheet records shall sign the said tally sheet with a dissenting opinion, specifying the nature of the dissenting opinion. The reasons shall be set forth in writing on a separate leaf and shall be attached as an integral part of the tally sheet.

(3) Where a member of the commission is prevented from signing the tally sheet for compelling reasons, this fact shall be noted, also specifying the reasons.

(4) Non-signing of the tally sheet by a member of the commission shall not render the said tally sheet invalid.

(5) Upon detection of an apparent error of fact, corrections may be made in the tally sheet. Any such correction shall be signed by all members of the commission, with a marginal note reading "Correction".

(6) After the signing of the tally sheet, the constituency election commission shall forthwith transmit the said tally sheet to the Central Election Commission in the form of an electronic image, signed with an electronic signature.

(7) The constituency election commission shall display a copy of the signed tally sheet, stamped on each page with the seal of the commission and signed by the chairperson, the deputy chairperson and the secretary, in a conspicuous place in front of the building where the said commission is housed.

Receiving Copy of Tally Sheet

Article 294. (1) Upon request, the members of the constituency election commission, the candidates, the election agents, the representatives of the parties, coalitions and nomination committees and the observers shall receive a copy of the signed tally sheet referred to in Article 291 herein, stamped on each page with the seal of the commission and signed by the chairperson, the deputy chairperson and the secretary, before delivery of the said tally sheet to the Central Election Commission. The signed tally sheet shall be copied in the constituency election commission. The names and the Standard Public Registry Personal Number of the person who has received the copy shall be entered by the constituency election commission in a list of persons who have received a copy of the signed tally sheet, completed in a standard form endorsed by the Central Election Commission, whereupon the person shall sign. The list shall furthermore be signed by the chairperson and the secretary.

Building Database

Article 295. The constituency election commission shall build a database by means of computer processing of the tally sheets of the section election commissions in the constituency and of the tally sheet cables from the navigation vessels flying the Bulgarian flag.

Delivery of Tally Sheet, Recording Technical Devices and Rest of Stationery to Central Election Commission

Article 296. (1) The chairperson or the deputy chairperson, the secretary and a member of the constituency election commission, nominated by different parties and coalitions, shall deliver to the Central Election Commission the copy of the tally sheet of the constituency election commission, the copies of the tally sheets of the section election commissions destined for the Central Election Commission, copies of the receipts referred to in Article 287 (6) herein and the machine-voting technical recording devices not later than 48 hours after receipt of the last tally sheet of a section election commission in the constituency. The tally sheets of the constituency election commissions shall be delivered to the Central Election Commission with unseparated plies.

(2) The constituency election commission shall also deliver to the Central Election Commission:

1. a copy of the computer print-out of the data on the tally sheet and the decision of the constituency election commission, a list of the tally sheets of the section election commissions received with the codes of the receipts thereof and the computer proposal for a tally sheet and a decision of the constituency election commission, provided by the computation centre;

2. two machine-readable data mediums storing the numerical data generated by the processing of the tally sheets of the section election commissions.

(3) After a check of the stationery covered under Paragraphs (1) and (2), the Central Election Commission shall issue a receipt to the constituency election commission and a memorandum of delivery and acceptance shall be signed in two identical copies by the representatives of the Central Election Commission and the constituency election commission.

(4) The election stationery and materials of the constituency election commission, with the exception of those destined for the Central Election Commission, and the copies of the tally sheets of the section election commissions destined for the constituency election commission, shall be delivered to the regional administration within whose territory the said commission is located.

(5) The election stationery and materials shall be safe-kept by the regional administrations until the next elections.

Section X
Determining of Election Results by Central Election Commission

Allocation of Seats

Article 297. (1) The total number of seats for each party and coalition shall be allocated by the Central Election Commission on the basis of the valid votes cast for the said party or coalition within Bulgaria and abroad according to the Hare-Niemeyer Method using a methodology described in Annex 1 hereto.

(2) (Supplemented, SG No. 39/2016, effective 26.05.2016) The right to share in the allocation of seats at the national level shall be limited to the parties and the coalitions which have gained not less than 4 per cent of the valid votes within Bulgaria and abroad, with the exception of the votes referred to in Item 6 of Article 279 (1) herein.

(3) The number of seats which are allocated to the parties and coalitions referred to in Paragraph (2) shall equal the number of National Representatives in the National Assembly less the number of elected independent candidates.

(4) The number of seats of the parties and coalitions in the multi-member constituencies shall be determined according to the Hare-Niemeyer Method using a methodology described in Annex 1 hereto.

Determining Elected Candidates according to Valid Preferences Received and Ranking on List

Article 298. (1) The candidates who are elected from each candidate list of a party or coalition shall be determined according to the number of valid preferences received under Article 278 (4) and (5) herein and the ranking of the said candidates on the list using a methodology described in Annex 1 hereto.

(2) The preferences for the individual candidates shall be valid if the number of votes received for the candidate is not lesser than 7 per cent of the votes cast for the candidate list.

(3) The candidates referred to in Paragraph (2) shall be ranked according to the number of preferences received, starting from the candidate who has received the largest number of valid preferences. These candidates shall be excluded from the candidate list of the respective party or coalition and shall comprise List A. The rest of the candidates on the candidate list shall retain the initial ranking thereof on the list and shall comprise List B.

(4) Where there are two or more candidates with an equal number of preferences on List A, the rank thereof on the list shall be determined by the Central Election Commission by lots drawn in the presence of the candidates concerned and representatives of the party or coalition.

(5) Where there are no candidates with valid preferences, the elected candidates shall be determined according to the rank assigned thereto on the candidate list.

(6) Where the number of candidates with valid preferences is lesser than the number of the seats allocated to the party or coalition, all candidates on List A shall be elected. The rest of the seats allocated to the party or coalition shall be filled by candidates on List B in the order of ranking thereof.

(7) Where the number of candidates with valid preferences is greater than the number of the seats allocated to the party or coalition, the first candidates on List A shall be elected in the order of ranking thereof until all seats are filled.

(8) Where the number of candidates with valid preferences equals the number of the seats allocated to the party or coalition, all candidates on List A shall be elected.

Consequences upon Election of Candidate in Two Multi-Member Constituencies

Article 299. (1) Where a candidate is elected in two multi-member constituencies, the said candidate shall be bound to declare to the Central Election Commission in writing, within one day after learning, the list on which the said candidate wishes to remain elected.

(2) In case the candidate fails to submit a representation in writing within the time limit referred to in Paragraph (1), the Central Election Commission shall pronounce the said candidate elected as National Representative for the constituency wherein the said candidate was first registered as a National Representative.

(3) In the cases referred to in Paragraph (1), the Central Election Commission shall pronounce elected the non-elected candidate ranked first on the list from which the candidate for National Representative has withdrawn.

Declaring Voting Results

Article 300. (1) The Central Election Commission shall declare the votes received and the allocation of seats to the parties and coalitions not later than four days after polling day.

(2) The Central Election Commission shall declare the names of the elected National Representatives not later than seven days after polling day.

Database

Article 301. (1) The Central Election Commission shall build a database by means of computer processing of the tally sheets of the section election commissions within Bulgaria, the machine voting data and the scanned copies of the tally sheets of the section election commissions abroad.

(2) The data from the tally sheets of the section election commissions referred to in Paragraph (1) shall be re-entered at the Central Election Commission. A computer comparison shall be performed between the data from the tally sheets of the section election commissions and the machine voting data as entered at the constituency election commissions and at the Central Election Commission, and the differences shall be printed out.

(3) The scanned copies of the tally sheets showing the results of the voting abroad as received shall be entered and re-entered at the Central Election Commission. The votes received for the separate candidate lists shall be added to the votes received for the respective list within Bulgaria.

(4) If there are differences, as well as upon detection of apparent errors of fact, the Central Election Commission shall pronounce by a decision on the final numerical data on each of the cases and shall update the database.

(5) The election results shall be determined according to the updated database.

(6) Where the differences or the errors referred to in Paragraph (4) are of a nature to alter the election result, the Central Election Commission shall communicate the said differences or errors to the parties, coalitions and nomination committees concerned.

(7) The bulletin of the Central Election Commission shall be published according to the updated database.

(8) The updated database of the Central Election Commission shall be made available on a machine-readable data medium to the President of the Republic, to the Chairperson of the National Assembly, to the Council of Ministers, to the parties, coalitions and nomination committees which have registered candidates, to sociological agencies, to libraries, to universities, to the Bulgarian Academy of Sciences and to other organisations.

(9) The database referred to in Paragraph (8) may not be modified without permission of the Central Election Commission.

Section XI
Steps upon Pre-term Termination of Credentials

Pronouncing Candidate Elected upon Pre-term Termination of Credentials. Vacant Seat

Article 302. (1) Upon pre-term termination of the credentials of a National Representative, the Central Election Commission shall pronounce the candidate ranked next on the respective list [elected as] National Representative.

(2) Where a National Representative, elected on a candidate list of a party or coalition, is elected minister, the said National Representative shall be replaced by the candidate ranked next on the list for the duration of execution of the functions of a minister.

(3) Where there are no more candidates on the list, the seat shall remain vacant until the expiry of the credentials of the National Assembly.

(4) Where there is a candidate who has received valid preferences under the terms established by Article 298 (2) herein but the said candidate has not been pronounced elected, in the cases referred to in Paragraph (1) or (2) the said candidate shall fill the seat of the National Representative whose credentials are terminated or suspended.

(5) Upon pre-term termination of the credential of a National Representative elected as an independent candidate, in the cases other than those referred to in Paragraph (2) the seat thereof shall remain vacant until the expiry of the credentials of the National Assembly.

Pre-term Termination of Credentials of National Representative of Grand National Assembly

Article 303. (1) The credentials of a National Representative of the Grand National Assembly shall be terminated prior to the expiry of the term of office thereof:

1. upon tendering of resignation to the Grand National Assembly;

2. when a sentence whereby a penal sanction of deprivation of liberty for an intentional offence has been imposed becomes enforceable, or where the implementation of the penal sanction of deprivation of liberty is not deferred;

3. upon ascertainment of ineligibility or incompatibility;

4. upon death.

(2) In the cases referred to in items 1 and 2 of Paragraph (1), the decision shall be made by the Grand National Assembly, and in the cases referred to in Item 3 of Paragraph (1) the decision shall be made by the Constitutional Court.

Section XII
Disputing Election Results

Competent Authority

Article 304. Any disputes regarding the legitimacy of the elections of National Representatives and of the election of a National Representative shall be resolved by the Constitutional Court.

Right to Dispute

Article 305. (1) The candidates for National Representative, the parties, coalitions and the person who represents the nomination committee, which have registered candidates in the elections, may dispute the legitimacy of the elections of National Representatives and of the election of a National Representative before an authority referred to in Article 150 (1) of the Constitution within seven days after the Central Election Commission makes public the decision declaring the election results.

(2) Within 15 days after the Central Election Commission makes public the decision declaring the election results, the authority referred to in Article 150 (1) of the Constitution, acting on the challenge received under Paragraph (1) or on its own initiative, may approach the Constitutional Court with a reasoned petition to pronounce on the legitimacy of the elections of National Representatives or of the election of a National Representative.

Examination of Petition

Article 306. (1) Any such petition shall be examined under the terms and according to the procedure established by the Constitutional Court Act and the Regulations on the Organisation of the Activities of the Constitutional Court.

(2) The Constitutional Court shall examine the petition and shall pronounce within two months after the arrival of the said petition. The petition shall not stay the enforcement of the decision of the Central Election Commission.

(3) A judgment of the Constitutional Court establishing illegitimacy of the elections of National Representatives or of the election of a National Representative shall be transmitted to the National Assembly, the Central Election Commission and to the persons concerned.

(4) If the elections of National Representatives are pronounced illegitimate, a new election of a National Assembly shall be conducted not later than two months after rendition of the judgment referred to in Paragraph (3).

(5) If the legitimacy of the election of a National Representative is disputed and serious irregularities which have influenced the final result are ascertained, the Central Election Commission shall determine by a decision the election results using a methodology described in Annex 1 hereto, declaring the allocation of seats and the names of the elected National Representatives. Any such decision of the Central Election Commission shall be unappealable.

Chapter Sixteen
ELECTIONS OF PRESIDENT AND VICE PRESIDENT OF THE REPUBLIC

Section I
Electoral Franchise. Principles

Right to Elect

Article 307. The right to elect President and Vice President of the Republic shall vest in the Bulgarian nationals who satisfy the conditions of Article 42 (1) of the Constitution.

Right to Be Elected

Article 308. The right to be elected President and Vice President of the Republic shall vest in the Bulgarian nationals who satisfy the conditions of Article 93 (2) of the Constitution.

Applicable Provisions

Article 309. The provisions of this Chapter and the respective provisions of Part One and of Sections VII, VIII and IX of Chapter Fifteen herein shall apply to the elections of President and Vice President of the Republic.

Section II
Election System. Powers of Central Election Commission. Methodology

Election System

Article 310. (1) A President and Vice President of the Republic shall be elected simultaneously according to a majoritarian election system from national candidate lists registered by:

1. parties and coalitions;

2. nomination committees.

(2) The President and the Vice President shall be elected on the same candidate list.

Powers of Central Election Commission under this Chapter

Article 311. The Central Election Commission shall:

1. ascertain and pronounce invalid the registration of any candidates who do not conform to the requirements covered under Article 317 (1) herein;

2. strike the registration, where it is ascertained that the candidate does not satisfy the conditions referred to in Article 93 (2) of the Constitution, as well as where the collection of signatures in support of the independent candidate does not conform to the requirements of Article 320 (1) herein;

3. declare the election results and the date for conduct of a new election if no candidate is elected according to Article 93 (3) of the Constitution;

4. declare the names of the candidates between whom the new election is to be conducted not later than 48 hours after the polls are declared closed;

5. declare the election results and the names of the President and Vice President of the Republic elect, promulgate the said results and names in the State Gazette forthwith after the declaration of the said results, and issue certificates to the President and Vice President of the Republic elect.

Methodology

Article 312. The results of the voting for President and Vice President of the Republic shall be determined using a methodology described in Annex 2 hereto.

Section III
Constituencies

Delimitation of Constituencies

Article 313. (1) For the purposes of conduct of elections of President and Vice President of the Republic, the territory of Bulgaria, including the voting sections abroad, shall constitute one single-member constituency.

(2) For the purposes of the administrative and logistical preparation for the elections, the territory of Bulgaria shall be divided into districts which shall be coextensive with the constituencies referred to in Article 249 (1) herein upon the last elections of National Representatives.

Section IV
Electoral Rolls

Entry on Rolls

Article 314. All Bulgarian nationals who satisfy the conditions referred to in Article 42 (1) of the Constitution shall be entered on the electoral rolls.

Request for Entry on Rolls

Article 315. (1) Any Bulgarian national, who resides outside the Republic of Bulgaria but who is present in Bulgaria on polling day, may vote according to the permanent address thereof.

(2) Where the person referred to in Paragraph (1) has been removed from the electoral roll, the said person shall be entered on the roll according to the procedure established by Article 39 herein before delivery of the rolls to the section election commissions upon presentation of a declaration, completed in a standard form, to the effect that the said person will not vote elsewhere.

(3) Where the request is made on polling day, the person shall be added to the roll by the section election commission according to the procedure established by Article 40 herein.

Section V
Registration of Candidate Lists

Candidate Lists

Article 316. The parties, coalitions and nomination committees shall rank the candidates on a single national candidate list.

Registration Rules

Article 317. (1) The candidates for President and Vice President of the Republic may be proposed for registration by only one party, coalition or nomination committee.

(2) Where a candidate is registered by more than one party, coalition or nomination committee, the earliest registration shall be valid.

Documents and Closing Date for Registration

Article 318. (1) The candidate lists shall be registered by the Central Election Commission upon presentation of:

1. a proposal by the party or coalition stating the name, Standard Public Registry Personal Number and permanent address of the parties; any such proposal shall be signed by the persons representing the party or coalition or by persons expressly authorised thereby;

2. a proposal by the nomination committee, stating the names, Standard Public Registry Personal Number and permanent address of the candidates; any such proposal shall be signed by the person representing the nomination committee;

3. (amended, SG No. 39/2016, effective 26.05.2016) a representation-declaration,

completed in a standard form, by each one of the candidates of the consent thereof to be registered by the proposing party, coalition or nomination committee, to the effect that the candidate has resided in Bulgaria during the last five years and satisfies the conditions referred to in Article 93 (3) and Article 95 (1) of the Constitution and in Article 317 (1) herein;

4. (repealed, SG No. 39/2016, effective 26.05.2016);

5. (repealed, SG No. 39/2016, effective 26.05.2016);

6. an authorisation of the persons authorised to represent the party or coalition in dealings with the Central Election Commission in the cases where the documents are submitted by authorised persons.

(2) The candidates for President and Vice President of the Republic shall be registered by the Central Election Commission not later than 32 days in advance of polling day.

(3) The documents covered under Paragraph (1) shall be recorded in a separate register with a sequential number assigned thereto. The order of arrival of the documents shall determine the order of entry into the register of the Central Election Commission.

Validity of Registration

Article 319. (1) The Central Election Commission shall ascertain and pronounce invalid any registrations effected in violation of Article 317 (1) herein. The decision shall forthwith be made public, and the candidates, parties, coalitions and nomination committees concerned shall be notified.

(2) The decision of the Central Election Commission pronouncing invalid the registration of the candidates under Paragraph (1) shall be appealable before the Supreme Administrative Court according to the procedure established by Article 58 herein.

List of Voters Supporting Independent Candidate's Registration

Article 320. (1) Independent candidates for President and Vice President of the Republic shall be registered when the candidature thereof is supported by not fewer than 2,500 voters.

(2) (Amended, SG No. 39/2016, effective 26.05.2016) Any voter, who supports the contesting of the election by independent candidates, shall certify this by affixing the signature thereof before a member of the nomination committee. The voter shall state the names and the Standard Public Registry Personal Number. Each voter may participate in only one list. The list shall be delivered also in the form of a structured electronic image, stating the names and Standard Public Registry Personal Number of the voters who have affixed a manual signature, in the order in which they have been entered in the list.

(3) The member of the nomination committee referred to in Paragraph (2) shall process and provide the personal data complying with the requirements of the Personal Data Protection Act and shall bear responsibility as controller within the meaning given by Article 3 (2) of the Personal Data Protection Act.

(4) (Amended, SG No. 39/2016, effective 26.05.2016) The list shall be delivered to the Central Election Commission together with the documents referred to in Items 2 and 3 of Article 318 (1) herein not later than 32 days in advance of polling day.

Conditions for Registration. Refusal of Registration

Article 321. (1) The Central Election Commission shall conduct a check as to whether the requirements of this Section are satisfied and shall adopt a decision on registration of the candidate lists.

(2) Upon ascertainment of any omissions or non-conformities, the Central Election Commission shall forthwith give directions and set a time limit for the elimination thereof. In case the omissions or non-conformities are not eliminated within the time limit set, the Central Election Commission shall refuse registration.

(3) The refusal referred to in Paragraph (2) shall be appealable before the Supreme Administrative Court according to the procedure established by Article 58 herein.

(4) If registration is refused or if the registration of a candidate on a list of a party or coalition is pronounced invalid, the party or coalition may propose another candidate for registration not later than 30 days in advance of polling day.

(5) If any of the candidates on a registered candidate list of a party or coalition dies or lapses into a sustained inability to contest the elections, the party or coalition may propose another candidate not later than seven days in advance of polling day. If any of the candidates on a registered candidate list of a party or coalition withdraws, the party or coalition may propose another candidate not later than 30 days in advance of polling day.

(6) In the cases referred to in Paragraph (4) or (5), where the party or coalition fails to propose another candidate, the Central Election Commission shall refuse registration or, respectively shall strike the registration of the candidate list.

Check of Lists. Ex Officio Striking of Registration

Article 322. (1) (Amended, SG No. 98/2014, effective 28.11.2014, supplemented, SG No. 39/2016, effective 26.05.2016) The lists referred to in Article 320 (2) herein in the form of a structured electronic image and on hard copy shall forthwith be delivered by the Central Election Commission for a check to the Directorate General Civil Registration and Administrative Services at the Ministry of Regional Development and Public Works.

(2) (Amended, SG No. 98/2014, effective 28.11.2014) The Directorate General of Civil Registration and Administrative Services at the Ministry of Regional Development and Public Works shall conduct the check not later than 27 days in advance of polling day.

(3) (Amended, SG No. 98/2014, effective 28.11.2014) The Directorate General of Civil Registration and Administrative Services at the Ministry of Regional Development and Public Works shall draw up a memorandum on the result of the check in two copies and shall provide one of the copies to the Central Election Commission. The data of the check shall be kept for a period of up to six months after conduct of the elections.

(4) (Amended, SG No. 98/2014, effective 28.11.2014) The Central Election Commission shall ascertain the result for the lists referred to in Article 320 (2) herein on the basis of the check conducted by the Directorate General of Civil Registration and Administrative Services at the Ministry of Regional Development and Public Works. Upon request by the nomination committee, the Central Election Commission shall provide the said committee in writing with the data of the memorandum referred to in Paragraph (3) and the result ascertained for the lists referred to in Article 320 (2) herein as submitted by the nomination committee.

(5) Where the Central Election Commission ascertains that the independent candidates are not supported by the required number of voters, the registration of the said candidates shall be stricken by a decision which shall forthwith be transmitted to the nomination committee.

(6) The decision of the Central Election Commission under Paragraph (5) shall be appealable before the Supreme Administrative Court according to the procedure established by Article 58 herein.

Search of List under Article 320 (2) Herein

Article 323. The Central Election Commission shall ensure to each voter searchability of the list referred to in Article 320 (2) herein by Standard Public Registry Personal Number, including by means of a free-of-charge telephone number.

Promulgation of Lists

Article 324. Not later than 30 days in advance of polling day, the Central Election Commission shall promulgate the candidate lists in the State Gazette, stating the names of the

candidates, date of birth, and the proposing parties, coalitions or nomination committees.

Section VI
Voting Ballot

Content

Article 325. (1) The voting ballot shall be combined and the face side thereof shall contain:

1. the name and number of the district referred to in Article 313 (2) herein;

2. the full or abbreviated name of the party or coalition as stated in the application for registration thereof, or the name of the nomination committee, with the abbreviation for a party being written as "ПП" [abbreviation for "political party" in Bulgarian], for a coalition as "КП" [abbreviation for "coalition of parties" in Bulgaria], and for a nomination committee as "ИК" [abbreviation for "nomination committee" in Bulgarian];

3. a square to be marked with an "X" or a "V", showing the choice of the voter, with the sequential number of the party, coalition or nomination committee being written inside the said square;

4. the names of the candidate for President and the names of the candidate for Vice President, written on separate lines in the relevant candidate list;

5. (new, SG No. 39/2016, effective 26.05.2016) a square to be marked with an "X" or a "V", showing the choice of the voter, with "Не подкрепям никого [None Of The Above]" being written inside the said square.

(2) The lines of the separate parties, coalitions and nomination committees shall be separated from one another by an empty line and a solid black horizontal line.

(3) (Amended, SG No. 39/2016, effective 26.05.2016) The name and number of the district referred to in Article 313 (2) herein shall be written on the top line of the ballot. The essential elements referred to in Items 2, 3, 4 and 5 of Paragraph (1) shall be written sequentially from left to right on a separate horizontal line for each party, coalition or nomination committee. The designation "независим" [independent] shall be written to the right of the names of the independent candidates. In the ballot for voting abroad, the name and number of the district shall be replaced by the text "Бюлетина за гласуване извън страната" [Ballot for Voting Abroad].

(4) The reverse side of the ballot shall be marked with two areas where the seal of the competent section election commission is to be affixed.

(5) (Amended, SG No. 57/2016, effective 22.07.2016) Ballots for parties, coalitions and nomination committees which do not contain the essential elements referred to in Items 2, 3, 4 and 5 of Paragraph (1) shall be used for voting abroad.

Drawing Lots to Determine Number on Ballot

Article 326. (1) The sequential numbers of the parties, coalitions and nomination committees on the ballot shall be determined by the Central Election Commission by lots drawn in the presence of representatives of the parties, coalitions and nomination committees not later than 31 days in advance of polling day. The lots shall be drawn publicly and the registered candidates, observers and members of the mass communication media may also be present thereat. The assigned sequential number shall be the same for the entire country and for the voting abroad. The result of the drawing of lots shall be made public by the Central Election Commission by a decision according to the procedure established by Article 57 (2) herein.

(2) Any parties, coalitions and nomination committees which have not registered candidate lists shall not participate in the drawing of the lots and any such parties, coalitions and committees shall not be assigned a number and an empty line shall not be left for them on the

ballot.

Section VII
Voting

Application of Section VII of Chapter Fifteen Herein

Article 327. The respective provisions of Section VII of Chapter Fifteen herein and the provisions of this Section shall apply to the voting on polling day.

Conduct of Voting by Paper Ballot

Article 328. (1) After being admitted to vote, the voter shall receive a paper ballot from a member of the section election commission who shall detach the said ballot from the book of ballots immediately before delivering the said ballot and shall stamp the said ballot with the seal of the commission. The voter shall proceed with the paper ballot so received to the booth in order to vote.

(2) Only one voter may be present in the booth.

(3) The voter shall vote by performing the following steps:

1. the voter shall mark the square with the number of the candidate list of his or her choice with an "X" or a "V", which expresses unequivocally the vote thereof;

2. the voter shall fold the ballot in a manner which makes invisible the marked choice of a party, coalition or nomination committee;

3. the voter shall exit the booth and shall hand the folded ballot to a member of the commission.

(4) The member of the commission shall check whether the number on the ballot matches the number on the book of ballots and if the two numbers match shall restamp the ballot with the seal of the commission and shall detach the counterfoil showing the ballot number which the said member shall deposit in a separate box.

(5) If the two numbers mismatch, the ballot shall be pronounced invalid and this circumstance shall be noted on the ballot and in the column designated "Notes" on the electoral roll. The voter shall not be readmitted to voting.

(6) After the ballot is restamped, the voter shall deposit the said ballot in the ballot box, shall sign the electoral roll, shall be given the documents thereof back, including the certificate referred to in sentence two of Article 263 (1) or (2) herein, and shall leave the polling site.

(7) Writing any special symbols, such as letters, numbers or other signs, on the ballot shall render the vote invalid.

(8) Writing any special symbols, such as letters, numbers or other signs, on the book of ballots shall be prohibited.

Machine Voting

Article 329. In machine voting, the voter shall vote, marking unequivocally the vote thereof for a candidate list.

Section VIII
Vote Counting

Application of Section VIII of Chapter Fifteen Herein

Article 330. The respective provisions of Section VIII of Chapter Fifteen herein and the provisions of this Section shall apply to the counting of the votes.

Constituency Election Commission Tally Sheet

Article 331. Each copy of the tally sheet shall consist of one leaf with separate pages.

Valid and Invalid Vote

Article 332. (1) Upon ascertainment of the voting results, one ballot shall correspond to one vote, which may be either valid or invalid.

(2) A vote shall be valid where:

1. the ballot conforms to the established standard design for the district referred to in Article 313 (2) herein;

2. any special symbols, such as letters, numbers or other signs, are not written on the ballot;

3. the ballot contains two impressions of the seal of the competent section election commission;

4. only one of the voting squares is marked with an "X" or a "V", placed by a ballpoint pen writing in blue ink, for one candidate list, which expresses unequivocally the vote of the voter;

5. the "X" or "V" placed by the voter by means of a ballpoint pen writing in blue ink leaves the square of the relevant candidate list but does not run into the square of another list;

6. there are deviations in the ballot due to defects and manufacturing errors, or where the ballot is mechanically damaged or stained;

7. (new, SG No. 39/2016, effective 26.05.2016) the "None Of The Above" square in the ballot is marked with an "X" or a "V", placed by means of a ballpoint pen writing in blue ink.

(3) A vote shall be invalid where:

1. the ballot does not conform to the established standard design for the district referred to in Article 313 (2) herein;

2. any special symbols, such as letters, numbers or other signs, are written on the ballot;

3. the ballot does not contain two impressions of the seal of the competent section election commission;

4. the vote of the voter is not marked on the ballot with an "X" or a "V" and by means of a ballpoint pen writing in blue ink;

5. the vote of the voter is not marked on the ballot;

6. a vote is marked on the ballot with an "X" or a "V" or with another sign, placed by means of a ballpoint pen writing in blue ink or in another colour, or with an "X" or a "V" placed which runs into more than one voting square and it is impossible to determine unequivocally the choice of the voter.

Segregation of Ballots

Article 333. (1) After the ballot box is opened and the ballots are extracted, the ballots shall be segregated in piles as follows:

1. a pile of ballots which do not conform to the established standard design for the respective district referred to in Article 313 (2) herein;

2. a pile of ballots with special symbols, such as letters, numbers or other signs, written thereon;

3. a pile of ballots conforming to the established standard design whereon the vote of the voter is not marked by an "X" or a "V" and by means of a ballpoint pen writing in blue ink;

4. a pile of ballots conforming to the established standard design whereon the vote of the voter is not marked;

5. a pile of ballots conforming to the established standard design:

(a) whereon a vote is marked with an "X" or a "V" or with another sign, placed by means of a ballpoint pen writing in blue ink or in another colour, for two or more candidate lists, or with an "X" or a "V" placed which runs into more than one voting square and it is impossible to determine unequivocally the choice of the voter, or

(b) which do not contain two impressions of the seal of the competent section election commission; any such ballots shall be cancelled by means of an inscription "Cancelled" on each ballot;

6. a pile of ballots conforming to the established standard design:

(a) whereon a vote is marked with an "X" or a "V", placed by means of a ballpoint pen writing in blue ink, for one candidate list;

(b) which contain two impressions of the seal of the competent section election commission;

7. (new, SG No. 39/2016, effective 26.05.2016) a pile of ballots conforming to the established standard design:

(a) whereon a vote is marked with an "X" or a "V" or with another sign, placed by means of a ballpoint pen writing in blue ink, in the "None Of The Above" square;

(b) which contain two impressions of the seal of the competent section election commission.

(2) Where the validity or invalidity of any vote is disputed, after a decision of the commission the case shall be described in a memorandum. The said memorandum shall be attached to the tally sheet of the section election commission, and the number of the decision, the grounds for invalidity shall be noted on the reverse side of the ballot, and the chairperson and the secretary shall sign.

Total Number of Valid and Invalid Votes

Article 334. (1) The section election commission shall count the votes cast in the voting section by paper ballot.

(2) The number of invalid votes shall equal the sum total of the number of ballots referred to in Items 1 to 5 of Article 333 (1) herein.

(3) (Supplemented, SG No. 39/2016, effective 26.05.2016) The number of valid votes shall equal the number of ballots referred to in Items 6 and 7 of Article 333 (1) herein.

Entry of Data in Tally Sheet

Article 335. (1) After the opening of the ballot box and the counting of the votes, the following shall be entered in this order in the tally sheet of the section election commission:

1. the number of ballots found in the ballot boxes;

2. the number of invalid votes, disaggregated by candidate list;

3. (supplemented, SG No. 39/2016, effective 26.05.2016) the number of valid votes for all candidate lists;

3a. (new, SG No. 39/2016, effective 26.05.2016) the number of valid votes referred to in Item 7 of Article 333 (1) herein;

4. the number of votes cast for each candidate list;

5. the number of applications, objections and complaints lodged and the decisions adopted thereon.

(2) The machine voting data shall be added separately to the data of the tally sheet of the section election commission referred to in Paragraph (1).

(3) The data on the voting by paper ballots and the machine voting data shall be summed, with the combined number of the voters who voted by paper ballots and of the voters who voted by voting machine equalling the combined number of ballots found in the ballot boxes and the number of votes confirmed in the machine voting.

(4) The data referred to in Paragraph (1) shall be entered in the tally sheet in words and figures.

Signing of Tally Sheet

Article 336. After being drawn up, the tally sheet of the section election commission shall be signed by all members of the commission. After the signing, the chairperson shall declare the voting results disaggregated by party, coalition and independent candidate.

Transmittal of Results of Voting Abroad

Article 337. The election stationery and materials from the voting on board navigation vessels flying the Bulgarian flag shall be sent to the Central Election Commission and shall be safe-kept until the next elections.

Section IX
Determining of Election Results by Constituency Election Commission

Application of Section IX of Chapter Fifteen Herein

Article 338. The respective provisions of Section IX of Chapter Fifteen and the provisions of this Section shall apply to the determining of the election results by the constituency election commission.

Tallying Voting Results

Article 339. (1) On the basis of the data from the tally sheets of the section election commissions, the constituency election commission shall tally the results of the voting in the district referred to in Article 313 (2) herein and shall draw up a tally sheet.

(2) By a decision of the constituency election commission, the votes from the navigation vessels on board of which a voting section has been established shall be added to the votes for the candidate lists of the district referred to in Article 313 (2) herein.

Entry of Data in Tally Sheet

Article 340. (1) The number of section election commissions in the district referred to in Article 313 (2) herein, the number of section election commissions which have presented tally sheets on the voting, and the data covered under Article 275 (1) and Article 281 herein shall be entered in this order in the tally sheet of the constituency election commission.

(2) The data referred to in Paragraph (1) shall be entered in the tally sheet in words and figures.

Building Database

Article 341. The constituency election commission shall build a database by means of computer processing of the tally sheets of the section election commissions in the district referred to in Article 313 (2) herein and of the tally sheet cables from the navigation vessels flying the Bulgarian flag.

Section X
Determining of Election Results by Central Election Commission

Declaring Election Results

Article 342. (1) The Central Election Commission shall declare the results of the elections of President and Vice President of the Republic immediately after the determination of the said results but not later than 48 hours after the polls are declared closed.

(2) Where none of the candidates has been elected, the Central Election Commission shall determine the first two candidates on lists who have gained the most valid votes and shall

conduct a new election within the time limit referred to in Article 93 (4) of the Constitution.

(3) The election campaign under Paragraph (2) shall commence as from the determining of the candidates and shall proceed until 24 hours before polling day.

Withdrawal from New Election

Article 343. (1) Where one of the candidates for President and Vice President of the Republic, who have gained the most valid votes, declines to contest the new election within 24 hours after the declaration of the election results, the election shall be contested by the candidates on the list with the next largest number of valid votes who shall be determined by the Central Election Commission.

(2) In the event of death or severe illness of any of the candidates on the lists who have gained the most valid votes, the Central Election Commission shall postpone the election and shall schedule a new election not later than 14 days after the date of the second election. Within three days after the date of the decision of the Central Election Commission, the party or coalition concerned may register a new candidate according to the procedure established by Section V of this Chapter.

Declaring Final Results

Article 344. (1) The final results of the elections of President and Vice President of the Republic shall be declared by the Central Election Commission within three days after polling day and shall be promulgated in the State Gazette not later than seven days after polling day.

(2) The results shall be declared disaggregated by list for all candidates. Where a new election has been conducted, the results of the first election shall be declared as well.

Taking Oath of Office

Article 345. The newly elected President and Vice President shall take the oath of office referred to in Article 76 (2) of the Constitution three days prior to the expiry of the credentials of the incumbent President and Vice President. The newly elected President and Vice President shall assume office as from the day of expiry of the credentials of the incumbent President and Vice President.

Database

Article 346. (1) The Central Election Commission shall build a database by means of computer processing of the tally sheets of the section election commissions within Bulgaria, the machine voting data and the scanned copies of the tally sheets of the section election commissions abroad.

(2) The data from the tally sheets of the section election commissions referred to in Paragraph (1) shall be re-entered at the Central Election Commission. A computer comparison shall be performed between the data from the tally sheets of the section election commissions and the machine voting data as entered at the constituency election commissions and at the Central Election Commission, and the differences shall be printed out.

(3) The scanned copies of the tally sheets showing the results of the voting abroad as received shall be entered and re-entered at the Central Election Commission. The votes received for the separate candidate lists shall be added to the votes received for the respective list within Bulgaria.

(4) If there are differences, as well as upon detection of apparent errors of fact, the Central Election Commission shall pronounce by a decision on the final numerical data on each of the cases and shall update the database.

(5) The election results shall be determined according to the updated database.

(6) Where the differences or the errors referred to in Paragraph (4) are of a nature to alter the election result, the Central Election Commission shall communicate the said differences or

errors to the candidates, parties, coalitions and nomination committees concerned.

(7) The bulletin of the Central Election Commission shall be published according to the updated database.

(8) The updated database of the Central Election Commission shall be made available on a machine-readable data medium to the President of the Republic, to the Chairperson of the National Assembly, to the Council of Ministers, to the parties, coalitions and nomination committees which have registered candidates, to sociological agencies, to libraries, to universities, to the Bulgarian Academy of Sciences and to other organisations.

(9) The database referred to in Paragraph (8) may not be modified without permission of the Central Election Commission.

Section XI
Disputing Election Results

Competent Authority

Article 347. Any disputes regarding the legitimacy of the election of President and Vice President of the Republic shall be resolved by the Constitutional Court.

Right to Dispute

Article 348. (1) The candidates for President and Vice President of the Republic, the parties, coalitions and the person who represents the nomination committee, which have registered candidates, may dispute the legitimacy of the election of President and Vice President before an authority referred to in Article 150 (1) of the Constitution within seven days after the Central Election Commission makes public the decision declaring the election results.

(2) Within 15 days after the Central Election Commission makes public the decision declaring the election results, the authority referred to in Article 150 (1) of the Constitution, acting on the challenge received under Paragraph (1) or on its own initiative, may approach the Constitutional Court with a reasoned petition to pronounce on the legitimacy of the election of President and Vice President of the Republic.

Examination of Petition

Article 349. (1) Any such petition shall be examined under the terms and according to the procedure established by the Constitutional Court Act and the Regulations on the Organisation of the Activities of the Constitutional Court.

(2) The petition shall not stay the enforcement of the decision of the Central Election Commission.

(3) A judgment establishing illegitimacy of the election of a President and Vice President of the Republic shall be transmitted to the National Assembly, the Central Election Commission and the persons concerned.

(4) If the election of a President and Vice President of the Republic is pronounced illegitimate, a new election shall be conducted not later than two months after rendition of the judgment referred to in Paragraph (3).

Chapter Seventeen
ELECTIONS OF MEMBERS OF THE EUROPEAN PARLIAMENT FOR THE REPUBLIC OF BULGARIA

Section I

Electoral Franchise. Principles

Right to Elect

Article 350. (1) The right to elect Members of the European Parliament for the Republic of Bulgaria shall vest in the Bulgarian nationals who have attained the age of 18 years by polling day, have resided in the Republic of Bulgaria or in another Member State of the European Union at least during the last three months, are not interdicted and do not serve a custodial sentence.

(2) The right to elect Members of the European Parliament for the Republic of Bulgaria shall furthermore vest in all nationals of another Member State of the European Union, who have attained the age of 18 years by polling day, are not interdicted, do not serve a custodial sentence, enjoy a durable or permanent residence status for the Republic of Bulgaria, have resided in the Republic of Bulgaria or in another Member State of the European Union at least during the last three months, and are not deprived of the right to elect in the Member State of which they are nationals.

Right to Be Elected

Article 351. (1) The right to be elected Member of the European Parliament for the Republic of Bulgaria shall vest in the Bulgarian nationals who have attained the age of 21 years by polling day, are not interdicted, do not serve a custodial sentence, have a permanent address in the Republic of Bulgaria, and have resided in the Republic of Bulgaria or in another Member State of the European Union at least during the last six months.

(2) The right to be elected Member of the European Parliament for the Republic of Bulgaria shall furthermore vest in all nationals of a Member State of the European Union who have attained the age of 21 years by polling day, are not interdicted, do not serve a custodial sentence, are not deprived of the right to be elected in the Member State of which they are nationals, enjoy a durable or permanent residence status for the Republic of Bulgaria, and have resided in the Republic of Bulgaria or in another Member State of the European Union at least during the last six months.

Applicable Provisions

Article 352. The provisions of this Chapter and the respective provisions of Part One and of Sections VII, VIII and IX of Chapter Fifteen herein shall apply to the elections of Members of the European Parliament for the Republic of Bulgaria.

Section II
Election System. Powers of Central Election Commission. Allocation of Seats

Proportional Representation Election System

Article 353. (1) Members of the European Parliament for the Republic of Bulgaria shall be elected according to a proportional representation election system from national candidate lists of:

1. parties and coalitions;
2. nomination committees.

(2) When voting for a candidate list of a party or coalition, the voter may mark one preference for a candidate on the candidate list, thereby expressing the preference thereof regarding the ranking of the candidates on the candidate list for which the voter votes.

Powers of Central Election Commission in Cases other than Those Specified in Article 57

Herein

Article 354. The Central Election Commission shall:

1. forthwith transmit to the competent authorities of the Member States of the European Union a list of the nationals of those States who are entered on Part II of the electoral roll, as well as an abstract of the register referred to in Article 365 (3) herein for the nationals who have registered as candidates;

2. upon request by the competent authorities of the Member States of the European Union, check the circumstances stated in the declarations submitted by the Bulgarian nationals in the State concerned and transmit the information within five working days after the receipt of the request;

3. ascertain and pronounce invalid the registration of any candidates who do not conform to the requirements covered under Article 364 (1) or (3) herein;

4. strike the registration where:

(a) it is ascertained that the candidate does not satisfy the conditions referred to in Article 351 (1) or (2) herein;

(b) the collection of signatures in support of an independent candidate does not conform to the requirements of Article 367 (1) herein;

(c) in the cases referred to in Article 368 (5) herein;

5. organise and conduct, through the mass communication media or in another appropriate manner, an awareness campaign regarding the conditions whereunder the nationals of another Member State of the European Union may elect and be elected Member of the European Parliament for the Republic of Bulgaria; the awareness campaign shall commence not later than 15 days prior to the expiry of the relevant time limit whereafter rights and duties arise for the nationals of another Member State of the European Union in connection with the elections;

6. declare the election results and issue certificates to the elected Members of the European Parliament for the Republic of Bulgaria;

7. promulgate the election results in the State Gazette forthwith after the declaration of the said results;

8. provide information on the election results to the President of the Republic, to the Chairperson of the National Assembly and to the Prime Minister.

Allocation of Seats

Article 355. The voting results shall be determined and the seats shall be allocated to candidate lists using a methodology described in Annex 3 hereto.

Section III
Constituencies

Delimitation of Constituencies

Article 356. (1) For the purposes of conduct of elections of Members of the European Parliament for the Republic of Bulgaria, the territory of Bulgaria, including the voting sections abroad, shall constitute one multi-member constituency.

(2) For the purposes of the administrative and logistical preparation for the elections, the territory of Bulgaria shall be divided into districts which shall be coextensive with the constituencies referred to in Article 249 (1) herein upon the last elections of National Representatives.

Section IV

Electoral Rolls

Compiling of Rolls

Article 357. (1) Part I of the electoral rolls shall be compiled according to the permanent address of the nationals of the Republic of Bulgaria.

(2) Part II of the electoral rolls shall be compiled according to the residence addresses in the Republic of Bulgaria declared by the nationals of another Member State of the European Union.

Manner of Compilation of Part I and Part II of Electoral Rolls

Article 358. (1) All Bulgarian nationals who satisfy the conditions referred to in Article 350 (1) herein shall be entered on Part I of the roll.

(2) Part II of the electoral rolls shall be compiled on the basis of the declarations submitted under Article 359 herein by nationals of another Member State of the European Union. The names of the voters, the particulars of the citizenship thereof and the residence address in the Republic of Bulgaria shall be entered in alphabetical order on Part II of the rolls. The columns for entry of the Personal Number, the number of the identity card or passport and of the number of the residence certificate and the date of registration stated therein shall remain empty and shall not be completed, and a separate column designated "Notes" shall be formatted.

Declaration by National of Another Member State

Article 359. (1) Any national of another Member State of the European Union, who satisfies the conditions referred to in Article 350 (2) herein and wishes to be entered on an electoral roll, shall present a declaration completed in a standard form to the municipal administration exercising jurisdiction over the residence address in the Republic of Bulgaria not later than 40 days in advance of polling day, declaring thereby:

1. citizenship and residence address in the Republic of Bulgaria;

2. the locality or constituency in a Member State of the European Union in which the name thereof was last entered;

3. that the declarant will exercise his or her right to vote in the Republic of Bulgaria only;

4. that the declarant is not deprived of the right to elect in the Member State of which the person is a national;

5. the particulars according to the identity card or the passport and Personal Number;

6. the date from which the person has been resident in the Republic of Bulgaria or in another Member State of the European Union.

(2) Upon succeeding elections of Members of the European Parliament for the Republic of Bulgaria, a national of another Member State of the European Union who has once submitted a declaration under Paragraph (1) and has been included in Part II of the electoral roll shall be entered automatically on Part II of the electoral roll, without submitting a new declaration. A new declaration under Paragraph (1) shall be submitted solely upon change of any of the circumstances declared.

(3) The declarations under Paragraph (1) shall be safe-kept for the next elections of Members of the European Parliament for the Republic of Bulgaria by the competent municipal administration.

Removal from Electoral Rolls. Entry and Additional Re-entry on Electoral Roll

Article 360. (1) The names of any citizens, who as at the date of compilation of the electoral rolls have a present address (residence address) in any State which is not a Member State of the European Union, shall be removed from the electoral rolls.

(2) The persons referred to in Paragraph (1) shall be re-entered on the electoral roll at the request thereof by the authorities referred to in Article 23 (1) herein before delivery of the rolls to the section election commissions or, on polling day, by the section election commission, upon presentation of an identity document, a decision referred to in Article 39 herein or a certificate referred to in Article 40 herein and of a declaration completed in a standard form, to the effect that:

1. the said persons have resided at least during the last three months in the Republic of Bulgaria or in another Member State of the European Union;

2. the said persons have not voted in the same elections of Members of the European Parliament: in the cases where the request is submitted after commencement of the election period determined by the Council of the European Union;

3. the said persons will not vote elsewhere in the same elections of Members of the European Parliament.

Entry or Additional Entry on Rolls of Bulgarian Nationals Resident in Another Member State of European Union

Article 361. (1) Any Bulgarian national resident in another Member State of the European Union, who is present in Bulgaria on polling day, may vote according to the permanent address thereof.

(2) Where the person referred to in Paragraph (1) has been removed from the electoral roll, the said person shall be entered at the request thereof by the authorities referred to in Article 23 (1) herein before delivery of the rolls to the section election commissions or, on polling day, by the section election commission, upon presentation of an identity document, a decision referred to in Article 39 herein or a certificate referred to in Article 40 herein and of a declaration completed in a standard form, to the effect that:

1. the said persons have resided permanently at least during the last three months in another Member State of the European Union;

2. the said persons have not voted in the same elections of Members of the European Parliament: in the cases where the request is submitted after commencement of the election period determined by the Council of the European Union;

3. the said persons will not vote elsewhere in the same elections of Members of the European Parliament.

Transmittal of Copy of Part II. Conduct of Check

Article 362. (1) Not later than 30 days in advance of polling day, the authorities referred to in Article 23 (1) herein shall transmit a copy of Part II of the electoral rolls to the Central Election Commission, which shall notify the competent authorities of the relevant Member States of the nationals thereof who have been included in the electoral rolls. A list of the names of the voters in the respective language, as they appear in the identity card or the passport, shall be attached as well.

(2) A check of the circumstances referred to in Article 350 herein shall be conducted by the Ministry of Interior and the Ministry of Justice at the request of the authorities referred to in Article 23 (1) herein. In respect of the nationals of another Member State of the European Union, any such request shall be accompanied by a copy of the declarations referred to in Article 359 herein.

Section V
Registration of Candidate Lists

Candidate Lists

Article 363. The parties, coalitions and nomination committees shall rank the candidates on a single national candidate list. The candidates of the parties and coalitions shall be entered in the register of candidate lists and shall be registered by the number under which they are ranked on the candidate list.

Registration Rules

Article 364. (1) Each candidate shall have the right to stand as a candidate in the elections in only one Member State of the European Union.

(2) The number of candidates on any given candidate list may not exceed the number of Members of the European Parliament for the Republic of Bulgaria.

(3) A candidate for Member of the European Parliament for the Republic of Bulgaria may be proposed for registration by only one party, coalition or nomination committee.

(4) Where a candidate is registered by more than one party, coalition or nomination committee, the earliest registration shall be valid.

Documents and Closing Date for Registration

Article 365. (1) The candidate lists shall be registered by the Central Election Commission upon presentation of:

1. a proposal by the party or coalition, stating the names, Standard Public Registry Personal Number and permanent address (residence address) of the candidates; any such proposal shall be signed by the persons representing the party or coalition or by persons expressly authorised thereby;

2. a proposal by the nomination committee, stating the names, the Standard Public Registry Personal Number and the permanent address (residence address) of the candidate; any such proposal shall be signed by the person representing the nomination committee;

3. (amended, SG No. 39/2016, effective 26.05.2016) a representation-declaration, completed in a standard form, by each one of the candidates of the consent thereof to be registered by the proposing party, coalition or nomination committee and to the effect that the candidate satisfies the conditions referred to in Article 351 (1) or (2) herein, stating a permanent address and Standard Public Registry Personal Number, and under Article 364 (1) or (3) herein;

4. (repealed, SG No. 39/2016, effective 26.05.2016);

5. (repealed, SG No. 39/2016, effective 26.05.2016);

6. any candidate, who is a national of a Member State of the European Union and who is not a Bulgarian national shall present a declaration completed in a standard form, declaring thereby:

(a) citizenship, date and place of birth;

(b) residence address in the Republic of Bulgaria;

(c) that the person is not interdicted;

(d) that the person is not standing as a candidate in the same election to the European Parliament in any other Member State of the European Union;

(e) the nucleated settlement or the district in the Member State of which the person is a national, on the electoral roll of which the name thereof was last entered;

(f) address in the Member State of which the person is a national whereat the said person was last registered;

(f) the particulars according to the identity card or the passport and Personal Number;

(g) that the person is not deprived of the right to be elected in the Member State of which the said person is a national by an act that was subject to judicial review;

7. an authorisation of the persons authorised to represent the party or coalition in dealings

with the Central Election Commission, in the cases where the documents are submitted by authorised persons.

(2) The registration of the candidate lists shall be effected not later than 32 days in advance of polling day.

(3) The documents covered under Paragraph (1) shall be recorded in a separate register with a sequential number assigned thereto. The order of arrival of the documents shall determine the order of entry into the register of the Central Election Commission.

(4) The Central Election Commission shall transmit an abstract of the register referred to in Paragraph (3) of candidates for Member of the European Parliament for the Republic of Bulgaria who are nationals of a Member State of the European Union but are not Bulgarian nationals to the competent authorities of the Member States of the European Union. In case the competent authority of the respective Member State of the European Union does not send a reply within five working days after the receipt of the abstract of the register referred to in Paragraph (3), the Central Election Commission shall register the candidate if the said candidate satisfies the conditions referred to in Article 351 (2) herein and if the documents covered under Paragraph (1) have been presented.

(5) At the request of the Central Election Commission, the Ministry of Interior and the Ministry of Justice shall conduct a check of the circumstances referred to in Article 351 herein.

Validity of Registration

Article 366. (1) The Central Election Commission shall ascertain and pronounce invalid any registrations effected in violation of Article 364 (1) or (3) herein. The decision shall forthwith be made public, and the candidates, parties, coalitions and nomination committees concerned shall be notified.

(2) The decision of the Central Election Commission pronouncing invalid the registration of the candidates under Paragraph (1) shall be appealable before the Supreme Administrative Court according to the procedure established by Article 58 herein.

List of Voters Supporting Independent Candidate's Registration

Article 367. (1) An independent candidate for Member of the European Parliament for the Republic of Bulgaria shall be registered where the candidature thereof is supported by not fewer than 2,500 voters.

(2) (Amended, SG No. 39/2016, effective 26.05.2016) Any voter, who supports the contesting of the elections by an independent candidate, shall certify this by affixing the signature thereof before a member of the nomination committee. The voter who is a Bulgarian national shall state the names and the Standard Public Registry Personal Number thereof, and the nationals of another Member State of the European Union, enjoying a durable or permanent residence status, shall state the names, the Personal Number, the number of the identity card or passport, the number of the residence certificate and the date of registration stated therein. Each voter may participate in only one list. The list shall be delivered also in the form of a structured electronic image, stating the names and the Standard Public Registry Personal Number (Personal Number) of the voters who have affixed a manual signature, in the order in which they have been entered in the list.

(3) The member of the nomination committee referred to in Paragraph (2) shall process and provide the personal data complying with the requirements of the Personal Data Protection Act and shall bear responsibility as controller within the meaning given by Article 3 (2) of the Personal Data Protection Act.

(4) (Amended, SG No. 39/2016, effective 26.05.2016) The list shall be delivered to the Central Election Commission together with the documents referred to in Items 2, 3 and 6 of

Article 365 (1) herein not later than 32 days in advance of polling day.

Conditions for Registration. Refusal of Registration

Article 368. (1) The Central Election Commission shall conduct a check as to whether the requirements of this Section are satisfied and shall adopt a decision on registration of the candidate lists.

(2) Upon ascertainment of any omissions or non-conformities, the Central Election Commission shall forthwith give directions and set a time limit for the elimination thereof. In case the omissions or non-conformities are not eliminated within the time limit set, the Central Election Commission shall refuse registration.

(3) The refusal referred to in Paragraph (2) shall be appealable before the Supreme Administrative Court according to the procedure established by Article 58 herein.

(4) If registration is refused or if the registration of a candidate on a list of a party or coalition is pronounced invalid, the party or coalition may propose another candidate for registration not later than 30 days in advance of polling day.

(5) (Amended, SG No. 39/2016, effective 26.05.2016) If any of the candidates on a registered candidate list of a party or coalition dies or lapses into a sustained inability to contest the elections, the party or coalition may propose another candidate not later than seven days in advance of polling day. If any of the candidates on a registered candidate list of a party or coalition withdraws, the party or coalition may propose another candidate not later than 30 days in advance of polling day.

(6) (New, SG No. 39/2016, effective 26.05.2016) In the cases referred to in Paragraph (4) or (5), on a proposal by the party or coalition, the new candidate shall fill the place which has fallen vacant or the last place on the candidate list, and in the latter case the rest of the candidates shall be re-ranked by being moved one place up.

Check of Lists. Ex Officio Striking of Registration

Article 369. (1) (Amended, SG No. 98/2014, effective 28.11.2014, supplemented, SG No. 39/2016, effective 26.05.2016) The lists referred to in Article 367 (2) herein in the form of a structured electronic image and on hard copy shall forthwith be delivered by the Central Election Commission for a check to the Directorate General Civil Registration and Administrative Services at the Ministry of Regional Development and Public Works.

(2) (Amended, SG No. 98/2014, effective 28.11.2014) The Directorate General of Civil Registration and Administrative Services at the Ministry of Regional Development and Public Works shall conduct the check not later than 27 days in advance of polling day.

(3) (Amended, SG No. 98/2014, effective 28.11.2014) The Directorate General of Civil Registration and Administrative Services at the Ministry of Regional Development and Public Works shall draw up a memorandum on the result of the check in two copies and shall provide one of the copies to the Central Election Commission. The data of the check shall be kept for a period of up to six months after conduct of the elections.

(4) (Amended, SG No. 98/2014, effective 28.11.2014) The Central Election Commission shall ascertain the result for the lists referred to in Article 367 (2) herein on the basis of the check conducted by the Directorate General of Civil Registration and Administrative Services at the Ministry of Regional Development and Public Works. Upon request by the nomination committee, the Central Election Commission shall provide the said committee in writing with the data of the memorandum referred to in Paragraph (3) and the result ascertained for the lists referred to in Article 367 (2) herein as submitted by the nomination committee.

(5) Where the Central Election Commission ascertains that an independent candidate is not supported by the required number of voters, the registration of the said candidate shall be stricken

by a decision which shall forthwith be transmitted to the nomination committee.

(6) The decision of the Central Election Commission under Paragraph (5) shall be appealable before the Supreme Administrative Court according to the procedure established by Article 58 herein.

Search of List under Article 367 (2) Herein

Article 370. The Central Election Commission shall ensure to each voter who is a Bulgarian national or a national of another Member State of the European Union, enjoying a durable or permanent residence status, searchability of the list referred to in Article 367 (2) herein by Standard Public Registry Number or Personal Number, including by means of a free-of-charge telephone number.

Section VI
Voting Ballot

Content

Article 371. (1) The voting ballot shall be combined and the face side thereof shall contain:

1. the name and number of the district referred to in Article 356 (2) herein;

2. the full or abbreviated name of the party or coalition as stated in the application for registration thereof, or the designation "Nomination Committee", with the abbreviation for a party being written as "ПП" [abbreviation for "political party" in Bulgarian] and for a coalition as "КП" [abbreviation for "coalition of parties" in Bulgarian];

3. a square to be marked with an "X" or a "V", showing the choice of the voter, with the sequential number of the party, coalition or nomination committee being written inside the said square;

4. (amended, SG No. 35/2014, effective 22.04.2014) circles with sequential numbers written in the said circles, whereof the number corresponds to the number of Members of the European Parliament for the Republic of Bulgaria, to be marked with an "X" or a "V", showing the preference of the voter for a candidate on the candidate list of a party or coalition; the number written in each separate circle shall designate the sequential number by which the candidate has been registered on the candidate list of a party or coalition;

5. (new, SG No. 39/2016, effective 26.05.2016) a square to be marked with an "X" or a "V", showing the choice of the voter, with "Не подкрепям никого [None Of The Above]" being written inside the said square.

(2) The lines of the separate parties, coalitions and nomination committees shall be separated from one another by a solid black horizontal line.

(3) (Amended, SG No. 39/2016, effective 26.05.2016) The name and number of the district referred to in Article 356 (2) herein shall be written on the top line of the ballot. The essential elements referred to in Items 2, 3 and 5 of Paragraph (1) shall be written on the ballot sequentially from left to right on a separate horizontal line for each party, coalition or nomination committee. The designation "независим" [independent] shall be written to the right of the names of the independent candidates. In the ballot for voting abroad, the name and number of the district shall be replaced by the text "Бюлетина за гласуване извън страната" [Ballot for Voting Abroad].

(4) The essential element referred to in Item 4 of Paragraph (1) shall be written on the right-hand side of the ballot.

(5) The reverse side of the ballot shall be marked with two areas where the seal of the competent section election commission is to be affixed.

(6) (Amended, SG No. 57/2016, effective 22.07.2016) Ballots for parties, coalitions and nomination committees which do not contain the essential elements referred to in Items 2, 3, 4 and 5 of Paragraph (1) shall be used for voting abroad.

Drawing Lots to Determine Number on Ballot

Article 372. (1) The sequential numbers of the parties, coalitions and nomination committees on the ballot shall be determined by the Central Election Commission by lots drawn in the presence of representatives of the parties, coalitions and nomination committees not later than 31 days in advance of polling day. The lots shall be drawn publicly and the registered candidates, observers and members of the mass communication media may also be present thereat. The assigned sequential number shall be the same for the entire country and for the voting abroad. The result of the drawing of lots shall be made public by the Central Election Commission by a decision according to the procedure established by Article 57 (2) herein.

(2) Any parties, coalitions and nomination committees which have not registered candidate lists shall not participate in the drawing of the lots and any such parties, coalitions and committees shall not be assigned a number and an empty line shall not be left for them on the ballot.

Section VII
Voting

Application of Section VII of Chapter Fifteen Herein

Article 373. The respective provisions of Section VII of Chapter Fifteen herein and the provisions of this Section shall apply to the voting on polling day.

Identification of Voter Who Is National of Another Member State of European Union

Article 374. The voter who is a national of another Member State of the European Union shall establish the identity thereof by producing an identity card or a passport and a residence certificate.

Declaration by Bulgarian National Resident in Another Member State of European Union

Article 375. (Amended, SG No. 39/2016, effective 26.05.2016) A Bulgarian national, who resides in another Member State of the European Union, who votes at a diplomatic mission or a consular office of the Republic of Bulgaria or in a place referred to in Article 14 (2) and (3) herein, shall present a declaration completed in a standard form to the effect that the said person has not voted and will not vote elsewhere in the same elections of Members of the European Parliament.

Entry of Particulars of Voter Who Is National of Another Member State of European Union on Electoral Roll

Article 376. (1) A voter who is a national of another Member State of the European Union shall be admitted to voting after entry on the electoral roll of the Personal Number thereof, the number of the identity card or passport thereof and the number of the residence certificate and the date of registration stated therein. Any such voter shall present a declaration, completed in a standard form, to the effect that the person has not voted in the same elections of Members of the European Parliament.

(2) Should any discrepancy be detected in any of the names of a voter who is a national of another Member State of the European Union as they appear [on the roll] and in the identity card or passport or, respectively, the residence certificate, if the residence address matches, the names of the voter as they appear in the identity card or passport or, respectively, in the residence certificate shall be recorded in the column designated "Notes" of the electoral roll.

(3) The residence certificate of a national of another Member State of the European Union shall be left with the chairperson or, respectively, with the member of the section election commission until the voter signs the electoral roll (the roll).

(4) After signing the electoral roll, the voter shall receive the residence certificate thereof.

Voting by Voter Who Is National of Another Member State of European Union

Article 377. The voter who is a national of another Member State of the European Union shall vote by marking unequivocally the vote thereof for a candidate list and, if he or she so wishes, shall express the preference thereof for a candidate on the candidate list of a party or coalition of his or her choice.

Section VIII
Vote Counting

Application of Section VIII of Chapter Fifteen Herein

Article 378. The respective provisions of Section VIII of Chapter Fifteen herein, with the exception of Article 278 (5) herein, and the provisions of this Section shall apply to the counting of the votes.

Entry of Data in Tally Sheet According to Parts I and II of Electoral Roll before Opening of Ballot Box

Article 379. Before the opening the ballot box, the number of voters according to Parts I and II of the electoral roll shall also be entered in the tally sheet. The data shall be entered in words and figures.

Transmittal of Results of Voting Abroad

Article 380. The election stationery and materials from the voting on board navigation vessels flying the Bulgarian flag shall be sent to the Central Election Commission and shall be safe-kept until the next elections.

Section IX
Determining of Election Results by Constituency Election Commission

Application of Section IX of Chapter Fifteen Herein

Article 381. The respective provisions of Section IX of Chapter Fifteen and the provisions of this Section shall apply to the determining of the election results by the constituency election commission.

Tallying Voting Results

Article 382. (1) On the basis of the data from the tally sheets of the section election commissions, the constituency election commission shall tally the results of the voting in the district referred to in Article 356 (2) herein and shall prepare a tally sheet.

(2) By a decision of the constituency election commission, the votes from the navigation vessels on board of which a voting section has been established shall be added to the votes for the candidate lists of the district referred to in Article 356 (2) herein.

Entry of Data in Tally Sheet

Article 383. (1) The number of section election commissions in the district referred to in Article 356 (2) herein, the number of section election commissions which have presented tally sheets on the voting, the data covered under Article 275 (1), Article 281 and Article 379 herein

shall be entered In this order into the tally sheet of the constituency election commission.

(2) The data referred to in Paragraph (1) shall be entered in the tally sheet in words and figures.

Building Database

Article 384. The constituency election commission shall build a database by means of computer processing of the tally sheets of the section election commissions in the district referred to in Article 356 (2) herein and of the tally sheet cables from the navigation vessels flying the Bulgarian flag.

Section X
Determining of Election Results by Central Election Commission

Allocation of Seats

Article 385. (1) The number of Members of the European Parliament for the Republic of Bulgaria shall be determined according to the procedure provided for in Article 14, paragraph 2 of the Treaty on European Union.

(2) The total number of seats for each party and coalition shall be determined by the Central Election Commission on the basis of the valid votes cast for the said party or coalition within Bulgaria and abroad according to the Hare-Niemeyer Method using a methodology described in Annex 3 hereto.

(3) The right to be included in the allocation of seats shall be limited to the parties, coalitions and independent candidates which and who have gained valid votes that are not less than the national electoral quota.

(4) The number of seats which are allocated to the parties and coalitions referred to in Paragraph (3) shall equal the number of Members of the European Parliament for the Republic of Bulgaria less the number of the elected independent candidates.

Determining Elected Candidates according to Valid Preferences Received and Ranking on List

Article 386. (1) The candidates who are elected from each candidate list of a party or coalition shall be determined according to the number of valid preferences received and the ranking of the candidates on the list using a methodology described in Annex 3 hereto.

(2) The preferences for the individual candidates shall be valid if the number of votes received for the candidate is not lesser than 5 per cent of the votes cast for the candidate list.

(3) The candidates referred to in Paragraph (2) shall be ranked according to the number of preferences received, starting from the candidate who has received the largest number of valid preferences. These candidates shall be excluded from the candidate list of the respective party or coalition and shall comprise List A. The rest of the candidates on the candidate list shall retain the initial ranking thereof on the list and shall comprise List B.

(4) Where there are two or more candidates with an equal number of preferences on List A, the rank thereof on the list shall be determined by the Central Election Commission by lots drawn in the presence of the candidates concerned and representatives of the party or coalition.

(5) Where there are no candidates with valid preferences, the elected candidates shall be determined according to the rank assigned thereto on the candidate list.

(6) Where the number of candidates with valid preferences is lesser than the number of the seats allocated to the party or coalition, all candidates on List A shall be elected. The rest of the

seats allocated to the party or coalition shall be filled by candidates on List B in the order of ranking thereof.

(7) Where the number of candidates with valid preferences is greater than the number of the seats allocated to the party or coalition, the first candidates on List A shall be elected in the order of ranking thereof until all seats are filled.

(8) Where the number of candidates with valid preferences equals the number of the seats allocated to the party or coalition, all candidates on List A shall be elected.

Declaring Voting Results

Article 387. (1) The Central Election Commission shall declare the votes received and the allocation of seats to the parties and coalitions upon elections of Members of the European Parliament for the Republic of Bulgaria not later than three days after polling day;

(2) The Central Election Commission shall declare the names of the elected Members of the European Parliament for the Republic of Bulgaria: not later than five days after polling day.

(3) The results of the voting shall be declared after the polls are declared closed in all the Member State of the European Union within the election period determined by the Council of the European Union.

Notifying President of European Parliament

Article 388. After the tallying and the formal declaration of the election results, the Chairperson of the National Assembly shall notify the President of the European Parliament of the elected Members of the European Parliament for the Republic of Bulgaria.

Incompatibility

Article 389. The following shall be incompatible with the office of Member of the European Parliament:

1. the office of National Representative in a national Parliament;

2. the office of member of the Government of a Member State of the European Union;

3. the office of member of the European Commission;

4. the office of judge, advocate-general or registrar of the Court of Justice of the European Union;

5. the office of member of the Executive Board of the European Central Bank;

6. the office of member of the Court of Auditors of the European Union;

7. the office of European Ombudsman;

8. the office of member of the Economic and Social Committee of the European Union and of the European Atomic Energy Community;

9. the office of member of the Committee of the Regions;

10. the office of member of committees or other bodies set up pursuant to the Treaties establishing the European Union and the European Atomic Energy Community for the purpose of managing the funds of the European Union or carrying out a permanent direct administrative task;

11. the office of member of the Board of Directors, of the Management Committee or staff of the European Investment Bank;

12. the office of active official or servant of the institutions of the European Union or of the specialised bodies attached to them, or of the European Central Bank;

13. the performance of any other service or the carrying out of any activity which is incompatible with the status of National Representative.

Database

Article 390. (1) The Central Election Commission shall build a database by means of computer processing of the tally sheets of the section election commissions within Bulgaria, the

machine voting data and the scanned copies of the tally sheets of the section election commissions abroad.

(2) The data from the tally sheets of the section election commissions referred to in Paragraph (1) shall be re-entered at the Central Election Commission. A computer comparison shall be performed between the data from the tally sheets of the section election commissions and the machine voting data as entered at the constituency election commissions and at the Central Election Commission, and the differences shall be printed out.

(3) The scanned copies of the tally sheets showing the results of the voting abroad as received shall be entered and re-entered at the Central Election Commission. The votes received for the separate candidate lists and the preferences for the candidates on each list shall be added to the votes received for the respective list and the preferences for individual candidates within Bulgaria.

(4) If there are differences, as well as upon detection of apparent errors of fact, the Central Election Commission shall pronounce by a decision on the final numerical data on each of the cases and shall update the database.

(5) The election results shall be determined according to the updated database.

(6) Where the differences or the errors referred to in Paragraph (4) are of a nature to alter the election result, the Central Election Commission shall communicate the said differences or errors to the candidates, parties, coalitions and nomination committees concerned.

(7) The bulletin of the Central Election Commission shall be published according to the updated database.

(8) The updated database of the Central Election Commission shall be made available on a machine-readable data medium to the President of the Republic, to the Chairperson of the National Assembly, to the Council of Ministers, to the parties, coalitions and nomination committees which have registered candidates, to sociological agencies, to libraries, to universities, to the Bulgarian Academy of Sciences and to other organisations.

(9) The database referred to in Paragraph (8) may not be modified without permission of the Central Election Commission.

Section XI
Pre-term Termination of Credentials

Pre-term Termination of Credentials of Member of European Parliament

Article 391. The credentials of a Member of the European Parliament for the Republic of Bulgaria shall be terminated prior to the expiry of the term of office thereof upon tendering of resignation to the European Parliament, upon death, or upon ascertainment of incompatibility under Article 389 herein.

Steps of Central Election Commission

Article 392. (1) Upon pre-term termination of the credentials of a Member of the European Parliament for the Republic of Bulgaria elected from the list of a party or a coalition, the Central Election Commission shall pronounce the candidate ranked next on the list [elected as] Member.

(2) Where there are no more candidates on the list, the seat shall remain vacant until the end of the term of office of the European Parliament.

(3) Where there is a candidate who has received valid preferences under the terms established by Article 386 (2) herein but the said candidate has not been pronounced elected, in the cases referred to in Paragraph (1) the said candidate shall fill the seat of the Member of the European Parliament for the Republic of Bulgaria whose credentials are terminated.

(4) Upon pre-term termination of the credentials of a Member of the European Parliament for the Republic of Bulgaria elected as an independent candidate, the seat of the said Member shall be filled by a candidate of the party or coalition of the party or coalition represented in the European Parliament with the greatest unused remainder. If the remainders are equal, the candidate shall be determined by lots.

Section XII
Disputing Election Results

Competent Authority

Article 393. Any disputes regarding the legitimacy of the election of a Member of the European Parliament for the Republic of Bulgaria shall be resolved by the Constitutional Court.

Right to Dispute

Article 394. (1) The candidates for Member of the European Parliament for the Republic of Bulgaria, the parties, coalitions and the person who represents the nomination committee, which have registered candidates in the elections, may dispute the legitimacy of the election of a Member of the European Parliament for the Republic of Bulgaria before an authority referred to in Article 150 (1) of the Constitution within seven days after the Central Election Commission makes public the decision declaring the election results.

(2) Within 15 days after the Central Election Commission makes public the decision declaring the election results, the authority referred to in Article 150 (1) of the Constitution, acting on the challenge received under Paragraph (1) or on its own initiative, may approach the Constitutional Court with a reasoned petition to pronounce on the legitimacy of the election of a Member of the European Parliament for the Republic of Bulgaria.

Examination of Petition

Article 395. (1) Any petition referred to in Article 394 (2) herein shall be examined under the terms and according to the procedure established by the Constitutional Court Act and the Regulations on the Organization of the Activities of the Constitutional Court.

(2) The Constitutional Court shall examine the petition and shall pronounce within two months after the arrival of the said petition. The petition shall not stay the enforcement of the decision of the Central Election Commission.

(3) A judgment establishing illegitimacy of the election of a Member of the European Parliament for the Republic of Bulgaria shall be transmitted to the National Assembly, the Central Election Commission and the persons concerned.

(4) If the illegitimacy of election of a Member of the European Parliament for the Republic of Bulgaria is disputed and serious irregularities which have influenced the final result are ascertained, the Central Election Commission shall determine by a decision the election results using a methodology described in Annex 3 hereto, declaring the allocation of seats and the names of the elected Members of the European Parliament for the Republic of Bulgaria. Any such decision of the Central Election Commission shall be unappealable.

Chapter Eighteen
ELECTIONS OF MUNICIPAL COUNCILLORS AND MAYORS

Section I

Electoral Franchise

Right to Elect

Article 396. (1) The right to elect municipal councillors and mayors shall vest in the Bulgarian nationals, who have attained 18 years by polling day, are not interdicted, do not serve a custodial sentence, and have resided in the respective nucleated settlement at least during the last six months.

(2) Any national of a Member State of the European Union, who is not a Bulgarian national, shall have the right to elect municipal councillors and mayors if the said person has attained the age of 18 years by election day, is not interdicted, does not serve a custodial sentence, enjoys a durable or permanent residence status for the Republic of Bulgaria, has resided in the respective nucleated settlement at least during the last six months, and is not deprived of the right to elect in the Member State of which the said person is a national.

Right to Be Elected

Article 397. (1) The right to be elected municipal councillor and mayor shall vest in the Bulgarian nationals who have attained the age of 18 years by polling day, are not interdicted, do not serve a custodial sentence and have resided in the respective nucleated settlement at least during the last six months.

(2) The right to be elected municipal councillor shall furthermore vest in any national of a Member State of the European Union, who is not a Bulgarian national, has attained the age of 18 years by polling day, is not interdicted, does not serve a custodial sentence, enjoys a durable or permanent residence status for the Republic of Bulgaria, has resided in the respective nucleated settlement at least during the last six months and is not deprived of the right to be elected in the Member State of which the said person is a national.

Applicable Provisions

Article 398. The provisions of this Chapter and the respective provisions of Part One herein and of Section VII of Chapter Fifteen herein shall apply to the elections of municipal councillors and of mayors.

Section II
Election Systems. Powers of Central Election Commission. Methodology

Proportional Representation Election System for Municipal Councillors

Article 399. (1) Municipal councillors shall be elected according to a proportional representation election system from candidate lists of the following registered in multi-member constituencies by:

1. parties and coalitions;

2. nomination committees.

(2) When voting for a candidate list of a party or coalition, the voter may mark one preference for a candidate on the candidate list for municipal councillors, thereby expressing the preference thereof regarding the ranking of the candidates on the candidate list for which the voter votes.

(3) The allocation of seats shall be limited to the parties, coalitions and independent candidates which and who have gained valid votes that are not less than the municipal electoral quota.

Election System for Mayors

Article 400. (1) Mayors shall be elected according to a majoritarian election system from candidate lists of the following registered in single-member constituencies by:

1. parties and coalitions;

2. nomination committees.

Right to Vote

Article 401. (1) Each voter shall be entitled to one vote for a municipality mayor and one vote for a candidate list for municipal councillors.

(2) In the cities subdivided into boroughs, voters shall furthermore be entitled to one vote for a borough mayor.

(3) In the mayoralties, voters shall furthermore be entitled to one vote for a mayoralty mayor, if any such election is conducted.

Powers of Central Election Commission under this Chapter

Article 402. The Central Election Commission shall:

1. exercise control over the registration of the parties, coalitions, nomination committees and candidates at the municipal election commission;

2. ascertain and pronounce invalid the registration of any candidates who do not conform to the requirements covered under Article 413 (1) to (4) herein.

3. organise and conduct, through the mass communication media or in another appropriate manner, an awareness campaign regarding the conditions whereunder the nationals of another Member State of the European Union may elect municipal councillors and mayors and be elected municipal councillor; the awareness campaign shall commence not later than 15 days prior to the expiry of the relevant time limit whereafter rights and duties arise for the nationals of another Member State of the European Union in connection with the elections;

4. upon request by the competent authorities of the Member States of the European Union, conduct a check of the circumstances stated in the declarations submitted by the Bulgarian nationals in the State concerned and transmit the information within five working days after the receipt of the request;

5. propose to the President of the Republic to schedule elections of municipal councillors or mayors within 14 days after the receipt of the proposal:

(a) (amended, SG No. 39/2016, effective 26.05.2016) in the cases referred to in Items 1, 2, 4, 5, 6 and 7 of Article 465 herein;

(b) upon pre-term termination of the credentials of a mayor.

Methodology

Article 403. The voting results shall be determined and the seats shall be allocated to candidate lists using a methodology described in Annexes 4 and 5 hereto.

Section III
Constituencies. Number of Seats

Delimitation of Constituencies

Article 404. (1) For the purposes of conduct of elections of municipal councillors, the territory of the municipality shall constitute one multi-member constituency.

(2) For the purposes of conduct of elections of a municipality mayor, borough mayor or mayoralty mayor, the territory of the municipality, borough or mayoralty shall constitute one single-member constituency.

Determination of Number of Seats

Article 405. The number of seats which are allocated in the proportional election system to the parties and coalitions which have gained votes that are not less than the municipal electoral quota shall equal the number of members of the Municipal Council less the number of elected independent candidates.

Section IV
Electoral Rolls

Address Registration Check

Article 405a. (New, SG No. 39/2016, effective 26.05.2016) Six months before general elections of municipal councillors and of mayors, the municipality mayors and the regional governors shall conduct a check according to the procedure established by Article 99b of the Civil Registration Act of all address registrations effected during the last 12 months. Any such check shall be completed not later than three months in advance of the conduct of the general elections.

Compiling of Rolls

Article 406. (1) Part I of the electoral rolls shall be compiled according to the permanent address of the nationals of the Republic of Bulgaria.

(2) Part II of the electoral rolls shall be compiled according to the residence addresses in the Republic of Bulgaria declared by the nationals of another Member State of the European Union.

Manner of Compilation of Parts I and II of Electoral Rolls

Article 407. (1) All Bulgarian nationals who satisfy the conditions referred to in Article 396 (1) herein shall be entered on Part I of the rolls.

(2) Part II of the electoral rolls shall be compiled on the basis of the declarations submitted under Article 408 herein by nationals of another Member State of the European Union. The names of the voters, the particulars of the citizenship thereof of another Member State of the European Union and the residence address within the territory of the respective nucleated settlement shall be entered in alphabetical order on Part II of the rolls. The columns for entry of the Personal Number, the number of the identity card or passport and of the number of the residence certificate and the date of registration stated therein shall remain empty and shall not be completed, and a separate column designated "Notes" shall be formatted.

Declaration by National of Another Member State

Article 408. (1) Any national of another Member State of the European Union, who satisfies the conditions referred to in Article 396 (2) herein and wishes to be entered on an electoral roll, shall present a declaration completed in a standard form to the municipal administration exercising jurisdiction over the residence address within the territory of the respective nucleated settlement not later than 40 days in advance of polling day, declaring thereby:

1. the citizenship;

2. the residence address during the last six months in advance of polling day within the territory of the respective municipality or mayoralty;

3. the particulars according to the identity card or the passport and Personal Number.

(2) Upon succeeding elections of municipal councillors and mayors, a national of another Member State of the European Union who has once submitted a declaration under Paragraph (1) and has been included in Part II of the electoral roll shall be entered automatically on Part II of the electoral roll, without submitting a new declaration. A new declaration under Paragraph (1)

shall be submitted solely upon change of any of the circumstances declared.

(3) The declarations referred to in Paragraph (1) shall be safe-kept for the next elections of municipal councillors and of mayors by the competent municipal administration.

Removal from Electoral Rolls

Article 409. The names of any citizens who have had a present address outside the Republic of Bulgaria during the last six months before the date of conduct of the elections shall be removed from the electoral rolls.

Transmittal of Copy of Part II. Conduct of Check

Article 410. (1) The authorities referred to in Article 23 (1) herein shall transmit a copy of Part II of the electoral rolls to the Central Election Commission not later than 30 days in advance of polling day.

(2) A check of the circumstances referred to in Article 396 herein shall be conducted by the Ministry of Interior and the Ministry of Justice at the request of the authorities referred to in Article 23 (1) herein. In respect of the nationals of another Member State of the European Union, any such request shall be accompanied by a copy of the declarations referred to in Article 408 (1) herein.

Entry on Roll upon Second Round

Article 411. Upon conduct of a second round of the elections of mayor, the names of any citizens, who have acquired a right to elect in the period between the two rounds shall also be entered on the electoral rolls.

Section V
Registration of Candidate Lists

Candidate Lists

Article 412. (1) The parties, coalitions and nomination committees shall rank the candidates on candidate lists by single-member and multi-member constituency. The candidates for municipal councillor of the parties and coalitions shall be entered in the register of candidate lists and shall be registered by the number under which they are ranked on the candidate list.

(2) The coalitions shall contest the elections on a single candidate list in each separate single-member and multi-member constituency.

(3) The number of candidates on any given candidate list for municipal councillors of parties or coalitions may not exceed the number of members of the Municipal Council.

Validity of Registration

Article 413. (1) A candidate for municipal councillor may be proposed for registration by only one party, coalition or nomination committee and in only one constituency.

(2) A candidate for mayor may be proposed for registration by only one party, coalition or nomination committee and in only one constituency. A candidate for municipality mayor may not concurrently be a candidate for mayoralty mayor or for borough mayor.

(3) A candidate for mayor of a nomination committee may not be a candidate for municipal councillor of a party or coalition, and a candidate for municipal councillor of a nomination committee may not be a candidate for mayor of a party or coalition.

(4) A candidate for mayor of a party or coalition may concurrently be a candidate for municipal councillor only of the same party or coalition. In case any such candidate is elected mayor, the said candidate shall be excluded from the candidate list for municipal councillors.

(5) Where a candidate for municipal councillor or mayor is registered by more than one party, coalition or nomination committee or in more than one constituency, or in breach of the

requirements of Paragraph (3) or (4), the earliest registration shall be valid.

(6) A breach of the requirements referred to in Paragraphs (1) to (4) shall result in invalidity of the registration, and where any such breach is detected after the conduct of the election, it shall result in invalidity of the election, if the candidate has been elected.

(7) The Central Election Commission shall ascertain and pronounce invalid any registrations effected in violation of Paragraphs (1), (2), (3) or (4). The decision shall forthwith be made public, and the municipal election commission and the candidates, parties, coalitions and nomination committees concerned shall be notified.

(8) The decision of the Central Election Commission declaring the invalidity of the registration of the candidates under Paragraph (7) shall be appealable before the Supreme Administrative Court according to the procedure established by Article 58 herein.

Documents and Closing Date for Registration

Article 414. (1) The registration of the candidate lists shall be effected by the municipal election commissions upon presentation of:

1. a proposal by the party or coalition, stating the names, Standard Public Registry Personal Number and permanent address, present address or residence address of the candidates; any such proposal shall be signed by the persons representing the party or coalition or by persons expressly authorised thereby;

2. a proposal by the nomination committee, stating the names, Standard Public Registry Personal Number and permanent address, present address or residence address of the candidate; any such proposal shall be signed by the person representing the nomination committee;

3. (amended, SG No. 39/2016, effective 26.05.2016) a representation-declaration, completed in a standard form, by each one of the candidates of the consent thereof to be registered by the proposing party, coalition or nomination committee and to the effect that the candidate satisfies the conditions referred to in Article 397 (1) or (2) and in Article 413 (1), (2), (3) and (4) herein;

4. (repealed, SG No. 39/2016, effective 26.05.2016);

5. (repealed, SG No. 39/2016, effective 26.05.2016);

6. any candidate for municipal councillor, who is a national of another Member State of the European Union and is not a Bulgarian national, shall furthermore present a declaration completed in a standard form, declaring thereby:

(a) citizenship and residence address in the respective nucleated settlement;

(b) that the person is not interdicted;

(c) the particulars according to the identity card or the passport and Personal Number;

7. the candidate referred to in Item 6 shall produce an attestation from the competent authorities of the Member State of which the person is a national, certifying that the said person is not deprived of the right to be elected and that no such disqualification is known to those authorities; in case the candidate is unable to produce such attestation, the said candidate shall declare in the declaration referred to in Item 6 that the said candidate is not deprived of the right to be elected in the Member State of which the person is a national;

8. an authorisation of the persons authorised to represent the party or coalition in dealings with the municipal election commission, in the cases where the documents are submitted by authorised persons.

(2) The municipal election commission shall check ex officio and shall note the particulars according to the identity card or the internal passport of the candidate, the Standard Public Registry Personal Number (Personal Number), the permanent and the present address (residence address) and the date of the address registration.

(3) The registration of the candidate lists at the constituency election commissions shall be effected not later than 32 days in advance of polling day.

(4) The documents covered under Paragraph (1) shall be recorded in a separate register with a sequential number assigned thereto. The order of arrival of the documents shall determine the order of entry into the register of the municipal election commission.

(5) The municipal election commission shall conduct a check through the Ministry of Interior of the residence address declared by any candidate who is a national of another Member State of the European Union.

(6) A check of the circumstances referred to in Article 397 herein shall be conducted by the Ministry of Interior and the Ministry of Justice at the request of the Central Election Commission.

(7) The municipal election commission shall forthwith transmit to the Central Election Commission an abstract of the register referred to in Paragraph (4) of candidates for municipal councillor who are nationals of a Member State of the European Union but are not Bulgarian nationals.

Restriction upon Registration of Lists or Candidates

Article 415. The parties or coalitions participating in local coalitions for a particular type of election may not register independently candidate lists or candidates thereof for the same type of election.

List of Voters Supporting Independent Candidate's Registration

Article 416. (1) The right to name and register an independent candidate for municipal councillor or mayor shall vest in:

1. for municipal councillor in municipalities with a population:

(a) not exceeding 10,000 residents: not fewer than 100 voters of the municipality;

(b) not exceeding 20,000 residents: not fewer than 200 voters of the municipality;

(c) not exceeding 50,000 residents: not fewer than 250 voters of the municipality;

(d) not exceeding 100,000 residents: not fewer than 500 voters of the municipality;

(e) exceeding 100,000 residents: not fewer than 1,000 voters of the municipality;

2. for municipality mayor [in municipalities] with a population:

(a) not exceeding 10,000 residents: not fewer than 200 voters of the municipality;

(b) not exceeding 20,000 residents: not fewer than 400 voters of the municipality;

(c) not exceeding 50,000 residents: not fewer than 500 voters of the municipality;

(d) not exceeding 100,000 residents: not fewer than 1,000 voters of the municipality;

(e) exceeding 100,000 residents: not fewer than 2,000 voters of the municipality;

3. for mayoralty mayor: one-fifth of the voters of the mayoralty but not more than 500;

4. for borough mayor: one-fifth of the voters of the borough but not more than 500;

(2) (Amended, SG No. 39/2016, effective 26.05.2016) Any voter, who supports the contesting of the election by an independent candidate for municipal councillor or mayor, shall certify this by affixing the signature thereof before a member of the nomination committee. The voters who are Bulgarian nationals shall state the names, the permanent address thereof in the municipality or, respectively, in the mayoralty or borough, the Standard Public Registry Personal Number thereof, and the nationals of another Member State of the European Union, enjoying a durable or permanent residence status for Bulgaria, shall state the names, the Personal Number, the number of the identity card or passport, the number of the residence certificate and the date of registration stated therein, and the residence address in the respective municipality, mayoralty or borough. Each voter may participate in only one list. The list shall be delivered also in the form of a structured electronic image, stating the names, Standard Public Registry Personal Number (Personal Number) and permanent address (residence address) of the voters who have affixed a

manual signature, in the order in which they have been entered in the list.

(3) The member of the nomination committee referred to in Paragraph (2) shall process and provide the personal data complying with the requirements of the Personal Data Protection Act and shall bear responsibility as controller within the meaning given by Article 3 (2) of the Personal Data Protection Act.

(4) (Amended, SG No. 39/2016, effective 26.05.2016) The list shall be delivered to the municipal election commission together with the documents referred to in items 2, 3, 6 and 7 of Article 414 (1) herein not later than 32 days in advance of polling day.

Conditions for Registration. Refusal of Registration

Article 417. (1) The municipal election commission shall conduct a check as to whether the requirements of this Section are satisfied and shall adopt a decision on registration of the candidate lists.

(2) Upon ascertainment of any omissions or non-conformities, the municipal election commissions shall forthwith give directions and set a time limit for the elimination thereof. In case the omissions or non-conformities are not eliminated within the time limit set, the municipal election commission shall refuse registration.

(3) The refusal referred to in Paragraph (2) may be disputed before the Central Election Commission according to the procedure established by Article 88 herein.

(4) If registration is refused or if the registration of a candidate on a list of a party or coalition is pronounced invalid, the party or coalition may propose another candidate for registration not later than 30 days in advance of polling day.

(5) (Amended, SG No. 39/2016, effective 26.05.2016) If any of the candidates on a registered candidate list of a party or coalition dies or lapses into a sustained inability to contest the elections, the party or coalition may propose another candidate not later than seven days in advance of polling day. If any of the candidates on a registered candidate list of a party or coalition withdraws, the party or coalition may propose another candidate not later than 30 days in advance of polling day.

(6) (New, SG No. 39/2016, effective 26.05.2016) In the cases referred to in Paragraph (4) or (5), on a proposal by the party or coalition, the new candidate shall fill the place which has fallen vacant or the last place on the candidate list, and in the latter case the rest of the candidates shall be re-ranked by being moved one place up.

Check of Lists. Ex Officio Striking of Registration

Article 418. (1) (Amended, SG No. 98/2014, effective 28.11.2014, supplemented, SG No. 39/2016, effective 26.05.2016) The lists referred to in Article 416 (2) herein in the form of a structured electronic image and on hard copy shall forthwith be delivered by the municipal election commission for a check to the competent territorial unit of the Directorate General of Civil Registration and Administrative Services at the Ministry of Regional Development and Public Works.

(2) (Amended, SG No. 98/2014, effective 28.11.2014) The competent territorial unit of the Directorate General of Civil Registration and Administrative Services at the Ministry of Regional Development and Public Works shall conduct the check referred to in Paragraph (1) not later than 27 days in advance of polling day.

(3) (Amended, SG No. 98/2014, effective 28.11.2014) The competent territorial unit of the Directorate General of Civil Registration and Administrative Services at the Ministry of Regional Development and Public Works shall draw up a memorandum on the result of the check in two copies and shall provide one of the copies to the municipal election commission. The data of the check shall be kept for a period of up to six months after conduct of the elections.

(4) (Amended, SG No. 98/2014, effective 28.11.2014) The municipal election commission shall ascertain the result for the lists referred to in Article 416 (2) herein on the basis of the check conducted by the competent territorial unit of the Directorate General of Civil Registration and Administrative Services at the Ministry of Regional Development and Public Works. Upon request by the nomination committee, the municipal election commission shall provide the said committee in writing with the data of the memorandum referred to in Paragraph (3) and the result ascertained for the lists referred to in Article 416 (2) herein as submitted by the nomination committee.

(5) Where the municipal election commission ascertains that an independent candidate is not supported by the required number of voters, the registration of the said candidate shall be stricken by a decision which shall forthwith be transmitted to the nomination committee.

(6) The decision of the municipal election commission referred to in Paragraph (5) may be disputed before the Central Election Commission according to the procedure established by Article 88 herein.

Search of List under Article 416 (2) Herein

Article 419. The municipal election commission shall ensure to each voter who is a Bulgarian national or a national of another Member State of the European Union, enjoying a durable or permanent residence status, searchability of the list referred to in Article 416 (2) herein by Standard Public Registry Number or Personal Number, including by means of a free-of-charge telephone number.

Section VI
Voting Ballot

Types of Ballots

Article 420. (1) Combined ballots shall be used for voting for:

1. municipal councillors;
2. municipality mayor;
3. borough mayor;
4. mayoralty mayor, if any such election is conducted.

(2) The separate types of ballots shall vary in size.

Ballot for Municipal Councillors

Article 421. (1) The face side of the voting ballot for municipal councillors shall contain:

1. the name of the municipality and the number of the constituency;

2. the designation "Бюлетина за общински съветници" [Ballot for Municipal Councillors];

3. the full or abbreviated name of the party or coalition as stated in the application for registration thereof, or the designation "Nomination Committee", with the abbreviation for a party being written as "ПП" [abbreviation for "political party" in Bulgarian], and for a coalition as "КП" [abbreviation for "coalition of parties" in Bulgarian];

4. a square to be marked with an "X" or a "V", showing the choice of the voter, with the sequential number of the party, coalition or nomination committee being written in the said square;

5. (amended, SG No. 35/2014, effective 22.04.2014) circles with sequential numbers written in the said circles, whereof the number corresponds to the number of members of the Municipal Council, to be marked with an "X" or a "V", showing the preference of the voter for a candidate on the candidate list of a party or coalition; the number written in each separate circle

shall designate the sequential number by which the candidate has been registered on the candidate list of a party or coalition;

6. (new, SG No. 39/2016, effective 26.05.2016) a square to be marked with an "X" or a "V", showing the choice of the voter, with "Не подкрепям никого [None Of The Above]" being written inside the said square.

(2) The lines of the separate parties, coalitions and nomination committees shall be separated from one another by a solid black horizontal line.

(3) (Amended, SG No. 39/2016, effective 26.05.2016) The name of the municipality and the number of the constituency shall be written on top of the ballot, above the designation "Бюлетина за общински councillors" [Ballot for Municipal Councillors]; The essential elements referred to in Items 3, 4 and 6 of Paragraph (1) shall be written on the ballot sequentially from left to right on a separate horizontal line for each party, coalition or independent candidate. The designation "независим" [independent] shall be written to the right of the names of the independent candidate.

(4) The essential element referred to in Item 5 of Paragraph (1) shall be written on the right-hand side of the ballot.

(5) The reverse side of the ballot shall be marked with two areas where the seal of the competent section election commission is to be affixed.

Ballot for Mayor

Article 422. (1) The face side of the voting ballot for mayor shall contain:

1. the name of the municipality, borough or mayoralty and the number of the respective constituency;

2. the designation "Бюлетина за кмет на община" [Ballot for Municipality Mayor], "Бюлетина за кмет на кметство" [Ballot for Mayoralty Mayor] or "Бюлетина за кмет на район" [Ballot for Borough Mayor];

3. the full or abbreviated name of the party or coalition as stated in the application for registration thereof, or the name of the nomination committee, with the abbreviation for a party being written as "ПП" [abbreviation for "political party" in Bulgarian], for a coalition as "КП" [abbreviation for "coalition of parties" in Bulgarian], and for a nomination committee as "ИК" [abbreviation for "nomination committee" in Bulgarian];

4. a square to be marked with an "X" or a "V", showing the choice of the voter, with the sequential number of the party, coalition or independent candidate being written in the said square;

5. the names of the candidate for mayor.

6. (new, SG No. 39/2016, effective 26.05.2016) a square to be marked with an "X" or a "V", showing the choice of the voter, with "Не подкрепям никого [None Of The Above]" being written inside the said square.

7. (renumbered from Item 6, SG No. 39/2016, effective 26.05.2016) an empty line between the names of the candidates.

(2) The lines of the separate parties, coalitions and nomination committees shall be separated from one another by an empty line and a solid black horizontal line.

(3) (Amended, SG No. 39/2016, effective 26.05.2016) The name of the municipality and the number of the constituency shall be written on top of the ballot, above the designation "Бюлетина за кмет на община" [Ballot for Municipality Mayor], Бюлетина за кмет на район" [Ballot for Borough Mayor] or "Бюлетина за кмет на кметство" [Ballot for Mayoralty Mayor]. The essential elements referred to in Items 3, 4, 5 and 6 of Paragraph (1) shall be written sequentially from left to right on a separate horizontal line for each party, coalition or

independent candidate. The designation "независим" [independent] shall be written to the right of the names of the independent candidate.

(4) The reverse side of the ballot shall be marked with two areas where the seal of the competent section election commission is to be affixed.

Drawing Lots for Number on Ballots

Article 423. (1) (Amended, SG No. 39/2016, effective 26.05.2016) The sequential numbers of the parties and coalitions on the ballots shall be determined by the Central Election Commission by lots drawn in the presence of representatives of the parties and coalitions not later than 31 days in advance of polling day. The lots shall be drawn publicly and the registered candidates and members of the mass communication media may also be present thereat. The result of the drawing of lots shall be made public by a decision by the Central Election Commission according to the procedure established by Article 57 (2) herein. In case of identity of the parties and coalitions which have registered candidates for municipal councillor or mayor at the municipal election commission, the said parties and coalitions shall be entitled to an identical number on the ballots for each type of election for which they have registered candidates.

(2) (Amended, SG No. 39/2016, effective 26.05.2016) The numbers of the local coalitions and nomination committees shall follow the numbers of the parties and coalitions on the ballot according to the sequence of the registration of the local coalition and of the independent candidate by the municipal election commission.

(3) The number of any party or coalition which has not registered a candidate list in the respective constituency shall not be written on the ballot and an empty line shall not be left for any such party or coalition.

(4) (Amended, SG No. 39/2016, effective 26.05.2016) Any parties and coalitions which have not registered candidate lists shall not participate in the drawing of the lots and shall not be assigned a number and an empty line shall not be left for them on the ballot. Any local coalitions and nomination committees which have not registered candidate lists within the territory of the municipality shall not be assigned a number and an empty line shall not be left for them on the ballot.

Section VII
Voting

Application of Section VII of Chapter Fifteen Herein

Article 424. The respective provisions of Section VII of Chapter Fifteen herein and the provisions of this Section shall apply to the voting on polling day.

Identification of Voter Who Is National of Another Member State of European Union

Article 425. The voter who is a national of another Member State of the European Union shall establish the identity thereof by producing an identity card or a passport and a residence certificate.

Entry of Particulars of Voter Who Is National of Another Member State of European Union on Electoral Roll

Article 426. (1) A voter who is a national of another Member State of the European Union shall be admitted to voting after entry on the electoral roll of the Personal Number thereof, of the number of the identity card or passport thereof and of the number of the residence certificate and the date of registration stated therein.

(2) Should any discrepancy be detected in any of the names of a voter who is a national of another Member State of the European Union as they appear [on the roll] and in the identity card

or passport or, respectively, the residence certificate, if the residence address matches, the names of the voter as they appear in the identity card or passport or, respectively, in the residence certificate shall be recorded in the column designated "Notes" of the electoral roll.

(3) The residence certificate of a national of another Member State of the European Union shall be left with the chairperson or, respectively, with the member of the section election commission until the voter signs the electoral roll (the roll).

Conduct of Voting by Paper Ballots

Article 427. (1) After being admitted to vote, the voter shall receive a paper ballot for each type of election from a member of the section election commission who shall detach the said ballot from the book of ballots immediately before delivering the said ballot and shall stamp the said ballot with the seal of the commission. The voter shall proceed with the ballots so received to the booth in order to vote.

(2) Only one voter may be present in the booth.

(3) The voter shall vote for municipal councillors by performing the following steps:

1. the voter shall mark the square with the number of the candidate list of his or her choice with an "X" or a "V", which expresses unequivocally the vote thereof;

2. (amended, SG No. 35/2014, effective 22.04.2014) if he or she so wishes, the voter shall mark the circle with the number whereby the candidate of his or her choice is registered on the list of a party or coalition of his or her choice with an "X" or a "V", which shows unequivocally his or her preference for the respective candidate;

3. the voter shall fold the ballot in a manner which makes invisible the marked choice of a party, coalition or nomination committee or preference;

4. exiting the booth and handing the folded ballot to a member of the commission.

(4) The voter shall vote for mayor by performing the following steps:

1. marking the square with the number of the candidate list of his or her choice with an "X" or a "V", which expresses unequivocally the vote thereof;

2. folding the ballot in a manner which makes invisible the marked choice of a party, coalition or nomination committee;

3. exiting the booth and handing the folded ballot to a member of the commission.

(5) The member of the commission shall check whether the number on the ballot matches the number on the book of ballots and if the two numbers match shall restamp the ballot with the seal of the commission and shall detach the counterfoil showing the ballot number which the said member shall deposit in a separate box.

(6) If the two numbers mismatch, the ballot shall be pronounced invalid and this circumstance shall be noted on the ballot and in the column designated "Notes" on the electoral roll. The voter shall not be readmitted to voting.

(7) After the ballot is restamped, the voter shall deposit the said ballot in the ballot box, shall sign the electoral roll, shall be given the documents thereof back, including the certificate referred to in sentence two of Article 263 (1) or (2) herein and the residence certificate of a national of another Member State of the European Union, and shall leave the polling site.

(8) Writing any special symbols, such as letters, numbers or other signs, on the ballot shall render the vote invalid.

(9) Writing any special symbols, such as letters, numbers or other signs, on the book of ballots shall be prohibited.

Machine Voting

Article 428. In machine voting, the voter shall vote for municipal councillors and for mayors, marking unequivocally the vote thereof.

Section VIII
Vote Counting

Steps before Opening of Ballot Box

Article 429. (1) After the closing of the polls, the chairperson of the section election commission shall declare the voting completed.

(2) Any unused and miscompleted ballots shall be counted before the opening of the ballot box, shall be packed separately, shall be sealed with a paper tape, and shall be removed from the counting table. The counterfoils showing the ballot numbers and the control receipts of the machine voting shall be packed separately and shall be sealed with a paper tape. The paper tape shall be stamped with the seal of the commission and signed by the members of the commission.

Tallying Machine Voting

Article 430. (1) After the completion of the voting, the section election commission shall report the machine voting results in the voting section complying with the provisions of this Section according to a procedure established by the Central Election Commission under Item 29 of Article 57 (1) herein.

(2) Upon ascertainment of the machine voting results, the number of voters who voted by voting machine shall equal the number of votes confirmed in the machine voting.

Persons Entitled to Be Present in Polling Site

Article 431. Candidates, election agents and representatives of parties, coalitions and nomination committees according to Article 117 (6) and Article 124 (1) herein, observers (complying with the requirement of Article 114 (2) herein), one registered poll taker per registered sociological agency and members of the mass communication media may be present in the polling site upon the opening of the ballot boxes and upon the ascertainment of the voting results and shall be ensured direct visibility upon the counting of the votes.

Section Election Commission Tally Sheets

Article 432. (1) The section election commission shall ascertain the results of voting by paper ballots and the machine voting results and shall enter the said results in a tally sheet.

(2) The section election commission shall prepare the following tally sheets tallying the voting results:

1. on election of municipal councillors;
2. on election of municipality mayor;
3. on election of borough mayor;
4. on election of mayoralty mayor, if any such election is conducted.

(3) Each tally sheet of the constituency election commission shall be in three identical copies and shall be manufactured of three-ply carbonless copy paper. The tally sheet shall be protected by print security features determined by a decision of the Central Election Commission. The tally sheet shall state the names of the parties, coalitions and nomination committees in the form in which they were registered to contest the elections. The names shall be printed in the tally sheet according to the sequential number on the ballot of the relevant party, coalition and nomination committee.

(4) Each copy of the tally sheets referred to in Items 2, 3 and 4 of Paragraph (2) shall consist of one leaf with separate pages.

(5) Each copy of the tally sheet referred to in Item 1 of Paragraph (2) shall consist of two leaves with separate pages. (2) The general data about the voting in the voting section and the votes for the parties, coalitions and independent candidates shall be entered on the first leaf. The

preferences for each candidate of a party and coalition shall be entered on the second leaf.

(6) Before completing the tally sheets covered under Paragraph (2), a draft shall be prepared, whereof the form and content shall be identical with the said tally sheets.

Miscompleted Tally Sheet

Article 433. (1) If a mistake is made in completing one of the blank forms of the tally sheet, the section election commission shall cancel the miscompleted tally sheet by writing "Miscompleted" on it and the tally sheet shall be signed by all members of the section election commission. The section election commission shall return the miscompleted form of a tally sheet to the constituency or the municipal election commission when delivering the tally sheet showing the voting results, and the serial number of the miscompleted tally sheet shall be checked against the number of the tally sheet as entered in the memorandum of delivery and acceptance of the election stationery referred to in Article 215 (4) herein. In case both forms of the tally sheet are miscompleted, the cancelled tally sheets shall be returned to the constituency election commission or municipal election commission after checking the serial numbers of the said tally sheets against the numbers of the tally sheets as entered in the memorandum of delivery and acceptance of the election stationery referred to in Article 215 (4) herein.

(2) In the cases referred to in Paragraph (1), the section election commission shall receive a new tally sheet. This circumstance shall be described in a memorandum of delivery and acceptance, wherein the serial number of the new tally sheet shall be entered. The memorandum of delivery and acceptance shall be signed by all members of the section election commission.

(3) (New, SG No. 39/2016, effective 26.05.2016) If a mistake is made in completing the tally sheet referred to in Paragraph (2) with the data of the election results as ascertained, the said mistake shall be corrected by crossing out the mistaken entry and writing the correct data above the said entry. A marginal note reading "Correction" shall be made as near as possible to the correction in the tally sheet, and all members of the section election commission shall sign.

Entry of Data in Tally Sheet before Opening of Ballot Box

Article 434. (1) Before the opening of the ballot box, the following shall be entered in this order in the tally sheet:

1. the particulars of the voting section, including the names of the members of the commission and of the other persons present;

2. the time of opening of the polls and of the completion of voting;

3. (supplemented, SG No. 39/2016, effective 26.05.2016) the number of voters according to Parts I and II of the electoral roll;

4. the number of voters entered on the supplementary page of the electoral roll;

5. (repealed, SG No. 39/2016, effective 26.05.2016);

6. the number of voters who have voted according to the signatures affixed to the electoral roll;

7. the number of voters who voted by voting machine according to the notices in the column designated "Notes" of the electoral roll;

8. the number of invalid ballots under Article 227 herein;

9. the number of invalid ballots under Article 228 herein;

10. the number of invalid ballots referred to in Article 427 (6) herein;

11. the number of miscompleted ballots;

12. the number of unused ballots;

13. the number of ballots received according to the procedure established by Article 215 herein;

14. the number of ballots cancelled by the section election commission;

15. (repealed, SG No. 39/2016, effective 26.05.2016).

(2) (Amended, SG No. 39/2016, effective 26.05.2016) The data referred to in Items 3 to 14 of Paragraph (1) shall be entered in the tally sheet in words and figures.

Removal of Objects Before Opening of Ballot Box

Article 435. (1) Before opening of the ballot box, all objects with the exception of the drafts shall be removed from the table.

(2) Only one member, by a decision of the commission, shall have access to the ballots under the observation and control of the rest of the members.

Opening of Ballot Box

Article 436. (1) The ballot box shall be opened, the ballots shall be extracted one by one, shall be placed with the face side down, and shall be counted.

(2) Where a spare ballot box has been used in the balloting, the said ballot box shall be opened together with the first ballot box.

(3) The ballots from the mobile ballot box shall be extracted on the table on the premise referred to in Article 8 (3) herein, and the counting of the votes, including the drawing up of the tally sheet, shall follow the procedure established by this Section.

Valid and Invalid Vote

Article 437. (1) Upon ascertainment of the voting results, one ballot shall correspond to one vote, which may be either valid or invalid.

(2) A vote shall be valid where:

1. the ballot conforms to the established standard design for the respective constituency;

2. any special symbols, such as letters, numbers or other signs, are not written on the ballot;

3. the ballot contains two impressions of the seal of the competent section election commission;

4. only one of the voting squares for a party, coalition or independent committee is marked with an "X" or a "V", placed by means of a ballpoint pen writing in blue ink, for one candidate list, which expresses unequivocally the vote of the voter; the vote shall be valid for the candidate list even if no preference is marked for a candidate on the list of the party or coalition for which the vote is cast;

5. only one of the voting squares for a party or coalition on the ballot for municipal councillors is marked with an "X" or a "V", placed by means of a ballpoint pen writing in blue ink, even though more than one preference is marked with an "X" or a "V", placed by means of a ballpoint pen writing in blue ink: it shall be assumed that the ballot does not contain any preference and the vote shall be treated as cast only for the chosen candidate list;

6. only one of the voting squares for a party or coalition on the ballot of municipal councillors is marked with an "X" or a "V", placed by means of a ballpoint pen writing in blue ink, for one candidate list, and only one preference is marked with an "X" or a "V", placed by means of a ballpoint pen writing in blue ink;

7. the "X" or "V" placed by the voter by means of a ballpoint pen writing in blue ink leaves the square of the relevant candidate list but does not run into the square of another list;

8. there are deviations in the ballot due to defects and manufacturing errors, or where the ballot is mechanically damaged or stained;

9. (new, SG No. 39/2016, effective 26.05.2016) the "None Of The Above" square in the ballot is marked with an "X" or a "V", placed by means of a ballpoint pen writing in blue ink.

(3) A vote shall be invalid where:

1. the ballot does not conform to the established standard design for the respective constituency;

2. any special symbols, such as letters, numbers or other signs, are written on the ballot;

3. the ballot does not contain two impressions of the seal of the competent section election commission;

4. the vote of the voter is not marked on the ballot with an "X" or a "V" and by means of a ballpoint pen writing in blue ink;

5. the vote of the voter is not marked on the ballot;

6. a vote is marked on the ballot with an "X" or a "V" or with another sign, placed by means of a ballpoint pen writing in blue ink, for two or more candidate lists, or an "X" or a "V" is placed which runs into more than one voting square and it is impossible to determine unequivocally the choice of the voter;

7. preferences are marked on the ballot for municipal councillors with a sign other than an "X" or a "V" and by means of a ballpoint pen not writing in blue ink.

(4) (Amended, SG No. 35/2014, effective 22.04.2014) The voter shall be entitled to one preference for a candidate for municipal councillor on the candidate list of a party or coalition of his or her choice. The preference shall count only where marked with an "X" or a "V" placed by means of a ballpoint pen writing in blue ink, as well as where the "X" or the "V" in the circle with the number whereby the candidate has been registered leaves the contour of the said circle without running into the other circles.

(5) Where the voter has not marked a preference for a candidate on the candidate list of his or her choice, a preference for the candidate ranked first on the list shall count.

(6) The number of voters who voted by paper ballots shall equal the number of ballots found in the ballot boxes.

Segregation of Ballots

Article 438. (1) After the ballot box is opened and the ballots are extracted, the ballots for each type of election shall be segregated in piles as follows:

1. a pile of ballots which do not conform to the established standard design for the respective constituency;

2. a pile of ballots with special symbols, such as letters, numbers or other signs, written thereon; written therein, and, upon elections of municipal councillors, ballots with preferences marked with a sign other than an "X" or a "V", and placed by means of a ballpoint pen not writing in blue ink;

3. a pile of ballots conforming to the established standard design whereon the vote of the voter is not marked by an "X" or a "V" and by means of a ballpoint pen writing in blue ink;

4. a pile of ballots conforming to the established standard design whereon the vote of the voter is not marked;

5. a pile of ballots conforming to the established standard design:

(a) whereon a vote is marked with an "X" or a "V" or with another sign, placed by means of a ballpoint pen writing in blue ink or in another colour, for two or more candidate lists, or with an "X" or a "V" placed which runs into more than one voting square and it is impossible to determine unequivocally the choice of the voter;

(b) with preferences marked for a candidate for municipal councillor with a sign other than an "X" or a "V", and placed by means of a ballpoint pen not writing in blue ink.

(c) whereon the vote of the voter is not marked with an "X" or a "V" and by means of a ballpoint pen writing in blue ink, or

(d) which do not contain two impressions of the seal of the competent section election commission; any such ballots shall be cancelled by means of an inscription "Cancelled" on each ballot;

6. a pile of ballots conforming to the established standard design:

(a) whereon a vote is marked with an "X" or a "V", placed by means of a ballpoint pen writing in blue ink, for one candidate list for municipal councillors without preference or with one or more than one preference;

(b) whereon a vote is marked with an "X" or a "V" and placed by means of a ballpoint pen writing in blue ink, for one candidate list for mayor;

(c) which contain two impressions of the seal of the competent section election commission;

7. (new, SG No. 39/2016, effective 26.05.2016) a pile of ballots conforming to the established standard design:

(a) whereon a vote is marked with an "X" or a "V" or with another sign, placed by means of a ballpoint pen writing in blue ink, in the "None Of The Above" square;

(b) which contain two impressions of the seal of the competent section election commission.

(2) The ballots shall be examined one by one in order to count the preferences, including under Article 437 (5) herein, for the candidates for municipal councillor of the parties and coalitions.

(3) Where the validity or invalidity of any vote is disputed, after a decision of the commission the case shall be described in a memorandum. The said memorandum shall be attached to the tally sheet of the section election commission, and the number of the decision, the grounds for invalidity shall be noted on the reverse side of the ballot, and the chairperson and the secretary shall sign.

Total Number of Valid and Invalid Votes

Article 439. (1) The section election commission shall count the votes for each type of election and the preferences for the candidates for municipal councillor of the parties and coalitions, cast in the section by paper ballot.

(2) The number of invalid votes for municipal councillors shall equal the sum total of the number of ballots referred to in Items 1 to 5 of Article 438 (1) herein.

(3) The number of invalid votes for mayor shall equal the sum total of the number of ballots referred to in Items 1 to 4 and Item 5 (a), (c) and (d) of Article 438 (1) herein.

(4) (Supplemented, SG No. 39/2016, effective 26.05.2016) The number of invalid votes for municipal councillors shall equal the sum total of the number of ballots referred to in Item 6 (a) and (c) and Item 7 of Article 438 (1) herein.

(5) (Supplemented, SG No. 39/2016, effective 26.05.2016) The number of valid votes for a mayor shall equal the number of ballots referred to in Item 6 (b) and (c) and Item 7 of Article 438 (1) herein.

(6) (Amended, SG No. 35/2014, effective 22.04.2014) The number of preferences for a candidate of a party or coalition shall equal the total number of the markings with an "X" or a "V" placed by a ballpoint pen writing in blue ink in the circle with the number whereby the candidate has been registered on the candidate list, including under Article 437 (5) herein.

Entry of Data in Tally Sheet

Article 440. (1) After the opening of the ballot box and the counting of the votes, the following shall be entered in this order on the first leaf of the tally sheet on each type of election of the section election commission:

1. the number of ballots found in the ballot boxes;

2. the number of invalid votes, disaggregated by candidate list;

3. (supplemented, SG No. 39/2016, effective 26.05.2016) the number of valid votes for all candidate lists;

3a. (new, SG No. 39/2016, effective 26.05.2016) the number of valid votes referred to in Item 7 of Article 438 (1) herein;

4. the number of votes cast for each candidate list;

5. the number of applications, objections and complaints lodged and the decisions adopted thereon.

(2) The total number of preferences for each candidate for municipal councillor of a party and coalition shall be entered on the second sheet of the tally sheet on election of municipal councillors.

(3) The machine voting data shall be added separately to the data of the tally sheet of the section election commission referred to in Paragraphs (1) and (2).

(4) The data on the voting by paper ballots and the machine voting data shall be summed, with the combined number of the voters who voted by paper ballots and of the voters who voted by voting machine equalling the combined number of ballots found in the ballot boxes and the number of votes confirmed in the machine voting.

(5) The data referred to in Paragraph (1) shall be entered in the tally sheet in words and figures.

Signing of Tally Sheet. Correction

Article 441. (1) After being drawn up, the tally sheet of the section election commission for each type of election shall be signed by all members of the commission. After the signing, the chairperson shall declare the voting results for each type of election disaggregated by party, coalition and independent candidate, as well as the number of preferences for each candidate for municipal councillor of a party or coalition.

(2) After the signing of the tally sheet, corrections therein may be made prior to the declaration of the voting results. Any such correction shall be signed by all members of the commission, with a marginal note reading "Correction". Any apparent error of fact may be corrected even after the declaration of the result.

(3) No member of the commission may refuse to sign the tally sheet on the respective type of election. A member who disagrees with what the tally sheet records shall sign the said tally sheet with a dissenting opinion, specifying the nature of the dissenting opinion. The reasons shall be set forth in writing on a separate leaf and shall be attached as an integral part of the tally sheet.

(4) Where a member of the commission is prevented from signing the tally sheet for compelling reasons, this fact shall be noted, also specifying the reasons.

(5) Non-signing of the tally sheet by a member of the commission shall not render the said tally sheet invalid.

(6) The section election commission shall display a copy of the signed tally sheet on each type of election, stamped on each page with the seal of the commission and signed by the chairperson, the deputy chairperson and the secretary, in a conspicuous place in front of the building where the said commission is housed.

Receiving Copy of Tally Sheet

Article 442. Upon request, the members of the municipal election commission, the candidates, the election agents, the representatives of the parties, coalitions and nomination committees and the observers shall receive a copy of the signed tally sheets for each type of election, stamped on each page with the seal of the commission and signed by the chairperson, the deputy chairperson and the secretary, before delivery of the said tally sheet to the Central Election Commission. The signed tally sheet shall be copied in the voting section. The names and the Standard Public Registry Personal Number of the person who has received the copies shall be entered by the section election commission in the list of persons who have received a copy of the

signed tally sheet, whereupon the person shall sign. The list shall furthermore be signed by the chairperson and the secretary.

Packing and Sealing of Election Stationery and Materials

Article 443. After the counting of the votes, the election stationery and materials shall be packed and sealed with a paper tape. The paper tape shall be stamped with the seal of the commission and signed by the members of the commission.

Delivery of Tally Sheet of Section Election Commissions and Recording Technical Device to Municipal Election Commission

Article 444. (1) The chairperson or the deputy chairperson, the secretary and a member of the section election commission, nominated by different parties and coalitions, shall deliver to the municipal election commission the copies of the tally sheet on each type of election destined for the municipal election commission and for the Central Election Commission, the machine-voting recording technical device and the machine print-out showing the machine voting data. The second blank form of the tally sheet of the section election commission, received according to the procedure established by Item 7 of Article 215 (1) herein, shall be delivered as well, with the serial number of the said blank form being checked against the number of the tally sheet as entered in the memorandum of delivery and acceptance of the election stationery and materials.

(2) The tally sheets of the section election commission on each type of election shall be delivered at the municipal election commission with unseparated plies.

Section IX
Determining of Election Results by Municipal Election Commission

Acceptance and Check of Tally Sheets of Section Election Commission and Rest of Papers and Materials

Article 445. (1) The municipal election commission shall accept and check the tally sheets on each type of election of the section election commissions.

(2) Upon acceptance of the tally sheets of the section election commission, the constituency election commission shall check the serial numbers of the said tally sheets against the numbers as entered in the memorandum of delivery and acceptance of the election stationery and materials referred to in Article 215 (4) herein or in the memorandum referred to in Article 433 (2) herein.

(3) Where the municipal election commission detects any mismatch between the serial numbers of the tally sheet on the respective type of election as received and as delivered by the section election commission or any material discrepancy in the data entered in the tally sheet which cannot be eliminated by the section election commission, the section election commission together with the municipal election commission shall recount the votes after acceptance of the tally sheets of all section election commissions.

(4) The members of the section election commission referred to in Article 444 (1) herein shall trace the accuracy of entry of the data from the tally sheets at the computation centre of the municipal election commission.

(5) Where the municipal election commission detects any apparent errors of fact in the tally sheets, the said errors shall be noted therein and shall be signed by the members of the section election commission referred to in Article 444 (1) herein.

(6) Upon acceptance of the tally sheets, the municipal election commission shall issue a signed receipt which shall contain the numerical data from the tally sheets. Upon return to the

area of the voting section, the members of the section election commission referred to in Article 444 (1) herein shall display the said receipt next to the copy of the respective tally sheet referred to in Article 441 (6) herein.

(7) After acceptance of the tally sheets by the municipal election commission, the ballots, the book of ballots with the counterfoils showing the numbers, the copy of the tally sheets destined for the municipal administration and the rest of the papers and materials shall be delivered by the members of the section election commission referred to in Article 444 (1) herein at the municipal administration to a commission whereof the complement shall be determined according to the procedure established by Article 35 herein. Domestic public officials of the municipal administration shall be included in the complement of the said commission.

(8) The ballots, the copies of the tally sheets destined for the municipal administration and the rest of the papers and materials shall be safe-kept until the next elections. The premises whereon the said stationery and materials are safe-kept shall be designated by the municipality mayor and shall be sealed with paper tapes stamped by a seal with a unique sign placed thereon and signed by the members of the commission. The standard design of the said seal, the safekeeping of the ballots, the copies of the tally sheets destined for the municipal administration and the rest of the stationery and materials and the access to the premises shall be determined by decision of the Central Election Commission.

Data Transfer from Recording Technical Device

Article 446. (1) The members of the section election commission referred to in Article 444 (1) herein shall trace the transfer of the data from the machine-voting recording technical device at the computation centre of the municipal election commission.

(2) The data from the recording technical device shall be checked against the machine voting data in the tally sheets of the section election commission.

Tallying Voting Results in Constituency

Article 447. (1) On the basis of the data from the tally sheets of the section election commissions, the municipal election commission shall tally the results of the voting in the constituency and shall draw up a tally sheet.

Determining Elected Independent Candidates

Article 448. (1) The constituency election commission shall determine the elected independent candidates in the constituency using a constituency electoral quota on the basis of the valid votes cast there.

(2) An independent candidate shall be considered elected if he or she has gained the municipal electoral quota of the votes in the constituency. The votes for the independent candidates shall be excluded from the subsequent allocation of seats.

Municipal Election Commission Tally Sheets

Article 449. (1) The voting data shall be recorded in tally sheets of the municipal election commission:

1. on election of municipal councillors;

2. on election of municipality mayor;

3. on election of borough mayor;

4. on election of mayoralty mayor; if there are more than one mayoralty, a separate tally sheet shall be drawn up on the election in each mayoralty.

(2) The tally sheets of the municipal election commission shall be in two identical copies and shall be manufactured of three-ply carbonless copy paper. The tally sheets shall be protected by print security features determined by a decision of the Central Election Commission. (4) Before completing the tally sheets, drafts shall be prepared, whereof the form and content shall be

identical with the tally sheets.

(3) Each copy of the tally sheets referred to in Items 2, 3 and 4 of Paragraph (1) shall consist of one leaf, and each copy of the tally sheet referred to in Item 1 of Paragraph (1) shall consist of two leaves with separate pages. The first copy shall be delivered at the Central Election Commission. The second copy together with the election stationery shall be delivered at the municipality and shall be safe-kept until the next general elections.

(4) The tally sheets of the municipal election commission shall state the names of the parties, coalitions and nomination committees in the form in which they were registered to contest the elections. The names shall be printed in the tally sheets according to the sequential number on the ballot paper.

Entry of Data in Tally Sheets

Article 450. (1) The following data shall be entered in this order in the tally sheets of the municipal election commission:

1. the number of section election commissions in the municipality;
2. the number of section election commissions which have presented tally sheets on voting;
3. the number of voters according to Parts I and II of the electoral roll;
4. the number of voters entered on the supplementary page of the electoral roll;
5. the registered candidate lists for municipal councillors and, respectively, for mayors;
6. the number of voters who have voted according to the signatures affixed to Parts I and II of the electoral roll;
7. the ballots found in the ballot boxes;
8. the total number of valid ballots cast in the election of mayor;
9. the valid ballots cast for each candidate for mayor;
10. the valid ballots cast for the respective candidate list for municipal councillors;
11. the invalid ballots;
12. the number of invalid ballots under Article 227 herein;
13. the number of invalid ballots under Article 228 herein;
14. the number of invalid ballots under Article 427 (6) herein;
15. the number of miscompleted ballots;
16. the number of certificates referred to in Article 40 herein;
17. the applications, objections and complaints lodged and the decisions adopted thereon;
18. the machine voting data as entered in the tally sheets of the section election commissions.

(2) The total number of preferences for each candidate for municipal councillor of a party and coalition shall be entered on the second sheet of the tally sheet on election of municipal councillors.

(3) The data on the voting by paper ballots and the machine voting data shall be summed, with the combined number of the voters who voted by paper ballots and of the voters who voted by voting machine equalling the combined number of ballots found in the ballot boxes and the number of votes confirmed in the machine voting.

(4) The data shall be entered in the tally sheets in words and figures.

Signing of Tally Sheets

Article 451. (1) The tally sheets of the municipal election commission shall be signed by all members of the commission.

(2) No member of the commission may refuse to sign the tally sheets of the municipal election commission. A member who disagrees with what a tally sheet records shall sign the said tally sheet with a dissenting opinion, specifying the nature of the dissenting opinion. The reasons

shall be set forth in writing on a separate leaf and shall be attached as an integral part of the tally sheet.

(3) Where a member of the commission is prevented from signing the tally sheet for compelling reasons, this fact shall be noted, also specifying the reasons.

(4) Non-signing of a tally sheet by a member of the commission shall not render the said tally sheet invalid.

(5) Upon detection of an apparent error of fact, a correction may be made in the tally sheet. Any such correction shall be signed by all members of the commission, with a marginal note reading "Correction".

Determining of Voting Results for Mayor

Article 452. (1) The results of the voting for mayors shall be determined using a methodology described in Annex 4 hereto.

(2) The municipal election commission shall declare the results of the voting for mayors disaggregated by party, coalition and independent candidate and shall issue certificates to the elected mayors.

(3) (Supplemented, SG No. 39/2016, effective 26.05.2016, amended, SG No. 85/2016, effective 28.10.2016) The candidate who has gained more than one-half of the valid votes shall be elected mayor.

(4) Should none of the candidates for mayor be elected in the first round, a second round of the elections shall be conducted on a non-working day not later than seven days after the date of conduct of the first round.

(5) If more than two candidates have been registered in the constituency and none is elected, the second round of the election shall be limited to the first two candidates who have gained the most valid votes. If three or more candidates have gained the most but an equal number of votes, they shall all be admitted to contest the second round. If one candidate has gained the most votes and two or more candidates have gained the next largest equal number of votes, they shall all be admitted to contest the second round.

(6) In the second round of the elections, a candidate who has gained the most valid votes shall be considered elected. If the number of votes gained is equal, there shall be no elected mayor and the President of the Republic, acting on a proposal by the Central Election Commission, shall schedule a new election of mayor.

(7) Where two candidates have been admitted to contest a second round and one of the said candidates dies between the two rounds, a new election shall be conducted.

(8) Where two candidates have been admitted to contest a second round and one of the said candidates withdraws within 24 hours after the declaration of the results of the first round, the second round shall be contested by the candidate who has gained the next largest number of valid votes.

Determining of Voting Results for Municipal Councillor

Article 453. (1) The results of the voting for municipal councillors shall be determined using a methodology described in Annex 5 hereto.

(2) The results of the voting for municipal councillors in the elections according to the proportional representation system shall be determined according to the Hare-Niemeyer Method.

(3) (Amended, SG No. 39/2016, effective 26.05.2016) The right to share in the allocation of seats shall be limited to the parties and coalitions which have gained votes that are not less than the municipal electoral quota.

(4) The number of seats which are allocated to the parties and coalitions referred to in Paragraph (3) shall equal the number of the members of the Municipal Council less the number

of the elected independent candidates.

(5) The municipal election commission shall declare the results of the voting for municipal councillors disaggregated by party, coalition and independent candidate, as well as the number of preferences for each candidate for municipal councillor of a party or coalition, and shall issue certificates to the elected municipal councillors.

Determining Elected Candidates for Municipal Councillor according to Valid Preferences Received and Ranking on List

Article 454. (1) The candidates for municipal councillor who are elected from each candidate list of a party or coalition shall be determined according to the number of valid preferences received under Article 437 (4) and (5) herein and the ranking of the said candidates on the list using a methodology described in Annex 5 hereto.

(2) (Amended, SG No. 39/2016, effective 26.05.2016) The preferences for the individual candidates shall be valid if the number of votes gained by the candidate is not less than 7 per cent of the votes cast for the candidate list.

(3) The candidates referred to in Paragraph (2) shall be ranked according to the number of preferences received, starting from the candidate who has received the largest number of valid preferences. These candidates shall be excluded from the candidate list of the respective party or coalition and shall comprise List A. The rest of the candidates on the candidate list shall retain the initial ranking thereof on the list and shall comprise List B.

(4) Where there are two or more candidates with an equal number of preferences on List A, the rank thereof on the list shall be determined by the municipal election commission by lots drawn in the presence of the candidates concerned and representatives of the party or coalition.

(5) Where there are no candidates with valid preferences, the elected candidates shall be determined according to the rank assigned thereto on the candidate list.

(6) Where the number of candidates with valid preferences is lesser than the number of the seats allocated to the party or coalition, all candidates on List A shall be elected. The rest of the seats allocated to the party or coalition shall be filled by candidates on List B in the order of ranking thereof.

(7) Where the number of candidates with valid preferences is greater than the number of the seats allocated to the party or coalition, the first candidates on List A shall be elected in the order of ranking thereof until all seats are filled.

(8) Where the number of candidates with valid preferences equals the number of the seats allocated to the party or coalition, all candidates on List A shall be elected.

Receiving Copy of Tally Sheets

Article 455. (1) The municipal election commission shall display a copy of the signed tally sheets referred to in Article 449 (1) herein, stamped on each page with the seal of the commission and signed by the chairperson, the deputy chairperson and the secretary, in a conspicuous place in front of the building where the said commission is housed.

(2) Upon request, the members of the municipal election commission, the candidates, the election agents, the representatives of the parties, coalitions and nomination committees and the observers shall receive a copy of the signed tally sheets referred to in Article 449 (1) herein, stamped on each page with the seal of the commission and signed by the chairperson, the deputy chairperson and the secretary, before delivery of the said tally sheet to the Central Election Commission. The signed tally sheet shall be copied at the municipal election commission. The names and the Standard Public Registry Personal Number of the person who has received the copies shall be entered by the municipal election commission into the list of persons who have received a copy of the signed tally sheet for the respective type of election, completed in a

standard form endorsed by the Central Election Commission, whereupon the person shall sign. The list shall furthermore be signed by the chairperson and the secretary.

Building Database

Article 456. The municipal election commission shall build a database by means of computer processing of the tally sheets of the section election commissions in the constituency.

Delivery of Tally Sheets, Recording Technical Devices and Rest of Stationery to Central Election Commission

Article 457. (1) The chairperson or the deputy chairperson, the secretary and a member of the section election commission, nominated by different parties and coalitions, shall deliver to the Central Election Commission the copies of the tally sheets of the municipal election commission, the copies of the tally sheets of the section election commissions destined for the Central Election Commission, copies of the receipts referred to in Article 445 (6) herein and the machine-voting recording technical devices not later than 48 hours after receipt of the last tally sheet of a section election commission in the constituency. The tally sheets of the municipal election commissions shall be delivered to the Central Election Commission with unseparated plies.

(2) The municipal election commission shall also deliver to the Central Election Commission:

1. a copy of the computer print-out of the data on the tally sheets and the decision of the municipal election commission on each type of election, a list of the tally sheets of the section election commission received with the codes of the receipts thereof and the computer proposal for a tally sheet and a decision of the municipal election commission on each type of election, provided by the computation centre;

2. two machine-readable data mediums storing the numerical data generated by the processing of the tally sheets of the section election commissions.

(3) After a check of the papers covered under Paragraphs (1) and (2), the Central Election Commission shall issue a receipt to the municipal election commission and a memorandum of delivery and acceptance shall be signed in two identical copies by the representatives of the Central Election Commission and the municipal election commission.

(4) The election stationery and materials of the municipal election commission, with the exception of those destined for the Central Election Commission, and the copies of the tally sheets of the section election commissions, destined for the municipal election commission, shall be delivered to the municipal administration within whose territory the said commission is located.

(5) The election stationery and materials shall be safe-kept by the municipal administrations until the next elections.

Section X
Steps upon Pre-term Termination of Credentials

Pronouncing Candidate Elected upon Pre-term Termination of Credentials. Vacant Seat

Article 458. (1) Where the credentials of a municipal councillor have been terminated prior to the expiry of the term of office thereof, the municipal election commission shall pronounce the candidate ranked next on the respective list [elected as municipal] councillor.

(2) Where the number of candidates is exhausted, the seat shall remain vacant until the end of the term of office.

(3) The provisions of Paragraph (1) and (2) shall furthermore apply in the cases where the credentials of the Municipal Council have been terminated prior to the expiry of the term of

office thereof when less than one year remains until the end of the term of office.

(4) Upon pre-term termination of the credentials of a municipal councillor elected as an independent candidate, the seat thereof shall remain vacant until the expiry of the credentials of the Municipal Council.

(5) Where there is a candidate who has received valid preferences under the terms established by Article 454 (2) herein but the said candidate has not been pronounced elected, in the cases referred to in Paragraph (1) the said candidate shall fill the seat of the municipal councillor whose credentials are terminated.

Section XI
Disputing Election Results

Disputing before Administrative Court

Article 459. (1) Each candidate for municipal councillor or mayor, the parties, coalitions and the person who represents the nomination committee, which have registered candidates for the respective type of election, may appeal the decision of the municipal election commission determining the election results before the competent administrative court within seven days after the said decision is made public.

(2) Any such appeal shall be lodged in duplicate care of municipal election commission. Any such appeal must be written in the Bulgarian language and must state the names and the address, telephone number, telefax number or electronic address.

(3) The municipal election commission shall transmit the appeal and the case file to the competent administrative court within three days after the receipt of the said appeal together with the decision which is disputed.

(4) The appeal shall not stay the enforcement of the decision, unless the court decrees otherwise.

(5) The court shall schedule a hearing of the case in public session within seven days after the arrival of the appeal.

(6) The time limits for summoning under the Administrative Procedure Code shall not apply.

(7) The court shall pronounce on the legal conformity of the decision of the municipal election commission within 14 days after the arrival of the appeal at the court.

(8) The judgment of the court referred to in Paragraph (7) may be disputed by a cassation appeal within seven days after the said judgment is made public.

(9) The Supreme Administrative Court shall pronounce on the appeal within 14 days after the arrival of the said appeal at the court.

(10) The court may leave standing the decision of the municipal election commission or may pronounce the election invalid. Where the court establishes a result diverging from the result recorded in the tally sheet of the municipal election commission by reason of a technical error or a computation error, the court shall revoke the decision and shall return the papers to the competent municipal election commission for declaration of the correct results.

(11) The proceeding before the competent administrative court and the Supreme Administrative Court shall be concluded within three months after the lodgement of the appeal.

Effect of Enforceable Judgments

Article 460. The enforceable judgments of the competent administrative court and of the Supreme Administrative Court shall be irreversible.

Competent Authority where Enforcement of Decision Is Stayed or Result Is Pronounced

Invalid

Article 461. Where the court has stayed the enforcement of the decision or has pronounced the election result invalid, the mayor whose term of credentials has expired, provided the said mayor was not registered as a candidate, and in the rest of the cases the acting mayor, shall continue to execute the functions thereof until the newly elected mayor takes the oath of office.

Consequences upon Invalidity

Article 462. (1) Where the court has pronounced the election result invalid in respect of a mayor, a new election shall be conducted.

(2) Where the court has pronounced the election result invalid in respect of a candidate for municipal councillor nominated by a party or coalition, the seat of the said candidate shall be filled by the candidate ranked next on the list. Where there are no more candidates on the list, the seat shall remain vacant until the end of the term of office.

(3) Where the court has pronounced the election result invalid in respect of an independent candidate for municipal councillor, the seat shall remain vacant until the end of the term of office.

Section XII
By-elections and New Elections

Grounds for Scheduling of By-elections

Article 463. (1) Upon pre-term termination of the credentials of a mayor, by-elections shall be scheduled. By-elections of mayoralty mayor shall be scheduled only in the nucleated settlements which satisfy the requirements of Item 1 of Article 16 of the Territorial Administration of the Republic of Bulgaria as at the date of termination of the credentials of the mayor.

(2) (Amended, SG No. 39/2016, effective 26.05.2016) Within seven days after the pre-term termination of the credentials of a mayor, the municipal election commission shall notify the Central Election Commission of this circumstance.

(3) The decision of the municipal election commission shall be transmitted to the Central Election Commission within three days after the adoption of the said decision together with the document establishing the grounds for the pre-term termination of the credentials of a mayor.

(4) Within seven days after the receipt of the decision of the municipal election commission, the Central Election Commission shall propose to the President of the Republic to schedule by-elections of mayor.

(5) Within 14 days after the proposal of the Central Election Commission, the President of the Republic shall schedule by-elections of mayor not later than 40 days in advance of polling day.

(6) In the cases referred to in Paragraph (1), when less than one year remains until the end of the term of office, by-elections shall not be scheduled.

Rules for Conduct of Elections

Article 464. Upon conduct of by-elections of mayor, the provisions of this Code shall apply with the following exceptions:

1. the registration of parties and coalitions to contest the general elections of municipal councillors and mayors, effected at the Central Election Commission, shall subsist; in order to contest the by-elections, the parties and coalitions shall submit an application to the Central Election Commission not later than 35 days in advance of polling day; a certificate issued by the Bulgarian National Audit Office, referred to in Item 6 of Article 133 (3) and Item 1 (d) of Article 140 (3) herein and a certificate of current legal status of the parties issued by the Sofia City Court

under Item 1 of Article 133 (3) and Item 1 (a) of Article 140 (3) herein shall be attached to the application; where one or more parties leave the coalition, the said coalition shall retain the registration thereof if at least two parties remain therein; the parties which have left the coalition may contest the elections independently;

2. the parties and coalitions, which have replaced the persons empowered to represent them or which have registered any other amendments to the statute thereof or the decision on the formation of the coalition relevant to the elections, shall notify the Central Election Commission of these changes and shall present the documents provided for in Items 1, 2, 7, 8 and 9 of Article 133 (3) herein or in Items 1, 2, 3, 7 to 9 of Article 140 (3) herein within the time limit referred to in Item 1;

3. the parties and coalitions which are not registered to contest the general elections of municipal councillors and mayors shall register at the Central Election Commission not later than 35 days in advance of polling day; the documents covered under Article 133 (3) or Article 140 (3) herein shall be attached to the application;

4. the registration of the parties and coalitions referred to in Item 3 or Article 469 (4) herein to contest a by-election or a new election conducted after the general elections of municipal councillors and mayors shall subsist for each subsequent by-election or new election; the requirements of Items 1, 2 and Items 5 to 13 shall apply to the admission [of parties and coalitions] to contest each subsequent by-election;

5. the parties and coalitions which will contest the by-elections shall register at the municipal election commission not later than 30 days in advance of polling day;

6. the candidates shall register at the municipal election commission not later than 25 days in advance of polling day and shall be made public not later than 20 days in advance of polling day;

7. the voting sections shall be established not later than 35 days in advance of polling day;

8. the electoral rolls shall be made public not later than 20 days in advance of polling day;

9. the municipal election commission, acting on a proposal by the municipality mayor, made according to the procedure established by Articles 89 to 92 herein not later than 27 days in advance of polling day, shall appoint the section election commissions not later than 25 days in advance of polling day;

10. the election campaign shall be opened 20 days in advance of polling day;

11. the expenditures on the administrative and logistical preparation for and the resourcing of the by-elections, including with equipment and consumables, shall be for the account of the municipal budget;

12. the remunerations of the members of the municipal election commission and of the members of the section election commissions shall be fixed using the methodology referred to in Item 7 of Article 57 (1) herein;

13. the time limits provided for in this Code in connection with the preparation and conduct of the elections shall apply, mutatis mutandis, in respect of the time limits specified in Items 1 to 12.

Grounds for Conduct of New Elections

Article 465. New elections shall be conducted:

1. where, upon conduct of elections of mayor, a mayor is not elected in the second round;

2. in the cases referred to in Article 452 (7) herein;

3. upon creation of a new municipality;

4. upon creation of a new mayoralty;

5. where the election of municipal councillors or mayors is pronounced invalid;

6. where the effecting of changes in territorial administration results of a relevant type lead to a change in the municipalities or the mayoralties, under the terms established by the Territorial Administration of the Republic of Bulgaria Act;

7. (new, SG No. 39/2016, effective 26.05.2016) in the cases referred to in Article 27 (1) of the Local Self-Government and Local Administration Act.

Scheduling of New Elections

Article 466. (1) (Amended, SG No. 39/2016, effective 26.05.2016) Within 14 days after learning of the circumstances referred to in Items 1, 2, 4, 5, 6 and 7 of Article 465 herein, the Central Election Commission shall propose to the President of the Republic to schedule new elections.

(2) Within 14 days after the proposal referred to in Paragraph (1), the President of the Republic shall schedule new elections of municipal councillors or mayors.

Elections upon Creation of New Municipality or Mayoralty

Article 467. (1) Upon creation of a new municipality, the President of the Republic shall schedule new elections of municipal councillors and municipality mayor within 14 days after the promulgation in the State Gazette of the decree on the creation of the new municipality.

(2) The municipalities or mayoralties from the territories whereof new political units of the respective type are created shall continue to exist. No new elections of municipal councillors or mayors shall be conducted in the said municipalities or mayoralties until the end of the current term of office.

(3) Upon the creation of a new municipality or mayoralty, the right to elect shall vest in the Bulgarian nationals and the nationals of another Member State of the European Union who satisfy the conditions referred to in Article 396 (1) or (2) herein and have a permanent-address or present-address (residence-address) registration within the territory incorporated into the newly created municipality or mayoralty at a date six months in advance of polling day.

(4) Upon the creation of a new municipality or mayoralty, the right to be elected shall vest in the Bulgarian nationals and, upon elections of municipal councillors, the nationals of another Member State of the European Union, who satisfy the conditions referred to in Article 397 (1) or (2) herein and have a permanent-address or present-address (residence-address) registration within the territory incorporated into the newly created municipality or mayoralty at a date six months in advance of polling day.

Conduct of New Elections

Article 468. The new elections shall be conducted according to the standard procedure, observing the provisions of this Code.

Registration upon New Elections

Article 469. (1) The registration of parties and coalitions to contest the general elections of municipal councillors and mayors, effected at the Central Election Commission, shall subsist.

(2) In order to contest the new elections, the parties and coalitions shall submit an application to the Central Election Commission. A certificate issued by the Bulgarian National Audit Office, referred to in Item 6 of Article 133 (3) herein, and a certificate of current legal status of the parties issued by the Sofia City Court, referred to in Item 1 of Article 133 (3) herein, shall be attached to the application.

(3) The parties or coalitions, which have replaced the persons empowered to represent them or which have effected any other amendments to the statute thereof or the decision on the formation of the coalition relevant to the elections, shall notify the Central Election Commission of these changes and shall present the documents provided for in Article 133 (3) or in Article 140 (3) herein.

(4) The parties and coalitions which are not registered to contest the general elections of municipal councillors and mayors shall register at the Central Election Commission within the time limits, under the terms and according to the procedure applicable to registration to contest the general elections.

(5) The registration of the parties and coalitions referred to in Paragraph (4) or in Item 3 of Article 464 herein to contest a by-election or a new election conducted after the general elections of municipal councillors and mayors shall subsist for each subsequent by-election or new election. The requirements of Paragraphs (1) to (3) and (6) shall apply to the admission [of parties and coalitions] to contest each subsequent new election.

(6) The parties and coalitions which will contest the new elections shall register at the competent municipal election commission.

PART THREE
ADMINISTRATIVE PENALTY PROVISIONS

Failure to Discharge Duty to Publish Terms and Procedure for Conduct of Elections Abroad

Article 470. Any domestic public official, who fails to discharge a duty referred to in Article 20 herein, shall be liable to a fine of BGN 1,000 or exceeding this amount but not exceeding BGN 5,000.

Failure to Discharge Duty to Publish Rolls of Persons Who Have Declared That They Will Vote Abroad and Electoral Rolls

Article 471. (1) Any domestic public official, who fails to discharge a duty referred to in Article 32 herein, shall be liable to a fine of BGN 1,000 or exceeding this amount but not exceeding BGN 5,000.

(2) Any domestic public official, who fails to discharge a duty referred to in Article 42 (2) herein, shall be liable to a fine of BGN 1,000 or exceeding this amount but not exceeding BGN 5,000.

Breach of Requirement to Remove Campaign Material

Article 472. (1) Upon failure to discharge the duty referred to in Article 186 (3) herein, the person who represents the party or the nomination committee, or the persons who represent the coalition, shall be liable to a fine of BGN 1,000 or exceeding this amount but not exceeding BGN 5,000.

(2) The written statements ascertaining the violation referred to in Paragraph (1) shall be drawn up by domestic public officials empowered by the municipality mayor.

(3) The penalty decrees shall be issued by the municipality mayor.

Breach of Prohibition to Display Canvassing Material Outside Election Campaign

Article 473. (1) Any person, who or which breaches the prohibition referred to in Article 185 herein, shall be liable to a fine or a pecuniary penalty of BGN 1,000 or exceeding this amount but not exceeding BGN 3,000.

(2) Any repeated violation under Paragraph (1) shall be punishable by a fine or a pecuniary penalty of BGN 3,000 or exceeding this amount but not exceeding BGN 10,000.

(3) The written statements ascertaining the violation referred to in Paragraph (1) shall be drawn up by domestic public officials empowered by the regional governor or by the municipality mayor.

(4) The penalty decrees shall be issued by the regional governor or by the municipality mayor.

Breach of Duty to Identify Paid Content

(Heading amended, SG No. 39/2016, effective 26.05.2016)

Article 474. (1) (Amended, SG No. 39/2016, effective 26.05.2016) Any person, who breaches the prohibition referred to in Article 179 herein, shall be liable to a fine of BGN 1,000 or exceeding this amount but not exceeding BGN 3,000.

(2) Any repeated violation under Paragraph (1) shall be punishable by a fine of BGN 3,000 or exceeding this amount but not exceeding BGN 10,000.

Violation upon Public Opinion Polls and Sociological Surveys

Article 475. (1) Any person, who or which violates the provisions of Article 204 (3) or Article 205 herein, shall be liable to a fine or a pecuniary penalty of BGN 2,000 or exceeding this amount but not exceeding BGN 5,000.

(2) Any repeated violation under Paragraph (1) shall be punishable by a fine or a pecuniary penalty of BGN 5,000 or exceeding this amount but not exceeding BGN 10,000.

Exceeding Aggregate Amount of Financing, Breach of Prohibitions Related to Financing and of Requirement to Effect Financing by Bank Transfer

Article 476. Where the aggregate amount of the financing referred to in Article 165 herein is exceeded, where the prohibitions referred to in Article 168 herein are breached, as well as where the requirement referred to in Article 170 (1) herein is breached, the person or persons referred to in Article 164 herein shall be liable to a fine of BGN 3,000 or exceeding this amount but not exceeding BGN 15,000.

Breach of Requirements for Election Campaign Financing and Facilitation

Article 477. Upon receipt of any contribution from a natural person in excess of the permissible amount referred to in Article 167 (1) or (2) herein, or upon receipt of any things or services in violation of Article 167 (3) or (4) herein, the person or persons referred to in Article 164 herein shall be liable to a fine of BGN 2,000 or exceeding this amount but not exceeding BGN 10,000.

Breach of Duty to Declare

Article 477a. (New, SG No. 39/2016, effective 26.05.2016) (1) Any person, who fails to discharge a duty under Article 169 herein, shall be liable to a fine of BGN 1,000 or exceeding this amount but not exceeding BGN 3,000.

(2) Any repeated violation under Paragraph (1) shall be punishable by a fine of BGN 3,000 or exceeding this amount but not exceeding BGN 10,000.

Breach of Requirements to Submit Information to Single Public Register

Article 478. Upon failure to submit information under Article 171 (2) and (4) herein to the single public register, the person who represents the party or the nomination committee, or the persons who represent the coalition, shall be liable to a fine of BGN 3,000 or exceeding this amount but not exceeding BGN 10,000.

Breach of Requirement to Present Report on Financial Resources Raised and Spent and Payment Obligations Assumed in Connection with Election Campaign

Article 479. Upon failure to present a report referred to in Article 172 (1) and (3) herein, the person who represents the party or the nomination committee, or the persons who represent the coalition, shall be liable to a fine of BGN 2,000 or exceeding this amount but not exceeding BGN 10,000.

Breach of Prohibitions of Canvassing

Article 480. (1) Any person, who breaches the prohibitions referred to in Article 182 (1) to (3) herein, shall be liable to a fine of BGN 300 or exceeding this amount but not exceeding BGN 1,000.

(2) (Supplemented, SG No. 39/2016, effective 26.05.2016) Any person, who canvasses in violation of Article 182 (4) and (5) of Article 183 (2) herein or who breaches any prohibition under Article 183 (4) herein, shall be liable to a fine of BGN 2,000 or exceeding this amount but not exceeding BGN 5,000.

(3) Any repeated violation under Paragraph (1) shall be punishable by a fine of BGN 1,000 or exceeding this amount but not exceeding BGN 3,000.

(4) Any repeated violation under Paragraph (2) shall be punishable by a fine of BGN 5,000 or exceeding this amount but not exceeding BGN 15,000.

Breach of Prohibition to Remove Election Stationery and Materials

Article 481. (1) Any person, who removes ballot boxes, electoral rolls and ballots from the polling site after the section election commission has taken delivery of the said materials and stationery and until the counting of the votes and the preferences, shall be liable to a fine of BGN 2,000 or exceeding this amount but not exceeding BGN 5,000.

(2) Where the violation referred to in Paragraph (1) has been committed by a domestic public official, the fine shall be BGN 5,000 or exceeding this amount but not exceeding BGN 15,000.

Breach of Prohibition Concerning Attendant

Article 482. (1) Any person, who breaches the provision of Article 116 (2), Article 120 (3), Article 126 (3) or of Article 236 (6) herein, shall be liable to a fine of BGN 1,000.

(2) Any domestic public official, who tolerates one person to act as an attendant to more than two voters, shall be liable to a fine of BGN 1,000.

Acting as Election Agent on Cancelled Certificate

Article 483. Any person, who identifies himself or herself by a cancelled certificate, shall be liable to a fine of BGN 1,000.

Breach of Requirement to Make Public Information on Contracts Concluded by Media Service Providers

Article 484. (1) (Supplemented, SG No. 39/2016, effective 26.05.2016) Any media service provider, which fails to discharge a duty referred to in Article 180, Article 187 (1) or Article 198 (4) herein, shall be liable to a pecuniary penalty of BGN 2,000 or exceeding this amount but not exceeding BGN 5,000.

(2) Any repeated violation under Paragraph (1) shall be punishable by a pecuniary penalty of BGN 5,000 or exceeding this amount but not exceeding BGN 10,000.

Breach of Requirement to Publish Reply

Article 485. (1) Any person, which breaches the requirements of Article 188 herein, shall be liable to a pecuniary penalty of BGN 2,000 or exceeding this amount but not exceeding BGN 5,000.

(2) Any repeated violation under Paragraph (1) shall be punishable by a pecuniary penalty of BGN 5,000 or exceeding this amount but not exceeding BGN 10,000.

Abuse of Right by Attendant

Article 486. Any person, who has acted as an attendant to more than two voters, shall be liable to a fine of BGN 2,000.

Breach of Prohibition to Display Voting Choice and to Use Image Reproducing Devices

Article 487. Any person, who violates the provisions of Articles 227 or Article 228 herein, shall be liable to a fine of BGN 1,000.

Breach of Requirement to Wear Distinguishing Signs by Section Election Commission Members

Article 488. Any member of a section election commission, who breaches the requirement

of Article 231 herein, shall be liable to a fine of BGN 100.

Mismatch of Serial Numbers in Tally Sheets

Article 489. Any domestic public official, who delivers at the constituency election commission or the municipal election commission any tally sheet whereof the serial number mismatches the number as entered in the memorandum of delivery and acceptance of the election stationery referred to in Article 215 (4) herein or in the memorandum referred to in Article 274 (2) or Article 433 (2) herein, shall be liable to a fine of BGN 2,000.

Non-signing of Tally Sheet

Article 490. (1) Any member of a section election commission, who refuses to sign the tally sheet of the commission under Article 282 (3) or Article 441 (3) herein, shall be liable to a fine of BGN 1,000.

(2) Any member of a constituency election commission or a municipal election commission, who refuses to sign the tally sheet of the commission under Article 293 (2) or Article 451 (2) herein, shall be liable to a fine of BGN 2,000.

Refusal to Provide Copy

Article 491. (1) Any chairperson, deputy chairperson or secretary of a section election commission, who refuses to provide a copy of the signed tally sheet under Article 283 or Article 442 herein, or who refuses to sign any such copy, shall be liable to a fine of BGN 500 or exceeding this amount but not exceeding BGN 2,000.

(2) Any chairperson, deputy chairperson or secretary of a constituency election commission or, respectively, a municipal election commission, who refuses to provide a copy of the signed tally sheet (tally sheets) under Article 294 or Article 455 (2) herein, or who refuses to sign any such copy, shall be liable to a fine of BGN 800 or exceeding this amount but not exceeding BGN 3,000.

Failure to Discharge Duty to Publish Tally Sheets

Article 492. Any chairperson of a constituency election commission or a municipal election commission, who fails to publish the scanned tally sheets of the section election commissions, as well as the scanned tally sheets of the constituency election commission or the municipal election commission, on the Internet site of the commission, shall be liable to a fine of BGN 800 or exceeding this amount but not exceeding BGN 3,000.

Non-transmittal of Scanned Copy of Tally Sheet

Article 493. Any domestic public official referred to in Article 286 (1) herein, who fails to transmit a scanned copy of the tally sheet of the section election commission and of the roll for voting abroad, shall be liable to a fine of BGN 1,000.

Breach of Requirement to Detach Ballot from Book of Ballots Immediately before Delivering Ballot

Article 494. (1) Any member of a section election commission, who breaches the requirement of Article 265 (1), Article 328 (1) or Article 427 (1) herein, shall be liable to a fine of BGN 200.

(2) Any member of a section election commission, who breaches the requirement of Article 265 (4), Article 328 (4) or Article 427 (5) herein, shall be liable to a fine of BGN 200 or exceeding this amount but not exceeding BGN 2,000.

Other Violations

Article 495. (1) (Previous text of Article 495, SG No. 39/2016, effective 26.05.2016) Any person, who or which violates any provision of this Code in cases other than those covered under Articles 470 to 494 herein, shall be liable to a fine or to a pecuniary penalty, as the case may be, of BGN 200 or exceeding this amount but not exceeding BGN 2,000.

(2) (New, SG No. 39/2016, effective 26.05.2016) Any member of a constituency election commission, municipal election commission or section election commission, who violates any provision of this Code other than those covered under Articles 470 to 494 herein, shall be liable to a fine of BGN 20 or exceeding this amount but not exceeding BGN 200.

(3) (New, SG No. 39/2016, effective 26.05.2016) Any repeated violation under Paragraph (2) shall be punishable by a fine BGN 200 or exceeding this amount but not exceeding BGN 500.

Ascertainment of Violations and Imposition of Sanctions by Regional Governor

Article 496. (1) The written statements ascertaining the violations covered under Articles 470, 471, 474, 475, Articles 480 to 495 herein shall be drawn up by a decision of the competent election commission in accordance with the powers vested therein within three days after receipt of the complaint or alert about the violation. The competent election commission, acting in accordance with the powers vested therein, may alternatively draw up the written statements ascertaining the violations referred to in sentence one on its own initiative.

(2) The written statements ascertaining the violations referred to in Paragraph (1) shall be drawn up by the chairpersons of:

1. (supplemented, SG No. 39/2016, effective 26.05.2016) the Central Election Commission in respect of any violations covered under Article 495 and Article 480 herein: in the cases where the Commission exercises control according to this Code, under Articles 470, 471, 475, 484, 485, Article 490 (2), Article 491 (2), Article 492 and Article 493 herein;

2. the constituency election commissions or the municipal election commissions in respect of any violations covered under Article 495 and Article 480 herein: in the cases where the commissions exercise control according to this Code, Articles 474, 475, Articles 481 to 483, Articles 486 to 489, Article 490 (1), Article 491 (1) and Article 494 herein.

(3) The penalty decrees shall be issued by the regional governors exercising jurisdiction over the place of commission of the violation within three days after the receipt of the case file. If the written statement is against the regional governor, the penalty decree shall be issued by a minister designated by the Council of Ministers.

Ascertainment of Violations and Imposition of Sanctions by President of Bulgarian National Audit Office

Article 497. (1) The written statements ascertaining the violations referred to in Articles 476 to 479 herein shall be drawn up by domestic public officials empowered by the President of the Bulgarian National Audit Office.

(2) The penalty decrees shall be issued by the President of the Bulgarian National Audit Office.

Application of Administrative Violations and Sanctions Act

Article 498. The ascertainment of violations, the drawing up of the written statements, the issuing and appeal of the penalty decrees shall follow the procedure established by the Administrative Violations and Sanctions Act.

SUPPLEMENTARY PROVISIONS

§ 1. Within the meaning given by this Code:

1. A Bulgarian national who "has resided in Bulgaria during the last five years" shall be any such national who had actual residence and permanent abode within the territory of Bulgaria during more than half of the time of each of the five years preceding the date of the election. The stay outside the Republic of Bulgaria shall also qualify as residence in Bulgaria for the time during which a Bulgarian national was sent there by the Bulgarian State.

2. A person who "has resided in the Republic of Bulgaria or in another Member State of the European Union at least during the last three months" shall be:

(a) any Bulgarian national who had a permanent-address and a present-address registration within the territory of the Republic of Bulgaria or in another Member State of the European Union;

(b) any national of a Member State of the European Union who had a residence address within the territory of the Republic of Bulgaria of or another Member State of the European Union,

for at least 60 days during the last three months preceding the date of conduct of the elections.

The stay outside the Republic of Bulgaria shall also qualify as residence in Bulgaria for the time during which a Bulgarian national was sent there by the Bulgarian State.

3. A person who "has resided in the Republic of Bulgaria or in another Member State of the European Union at least during the last six months" shall be:

(a) any Bulgarian national who had a permanent-address and a present-address registration within the territory of the Republic of Bulgaria or in another Member State of the European Union;

(b) any national of a Member State of the European Union who had a residence address within the territory of the Republic of Bulgaria of or another Member State of the European Union, for at least six months preceding the date of conduct of the elections.

The stay outside the Republic of Bulgaria shall also qualify as residence in Bulgaria for the time during which a Bulgarian national was sent there by the Bulgarian State.

4. A person who "has resided in the respective nucleated settlement at least during the last six months", within the meaning given by Article 396 herein, shall be:

(a) any Bulgarian national who had a permanent-address and a present-address registration within the territory of the respective municipality or mayoralty;

(b) any Bulgarian national who had a permanent-address or a present-address registration in different municipalities or mayoralties within the territory of the Republic of Bulgaria;

(c) any national of a Member State of the European Union who had a residence address within the territory of respective municipality or mayoralty,

at a date preceding the date of conduct of the elections by six months, and the persons who have changed the address registration thereof after that date shall have the right to vote according to the previous address registration thereof, where the said persons are included in the electoral rolls.

5. A person who "has resided in the respective nucleated settlement at least during the last six months", within the meaning given by Article 397 herein, shall be:

(a) any Bulgarian national who had a permanent-address and a present-address registration within the territory of the respective municipality or mayoralty;

(b) any Bulgarian national who had a permanent-address and a present-address registration in different municipalities or mayoralties within the territory of the Republic of Bulgaria;

(c) any national of a Member State of the European Union who had a residence address within the territory of respective municipality or mayoralty,

at a date preceding the date of conduct of the elections by six months.

6. "Residence address" shall be the address whereat a person is registered upon the stay thereof in the Republic of Bulgaria of in another Member State of the European Union.

7. (Supplemented, SG No. 97/2016) "Durable and permanent residence status" shall be a status acquired under the terms and according to the procedure established by the European

Union Citizens, who are not Bulgarian citizens, and Members of Their Families Entry and Residence in and Departure from the Republic of Bulgaria Act.

8. "Identity document" shall be:

(a) identity card;

(b) internal (green) passport: applicable only to citizens who have not replaced the identity documents thereof under the terms established by § 9a of the Transitional and Final Provisions of the Bulgarian Personal Documents Act;

(c) passport (foreign travel) of a citizen present outside the Republic of Bulgaria on the day of the elections;

(d) seafarer's passport of a citizen present on board a navigation vessel flying the Bulgarian flag on the day of the elections;

(e) military card of a professional service person present outside the Republic of Bulgaria on the day of the elections.

9. (Amended, SG No. 39/2016, effective 26.05.2016) "Coalition" shall be a pre-election alliance of political parties, which is registered at the Central Election Commission, formed for the purpose of contesting a particular type of elections.

10. Parties and coalitions "represented in Parliament" shall be the parties and coalitions which contested the last elections of National Representatives and had a parliamentary group in the National Assembly as at the date of scheduling of the relevant type of election.

11. "Conspicuous place" shall be a place within the territory of the voting section, outside the premises of the municipal administration, which is accessible to the general public and is protected against atmospheric impact and trespasses for the purpose of the physical preservation thereof.

12. (Supplemented, SG No. 39/2016, effective 26.05.2016) "National electoral quota" shall be the quotient resulting from the division of the total number of valid votes at the national level, excluding those referred to in Item 6 of Article 279 (1) herein, by the number of the Members of the European Parliament for the Republic of Bulgaria. Where the quota is not an integer, the national electoral quota shall be the nearest integer greater than the said quotient.

13. (Supplemented, SG No. 39/2016, effective 26.05.2016) "Constituency electoral quota" shall be the quotient resulting from the division of the total number of valid votes, excluding those referred to in Item 6 of Article 279 (1) herein, cast in the multi-member constituency by the number of seats allocated to the said constituency. Where the quota is not an integer, the constituency electoral quota shall be the nearest integer greater than the said quotient.

14. (Supplemented, SG No. 39/2016, effective 26.05.2016) "Municipal electoral quota" shall be the quotient resulting from the division of the total number of valid votes, excluding those referred to in Item 7 of Article 438 (1) herein, cast for municipal councillors in the municipality by the number of members of the Municipal Council. Where the quota is not an integer, the municipal electoral quota shall be the nearest integer greater than the said quotient.

15. "Media service" shall be the creation and distribution of information and content which are intended for reception by, and which could have a clear impact on, a significant proportion of the general public, irrespective of the means and technology used for delivery of the said information and content. The following shall be media services:

(a) the print media: newspapers, magazines and other periodical publications;

(b) the media distributed over electronic communications networks, such as:

(aa) the public-service and commercial electronic media: licensed or registered public-service or commercial providers of audiovisual media services or radio services;

(bb) the online news-services: the online editions of newspapers, magazines, news agencies

and other electronic publications.

The social networks: Facebook, Twitter and other such, and the personal blogs shall not be media services.

16. "Media service provider" shall be a sole-trader natural person or a legal person who or which has editorial responsibility for the choice of the content of the media service and determines the manner in which the said service is organised. "Editorial responsibility" shall be the exercise of effective control over the content, the programme schedules and the catalogue of the services provided.

17. "Canvassing" shall be an appeal to support or not to support a candidate, party, coalition or nomination committee contesting elections. The name and the symbols of a party and coalition placed on objects which do not contain an appeal for support shall not be treated as canvassing within the meaning given by this Code.

18. (Supplemented, SG No. 39/2016, effective 26.05.2016) "Public administrative resources" shall be on-budget resources, premises, automobiles, airplanes and other means of transport, equipment and other movable and immovable things constituting State or municipal property, allocated to the administration, the central and local government authorities, and the State-owned and municipal-owned enterprises, as well as the work of administration employees.

19. "Repeated violation" shall be any violation which is committed within three months after a penalty decree, whereby a sanction was imposed for a violation of the same kind, became enforceable.

§ 2. The provisions of this Code applicable to coalitions shall furthermore apply to local coalitions upon elections of municipal councillors and mayors.

§ 3. (1) (Supplemented, SG No. 39/2016, effective 26.05.2016) The provisions of the Public Procurement Act regarding the time limits for conduct of the procedures shall not apply regarding the equipment, consumables, voting machines, computer processing of the voting data and the publication of the election results in a bulletin, as well as in respect of the manufacture, delivery and safekeeping of the election stationery and materials and the awareness campaign.

(2) Upon conduct of public procurements in the cases referred to in Paragraph (1), the decisions to initiate the procedures and to select a supplier of contractor shall be appealable before the Supreme Administrative Court within three days after the publication or, respectively, after the receipt of the decision. The appeal shall not stay the enforcement. The Supreme Administrative Court shall pronounce within three days after the arrival of the appeal by a judgment which shall be unappealable.

§ 4. (Amended, SG No. 53/2014) Upon conduct of all types of elections, the provision of Article 92 (3) of the Ministry of Interior Act shall not apply.

§ 5. Upon simultaneous conduct of two or more types of elections, in cases other than when only elections of municipal councillors and mayors are conducted, the provisions of this Code shall apply with the following exceptions:

1. (amended, SG No. 98/2014, effective 28.11.2014) upon conduct of elections of municipal councillors and mayors simultaneously with elections of National Representatives, of President and Vice President of the Republic or of Members of the European Parliament for the Republic of Bulgaria, a voter, who is included in the electoral rolls for the separate types of elections in different nucleated settlements and cannot vote in all types of elections in one and the same nucleated settlement on a request for voting according to the present address, shall submit an application, completed in a standard form, to the authority referred to in Article 23 (1) herein exercising jurisdiction over the permanent address (residence address) thereof, to the effect that the said voter wishes to vote in the nucleated settlement where the said voter is included in the

electoral rolls for the elections of municipal councillors and mayors; any such application shall be submitted not later than 14 days in advance of polling day; the authority referred to in Article 23 (1) herein shall issue a voting certificate for a specified nucleated settlement in a single copy; the said certificate shall specify the nucleated settlement for which the said certificate is issued; the authority referred to in Article 23 (1) herein shall deliver information on the certificates issued to the Directorate General of Civil Registration and Administrative Services at the Ministry of Regional Development and Public Works not later than twelve days in advance of polling day for the automated removal of the voter from the electoral roll according to the permanent address (residence address); Articles 34, 35 and 240 herein shall apply to any unregulated matters;

2. upon simultaneous conduct of elections of National Representatives or of President and Vice President of the Republic or of Members of the European Parliament for the Republic of Bulgaria, a joint constituency election commission shall be appointed for each constituency (district);

3. upon conduct of elections of municipal councillors and mayors simultaneously with elections of President and Vice President of the Republic or of Members of the European Parliament for the Republic of Bulgaria, the authorities referred to in Article 74 herein shall exercise the powers of authorities referred to in Article 59 herein and, to this end:

(a) 15 members shall be appointed if there are up to 150 voting sections within the territory of the municipality, 23 members shall be appointed if there are more than 150 voting sections, 31 members shall be appointed for the cities subdivided into boroughs, and 39 members shall be appointed for Sofia Municipality;

(b) the Central Election Commission shall fix a remuneration for the members of the section election commissions within Bulgaria in a double amount of the remuneration referred to in Article 97 (2) herein;

4. the voter shall receive the voting ballot thereof and shall be admitted to voting only after the particulars according to the identity document thereof are checked against the particulars on the electoral rolls for each type of election which is conducted and after the Standard Public Registry Number (Personal Number) and the type and number of the identity document (the number of the identity card or passport) of the voter are entered on each one of the electoral rolls;

5. upon simultaneous conduct of elections of President and Vice President of the Republic or of National Representatives or of Members of the European Parliament for the Republic of Bulgaria:

(a) where elections of President and Vice President of the Republic are conducted [simultaneously] with elections of National Representatives or of Members of the European Parliament for the Republic of Bulgaria, lots shall be drawn first at the Central Election Commission to determine the numbers of the parties, coalitions and nomination committees on the ballot for the elections of President and Vice President of the Republic; the parties and coalitions, which are registered under an identical name and with identical complement for the elections of President and Vice President of the Republic and of National Representatives or of Members of the European Parliament for the Republic of Bulgaria shall be assigned the same number on the ballot for the elections of National Representatives or of Members of the European Parliament for the Republic of Bulgaria as the one determined by lots for the elections of President and Vice President of the Republic;

(b) where elections of Members of the European Parliament for the Republic of Bulgaria are conducted [simultaneously] with elections of National Representatives, lots shall be drawn first at в the Central Election Commission to determine the numbers on the ballot for the elections of Members of the European Parliament for the Republic of Bulgaria; the parties and

coalitions which are registered under an identical name and with identical complement for the elections of Members of the European Parliament for the Republic of Bulgaria and for the elections of National Representatives, shall be assigned the same number on the ballot for the elections of National Representatives as the one determined by lots for the elections of Members of the European Parliament for the Republic of Bulgaria;

(c) in the cases other than those referred to in Litterae (a) and (b), lots shall be drawn to determine the numbers on the ballot for the elections of Members of the European Parliament for the Republic of Bulgaria or n the ballot for the elections of National Representatives among the parties and coalitions which have not participated in the drawing of lots referred to in Litterae (a) or (b); the numbers on the ballot of the parties, coalitions and nomination committees shall follow the numbers on the ballot of the parties, coalitions and nomination committees as determined by the drawing of lots under Litterae (a) or (b);

6. in the cases where elections of municipal councillors and mayors are conducted simultaneously with elections of President and Vice President of the Republic:

(a) the parties and coalitions, which are registered under an identical name and with identical complement at the Central Election Commission and at the municipal election commissions, shall be assigned the same number on the ballot for the elections of municipal councillors and mayors as the one determined by the lots drawn at the Central Election Commission for the elections of President and Vice President of the Republic, and the said parties and coalitions shall not participate in the drawing of lots at the municipal election commissions under Littera (b);

(b) the numbers on the ballot of the parties and coalitions, which are registered under different names and in different complements at the Central Election Commission and at the municipal election commissions, for the elections of municipal councillors and mayors shall be determined by lots drawn at the municipal election commissions; the numbers on the ballot of the parties, coalitions and nomination committees shall follow the numbers on the ballot of the parties, coalitions and nomination committees as determined by the lots drawn at the Central Election Commission under Littera (a);

7. where elections of municipal councillors and mayors are conducted simultaneously with elections of National Representatives or of Members of the European Parliament for the Republic of Bulgaria, the numbers on the ballots for the elections conducted shall be determined according to the procedure established by Item 6;

8. the reverse side of the ballots for the separate types of elections shall have print security features of a different colour determined by the Central Election Commission;

9. the ballots for the respective types of elections shall be deposited in separate ballot boxes;

10. the candidate lists for municipal councillors and for mayors of one and the same party or coalition may be represented jointly by a single election agent in any single voting section on polling day for all elections conducted;

11. after preparing the draft for the one type of election, it shall be proceeded with the opening of the ballot boxes for the other type of election; the tally sheet for which the draft has been prepared shall be completed after the ballot boxes for the other type of election are checked as to whether any ballots for the first type of election have not been dropped there as well; upon simultaneous conduct of elections of municipal councillors and mayors with elections of President and Vice President of the Republic or of Members of the European Parliament for the Republic of Bulgaria, the first step shall be to open the ballot boxes and to ascertain the result of the voting for President and Vice President of the Republic or, respectively, for Members of the

European Parliament for the Republic of Bulgaria;

12. the constituency election commission or the municipal election commission shall establish a schedule for the acceptance of the election stationery and materials from the section election commissions;

13. the packed election stationery and materials shall be placed in bags which shall differ in colour for each type of election; the type and size of the bags shall be determined by a decision of the Central Election Commission; the election stationery and materials for the separate types of elections shall be safe-kept on different premises.

§ 6. (1) The elected candidates for National Representative, President of the Republic, Vice President of the Republic, Member of the European Parliament for the Republic of Bulgaria or mayor, who work at State or municipal institutions or enterprises, commercial corporations wherein the State or a municipality holds an interest in the capital exceeding 50 per cent, or budgetary organisations, shall have the right, upon termination of the credentials thereof, to reoccupy the previous position thereof, and in the cases where the said position has been eliminated, to occupy another equivalent position in the same or, with their consent, in another State or municipal institution or enterprise, commercial corporation wherein the State or a municipality holds an interest in the capital exceeding 50 per cent, or budgetary organisation.

(2) Where the previous position of the elected candidate is occupied by another person, the legal relationship with the said person shall be terminated without notice.

(3) The provisions of Paragraphs (1) and (2) shall not apply where the elected candidates have held another elective or fixed-term office.

(4) The term of office of the elected candidates for Member of the European Parliament for the Republic of Bulgaria, who hold another elective office, shall be terminated seven days in advance of the date of opening of the first session of the European Parliament.

§ 7. (1) In the execution of the powers thereof, the Members of the European Parliament for the Republic of Bulgaria shall have a right of access to the central and local government authorities and organisations.

(2) The central and local government authorities and the administrations thereof shall be bound to render assistance to the Members of the European Parliament for the Republic of Bulgaria and to provide them, upon request, with information and documents in connection with the execution of the powers thereof.

§ 8. This Code transposes the requirements of:

1. Council Directive 93/109/EC of 6 December 1993 laying down detailed arrangements for the exercise of the right to vote and stand as a candidate in elections to the European Parliament for citizens of the Union residing in a Member State of which they are not nationals.

2. Council Directive 94/80/EC of 19 December 1994 laying down detailed arrangements for the exercise of the right to vote and to stand as a candidate in municipal elections by citizens of the Union residing in a Member State of which they are not nationals.

3. Council Directive 2013/1/EU of 20 December 2012 amending Directive 93/109/EC as regards certain detailed arrangements for the exercise of the right to stand as a candidate in elections to the European Parliament for citizens of the Union residing in a Member State of which they are not nationals (OJ, L 26/27 of 26 January 2013).

TRANSITIONAL AND FINAL PROVISIONS

§ 9. This Code shall supersede:

1. The Election Code (promulgated in the State Gazette No. 9 of 2011; [modified by]

Judgment No. 4 of 2011 of the Constitutional Court - [promulgated in] No. 36 of 2011; amended in No. 45 of 2011, Nos. 17 and 66 of 2013).

2. The Grand National Assembly Election Act (promulgated in the State Gazette No. 28 of 1990; corrected in No. 29 of 1990; amended in No. 24 of 2011, No. 45 of 2002 and No. 38 of 2011).

§ 10. (1) Until conduct of the elections of President and Vice President of the Republic in 2016, with the exception of the general elections of municipal councillors and mayors in 2015, the machine voting provided for in this Code shall be experimental and shall be conducted in up to 500 voting sections. The sections for machine voting shall be designated by the Central Election Commission not later than five days after the date of scheduling of the respective type of election.

(2) The Central Election Commission shall adopt rules for the conduct of the experimental machine voting under Paragraph (1), as well as for the summing of the results of the said voting.

(3) Each voter, irrespective of whether he or she has voted in the same elections by paper ballot, may participate in the experimental machine voting under Paragraph (1). Article 206 (3) herein shall not apply. The experimental machine voting shall be carried out according to the procedure established by Article 268 herein. The fact that the voter has participated in experimental machine voting shall be noted in the electoral roll under Article 268 (5) herein in the column designated "Notes".

(4) Upon the experimental machine voting under Paragraph (1), the provisions of this Code regarding the tallying of the results shall not apply. The results of the experimental machine voting under Paragraph (1) shall be provided to the constituency election commission or municipal election commission, which shall deliver the said results to the Central Election Commission.

(5) The results of the experimental machine voting shall be ignored upon the determining of the election results.

§ 11. (Amended and supplemented, SG No. 39/2016, effective 26.05.2016) Upon conduct of the elections of President and Vice President of the Republic in 2016 and upon conduct of the general elections of municipal councillors and mayors in 2015, machine voting shall be conducted in at least 500 voting sections. The sections for machine voting shall be designated by the Central Election Commission not later than ten days after the date of scheduling of the respective type of election. Upon conduct of the elections of President and Vice President of the Republic in 2016, experimental machine counting shall be carried out according to rules adopted by the Central Election Commission.

§ 12. Within 15 days after the entry into force of this Code, the National Assembly shall elect and, respectively, the President shall appoint, new members of the Central Election Commission. The term of office of the members of the Central Election Commission who are incumbent upon the entry into force of this Code shall be terminated by the assumption of office of the new members.

§ 13. Not later than 55 days in advance of the conduct of elections of Members of the European Parliament for the Republic of Bulgaria in 2014, the Central Election Commission shall:

1. adopt the rules referred to in Article 48 (3) herein;

2. establish the Public Council referred to in Article 55 herein and the training unit referred to in Article 56 herein;

3. establish the terms and procedure for the machine voting;

4. endorse the standard forms of the election stationery for the elections of Members of the

European Parliament for the Republic of Bulgaria in 2014 and promulgate the said designs in the State Gazette;

5. in consultation with the Council of Ministers, establish the terms and procedure for the manufacture, delivery and safekeeping of the election stationery and materials, including for the safekeeping of the machine-voting technical devices.

§ 14. Within four months after the entry into force of this Code, the Central Election Commission shall endorse the standard forms of the election stationery for each type of election other than those for the election for Members of the European Parliament for the Republic of Bulgaria in 2014, and shall promulgate the said forms in the State Gazette.

§ 15. The by-elections, for the scheduling of which a decree of the President of the Republic has been promulgated as at the date of entry into force of this Code, shall be conducted according to the procedure established by the Election Code as hereby superseded.

§ 16. The Territorial Administration of the Republic of Bulgaria Act (promulgated in the State Gazette No. 63 of 1995; [modified by] Judgment No. 8 of 1996 of the Constitutional Court - [promulgated in] No. 51 of 1996; amended in Nos. 27, 33 and 154 of 1998, Nos. 10 and 69 of 1999, No. 57 of 2000, Nos. 67 and 80 of 2003, No. 46 of 2005, No. 63 of 2007, No. 36 of 2008, Nos. 9 and 95 of 2011 and No. 66 of 2013) shall be amended as follows:

1. In Item 1 of Article 16, the words "350 persons" shall be replaced by "100 persons".

2. In Item 1 of § 4 of the Supplementary Provisions, the words "four-month" shall be replaced by "three-month".

§ 17. (1) Any nucleated settlements, which satisfy the requirements of Item 1 of Article 16 of the Territorial Administration of the Republic of Bulgaria Act as at the day of promulgation of the decree of the President of the Republic scheduling general elections of municipal councillors and of mayors, shall acquire mayoralty status, and elections of mayoralty mayors shall be conducted therein simultaneously with the conduct of general elections of municipal councillors and of mayors.

(2) The lieutenant mayors in the nucleated settlements which satisfy the requirements of Item 1 of Article 16 of the Territorial Administration of the Republic of Bulgaria Act as at the day of entry into force of this Code, shall continue to execute the powers thereof until the newly elected mayoralty mayor takes the oath of office.

(3) Upon pre-term termination of the credentials of a lieutenant mayor under Paragraph (2), the municipality mayor may appoint a new lieutenant mayor.

§ 18. The Local Self-government and Local Administration Act (promulgated in the State Gazette No. 77 of 1991; amended in Nos. 24, 49 and 65 of 1995, No. 90 of 1996, No. 122 of 1997, Nos. 33, 130 and 154 of 1998, Nos. 67 and 69 of 1999, Nos. 26 and 85 of 2000, No. 1 of 2001, Nos. 28, 45 and 119 of 2002, No. 69 of 2003, Nos. 19 and 34 of 2005, Nos. 30 and 69 of 2006, Nos. 61 and 63 of 2007, Nos. 54 and 108 of 2008, Nos. 6, 14, 35, 42 and 44 of 2009, Nos. 15 and 97 of 2010, Nos. 9 and 32 of 2011; [modified by] Judgment No. 4 of 2011 of the Constitutional Court - [promulgated in] No. 36 of 2011; amended in No. 57 of 2011; No. 38 of 2012, No. 15 of 2013 and No. 1 of 2014) shall be amended and supplemented as follows:

1. In Article 4 (1), the words "four-month" shall be replaced by "three-month".

2. In Article 30 (8), the words "by parties" shall be deleted, and the words "Article 267" shall be replaced by "Article 459".

3. In Article 38:

(a) in Paragraph (2), after the words "the mayors of", there shall be inserted "boroughs and", and the words "by a law" shall be replaced by "the Election Code";

(b) in Paragraph (5), after the word "municipality" there shall be inserted "for mayor of a

borough".

4. Article 39a shall be repealed.

5. In Article 42:

(a) in Paragraph (1):

(aa) in the text before Item 1, the words "of municipalities or mayoralties" shall be deleted;

(bb) in Item 6, after the words "the municipality", there shall be inserted "the borough";

(b) in Paragraph (3), the words "Article 267" shall be replaced by "Article 459";

(c) in Paragraph (4):

(aa) in sentence one, the words "of a municipality or of a mayoralty" and the words "of the municipality or, respectively, an acting mayor of the mayoralty" shall be deleted;

(bb) in sentence two, after the words "the municipality", there shall be inserted "or mayor of the borough", and at the end there shall be added "of the municipality or of the borough, respectively";

(cc) in sentence three, after the words "the municipality", there shall be inserted "or mayor of the borough";

(d) in Paragraph (5):

(aa) in sentence one, the words "of a municipality or of a mayor of a mayoralty" shall be deleted;

(bb) in sentence two, after the words "shall elect a mayor of the municipality", there shall be added "a mayor of the borough";

(e) in Paragraph (6):

(aa) in sentence one, after the word "municipality" there shall be inserted "a mayor of a borough", and after the word "municipality" there shall be inserted "mayor of the borough";

(bb) in sentence two, after the words "the municipality", there shall be inserted "or mayor of the borough";

(f) in Paragraph (7), after the word "municipality" there shall be inserted "mayor of a borough";

(g) in Paragraph (8), after the word "municipality" there shall be inserted "mayor of a borough".

6. Article 42a shall be repealed.

7. In Article 46a, the words "Article 4 (5)" shall be replaced by "Article 397 (1)".

§ 19. (1) The borough mayors, who have been elected by the Municipal Councils, shall continue to execute the powers thereof until the conduct of general elections of municipal councillors and of mayors.

(2) Upon pre-term termination of the credentials of a borough mayor, until general elections of municipal councillors and of mayors are conducted and the newly elected borough mayor takes the oath of office, the provisions of Article 39a and Article 42a as repealed of the Local Self-government and Local Administration Act shall apply.

§ 20. The Radio and Television Act (promulgated in the State Gazette No. 138 of 1998; [modified by] Judgment No. 10 of 1999 of the Constitutional Court - [promulgated in] No. 60 of 1999; amended in No. 81 of 1999, No. 79 of 2000, Nos. 96 and 112 of 2001, Nos. 77 and 120 of 2002, Nos. 99 and 114 of 2003, Nos. 99 and 115 of 2004, Nos. 88, 93 and 105 of 2005, Nos. 21, 34, 70, 80, 105 and 108 of 2006, Nos. 10, 41, 53 and 113 of 2007, No. 110 of 2008, Nos. 14, 37, 42 and 99 of 2009, Nos. 12, 47, 97, 99 and 101 of 2010, Nos. 28, 99 and 105 of 2011, Nos. 38 and 102 of 2012, Nos. 15, 17 and 27 of 2013; [modified by] Judgment No. 8 of 2013 of the Constitutional Court - [promulgated in] No. 91 of 2013; amended in No. 109 of 2013) shall be amended and supplemented as follows:

1. In Article 13, Paragraph (4) shall be repealed.

2. In Article 32, there shall be added an Item 22:

"22. to develop specialised monitoring of the activity of media service providers upon the handling of an election campaign and to provide the said monitoring to the Central Election Commission; the scope and parameters of the specialised monitoring shall be determined under an agreement between the Council for Electronic Media and the Central Election Commission concluded prior to the opening of the election campaign, irrespective of the territorial range of the programme services."

§ 21. The Political Parties Act (promulgated in the State Gazette No. 28 of 2005; amended in No. 102 of 2005, Nos. 17 and 73 of 2006, Nos. 59 and 78 of 2007, No. 6 of 2009, Nos. 54 and 99 of 2010, Nos. 9 and 99 of 2011, Nos. 30, 68 and 71 of 2013) shall be amended and supplemented as follows:

1. In Article 15 (1), after the words "shall be registered in a", there shall be inserted "public" and there shall be added a sentence two: "The accessibility of the register to the general public shall be ensured via the Internet site of the court complying with the requirements of the Personal Data Protection Act."

2. In Item 2 of Article 29 (2), the words "BGN 1,000" shall be replaced by "one minimum wage".

3. Article 43 shall be amended to read as follows:

"Article 43. (1) Any political party, which fails to submit any financial statement under Article 34 (1) herein and any declaration under Article 34 (4) herein, shall be liable to a pecuniary penalty of BGN 5,000 or exceeding this amount but not exceeding BGN 10,000.

(2) Any political party, which fails to create a public register or which fails to record any circumstances covered under Article 29 (2) herein in the public register, shall be liable to a pecuniary penalty of BGN 1,000 or exceeding this amount but not exceeding BGN 5,000."

4. There shall be inserted an Article 43a:

"Article 43a. (1) Upon breach of the requirements of Article 22, Article 23 (2), Article 24 and Article 29 (1) herein, the person referred to in Article 30 (1) herein or, if no such person has been designated, the person who represents the political party, shall be liable to a fine of BGN 1,000 or exceeding this amount but not exceeding BGN 5,000.

(2) Upon failure to discharge the duty referred to in Article 28a herein, the person referred to in Article 30 (1) herein or, if no such person has been designated, the person who represents the political party shall be liable to a fine of BGN 100 or exceeding this amount but not exceeding BGN 500.

(3) Upon failure to discharge the duties referred to in Article 30 (1) and (2) herein, the person who represents the political party shall be liable to a fine of BGN 200 or exceeding this amount but not exceeding BGN 500.

(4) Any repeated violation under Paragraphs (1) and (2) shall be punishable by a fine in a double amount."

5. In Article 44, Paragraph (1) shall be amended to read as follows:

"(1) The written statements ascertaining the violations referred to in Articles 43 and 43a herein shall be drawn up by domestic public officials empowered by the President of the Bulgarian National Audit Office."

6. In § 1 of the Supplementary Provision, there shall be added a new Item 6:

"Repeated violation" shall be any violation which is committed within one year after a penalty decree, whereby a sanction is imposed for a violation of the same kind, became enforceable.

§ 22. The Citizens' Direct Participation in Central Government and Local Self-government Act (promulgated in the State Gazette No. 44 of 2009; amended in No. 100 of 2010, No. 9 of 2011, No. 42 of 2012, Nos. 20 and 66 of 2013) shall be amended and supplemented as follows:

1. In Article 13:

(a) in Paragraph (1), there shall be added a sentence two: "The signed petition shall also be submitted in the form of a structured electronic image, containing the particulars of the citizens who have affixed a manual signature, in the order in which they have been entered in the signed petition.";

(b) in sentence one of Paragraph (2), after the words "the signed petition", there shall be inserted "in the form of a structured electronic image".

2. In Article 29:

(a) in Paragraph (1), there shall be added a sentence two: "The signed petition shall also be submitted in the form of a structured electronic image, containing the particulars of the citizens who have affixed a manual signature, in the order in which they have been entered in the signed petition.";

(b) in sentence one of Paragraph (2), after the words "the signed petition", there shall be inserted "in the form of a structured electronic image to the territorial unit", and the word "която" ["which", referring to the Directorate General] shall be replaced by "което" ["which", referring to the territorial unit].

3. In Article 51:

(a) in Paragraph (1), there shall be added a sentence two: "The signed petition shall also be submitted in the form of a structured electronic image, containing the particulars of the citizens who have affixed a manual signature, in the order in which they have been entered in the signed petition.";

(b) in sentence one of Paragraph (3), after the words "the signed petition", there shall be inserted "in the form of a structured electronic image", and after the word "Development" there shall be inserted "or to the territorial unit thereof in the respective administrative region", and the words "която извършва" ["which shall carry out", referring to the Directorate General"] shall be replaced by "които извършват" ["which shall carry out", referring to the Directorate General and the territorial unit].

4. In Article 57 (5):

(a) there shall be inserted a new sentence two: "The signed petition shall also be submitted in the form of a structured electronic image, containing the particulars of the citizens who have affixed a manual signature, in the order in which they have been entered in the signed petition.";

(b) the existing sentence two shall become sentence three, and after the words "the signed petition", there shall be inserted "in the form of a structured electronic image to the territorial unit", and the word "която" ["which", referring to the Directorate General] shall be replaced by "което" ["which", referring to the territorial unit].

(c) the existing sentence three shall become sentence four.

5. In the Act, the words "урна", "урни" and "урната" shall be replaced passim by "кутия", "кутии" and "кутията". [this amendment does not affect the English version - Translator's Note]

§ 23. The collections of signatures on petitions under the Citizens' Direct Participation in Central Government and Local Self-government Act, which have commenced prior to the entry into force of this Code, shall be submitted according to the hitherto effective procedure.

§ 24. In the Ministry of Interior Act (promulgated in the State Gazette No. 17 of 2006; amended in Nos. 30, 102 and 105 of 2006, Nos. 11, 31, 41, 46, 57, 64 and 109 of 2007, Nos. 28, 43, 69, 94 and 98 of 2008, Nos. 27, 42, 74, 82 and 93 of 2009, No. 88 of 2010, Nos. 9, 23, 47, 48

and 81 of 2011, Nos. 38 and 44 of 2012, Nos. 15, 52, 66, 68 and 70 of 2013), in Item 9 of Article 212 (1), the words "Article 104 (1) to (3)" shall be replaced by "Article 161 (1) to (3)".

§ 25. In the Administration Act (promulgated in the State Gazette No. 130 of 1998; [modified by] Judgment No. 2 of 1999 of the Constitutional Court - [promulgated in] No. 8 of 1999; amended in No. 67 of 1999, Nos. 64 and 81 of 2000, Nos. 99 and 101 of 2001, No. 95 of 2003, No. 19 of 2005, Nos. 24, 30, 69 and 102 of 2006, Nos. 46 and 78 of 2007, Nos. 43 and 94 of 2008, Nos. 35 and 42 of 2009, Nos. 24 and 97 of 2010, No. 69 of 2011, Nos. 15 and 82 of 2012, Nos. 15 and 17 of 2013), Item 6 in Article 19 (6) shall be repealed.

§ 26. In the Judicial System Act (promulgated in the State Gazette No. 64 of 2007; amended in Nos. 69 and 109 of 2008, Nos. 25, 33, 42, 102 and 103 of 2009, No. 59 of 2010, Nos. 1, 23, 32, 45, 81 and 82 of 2011; [modified by] Judgment No. 10 of 2011 of the Constitutional Court - [promulgated in] No. 93 of 2011; amended in Nos. 20, 50 and 81 of 2012, Nos. 15, 17, 30, 52, 66, 70 and 71 of 2013), Article 195 shall be amended as follows:

1. In Item 2 of Paragraph (1), the words "with the exception of a member of the Central Election Commission" shall be deleted.

2. Paragraph (2) shall be amended to read as follows:

"(2) The judges of the administrative courts, the judges of the Supreme Administrative Court, the prosecutors and the investigating magistrates may not be members of constituency election commissions, municipal election commissions and section election commissions for conduct of elections of National Representatives, of Members of the European Parliament for the Republic of Bulgaria, of President and Vice President of the Republic, and of municipal councillors and of mayors."

§ 27. In the Bulgarian News Agency Act (promulgated in the State Gazette No. 99 of 2011; [modified by] Judgment No. 11 of 2012 of the Constitutional Court - [promulgated in] No. 78 of 2012; amended in No. 15 of 2013), in Item 3 of Article 5 (2), the words "or, respectively, of the Grand National Assembly Election Act" shall be deleted.

§ 28. The Criminal Code (promulgated in the State Gazette No. 26 of 1968; corrected in No. 29 of 1968; amended in No. 92 of 1969, Nos. 26 and 27 of 1973, No. 89 of 1974, No. 95 of 1975, No. 3 of 1977, No. 54 of 1978 , No. 89 of 197, No. 28 of 1982; corrected in No. 31 of 1982; amended in No. 44 of 1984, Nos. 41 and 79 of 1985; corrected in No. 80 of 1985; amended in No. 89 of 1986; corrected in No. 90 of 1986; amended in Nos. 37, 91 and 99 of 1989, Nos. 10, 31 and 81 of 1990, Nos. 1 and 86 of 1991; corrected in No. 90 of 1991; amended in No. 105 of 1991, No. 54 of 1992, No. 10 of 1993, No. 50 of 1995; [modified by] Judgment No. 19 of 1995 of the Constitutional Court - [promulgated in] No. 97 of 1995; amended in No. 102 of 1995, No. 107 of 1996, Nos. 62 and 85 of 1997; [modified by] Judgment No. 19 of 1997 of the Constitutional Court - [promulgated in] No. 120 of 1997; amended in Nos. 83, 85, 132, 133 and 153 of 1998, Nos. 7, 51 and 81 of 1999, Nos. 21 and 51 of 2000; [modified by] Judgment No. 14 of 2000 of the Constitutional Court - [promulgated in] No. 98 of 2000; amended in Nos. 41 and 101 of 2001, Nos. 45 and 92 of 2002, Nos. 26 and 103 of 2004, Nos. 24, 43, 76, 86 and 88 of 2005, Nos. 59, 75 and 102 of 2006, Nos. 38, 57, 64, 85, 89 and 94 of 2007, Nos. 19, 67 and 102 of 2008, Nos. 12, 23, 27, 32, 47, 80, 93 and 102 of 2009, Nos. 26 and 32 of 2010, Nos. 33 and 60 of 2011, Nos. 19, 20 and 60 of 2012, Nos. 17, 61 and 84 of 2013) shall be amended and supplemented as follows:

1. In Article 167:

(a) in Paragraph (1), after the word "elected", there shall be inserted "or to vote in a referendum or to participate in a collection of signatures on a proposal for the conduct of a referendum".

(b) in Paragraph (2), after the word "coalition", there shall be inserted "or to vote in a referendum in a particular manner";

(c) in Paragraph (3), after the word "coalition", there shall be inserted "or to vote in a referendum in a particular manner";

(d) in Paragraph (4), after the word "coalition", there shall be inserted "or to vote in a referendum in a particular manner";

(c) there shall be inserted a new Paragraph (5):

"(5) Where the act referred to in Paragraphs (1) to (4) was committed by a domestic public official in the course of, or in connection with, the performance of the official duties thereof, the penal sanction shall be deprivation of liberty for a term ranging from one to six years.";

(f) the existing Paragraph (5) shall be renumbered to become Paragraph (6), and the words "Paragraphs (2), (3) and (4)" therein shall be replaced by "Paragraphs (2), (3), (4) and (5)";

(g) the existing Paragraph (6) shall be renumbered to become Paragraph (7).

2. In Article 167a, after the word "candidate", there shall be inserted "or to vote in a referendum in a particular manner".

3. In Article 168:

(a) in Paragraph (1), after the word "franchise", there shall be inserted "or who votes in a referendum";

(b) in Paragraph (2), after the word "franchise", there shall be inserted "or who votes two or more times in one and the same referendum".

4. There shall be inserted an Article 168a:

"Article 168a. (1) Any person, who prints voting ballots in breach of the established rules, shall be punished by deprivation of liberty for a term not exceeding three years and by a fine ranging from one thousand to three thousand leva.

(2) The penal sanction under Paragraph (1) shall be imposed also on any person who unlawfully holds or distributes voting ballots."

5. In Article 169, after the word "elections", there shall be inserted "or referendum".

§ 29. The Constitutional Court Act (promulgated in the State Gazette No. 67 of 1991; amended in No. 25 of 2001, No. 45 of 2002, No. 114 of 2003; [modified by] Judgment No. 1 of 2006 of the Constitutional Court - [promulgated in] No. 23 of 2006; amended in No. 50 of 2012) shall be amended and supplemented as follows:

1. In Article 12 (1):

(c) there shall be inserted a new Item 10:

"10. pronounce on any disputes over the legitimacy of the election of a Member of the European Parliament for the Republic of Bulgaria;"

(b) the existing Items 10 and 11 shall be renumbered to become Items 11 and 12, respectively.

2. In Article 17 (4), the words "and a National Representative" shall be replaced by "a National Representative and a Member of the European Parliament for the Republic of Bulgaria".

3. In Article 21:

(a) there shall be inserted a new Paragraph (5):

"(5) The Constitutional Court shall pronounce regarding the legitimacy of the elections of National Representatives and of the election of a National Representative and of the election of a Member of the European Parliament for the Republic of Bulgaria within two months after the arrival of the petition.";

(b) the existing Paragraph (5) shall be renumbered to become Paragraph (6).

4. In Article 22 (5), the words "and a National Representative" shall be replaced by "a

National Representative and a Member of the European Parliament for the Republic of Bulgaria".

§ 30. This Code shall enter into force as from the day of promulgation thereof in the State Gazette.

FINAL PROVISIONS
to the Act to amend the Election Code
(SG No. 35/2014, effective 4.22.2014)

§ 13. President of the Republic issued a decree to complete the composition of the Central Election Commission in accordance with the amendment of Article 46, paragraph 3 within three days of the entry into force of this Act.

.....

TRANSITIONAL AND FINAL PROVISIONS
to the Act to amend and supplement the Spatial Development Act
(SG No. 98/2014, effective 28.11.2014)

.....

§ 63. In the Election Code (promulgated, SG No. 19/2014, amended, SG No. 35/2014, SG No. 53/2014) everywhere in the text the words "Ministry of Regional Development" shall be replaced by "Ministry of Regional Development and Public Works".

.....

ACT
to Amend and Supplement the Election Code
(SG No. 39/2016, effective 26.05.2016)

.....

Supplementary provision

§ 142. In the remaining texts of the Code, the words "6:00 hours" shall be replaced by "7:00 hours", the words "19:00 hours" shall be replaced by "20:00 hours", and the words "20:00 hours" shall be replaced by "21:00 hours".

Transitional and final provisions

§ 143. For the 2014 - 2019 term of office of the Central Election Commission, where, after conduct of subsequent elections of National Representatives or of Members of the European Parliament for the Republic of Bulgaria, new parties and coalitions represented in Parliament are elected or new parties or coalitions, which have Members of the European Parliament elected from the candidate lists thereof but are not represented in Parliament, are elected, the complement of the Central Election Commission shall be filled by one member each, nominated by the said parties or coalitions for appointment by the President of the Republic for the remainder of the term of office of the incumbent members.

§ 144. The provisions of this Act shall not apply to any by-elections and new elections for the scheduling of which a decree of the President of the Republic has been promulgated as at the date of entry into force of this Act.

§ 145. (1) A possibility for experimental remote electronic voting shall be provided upon conduct of elections after the 1st day of January 2018. Experimental remote electronic voting shall be conducted at three successively conducted elections, including by-elections.

(2) Experimental remote electronic voting shall be conducted in one constituency. The constituency for such voting shall be determined by the Central Election Commission by lots using a methodology adopted by the Commission not later than ten days after the date of scheduling of the elections. The voters who participate in the voting must satisfy the conditions

provided for the respective type of elections.

(3) Until the 1st day of January 2018, the Central Election Commission shall carry out three simulations of remote electronic voting, with voting for fictitious parties, coalitions or candidates.

(4) The Directorate General of Civil Registration and Administrative Services at the Ministry of Regional Development and Public Works shall provide the Central Election Commission with data on the voters referred to in sentence three of Paragraph (2) of a scope determined by a decision of the Central Election Commission, and not later than 18 days after the date of scheduling of the elections the Commission shall notify the voters in writing of the option available thereto to vote remotely on an experimental basis.

(5) Any voters who wish to vote remotely shall register on the Internet site referred to in Paragraph (2) and shall state an electronic contact address.

(6) The common requirements, applicable to voting by paper ballots, shall apply to remote electronic voting.

(7) The results of the experimental remote voting under Paragraph (1) shall be tallied according to a procedure established by the rules referred to in Paragraph (12). The results of the remote electronic voting shall be ignored upon the determining of the election results.

(8) Each voter, who has voted remotely on an experimental basis, may vote in the same elections by paper ballot or by voting machine.

(9) The Central Election Commission shall organise and conduct an awareness campaign regarding remote electronic voting.

(10) The Central Election Commission shall assign remote electronic voting and the related activities and shall organise, direct and control the procedure for conduct of the voting and the processing of the remote electronic voting data.

(11) The expenditures on the conduct of remote electronic voting shall be for the account of the State budget.

(12) The Central Election Commission shall adopt rules for the conduct of remote electronic voting, as well as for the summing of the results of remote electronic voting, not later than 55 days in advance of polling day. The said rules shall be published on the Internet site of the Commission.

(13) The Central Election Commission shall establish a permanent unit for technical support and technical control of remote electronic voting. The said unit shall coordinate the operation thereof with the Council of Ministers. Upon the execution of the functions thereof, the members of the unit shall be treated as domestic public officials within the meaning given by the Criminal Code.

(14) Remote electronic voting shall be implemented with the help of a remote electronic voting system. The Central Election Commission shall determine the technical requirements to the software and hardware component of the system. The system must:

1. ensure an easy and understandable access to the mechanisms and methods of voting;
2. offer voters step-by-step instructions for voting;
3. guarantee that only persons who satisfy the conditions under sentence three of Paragraph (2) and are registered would be able to vote;
4. ensure reliable and quick identification of voters;
5. ensure information of identical size and quality about each party, coalition or candidate;
6. guarantee the secrecy of the ballot and a free expression of the will of the voters by technical means;
7. ensure a possibility for easy navigation of the user software and in particular of the ballot;
8. not require from the voter any special skills other than the skills necessary for the use of Internet terminals;

9. allow the voter to use all operating systems;
10. make it possible to cast the vote within a period of time not exceeding 5 minutes;
11. guarantee that each voter casts only one vote and that each vote is stored and counted only once;
12. be certified to the highest ISO quality and immunity standard with regard to the software and hardware employed;
13. ensure maximum reliability against outside interference and unauthorised access, including against hacker attacks;
14. store the voting data;
15. allow the summing of the results, the distribution thereof by constituency and the transmittal thereof in the form of an electronic image to the Central Election Commission after the completion of the voting;
16. guarantee that the terminal of the voter and the server components are connected in a way denying third parties the possibility to alter or gain access to the information exchanged;
17. maintain an electronic log of the election process, recording all irregularities and deviations from the envisaged mode which have occurred;
18. guarantee easy maintenance of the software and hardware and quick elimination of technical failures as they occur;
19. allow monitoring of the election process by independent and authorised individuals and bodies;
20. allow audit and verification on the part of authorised bodies;
21. be audited before each election, with the results of the audit being published on the Internet site of the Central Election Commission not later than ten days before the start of remote electronic voting;
22. have a publicly accessible source code;
23. make it technologically possible to identify potential violations of this Code;
24. allow voters to check whether their vote has been correctly tallied without this compromising the secrecy of the ballot;
25. allow independent vote counting;
26. enable the voter to covertly trigger an alert about an encroachment of his or her voting rights and to have his or her vote ignored in such cases;
27. satisfy the requirements for network and information security, established in the ordinance referred to in Article 43 (2) of the Electronic Governance Act;
28. not allow the adding, removing or replacing of votes outside the standard election process;
29. satisfy the requirements of the ordinance referred to in Paragraph (27);
30. conform to Appendix III to Council of Europe Recommendation Rec (2004)11 on legal, operational and technical standards for e-voting;
31. consist of components, each of which is electronically signed by the Central Election Commission within the meaning given by the Electronic Document and Electronic Signature Act.

(15) The Central Election Commission shall choose a certification body to certify the conformities of the system to the requirements covered under Paragraph (14). Registered observers shall have the right to monitor the certification process.

(16) The history of the accessing by public officials of all servers used by the remote electronic voting system under Paragraph (14) shall be published on the Internet site of the Central Election Commission daily within the period referred to in sentence four of Paragraph (20).

(17) The Central Election Commission shall prepare the system and shall enter the lists of parties, coalitions and candidates not later than 14 days in advance of polling day and, if

necessary, shall create private keys to the functionality of the system not later than 24 hours and not earlier than two days before the start of the period for remote electronic voting, referred to in sentence four of Paragraph (20).

(18) In remote electronic voting, the voter shall make his or her choice by means of a combined ballot on a visual-display, audio or touch-screen terminal, whereon the voter shall mark unequivocally the vote thereof. The ballot shall be designed in the same manner as the paper ballot, enabling the voter not to vote for any one party, coalition or candidate. The Central Election Commission shall endorse the standard design of the ballot.

(19) The voter shall have the right to change the vote thereof cast by remote electronic means, and only the last vote cast within the time limit for remote electronic voting shall count, respecting the "one person, one vote" principle.

(20) Not later than 18 days after the date of scheduling of the elections, the Central Election Commission shall open an Internet site for registration for remote electronic voting, as well as for the provision of information in connection with the said voting. The Internet site shall contain information on the requisite steps to be taken upon remote electronic voting. The Internet site shall provide information of identical size and quality about the parties, coalitions or candidates registered in the elections. The Internet site shall afford access to an application enabling remote electronic voting within a period of 96 hours, which shall expire at 24:00 hours on the day preceding by three days polling day within the territory of Bulgaria.

(21) Any voter referred to in Paragraph (2), who wishes to vote by remote electronic means, shall register via the Internet site referred to in Paragraph (20) not later than two days before exercising the right thereof to vote after having performed a successful electronic identification. The system shall automatically verify whether any such voter satisfies the conditions referred to in sentence three of Paragraph (2).

(22) Upon registration and upon voting, the voter shall identify himself or herself electronically according to a procedure established by a law and pursuant to Regulation (EU) No. 910/2014 of the European Parliament and of the Council of 23 July 2014 on electronic identification and trust services for electronic transactions in the internal market and repealing Directive 1999/93/EC (OJ, L 257/73 of 28 August 2014). It shall be admissible to use additional means to confirm the electronic identification.

(23) The information referred to in Paragraph (21) shall be processed and stored in conformity with the Personal Data Protection Act.

(24) Voting by means of the application referred to in Paragraph (20) shall comprise the following stages:

1. the voter shall log into the application;

2. the voter shall identify himself or herself electronically by an electronic identification means under Paragraph (22);

3. after a successful identification under Item 2, a ballot shall be displayed, which shall be identical with the paper ballot for the respective type of election; the voter shall have an option not to vote for any one party, coalition or candidate;

4. the voter shall mark unequivocally the vote thereof for a candidate list and, if he or she so wishes, shall express the preference thereof for a candidate on the candidate list of a party or coalition of his or her choice depending on the type of elections; after the voter makes his or her choice, the system shall require a confirmation of the choice;

5. the voter may change the choice thereof thrice before confirming it;

6. after the choice is confirmed, the vote of the voter shall be saved and stored in an electronic ballot box which shall not allow disclosure of the identity of the voter and the voting choice;

7. after the vote is saved in the box under Item 6, the voter shall receive a message on completion of the voting;

8. after the completion of the voting, the information on the choice made shall become inaccessible to successive users; the information on the identity of the voter and the voting choice shall be deleted.

(25) Data on the remote electronic voting for parties, coalitions and candidates shall not be announced before the closing of the polls.

(26) The voter shall have the right to verify whether the vote thereof has been accepted and counted correctly by the system without this compromising the secrecy of the ballot. The procedure, time limits and technical means for the verification referred to in Paragraph (1) shall be determined by the rules referred to in Paragraph (12).

(27) The technical parameters, standards and procedures for the implementation of remote electronic voting shall be determined by the rules referred to in Paragraph (12).

(28) Where the security or fault tolerance of the system has been compromised or where it is technically impossible to guarantee fundamental voting rights, the Central Election Commission shall, by a reasoned decision, suspend or terminate the remote electronic voting or shall not start the voting system. The Central Election Commission shall notify voters via the Internet site of the Commission and the mass communication means of the reasons and shall publish a detailed report not later than 24 hours a day after the decision is rendered.

(29) Observers shall have the right to be present at the information centres servicing the remote electronic voting system, as well upon the counting of the remote electronic voting results, according to a procedure established by the Central Election Commission. Work at the information centres shall be streamed live via the Internet site of the Commission.

(30) Observers shall have the right to verify whether the digital footprint of the system at the information centres matches the footprint that has been made public, according to a procedure established by the Central Election Commission.

(31) After the tallying of the experimental remote voting results, the Central Election Commission shall delete all keys created upon the preparation of the voting under Paragraph (17). The commission for remote electronic voting shall archive and delete the database of the votes cast remotely after the time limits for disputing the election results expire or the judgment of the court becomes enforceable, but not earlier than 21 days after the closing of the polls. The archive shall be kept until the next elections according to a procedure established by the Central Election Commission.

(32) The Central Election Commission shall sum the results, shall publish the said results in machine-readable form, and shall analyse in detail the remote electronic voting.

(33) In case the experimental remote electronic voting is conducted successfully: guaranteeing the secrecy of the ballot, the security of the system and ensuring citizen control over the election process, and without ascertaining serious irregularities in the conduct thereof, upon the conduct of elections of Members of the European Parliament for the Republic of Bulgaria in 2019 voters shall be able to vote by remote electronic means, and the results of the said voting shall be taken into account when determining the results.

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TRANSITIONAL AND FINAL PROVISIONS

to the Act to Amend and Supplement the Election Code

(SG No. 85/2016, effective 28.10.2016)

§ 5. Upon the simultaneous conduct of elections of President and Vice President of the Republic in 2016 with by-elections of a mayor, the section election commissions appointed by the

constituency election commissions shall concurrently exercise the powers of section election commissions for the by-elections. The members of section election commissions appointed by municipal election commissions until the entry into force of this Act shall be released. The number of members of section election commissions referred to in sentence one, including a chairperson, a deputy chairperson and a secretary, shall be seven members for voting sections with up to 500 voters inclusive and nine members for voting sections with more than 500 voters. The remuneration of the members of section election commissions referred to in sentence one shall be in a double amount of the remuneration referred to in Article 97 (2) [of the Election Code]. The section election commissions referred to in sentence one shall deliver the tally sheets on the respective type of election to the constituency election commission and, respectively, to the municipal election commission.

§ 6. Within two days after the entry into force of this Act, the Central Election Commission, acting in accordance therewith, shall determine places in the Member States of the European Union where voting sections will be established and the number thereof in each place. On the basis of the decision of the Central Election Commission, the heads of diplomatic missions and consular posts shall forthwith establish the voting sections. The Central Election Commission shall forthwith appoint the section election commissions according to the procedure established by Articles 102 to 105 [of the Election Code].

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Annex 1
to Article 248
(Supplemented, SG No. 39/2016,
effective 26.05.2016)

METHODOLOGY
for Determining the Voting Results and Allocation of the Seats upon Elections of National Representatives

I. General Dispositions

1.1. This Methodology defines the computation procedures according to which the seats for National Representatives are allocated by constituency upon elections of National Representatives for a National Assembly (NA) and for a Grand National Assembly (GNA).

1.2. This Methodology defines the computation procedures according to which 240 seats or, respectively, 400 seats for a GNA, are allocated to the independent candidates and the parties and coalitions in the multi-member constituencies.

1.3. The seats for National Representatives will be conclusively allocated by the Central Election Commission (CEC).

II. Determining the Number of Seats in the Multi-member Constituencies

2.1. The number of seats in the multi-member constituencies (MMCs) will be determined on the basis of a uniform ratio of representation for the entire country depending on the size of the population in each MMC according to data provided by the National Statistical Institute on the basis of the results of the latest population census.

2.2. The number of seats in a MMC may not be lesser than 4 or, respectively, 6 for a GNA.

2.3. The Hare-Niemeyer Method will be used for determining the number of seats in a MMC.

2.4. The size of the population for the entire country according to data provided by the National Statistical Institute on the basis of the results of the latest population census will be divided by 240 or, respectively, by 400 for a GNA, and the resulting quotient will define the uniform ratio of representation for the country.

2.5. The size of the population for each MMC will be divided by the uniform ratio of representation for the country.

2.6. Initially, each MMC will be awarded as many seats as is the integer part of the quotient under Item 2.5.

2.7. The remaining seats up to 240 or, respectively, 400 for a GNA, will be allocated to the MMCs with the greatest remainders (the fractional part of the quotient under Item 2.5).

2.8. The first to be awarded an additional seat will be the MMC with the greatest remainder, the second to be awarded an additional seat will be the MMC with the next greatest remainder, and so on until exhaustion of the seats.

2.9. Where the procedure referred to in Item 2.8 cannot continue owing to the presence of equal remainders whose number is greater than the number of the remaining unallocated seats, any such seats will be allocated by the CEC by lots. The date and hour of the drawing of the lots will be determined by the CEC. Representatives of the parties, coalitions and nomination committees, observers and members of the mass communication media may be present at the drawing of the lots.

2.10. The provisional number of seats for each MMC will be the sum total of the seats initially awarded under Item 2.6 plus up to one additional seat under Items 2.8 and 2.9. If the number of seats in all MMCs is not lesser than 4 or, respectively, 6 for a GNA, proceed to Item 2.15.

2.11. If the number of seats in any MMC is lesser than 4 or, respectively, 6 for a GNA, additional seats will be allocated to that MMC so that this MMC would be awarded 4 or, respectively, 6 seats. This MMC will be excluded from the further allocation of seats.

2.12. The number of MMCs under Item 2.11, multiplied by 4 or, respectively, by 6 for a GNA, will be subtracted from the number 240 or, respectively, 400 for a GNA.

2.13. The sum total of the population in the MMCs under Item 2.11 will be subtracted from the size of the population under Item 2.11.

2.14. The number of seats under Item 2.12 will be allocated by analogy to the MMCs, with the exception of the MMCs under Item 2.11 according to the procedures from Item 2.2. to Item 2.15, with the size of the population in Item 2.4 being replaced by the number under Item 2.13, and the number 240 or, respectively, 400 for a GNA in Item 2.4. and Item 2.7 being replaced by the number under Item 2.12.

2.15. The conclusive number of seats for each MMC will be the result obtained from the computation procedure according to Item 2.6 to Item 2.14.

III. Determining the Seats of the Independent Candidates in the Multi-member Constituencies

3.1. If independent candidate nomination committees are registered in the MMC, the constituency election commissions will determine a constituency electoral quota. The constituency electoral quota equals the quotient resulting from the division of the total number of valid votes cast in the MMC by the number of the seats determined for that constituency under Item 2.15.

3.2. If an independent candidate, registered in the respective MMC, has gained valid votes that are not less than the constituency electoral quota under Item 3.1, such candidate will be considered elected and will be awarded a seat in the respective MMC.

3.3. The seat awarded under Item 3.2 will be subtracted from the number of seats determined for the respective MMC under Item 2.15 and will be excluded from the subsequent allocation of seats according to the proportional representation system in the multi-member constituencies.

IV. Determining the Seats according to the Proportional Representation System in the Multi-member Constituencies

4.1. The number of allocable proportional-representation seats in 31 MMCs equals the difference between all 240 seats, respectively 400 seats for a GNA, and the number of seats

awarded to the independent candidates under Item 3.2.

4.2. The number of proportional-representation seats for each MMC equals the number of seats under Item 2.15 less the number of seats awarded to independent candidates under Item 3.2.

4.3. The Central Election Commission will perform the calculations for the allocation of all proportional-representation seats under this Section to candidate lists of parties and coalitions in the MMCs.

4.4. Allocation of the seats to each party and coalition at the national level: first step:

4.4.1. (Supplemented, SG No. 39/2016, effective 26.05.2016) calculate the sum total of valid votes cast within Bulgaria and abroad, excluding those referred to in Item 6 of Article 279 (1) herein;

4.4.2. calculate 4 per cent of the sum under Item 4.4.1;

4.4.3. limit the allocation of the proportional-representation seats under Item 4.2 to the parties and coalitions which have gained valid votes that are not less than the number under Item 4.4.2;

4.4.4. limit the further allocation of the seats to the votes for the parties and coalitions under Item 4.4.3;

4.4.5. allocate the seats under Item 4.2 for the country to the parties and coalitions under Item 4.4.3 according to the valid votes they have gained, using the Hare-Niemeyer Method;

4.4.6. divide the sum total of the valid votes for all parties and coalitions under Item 4.4.4 by the number of seats under Item 4.2 (Hare quota);

4.4.7. divide the valid votes gained by each party and coalition under Item 4.4.3 by the number arrived at under Item 4.4.6;

4.4.8. award each party and coalition under Item 4.4.3 initially as many seats as is the integer part of the quotient arrived at under Item 4.4.7;

4.4.9. allocate the remaining seats up to the number of seats determined in Item 4.2 to the parties and coalitions under Item 4.4.3 in descending order of the fractional part (the remainders) of the quotient arrived at under Item 4.4.7;

4.4.10. award an additional seat first to the party or coalition with the greatest remainder, then award an additional seat to the party or coalition with the next greatest remainder, and so on until exhaustion of the seats;

4.4.11. if the procedure under Item 4.4.10 arrives at two or more equal remainders and the number of unallocated seats is lesser than the number of these remainders, allocate the remaining seats by lots drawn between the parties or coalitions with equal remainders: the date and hour of the drawing of the lots will be determined by the CEC; representatives of the parties, coalitions and nomination committees, observers and members of the mass communication media may be present at the drawing of the lots;

4.4.12. the conclusive number of proportional-representation seats at the national level for each party and coalition equals the number of seats awarded under Item 4.4.8 plus one additional seat under Item 4.4.10 and Item 4.4.11.

4.5. Allocation of the seats in the multi-member constituencies to the parties and coalitions that have won seats: second step:

4.5.1. The Central Election Commission will perform the calculations for the allocation of the seats under Item 4.2 in all 31 MMCs to the parties and coalitions that have been awarded seats under Item 4.4.12;

4.5.2. exclude the votes cast abroad for the parties and coalitions from the allocation of seats in the MMC;

4.5.3. for each MMC, calculate the sum total of the valid votes cast in all sections separately

for each party and coalition under Item 4.4.3;

4.5.4. for each MMC, calculate the sum total of the valid votes cast for the parties and coalitions under Item 4.4.3;

4.5.5. allocate the seats under Item 4.2 for each MMC separately according to the valid votes gained by the parties and coalitions in the constituency, using the Hare-Niemeyer Method;

4.5.6. divide the sum total under Item 4.5.4. by the number of seats awarded under Item 4.2 (Hare quota);

4.5.7. divide the valid votes gained by the party or coalition under Item 4.4.3 in each MMC by the number arrived at under Item 4.5.6;

4.5.8. award the party or coalition in each MMC initially as many seats as is the integer part of the quotient arrived at under Item 4.5.7;

4.5.9. allocate the remaining seats up to the number of seats determined in Item 4.2 for each MMC in descending order of the fractional part (the remainders) of the quotient arrived at under Item 4.5.7;

4.5.10. in each MMC, allocate the first additional seat to the party or coalition under Item 4.4.3 with the greatest remainder under Item 4.5.7, allocate the second additional seat to a party or coalition under Item 4.4.3 with the next greatest remainder, and so on until exhaustion of all seats for each MMC;

4.5.11. if the procedure under Item 4.4.10 arrives at two or more equal remainders and the number of unallocated seats is lesser than the number of these remainders, allocate the remaining seats to the parties or coalitions under Item 4.4.3 with equal remainders, using the lots already drawn by the CEC to determine the numbers of the parties and coalitions and awarding in the order of the least number;

4.5.12. determine a preliminary number of seats (baseline) for the parties and coalitions under Item 4.4.3 in each MMC, which equals the number of seats initially allocated in the MMC under Item 4.5.8;

4.5.13. determine the remainders (the fractional part) under Item 4.5.7 for each party and coalition under Item 4.4.3 for each MMC, marking the remainders of the parties and coalitions under Item 4.4.3 of the parties and coalitions which have been awarded additional seats under Item 4.5.10 and 4.5.11 in each MMC;

4.5.14. determine a provisional allocation of the seats for each MMC to the parties and coalitions under Item 4.4.3 as a sum total under Item 4.5.8, 4.5.10 and 4.5.11.

4.6. Reallocation of the number of seats provisionally awarded to the parties and coalitions in the multi-member constituencies and conclusive allocation of the seats for National Representatives in the multi-member constituencies: third step:

4.6.1. sum separately the seats provisionally awarded under Item 4.5.14 to each party or coalition under Item 4.4.3;

4.6.2. if all parties and coalitions under Item 4.4.3 are awarded as many seats as are the seats determined for them according to Item 4.4.12, proceed to Item 4.6.9;

4.6.3. if a party or coalition under Item 4.4.3 has been awarded more than the seats determined for it under Item 4.4.12 but has not been awarded any additional seats and, respectively, does not have marked remainders; mark all remainders for this party or coalition in all MMC where it has been awarded seats with the exception of the MMCs which are excluded from the reallocation under Item 4.6.8;

4.6.4. if a party or coalition under Item 4.4.3 has been awarded fewer than the seats determined for it under Item 4.4.12 but all its non-zero remainders are marked in all MMCs, unmark these

remainders in all MMCs with the exception of the MMCs which are excluded from the reallocation under Item 4.6.8;

4.6.5. determine the least remainder under Item 4.5.13 for the parties and coalitions under Item 4.4.3 which have been awarded more than the seats determined for them under Item 4.4.12 only in those MMC where there are marked remainders awarded as additional seats under Hare-Niemeyer or after the reallocation of the seats according to the procedures under Item 4.6.1 to Item 4.6.8 and are not excluded from the reallocation under Item 4.6.8;

4.6.6. if the remainders determined under Item 4.6.5 are two or more, choose the remainder in a MMC of a party or coalition with the least number drawn in the lots for determining the numbering of the parties and coalitions;

4.6.7. if there are any remainders for which seats have not been awarded in the MMC determined under Item 4.6.5 or Item 4.6.6, exclude this MMC from the reallocation and proceed to Item 4.6.5;

4.6.8. in the MMC where the least remainder under Item 4.6.5 or Item 4.6.6 has been determined, reallocate the additional seats under Item 4.5.10 and Item 4.5.11 and, to this end, withdraw the seat from the party or coalition holding it in that MMC, reduce to zero the remainder of that party or coalition and ignore this remainder in subsequent calculations, reduce the total number of seats under Item 4.5.14 for this party or coalition by one and award a seat to a party or coalition in the same MMC which has the next largest remainder for which seats have not been awarded in that MMC; mark this remainder, and increase by one the total number of seats on a national scale for that party or coalition under Item 4.5.14; proceed to Item 4.6.2;

4.6.9. the conclusive allocation of the proportional-representation seats to the parties and coalitions under Item 4.4.3 in the multi-member constituencies will be the final result arrived at by the computation procedures under Item 4.5.12 and from Item 4.6.1 to Item 4.6.8.

V. Individualising Seats by Candidate List

5.1. Where the number of seats for a particular party or coalition is greater than the number of candidates on the candidate list, as many seats will be awarded as is the number of candidates on the list.

5.2. The elected candidates from each candidate list of a party or coalition with X seats won will be determined according to the number of valid preferences received under Article 278 (4) and (5) herein and the ranking of the said candidates on the list.

5.3. The preferences for a particular candidate on the candidate list will be valid if the number of votes received for this candidate is not lesser than 7 per cent of the votes cast for the candidate list.

5.4. Where there are no candidates under Item 5.3, the ranking of the candidate list will be retained.

5.5. Where there are candidates under Item 5.3, they will be ranked according to the number of preferences received, starting from the candidate who has received the largest number of valid preferences. These candidates will be excluded from the candidate list of the respective party or coalition and will comprise List A. If the number of preferences is equal, the order will be determined by lots. The rest of the candidates on the candidate list will retain their initial ranking on the list and will comprise List B.

5.6. The first X candidates from the lists under Item 5.4. or Item 5.5 will be elected.

5.7. The lists under Item 5.4 or Item 5.5 will be retained upon substitution in case of interruption or termination of the term of office of an elected candidate.

VI. Unregulated Matters

6.1. The Central Election Commission will adopt a decision on any unregulated matters.

Annex 2
to Article 312
(Supplemented, SG No. 39/2016,
effective 26.05.2016,
amended, SG No. 85/2016,
effective 28.10.2016)

METHODOLOGY
for Determining the Voting Results upon Elections of President and Vice President of the Republic

1. Calculate the sum total of the votes cast within Bulgaria and abroad for each candidate list for President and Vice President of the Republic, nominated by a party, coalition or nomination committee.

2. (Supplemented, SG No. 39/2016, effective 26.05.2016, amended, SG No. 85/2016, effective 28.10.2016) The pair of candidates, which has gained more than one-half of the valid votes, if more than one-half of the voters have participated in the voting, will be elected.

3. If no list is elected, the Central Election Commission (CEC) will schedule a new election within seven days after the day of the first election.

3.1. The new election will be contested by the two candidate lists which have gained the most votes.

3.2. If more than two candidate lists have gained the most but an equal number of votes, they will all be admitted to contest the new election.

3.3. If one candidate has gained the most votes and two or more candidates have gained the next largest equal number of votes, they will all be admitted to contest the new election.

3.4. If two candidate lists have been admitted to a new election and prior to the election a candidate for President or Vice President on one of the lists dies or falls gravely ill, the CEC will postpone the election and will schedule a new election not later than 14 days after the date of the postponed election. Within three days after the date of the decision of the CEC, the party or nomination committee concerned may register a new candidate.

3.5. If two candidate lists have been admitted to a new election and prior to the new election a candidate on one of the lists withdraws within 24 hours after the declaration of the results of the election conducted, by a decision of the CEC the new election will be contested by the candidate list which has gained the next largest number of votes. If there are no further lists, the National Assembly will schedule a new election of President and Vice President of the Republic.

4. Upon the conduct of a new election, the pair of candidates which has gained the most votes will be elected.

5. If two or more candidate lists have gained the most but an equal number of votes in the new election, no pair of candidates will be elected.

Annex 3
to Article 355
(Supplemented, SG No. 39/2016,
effective 26.05.2016)

METHODOLOGY
for Determining the Voting Results and Allocation of the Seats upon Elections of Members of

the European Parliament for the Republic of Bulgaria

I. General Dispositions

1.1. This Methodology uses a Hare-Niemeyer Method (H-NM) for allocation of the seats upon elections of Members of the European Parliament for the Republic of Bulgaria.

1.2. Voting will take place within Bulgaria in separate districts territorially coextensive with the multi-member constituencies (MMCs) upon the elections of National Representatives as last conducted, and abroad.

1.3. The seats will be allocated to candidate lists of parties and coalitions and independent candidates.

1.4. The seats for the candidate lists will be individualised by preferential voting.

II. Condition for Election of Independent Candidate

2.1. (Supplemented, SG No. 39/2016, effective 26.05.2016) An independent candidate will be elected if he or she has gained votes that are not less than the number of all valid votes, excluding those referred to in Item 6 of Article 279 (1) herein, divided by the number E of the Members of the European Parliament for the Republic of Bulgaria as at the date of the election. For 2014 the number E is 17.

III. Condition for Inclusion of a Party and Coalition

3.1. Candidate lists, which have gained votes that are not less than the number under Item 2.1, will be included in the allocation of seats.

IV. Allocation of Seats by List

4.1. The number of seats that will be allocated to the candidate lists under Item 3.1 according to the H-NM. This number, M, equals E less the number of independent candidates elected under Item 2.1. The candidate list is filled when as many seats as is the number of candidates on it have been allocated to it.

4.2. Each candidate list is awarded a fractional number of seats equal to the number M multiplied by the number of votes for the list and divided by the sum total of the votes of all lists under Item 3.1. The fractional seat is a sum total of an integer part (a non-negative integer) and a remainder (a non-negative number lesser than 1).

4.3. Each candidate list will be awarded a number of seats equal to the integer part of the fractional number of seats plus up to one additional seat depending on the value of the remainder.

4.4. If the number of seats allocated under Item 4.1. is lesser than or equal to the number of candidates on all candidate lists, the procedure will be completed.

4.5. If the seats allocated to a particular candidate list under Item 4.1 outnumber the candidates on this list, it will be conclusively awarded as many seats as is the number of these candidates and will be excluded after that. The filled lists will be excluded as well. If all lists are excluded, the procedure will be completed.

V. Individualising Seats by List

5.1. The seats under Section IV will be individualised by preferential voting.

5.2. The elected candidates from each candidate list of a party or coalition with X seats won will be determined according to the number of valid preferences received and the ranking of the said candidates on the list.

5.3. The preferences for a particular candidate on the candidate list will be valid if the number of votes received for the candidate is not lesser than 5 per cent of the votes cast for the candidate list.

5.4. Where there are no candidates under Item 5.3, the ranking of the candidate list will be

retained.

5.5. Where there are candidates under Item 5.3, they will be ranked according to the number of preferences received, starting from the candidate who has received the largest number of valid preferences. These candidates will be excluded from the candidate list of the respective party or coalition and will comprise List A. If the number of preferences is equal, the order will be determined by lots. The rest of the candidates on the candidate list will retain their initial ranking on the list and will comprise List B.

5.6. The first X candidates from the lists under Item 5.4. or Item 5.5 will be elected.

5.7. The lists under Item 5.4 or 5.5 will be retained upon substitution in case of termination of the term of office of an elected candidate.

VI. Unregulated Matters

6.1. The Central Election Commission will adopt a decision on any unregulated matters.

Annex 4
to Article 452 (1)
(Supplemented, SG No. 39/2016,
effective 26.05.2016,
amended, SG No. 85/2016,
effective 28.10.2016)

METHODOLOGY
for Determining the Results of Voting for Mayors

1. This Methodology determines the results of the election of municipality mayor, borough mayor or mayoralty mayor.

2. The sum total of the votes cast in the constituency will be calculated for each candidate for mayor.

3. (Supplemented, SG No. 39/2016, effective 26.05.2016, amended, SG No. 85/2016, effective 28.10.2016) The candidate who has gained more than one-half of the valid votes in the constituency will be elected.

4. If no candidate is elected, the Central Election Commission (CEC) will schedule a second round within seven days after the day of the first election.

4.1. The second round will be contested by the two candidates who have gained the most votes.

4.2. If more than two candidates have gained the most but an equal number of votes, they will all be admitted to contest a second round.

4.3. If one candidate has gained the most votes and two or more candidates have gained the next largest equal number of votes, they shall all be admitted to contest the second round.

5. In the second round, the candidate who has gained the most votes will be elected.

6. If two or more candidates have gained the most but an equal number of votes in the second round, no candidate will be elected.

Annex 5
to Article 453 (1)
(Amended and supplemented, SG No. 39/2016,
effective 26.05.2016)

METHODOLOGY
for Determining the Voting Results and Allocation of the Seats upon Elections of Municipal Councillors

I. General Dispositions

1.1. This Methodology uses a Hare-Niemeyer Method (H-NM) for allocation of the seats upon elections of municipal councillors.

1.2. Voting will take place within the territory of the municipalities.

1.3. The seats will be allocated to candidate lists of parties and coalitions and independent candidates.

1.4. The seats for the candidate lists will be individualised by preferential voting.

II. Independent Candidates

2.1. (Supplemented, SG No. 39/2016, effective 26.05.2016) An independent candidate will be elected if he or she has received a number of votes that is not lesser than the number of valid votes in the municipality, excluding those referred to in Item 7 of Article 438 (1) herein, divided by the number of municipal councillors in the Municipal Council.

III. Inclusion of Parties and Coalitions

3.1. The parties and coalitions, which have received votes than are not less than the votes needed for the election of an independent candidate under Section II, will be included in the allocation of seats.

IV. Allocation of Seats to the Parties and Coalitions

4.1. Candidate lists, which have received votes than are not less than the votes needed for the election of an independent candidate under Item 2.1, will be included in the allocation of seats.

4.2. The number of seats that will be allocated to the candidate lists under Item 4.1 according to the H-NM. This number, M, is the number of municipal councillors less the number of independent candidates elected under Item 2.1.

4.3. Each candidate list will be awarded a number of seats according to H-NM.

4.4. Where the number of seats for a particular candidate list under Item 4.3 is greater than the number of candidates on the list, this list will be awarded as many seats as are the candidates on it.

4.5. The seats under Items 4.3 and 4.4 will be individualised by preferential voting.

V. Individualising Seats

5.1. The elected candidates from each candidate list of a party or coalition with X seats won will be determined according to the number of valid preferences received under Article 437 (4) and (5) herein and the ranking of the candidates on the list.

5.2. (Amended, SG No. 39/2016, effective 26.05.2016) The preferences for a particular candidate on the candidate list will be valid if the number of votes received for the candidate is not lesser than 7 per cent of votes cast for the candidate list.

5.3. Where there are no candidates under Item 5.2, the ranking of the candidate list will be retained.

5.4. Where there are candidates under Item 5.2, they will be ranked according to the number of preferences received, starting from the candidate who has received the greatest number of valid preferences. These candidates will be excluded from the candidate list of the respective party or coalition and will comprise List A. If the number of preferences is equal, the order will be determined by lots. The rest of the candidates on the candidate list will retain their initial ranking on the list and will comprise List B.

5.5. The first X candidates from the lists under Item 5.3. or 5.4 will be elected.

5.6. The lists under Item 5.3 or 5.4 will be retained upon substitution in case of interruption or termination of the term of office of an elected candidate.

VI. Unregulated Matters

6.1. The Central Election Commission will adopt a decision on any unregulated matters.

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This Act together with the annexes thereto was passed by the 42nd National Assembly on the 21st day of February 2014 and on the 4th day of March 2014 and the Official Seal of the National Assembly has been affixed thereto.