Text consolidated by Valsts valodas centrs (State Language Centre) with amending laws of:

19 June 1998 [shall come into force on 22 July 1998];

2 November 2000 [shall come into force on 29 November 2000];

13 June 2002 [shall come into force on 17 July 2002];

29 January 2004 [shall come into force on 12 February 2004];

14 September 2006 [shall come into force on 22 September 2006];

13 November 2008 [shall come into force on 29 November 2008];

13 December 2012 [shall come into force on 11 January 2013];

16 February 2017 [shall come into force on 17 March 2017];

17 May 2018 [shall come into force on 13 June 2018];

20 December 2018 [shall come into force on 11 January 2019];

17 June 2020 [shall come into force on 15 January 2021].

If a whole or part of a section has been amended, the date of the amending law appears in square brackets at the end of the section. If a whole section, paragraph or clause has been deleted, the date of the deletion appears in square brackets beside the deleted section, paragraph or clause.

The *Saeima*1 has adopted and

the President has proclaimed the following law:

**Law on Local Government Election Commissions and Polling Station Commissions**

[*17 June 2020*]

**Chapter I**

**General Provisions**

**Section 1.** (1) For the preparation of the *Saeima*, the European Parliament and local government council (hereinafter – the council) elections and also national referendums, each city and municipality shall establish from its voters respectively the city election commission or municipality election commission (hereafter – the election commission) consisting of 7–15 members. The number of members for the election commission shall be determined by the relevant council.

(2) For the organisation of elections and national referendums, polling station commissions (hereinafter – the polling station commissions) consisting from five to seven members each shall be established in cities and municipalities within the time limits specified by the Central Election Commission.

(3) The number and location of polling stations shall be approved by the Central Election Commission upon a proposal of a local government council. The council shall display the notice on the location of polling stations at the information centre of the council, but the Central Election Commission shall publish the list of polling stations in the official gazette *Latvijas Vēstnesis*.

(4) In those local governments which have only one polling station, the polling station commission shall not be established and its duties shall be fulfilled by the election commission of the relevant local government. In those local governments which have two polling stations, duties of commission of one polling station shall be fulfilled by the relevant election commission, but the commission of the other polling station shall be established in accordance with the procedures specified by the Central Election Commission. In those local governments which have three or more polling stations, polling station commissions shall be established in accordance with the procedures specified by the Central Election Commission, and the relevant election commission shall not fulfil the duties of the polling station commission.

(5) For holding the *Saeima* or the European Parliament elections and national referendums, the Central Election Commission may, in accordance with the conditions of election laws, establish polling stations in foreign countries:

1) at diplomatic and consular missions of the Republic of Latvia in foreign countries – upon a proposal of the Ministry of Foreign Affairs;

2) on ships flying the Latvian flag that have been registered in the Republic of Latvia – upon a proposal of the shipowner;

3) in other suitable places – upon a proposal of at least 36 voters.

(6) The election commission may establish one polling station commission or several polling station commissions for organising voting at the location of voters in accordance with the procedures specified by the Central Election Commission.

[*19 June 1998; 2 November 2000; 13 June 2002; 29 January 2004; 13 November 2008; 17 May 2018; 20 December 2018; 17 June 2020*]

**Section 1.1** (1) A proposal for the establishment of polling stations in foreign countries must be submitted to the Central Election Commission not earlier than 120 days and not later than 75 days before the elections or national referendum. The Central Election Commission shall specify the requirements for the drawing up of proposals and the information to be indicated therein.

(2) The Central Election Commission shall establish polling stations in foreign countries not later than 70 days before the elections or national referendum and shall notify the decision taken to the submitter of the proposal within five days after the day when the decision was taken.

(3) Information regarding the polling stations established in foreign countries shall be submitted by the Central Election Commission to the Ministry of Foreign Affairs which shall inform the countries where the polling stations will be located thereof.

[*20 December 2018*]

**Section 2.** (1) The election commission shall operate as an independent local government institution for the whole term of office of the relevant council. The mandate of the commission shall expire on the day when the newly elected council has established a new election commission.

(2) The composition of the election commission shall be changed in accordance with the procedures laid down in this Law.

(3) The polling station commissions shall operate in accordance with the procedures specified by the Central Election Commission.

[*13 June 2002; 13 November 2008; 17 May 2018*]

**Section 3.** (1) The activities of election commissions and polling station commissions in preparing and holding the *Saeima* or the European Parliament elections and national referendums shall be financed from the state budget in accordance with the procedures specified by the Central Election Commission.

(2) The activities of election commissions and polling station commissions in preparing and holding council elections shall be financed from the budget of the relevant local government.

(21) If the *Saeima* or the European Parliament elections and a national referendum takes place concurrently with the regular council elections, remuneration for the election commissions, polling station commissions and the persons invited in accordance with the procedures specified by the Central Election Commission shall be financed from the state budget in accordance with the procedures specified by the Central Election Commission, but all the expenditure for the acquisition of all the goods and services necessary to ensure activities of election commissions and expenditure for the maintenance of premises shall be financed from the local government budget.

(3) [19 June 1998]

(4) [19 June 1998]

(5) The material assets necessary for organising elections (voting) shall become the property of the local government. The premises needed for organising elections (voting) that are owned (possessed) by the State or local government shall be allocated free of charge.

[*19 June 1998; 2 November 2000; 13 June 2002; 29 January 2004; 13 November 2008; 13 December 2012; 17 June 2020*]

**Section 4.** (1) Each election commission shall have its own seal bearing the supplemented lesser State coat of arms and the name of the relevant commission.

(2) Samples of polling station commission seals and procedures for their use shall be specified by the Central Election Commission.

**Chapter II**

**Establishment of the Election Commissions and Polling Station Commissions and Changing Their Composition**

**Section 5.** (1) The chairperson and other members of the election commission shall be elected by the relevant local government council within three months after election of the council or one month after formation of the council.

(2) The polling station commission shall be established by the election commission in accordance with the procedures specified by the Central Election Commission.

(3) Polling station commissions in foreign countries shall be approved and their numerical composition shall be determined by the Central Election Commission upon a proposal of the Ministry of Foreign Affairs, shipowner or voters respectively. Polling station commissions in foreign countries shall be formed from citizens of the Republic of Latvia, and it may not consist of less than three and more than seven members.

(4) For the European Parliament elections in foreign countries, the Central Election Commission shall appoint the polling station commission for postal voting and determine its numerical composition according to the minimum and maximum number of polling station commission members specified in Paragraph three of this Section.

(5) [20 December 2018]

[*19 June 1998; 2 November 2000; 29 January 2004; 13 November 2008; 17 May* *2018; 20 December 2018; 17 June 2020*]

**Section 6.** (1) Election commissions and polling station commissions shall be formed from citizens of Latvia who are proficient in the Latvian language and who have at least the general secondary education.

(2) A member of the *Saeima* or a councillor of the respective local government council may not be a member of the election commission or polling station commission.

(3) A person who has been nominated as a candidate or is the submitter of a list of candidates may not be a member of the polling station commission.

(4) One person may not be in several commissions, except in the cases laid down in Paragraph four of Section 1.

(5) Chairpersons, secretaries and members of election commissions and polling station commissions shall not be regarded as public officials within the meaning of the law On Prevention of Conflict of Interest in Activities of Public Officials.

[*19 June 1998; 2 November 2000; 13 June 2002; 29 January 2004; 13 November 2008; 17 June 2020*]

**Section 7.** (1) The permanently functioning central governing bodies of registered political parties or their alliances, and also each councillor of the respective council or not less than 10 Latvian citizens with voting rights (hereinafter – the group of voters) shall have the right to nominate and apply their representatives for the election commission.

(2) The number of candidates nominated or applied by each political party, alliance of political parties, councillor or group of voters may not exceed the number of members to be elected in the relevant election commission.

[*13 November 2008 /* *The new wording of Section shall come into force on 1 July 2009.* *See the provision laying down the time when the Law of 13 November 2008 comes into force*]

**Section 8.** (1) The application must indicate the given name, surname, personal identity number, address of the place of residence, workplace and profession (occupation) of the candidate for the position of the member of the election commission, and also information regarding previous participation in the preparation and holding of elections. Each application must be accompanied by a written statement of each candidate that they agree to the nomination of their candidacy and processing of their personal data that must be conducted in accordance with the requirements of this Law.

(2) If a candidate is nominated by the group of voters, the application must be signed by each voter, indicating their given name, surname, personal identity number and address of the place of residence.

(3) If a candidate is nominated by a political party or an alliance of political parties, the application shall be accompanied by an excerpt from the decision of the permanently functioning central governing body.

[*13 June 2002; 13 November 2008 /* *The new wording of Paragraph three shall come into force on 1 July 2009.* *See the provision laying down the time when the Law of 13 November 2008 comes into force*]

**Section 9.** The deadline for the nomination of candidates for the position of a member of the election commission shall be determined by the relevant council. A city council shall publish a corresponding announcement in the official gazette *Latvijas Vēstnesis*, whereas a municipality council shall display it in a visible place by the building of the council and town or rural territory administration.

[*13 November 2008; 17 May 2018; 17 June 2020*]

**Section 10.** (1) The council shall verify that the nominated candidate meets the requirements laid down by the Law (Section 6).

(2) Each candidate shall be put to an individual vote. Those candidates who have received the majority of votes, but not less than the number of votes necessary for taking a decision, shall be regarded as elected.

(3) Those candidates who have received the qualifying number of votes but do not get into the election commission shall be included in the list of candidates for the position of the member of the election commission.

(4) The council shall issue to the members of the election commission or polling station commission certificates of a form approved by the Central Election Commission.

(5) The council shall, within five working days after the election commission has been elected, notify the Central Election Commission of the establishment and composition of the election commission. The notice must include information that has been provided regarding each member of the commission in the application (Paragraph one of Section 8).

[*13 June 2002; 29 January 2004; 13 November 2008*]

**Section 11.** (1) A member of the election commission may terminate his or her participation in the commission by submitting an application thereon to the relevant local government council.

(2) If a member of the election commission fails to fulfil his or her duties, fulfils them negligently or commits offences, or the circumstances referred to in Section 6 of this Law are established and restrict his or her right to be elected, this member of the election commission can be recalled upon a proposal of the Central Election Commission, relevant election commission or its chairperson.

(3) Decision on the recalling of a member of the election commission shall be taken by the council which established the relevant commission. If the proposal for the recalling of a member of the election commission has been received after elections or a national referendum has been announced, the chairperson of the council shall convene a council meeting within three days.

(4) If a member of the election commission has terminated his or her participation in the commission or has been recalled therefrom, the council shall decide on the invitation of a candidate to the position of the member of the commission or announcement of a new deadline for the nomination of candidates for the position of a member of election commission. If a member of the election commission has suspended his or her participation in the commission, the issue on his or her replacement with a candidate to the position of the member of the election commission shall be decided by the council.

[*19 June* *1998; 2 November 2000; 29 January 2004; 13 November 2008; 17 June 2020*]

**Chapter III**

**Organisation of the Operation of the Election Commission and Polling Station Commission**

**Section 12.** (1) [17 May 2018]

(2) At the first meeting, the election commission shall elect the commission secretary from among its members.

[*13 November 2008; 17 May 2018*]

**Section 13.** (1) Election commissions and polling station commissions shall begin and end their activities in the preparation and holding of elections or national referendums in accordance with the procedures specified by the Central Election Commission.

(2) [19 June 1998]

[*19 June 1998; 13 June 2002*]

**Section 14.** (1) The chairperson of the election commission or polling station commission shall manage its work and convene commission meetings.

(2) In the absence of the chairperson of the commission, his or her duties shall be fulfilled by the secretary of the commission, and in such case the duties of the secretary shall be assigned by the commission to one of the members of the commission.

**Section 15.** (1) Meetings of the election commission and polling station commission shall be public.

(2) Journalists, persons authorised by registered political parties and their alliances, and one of the submitters of the list of candidates may be present at the meeting without disturbing the work of the meeting. Voters may also be present in a meeting of the election commission if they have received a permission from the chairperson of the relevant election commission.

(3) Members of the Central Election Commission or their authorised persons have the right to participate in the meeting of the election commission.

(4) Members of the Central Election Commission and members of the relevant election commission, and persons authorised by such commissions shall have the right to participate in the meeting of the polling station commission.

[*19 June* *1998; 2 November 2000; 29 January 2004; 13 November 2008; 17 June 2020*]

**Section 16.** The election commission and polling station commission shall take decisions by open ballot. A decision shall be taken if the majority of members of the commission votes “for”. In the event of a tied vote, the chairperson of the commission shall cast the deciding vote. The member of the commission who does not agree with the decision is entitled to append in writing his or her differing opinion to the minutes of the meeting.

**Section 17.** (1) Minutes of the meeting shall be taken in a meeting of the election commission and polling station commission and shall be signed by the chairperson and secretary of the commission. Decisions of the commission shall be included in the minutes of the meeting.

(2) Documents relating to the issue to be examined (complaints, deeds, statements, sample ballot papers etc.) shall be appended to the minutes of the meeting in accordance with the order in which the issues were examined. Minutes of the meeting shall be arranged in the file in chronological order.

(3) In council elections, a separate file shall be made for each list of candidates. The list of candidates, documents relating to the list as a whole (bank receipt, authorisation of submitters) and afterwards all the documents relating to each candidate (notices, returns etc.) in the same order as they are included in the list shall be included in this file.

(4) The abovementioned documents shall be transferred to the record-keeping of the local government which prepares them and transfers to the archive for permanent storage.

[*19 June 1998; 13 November 2008*]

**Section 18.** (1) The chairperson of the election commission and polling station commission shall:

1) represent the commission in the State and local government institutions, and also in relations with legal and natural persons;

2) meet with voters regarding matters that are related to the operation of the relevant commission;

3) handle the funds and material assets allocated to the commission;

4) inform a higher-level election commission and the relevant local government of its operations;

5) fulfil other obligations related to elections or national referendums.

(2) The chairperson of the election commission and polling station commission shall be responsible for the overall work of the commission but especially for the accurate tallying of votes and preservation of the material assets transferred at the disposal of the relevant commission.

**Section 19.** (1) The secretary of the election commission and polling station commission shall take minutes of the meetings and keep the rest of the commission’s documentation.

(2) In the absence of the secretary of the commission, his or her duties shall be fulfilled by a member of the commission in accordance with the decision of the commission.

(3) The secretary of the commission shall be responsible for the correct handling and storage of documents until they are transferred to the record-keeping of the local government.

**Section 20.** (1) Members of the election commission shall have the right to initiate examination of a matter in the commission meeting, participate in the discussion of matters to be examined, and to inspect the operation of the relevant polling station commission under an order of the chairperson of the election commission.

(2) If a member of the election commission is nominated as a candidate for the position of a member of the parliament or councillor or is the submitter of the list of candidates, his or her participation in the commission must be suspended, i.e. he or she has no right to participate in the operation of the election commission starting from the day when the list of candidates is submitted.

(3) A member of the election commission or polling station commission shall be held liable for the offences related to participation in the election commission or polling station commission in accordance with the law.

[*19 June 1998; 29 January 2004*]

**Section 21.** (1) The chairperson, secretary and other members of the election commission or polling station commission shall, at the time when they fulfil the duties related to elections, be exempt from duties in their principal place of employment, maintaining their position (place of employment).

(2) The chairperson, secretary and other members of the election commission or polling station commission shall receive remuneration for the time when they fulfil their duties in the commission.

(3) The amount of remuneration for the chairperson, secretary and members of the election commission and polling station commission in the preparation of the *Saeima* and the European Parliament elections and national referendums shall be determined by the Central Election Commission in accordance with the Cabinet regulations, but in other cases – the relevant council.

(31) If the *Saeima* or the European Parliament elections or a national referendum takes places concurrently with the regular local government elections, the amount of remuneration for the chairperson, secretary and members of the election commission and polling station commission for the work in preparation of council elections shall be determined by the Central Election Commission in accordance with the Cabinet regulations.

(32) The Cabinet shall review the Cabinet regulations referred to in Paragraph three of this Section for the determination of the amount of remuneration for the chairperson, secretary and members of the election commission and polling station commission every four years in the calendar year before the regular *Saeima* elections, taking into consideration the amount of the average work remuneration of the persons employed in the country in the year before last and the national economic development that has been published in the official statistical report of the Central Statistical Bureau.

(4) Resources that are necessary to ensure continuous work of the members of election commissions and polling station commissions during the voting process and counting of votes shall be included in the estimate of the economic expenditure of election commissions in accordance with the procedures laid down by the Central Election Commission. Catering expenditure for the members of election commissions and polling station commissions shall be compensated in the amount laid down by the Cabinet.

[*13 June 2002; 29 January 2004; 13 November 2008; 13 December 2012; 16 February 2017*]

**Section 22.** (1) To ensure the voting process and counting of votes, the election commission may invite civil servants of the State civil service and other specialists from among the voters. The chairperson of the relevant election commission shall enter into an agreement with such persons which shall lay down their rights and obligations, and also remuneration within the scope of the funds provided for in the estimate.

(2) If necessary, the persons referred to in Paragraph one of this Section may be assigned to fulfil duties of a member of the polling station commission, except for participation in the commission’s decision-making process and substitution of the chairperson or secretary of the commission. The amount of remuneration for such persons shall be equivalent to the amount of remuneration of a member of the polling station commission which is laid down in Section 21, Paragraphs three and 3.1 of this Law, and the catering expenditure for the members of the polling station commission shall be compensated in the amount laid down by the Cabinet.

[*14 September 2006; 17 May 2018*]

**Chapter IV**

**Competence of the Election Commission**

**Section 23.** (1) Election commissions shall ensure the preparation and holding of the *Saeima*, the European Parliament and relevant council elections, and – in the cases provided for in the Law – national referendums.

(2) The election commission as a body governed by public law may only perform such operations which are provided for in the Law and other legal acts.

(3) Election commissions shall fulfil the duties laid down:

1) in this Law;

2) Law on the Election of the *Saeima*;

21) Election to the European Parliament Law;

3) Law on the Election of Local Government Councils;

4) law On National Referendums and Legislative Initiations;

5) [19 June 1998];

6) instructions of the Central Election Commission.

(4) The decisions and orders of the Central Election Commission shall be mandatory for election commissions.

[*19 June* *1998; 2 November 2000; 29 January 2004; 13 November 2008; 17 June 2020*]

**Section 24.** (1) In the preparation of the *Saeima* and the European Parliament elections, election commissions shall:

1) examine the matters related to the preparation and holding of elections in the relevant administrative territory;

2) control that polling premises meeting the requirements conforming to the Law would be arranged in all polling stations;

3) provide assistance in ensuring all polling station commissions with means of transportation and communication, and other technical means and security;

4) deliver to polling station commissions the lists of nominated candidates, ballot papers, envelopes and other election materials;

5) [29 January 2004];

6) in relation to the received complaints or upon their own initiative, examine election results in separate polling stations;

7) inform voters of the election procedures;

8) examine complaints and applications regarding the decisions and operation of the relevant election commissions (polling station commissions);

81) after completion of elections, in accordance with the procedures specified by the Central Election Commission, receive from polling station commissions the vote counting reports and other materials, examine minutes of polling station commissions and deliver those to the Central Election Commission;

82) provide to the Central Election Commission a report of specific form on the use of funds;

9) fulfil other duties related to the relevant elections.

(2) [13 November 2008]

[*13 June 2002; 29 January 2004; 13 November 2008* / *Clauses 8.1 and 8.2 of Paragraph one shall come into force and Paragraph two shall lose force on 1 July 2009.* *See the norm laying down the time when the Law of 13 November2008 comes into force*]

**Section 25.** (1) The election commission shall, in accordance with the Law on the Election of Local Government Councils and the procedures specified by the Central Election Commission:

1) accept, register and publish lists of candidates for members and councillors in accordance with the procedures provided for in laws and regulations;

2) approve content of ballot papers, ensure production of ballot papers and their delivery to polling station commissions;

3) determine the polling station in which voting takes places before the general election day;

4) control work of polling station commissions and provide assistance to these commissions in ensuring them with means of transportation and communications, other technical means and security;

5) in relation to the received complaints or upon its own initiative, examine voting results in separate polling stations;

6) inform voters of the election procedures;

7) examine complaints and applications related to the elections;

8) have the right to examine any matter related to the preparation and holding of elections;

9) after completion of elections, receive from station commissions the vote counting reports and other materials, examine minutes of polling station commissions, tally election results;

10) approve election results, determine the number of elected councillors, and publish the results of elections that have taken place in accordance with the procedures laid down in laws and regulations;

11) send its decision on the approval of election results to the Central Election Commission together with minutes of the election commission;

12) fulfil other duties related to council elections;

13) [17 June 2020].

(2) [13 November 2008]

[*19 June 1998; 2 November 2000; 13 June 2002; 29 January 2004; 13 November 2008; 17 June 2020*]

**Section 26.** In accordance with the law On National Referendums and Legislative Initiations, if not less than 10 000 citizens of Latvia with the voting right have proposed to the Central Election Commission a fully drawn-up draft law or draft amendments to the Constitution, and also in cases when the President has suspended the publication of a law, election commissions shall, in accordance with the procedures laid down by the Central Election Commission:

1) provide the possibility for voters to sign the signature sheets and send them to the Central Election Commission;

2) provide to the Central Election Commission a report of specific form on the use of funds;

3) fulfil other duties related to national referendums and legislative initiations.

[*13 November 2008; 17 June 2020*]

**Section 27.**

[19 June 1998]

**Chapter V**

**Operation of Polling Station Commissions**

**Section 28.** (1) During the preparation of elections or national referendums, the polling station commission shall:

1) ensure that polling premises would be arranged and equipped with all the equipment required for a secret ballot;

2) in accordance with laws, provide the possibility for voters to get acquainted with the lists of candidates, samples of ballot papers and other election documents provided for in the Law;

3) ensure the keeping of ballot papers until the day of elections (referendum).

[*19 June 1998*]

**Section 29.** On the day of elections (referendum), the polling station commission shall ensure free and unhindered voting process in accordance with the procedures laid down by the Law and the Central Election Commission and examine the complaints and protests submitted by the voters.

**Section 30.** The polling station commission shall make a report on the course of the elections (referendum) indicating therein all incidents and disturbances, and also complaints and protests of the voters and decisions taken in relation to them.

**Section 31.** After closing of polling stations, the polling station commission shall, in accordance with the procedures specified by the Central Election Commission, ensure counting of the given votes and deliver the vote counting report to the election commission together with other materials.

[*13 November 2008; 17 June 2020*]

**Chapter VI**

**Contestation and Appeal of the Decisions of Election Commissions or Polling Station Commissions**

[*14 September 2006*]

**Section 32.** A decision of the election commission or polling station commission may be contested to the Central Election Commission in accordance with the procedures laid down by the law. The decision of the Central Election Commission on the decision of the election commission or polling station commission may be appealed to a court in accordance with the procedures laid down by the law.

[*14 September 2006*]

**Section 33.** The decisions referred to in Section 32 of this Law may be contested and appealed by:

1) in elections – submitters of the lists of candidates and the nominated candidates;

2) in national referendums on a draft law or draft amendments to the Constitution – the person who has submitted to the Central Election Commission a fully drawn-up draft law or draft amendments to the Constitution that have been signed by at least 10 000 Latvian citizens with the voting right;

3) in national referendums on the dissolution of the *Saeima* – at least one third of the members of the *Saeima*;

4) [19 June 1998].

[*19 June 1998; 29 January 2004; 14 September 2006*]

**Section 34.**

[29 January 2004]

**Transitional Provision**

Persons who are members of the city or municipality election commission that has been established after the local government elections of 2017 may also be elected to the municipality election commission which shall be established for the local government elections that are intended in 2021.

[*17 June 2020*]

The Law has been adopted by the *Saeima* on 10 May 1995.

President G. Ulmanis

Rīga, 19 May 1995