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4648. National Assembly Elections Act (official consolidated text) (ZVDZ-UPB1), page 11223.

Pursuant to Article 153 of the National Assembly Rules of Procedure, the National Assembly of the Republic of Slovenia, at its session on 29 September 2006, approved the official consolidated text of the National Assembly Elections Act, which includes the following:

- The National Assembly Elections Act – ZVDZ (Uradni list RS, no. 100/03 of 12 September 1992),
- The Act Amending the National Assembly Elections Act – ZVDZ-A (Uradni list RS, no. 39/95 of 20 October 1995),
- The Act Amending the Political Party Act – ZPoIS-A (Uradni list RS, no. 70/00 of 8 August 2000) and
- The Act Amending the National Assembly Elections Act – ZVDZ-B (Uradni list RS, no. 78/06 of 25 July 2006).

Ref. no.: 004-01/92-3/76

Ljubljana, 29 September 2006

EPA 994-IV

President
of the National Assembly of
the Republic of Slovenia
France Cukjati, dr. med., m.p.

THE NATIONAL ASSEMBLY
ELECTIONS ACT
official consolidated text
(ZVDZ-UPB1)

I. GENERAL PROVISIONS

Article 1

Deputies of the National Assembly shall be elected on the basis of universal and equal suffrage in free and direct elections by secret ballot.

Article 2

Deputies shall be elected in constituencies.

Deputies shall be elected according to the principle that one deputy is elected per an approximately equal number of inhabitants, and according to the principle that political interests are represented proportionately in the National Assembly.

The Italian and the Hungarian national communities shall each elect one deputy to the National Assembly.

Article 3

If no specific provisions are made in this Act, the election of deputies of the Italian and Hungarian national communities shall be regulated *mutatis mutandis* by the provisions of this Act applying to the elections of other deputies.

Article 4

According to this Act, due terms shall include Sundays and national and other holidays.

Applications which are due within terms pursuant to this Act, shall be filed directly with the competent authorities.

Article 5

Public election campaigning must end at least 24 hours prior to Election Day.

Article 6

The costs of holding elections shall be covered from the national budget of the Republic of Slovenia.

Funds for holding elections pursuant to the laws governing public finance and public contracts shall be considered to be provided on the day set in the call for elections as the start date for election-related activities.

In regular elections, public contracts necessary for the holding of elections may start prior to the day elections are called.

When due to the deadlines required for the holding of elections, compliance with the laws governing public contracts may not be possible, public contracts shall be awarded pursuant to the negotiated procedure with prior publication of a contract notice.

II. VOTING RIGHT

Article 7

Every citizen of the Republic of Slovenia who has reached the age of 18 by the Election Day shall have the right to vote and to be elected as a deputy.

Notwithstanding the provisions of the preceding paragraph, the right to vote and the right to stand for the election shall not be recognized for a citizen of Slovenia who has reached the age of 18, but has for reasons of mental illness, developmental difficulties or impairment legally been deprived of the capacity to enter into contracts or for whom parental rights have been extended for their parents or other persons beyond their majority, and is consequently not able to understand the meaning, purpose and impact of elections.

In the procedure for taking away the capacity to enter into contracts or extending parental rights beyond majority, the court shall make a separate decision on taking away the right to stand for election and the right to vote.

Voters shall exercise the right to vote in the constituency of their permanent residence.

Voters without permanent residence in the Republic of Slovenia shall exercise the right to vote in the constituency of their - or one of their parent's - last permanent residence. If this cannot be ascertained, the voters themselves shall decide in which constituency and electoral district they shall exercise the voting right.

Article 8

Members of the Italian and Hungarian national communities who have the voting right shall have the right to vote and to be elected as deputies of these national communities.

Article 9

Voters shall vote in person. Nobody shall be allowed to vote by proxy.

Voting shall be carried out in secret on ballot papers.

A person registered in the electoral register may not have his voting right revoked or be prevented from voting.

Article 10

Freedom of choice and secrecy of voting must be guaranteed to voters.

Nobody may be called to account for his vote or be requested to answer whether he has voted, for whom he has voted, or why he has not voted.

Article 11

Records of the voting right shall be regulated by law.

III. GENERAL ELECTIONS

Article 12

General elections to the National Assembly shall be regular and early elections.

Regular elections shall be held every four years.

Early elections shall be held in the event of the dissolution of the National Assembly prior to the end of its four-year term.

Article 13

Regular elections shall be held not earlier than two months and not later than 15 days before four years have passed since the first session of the outgoing National Assembly. In the event of a prolonged term, the due term shall be deemed to be the day on which the prolonged term expires.

Early elections shall be held not later than two months after the dissolution of the National Assembly.

The term of the outgoing National Assembly shall expire upon the first session of the new National Assembly. The first session of the new National Assembly shall be deemed to be the session at which more than one half of the elected deputies are confirmed.

Article 14

The President of the Republic shall call general elections.

Early elections shall be called by the President of the Republic in a decree dissolving the National Assembly.

The decree calling elections act shall be published in the Uradni list Republike Slovenije (Official Gazette of the Republic of Slovenia).

Article 15

Regular elections shall be called not earlier than 135 days and not later than 75 days before four years have passed since the first session of the outgoing National Assembly.

The period between the day elections are called and the Election Day itself must not exceed 90 days or be less than 60 days.

Early elections may be held, at the earliest, 40 days after the day on which elections were called.

Article 16

The decree calling elections shall determine the day on which elections are called and the Election Day.

The day on which elections are called shall be the start date of election-related activities.

The Election Day shall be a Sunday or any other holiday.

IV. BY-ELECTIONS

Article 17

A deputy whose term of office expires, unless he resigns within six months of the confirmation of his term of office, shall be replaced for the remainder of the term of office by the candidate from the same list of candidates who would have been elected had the deputy whose term of office has expired not been elected.

A deputy of a national community whose term of office expires shall be replaced for the remainder of the term of office by the candidate from the list of candidates who would have been elected had the deputy whose term of office has expired not been elected.

If a candidate referred to in the first or second paragraphs of this Article fails to give notice that he accepts the office within eight days, this right shall be transferred to the next candidate.

Article 18

If there is no other candidate on the list referred to in the preceding article, a by-election shall be held.

By-elections shall also be held in the event of termination of the term of office of a deputy referred to in the first paragraph of the preceding article due to his resignation within six months of confirmation of the term of office.

By-elections shall not be held if a deputy's term of office expires less than six months prior to the termination of the term of the National Assembly, unless the National Assembly decides otherwise.

A deputy elected in a by-election shall be elected for a period lasting until the termination of the term of the National Assembly.

Article 19

The President of the Republic shall call by-elections not more than fifteen days after the National Assembly has established the termination of a deputy's term of office.

By-elections shall be held in the constituency in which the deputy whose term of office has expired was elected.

In by-elections, the candidate with a majority of votes shall be elected.

If two or more deputies are being elected in a constituency in a by-election, all candidates on the lists of candidates in all electoral districts shall stand for election. Voters may only vote for as many candidates as there are deputies to be elected in the by-election in the constituency. The candidates with a majority of votes shall be elected.

By-elections shall be carried out in accordance with the provisions of this Act that regulate general elections, unless otherwise provided by this Article.

V. CONSTITUENCIES

Article 20

Eight constituencies shall be formed for the election of deputies to the National Assembly. Eleven deputies shall be elected in each constituency.

Constituencies shall be formed according to the principle that one deputy is elected per an approximately equal number of inhabitants.

In the formation of constituencies and electoral districts, their geographical, common cultural and other characteristics must be taken into consideration.

Electoral districts may cover the area of a single municipality, two or more municipalities, or part of a municipality.

Each constituency shall be divided into eleven electoral districts, each with an approximately equal number of inhabitants.

In each electoral district one deputy shall be elected.

For the election of deputies of the Italian or Hungarian national communities, special constituencies shall be formed in those areas in which these communities reside.

Article 21

Constituencies and electoral districts shall be defined by law.

VI. ELECTORAL BODIES

Article 22

Elections of deputies shall be managed and carried out by electoral commissions and electoral committees (hereinafter: electoral bodies).

Electoral commissions shall be appointed for a period of four years and electoral committees for each election separately.

Article 23

Electoral commissions are as follows:

- 1) national electoral commission;
- 2) constituency electoral commission;
- 3) district electoral commission.

For the election of deputies of the Italian and Hungarian national communities, electoral commissions for special constituencies shall be appointed.

Article 24

An electoral body shall have a chairman, members and their substitutes (hereinafter: members).

Only persons with the voting right may be members of electoral bodies.

No one may be a member of more than one electoral body.

Article 25

A member of an electoral body may not stand for elections at the same time.

If a member of an electoral body accepts a candidacy, his function as member of the electoral body shall be terminated in accordance with law.

Members of electoral bodies may not be representatives or trustees of the lists of candidates.

Article 26

Functions in an electoral body shall be honorary.

Members of electoral bodies must perform their functions conscientiously and responsibly, and act only in accordance with laws and other regulations, irrespective of any other instructions.

In respect of their work in the electoral body, members of electoral bodies shall have the right to adequate compensation. The amount of compensation or reimbursement of costs for the members of electoral bodies, secretaries and other people carrying out election-related tasks shall be determined by the national electoral commission in agreement with the Ministry of Finance. The amount of compensation for national electoral commission members shall be determined on the basis of the basic salary of the President of the Constitutional Court for any started month of election-related activities, amounting to a maximum of one quarter of the Constitutional Court President's basic salary for the electoral commission president and his substitute, and a maximum of one sixth of the Constitutional Court President's basic salary for other members. These amounts shall be determined relative to the participation of the aforementioned members in relevant sessions and other activities. In a period when there is no election, the president of the national electoral commission shall receive compensation in the amount of 10% of the basic salary of the President of the Constitutional Court, while the amount for his substitute shall be 5%.

Article 27

An electoral body shall have a quorum if all members or their substitutes are present.

An electoral body shall have a quorum if any substitute is present in place of an absent member. The chairman may only be substituted by his deputy.

Article 28

An electoral body shall decide by a majority of votes of all members.

In the event that a decision is not reached due to a parity of votes for and against, the chairman of the electoral body shall have the casting vote.

If an electoral body fails to reach, in due time, a decision vital for the holding of elections, the chairman of the electoral body shall decide.

Article 29

State bodies and local self-government bodies must assist the electoral bodies in their work and provide them, at their request, with all the information needed for their work.

Administrative and technical conditions necessary for the work of district and constituency electoral commissions shall be provided by the administrative units where these commissions are based.

When implementation of the public contract is not possible due to deadlines required for the holding of early elections or due to other serious grounds, the organisation of printing and distribution of printed material ordered by the competent electoral body shall be provided through a company appointed by law as a publisher of the Uradni list Republike Slovenije.

Article 30

Representatives of the lists of candidates may be present at the work of constituency electoral commissions and the national electoral commission.

Trustees of the lists of candidates may be present at the work of electoral committees and district electoral commissions.

The representatives and trustees of the lists of candidates may inform the chairman of an electoral body of any irregularities.

Article 31

A representative of a list of candidates shall be appointed by the proposer of the list when he submits the list of candidates to the constituency electoral commission.

The names of the trustees of the list of candidates shall be reported by the representative of the list to the district electoral commission not later than five days before Election Day.

A representative or trustee of a list of candidates may not be a candidate.

The trustee of a list of candidates may only be a person whose voting right is registered in the area of the constituency.

Article 32

The national electoral commission shall be appointed by the National Assembly.

The national electoral commission shall have a chairman, five members and their substitutes.

The chairman and deputy chairman of the national electoral commission shall be appointed from among the judges of the Supreme Court.

Two members and two substitutes of the national electoral commission shall be appointed from among legal experts. Three members and members' substitutes of the national electoral commission shall be appointed on the proposal of deputy groups whereby the proportional representation of political parties shall be taken into consideration.

Article 33

Constituency electoral commissions shall be appointed by the national electoral commission.

A constituency electoral commission shall have a chairman, three members and their substitutes.

The chairman and deputy chairman of the constituency electoral commission shall be appointed from among judges.

One member and one substitute of the constituency electoral commission shall be appointed from among legal experts. Two members and two substitutes of the constituency electoral commission shall be appointed on the proposal of deputy groups whereby the proportional representation of political parties shall be taken into consideration.

At least one member of the special constituency electoral commission for the election of a deputy of a national community must be a member of that national community.

Article 34

District electoral commissions shall be appointed by the national electoral commission.

A district electoral commission shall be appointed for the area of the electoral district.

A district electoral commission shall have a chairman, three members and their substitutes. The chairman of the district electoral commission shall be appointed from among judges and the deputy chairman from among other graduate lawyers.

Other members of the district electoral commission and their substitutes shall be appointed on the proposal of political parties whereby the proportional representation of the parties shall be observed. Representative bodies of local communities in the area of an electoral district may also propose the appointment of members of the district electoral commissions and their substitutes.

In appointing members of district electoral commissions and their substitutes pursuant to the preceding paragraph, account shall first be taken of the proposals made by the political parties whose candidates were elected to the National Assembly in past elections from their lists of candidates; this is done in descending order relative to the number of elected candidates, where in the event of the same number of votes, member(s) shall be determined by drawing lots. Then follow proposals by other political parties and local communities providing for the politically plural composition of electoral commissions. In the absence or in the event of an insufficient number of proposals, the lacking members and their substitutes shall be replaced by state or local administration officials.

Article 35

If the term of office of members of electoral commissions terminates during the period following the calling of elections, this term shall be extended until the end of the elections.

Article 36

An electoral commission shall have a secretary, who may at most have two substitutes. The secretary and the two substitutes shall be appointed by the commission from among officials.

Article 37

The national electoral commission shall:

- 1) provide for the legitimacy of the elections and the uniform application of the provisions of this Act referring to electoral procedures;
- 2) co-ordinate the work of constituency electoral commissions and district electoral commissions, provide expert advice on the application of this Act, and oversee their work;
- 3) prescribe the printed forms for the application of this Act;
- 4) determine uniform standards for voting materials and determine other material conditions for the conduct of activities related to elections;
- 5) announce the results of National Assembly elections;
- 6) issue election certificates;
- 7) establish the lists of candidates which at the national level received four or more percent of the votes cast for all lists;
- 8) provide for the voting process at diplomatic and consular representations of the Republic of Slovenia;
- 9) organise training courses for members of other electoral bodies;
- 10) perform other tasks provided by law.

The national electoral commission shall determine which official electoral documents must be sent to it by the constituency electoral commission or the district electoral commission, and the due term and method of sending.

The national electoral commission may delegate individual tasks from its jurisdiction to the special constituency electoral commission for the election of deputies of the national communities.

Professional, administrative and technical tasks for the national electoral commission shall be performed by the national electoral commission service. The organisation and work of this service shall be regulated by an act issued by the national electoral commission. The national electoral commission service shall be managed by a director who also performs the tasks of the secretary. The director shall be appointed by the national electoral commission for a five-year term on the basis of an open competition. The selection procedure, appointments and dismissals shall be regulated *mutatis mutandis* by the provisions of the law on civil servants and shall be applicable to directors-general of directorates, with the exception of the provisions providing for dismissal on no-fault liability.

Article 38

Constituency electoral commissions shall:

- 1) provide for the legitimacy of the election of deputies in constituencies;
- 2) ascertain whether individual candidacies or lists of candidates are in accordance with the law;
- 3) determine the results of elections, declare which deputies have been elected in a constituency according to Article 90 of this Act, and issue reports on the election results;
- 4) oversee direct technical work related to elections;
- 5) perform other tasks provided by law.

Article 39

District electoral commissions shall:

- 1) designate polling stations and the areas thereof;
- 2) appoint electoral committees;
- 3) determine the results of elections in the electoral district;
- 4) oversee direct technical work related to elections;
- 5) perform other tasks provided by law.

Tasks referred to in the preceding paragraph related to the election of deputies of the Italian and Hungarian national communities shall be performed by a special constituency electoral commission.

Article 40

Electoral committees shall oversee voting at polling stations.

At least one electoral committee shall be appointed for each polling station

Article 41

An electoral committee shall have a chairman, an even number of members and their substitutes.

The chairman and members of the electoral committee and their substitutes shall be appointed from among citizens who have permanent residence in the area of the electoral district.

Political parties may submit their proposals for the appointment of the chairman and members of an electoral committee and their substitutes to the district electoral commission not later than ten days after elections have been called. In appointing members of electoral committees, account shall first be taken of the proposals made by the political parties whose candidates were elected to the National Assembly in the past elections from their lists of candidates; this is done in descending order relative to the number of elected candidates, where in the event of the same number of votes, member(s) shall be determined by drawing lots. Then follow proposals by other political parties and local communities and their parts providing for the politically plural composition of electoral committees. In the absence or in the event of an insufficient number of proposals, the lacking members shall be replaced by state or local administration officials.

VII. STANDING FOR ELECTION

Article 42

Candidates may be nominated by political parties and by voters.

Article 43

Political parties shall nominate candidates in accordance with the procedure determined by their regulations. The list of candidates shall be determined by secret ballot.

A political party may submit a list of candidates in every constituency, provided its lists are supported by the signatures of at least three deputies of the National Assembly. The signatures of the deputies shall be submitted to the national electoral commission on the prescribed printed forms.

A political party may submit a list of candidates in a constituency provided the list of candidates has been nominated by members of the political party who have the voting right and permanent residence in the constituency, and that the list of candidates is supported by the signatures of at least fifty voters who have permanent residence in the constituency.

A political party may also submit a list of candidates in a constituency if the list of candidates has not been nominated in the manner described in the preceding paragraph, provided the list of candidates is supported by the signatures of at least one hundred voters who have permanent residence in the constituency.

Two or more political parties may submit a joint list of candidates.

In a list of candidates, no gender shall be represented by less than 35% of the actual total number of women and male candidates on that list.

The provision of the preceding paragraph shall not apply to a list of candidates containing three male or three women candidates, since a list of candidates containing three candidates must contain at least one representative of the opposite sex.

Article 44

Voters shall nominate a list of candidates by signature.

A list of candidates in a constituency may be nominated by the signature of at least one thousand voters who have permanent residence in the constituency.

Lists referred to in this Article shall be subject to the provisions of Article 43, paragraph 6 of this Act.

Article 45

A candidate for deputy of the Italian or Hungarian national communities shall be nominated by the signatures of at least thirty voters who are members of the Italian or Hungarian national communities.

Article 46

Support by signature may be given from the day determined for the start of activities related to elections until the day determined for the submission of the lists of candidates.

A voter or deputy may give his support by signature only once.

Article 47

Voters shall give their support by signature on a prescribed form. They shall sign the form in person before the competent body, which keeps records of the voting right, or at the competent local office.

The body referred to in the preceding paragraph shall keep a special list of issued forms. This list of forms shall be an official secret, where only the competent electoral commission or court shall have the right of access to such data. When support has been given in a way referred to in the preceding paragraph, the proposer of the list of candidates shall, prior to submitting the list, provide for the entry of support in the records of issued forms.

Deputies shall give their support by signature on a prescribed form issued by the competent service of the National Assembly.

Persons who during the period set for the submission of lists of candidates are staying in hospitals, homes for the elderly, institutions for the disabled and similar, and persons serving prison sentence, may indicate their support by having their signature verified on the relevant form by an authorised person of the competent body or legal person.

Persons who during the period of collecting signatures have their permanent or temporary residence abroad, may indicate their support by having their signature verified on the relevant form by an authorised person at a diplomatic or consular representation of the Republic of Slovenia abroad, or by a person in charge of the verification of voters' identity authorised to this end by the Ministry of Foreign Affairs.

Persons having permanent or temporary residence in the Republic of Slovenia who, on grounds of illness or disability, cannot come in person to a competent authority and who do not live in institutes referred to in the fourth paragraph above, may indicate their support for a candidate or a list of candidates before an authorised person of a competent body, who may visit such person at home at least six days prior to the deadline relating to submission of the lists of candidates.

Applications for the form referred to in the fourth and fifth paragraphs of this Article and requests for a visit by an authorised person at home may be lodged at least fifteen days prior to the deadline relating to submission of the lists of candidates.

Article 48

The number of candidates on a list may not exceed the number of deputies to be elected in the constituency.

An individual may be a candidate in one constituency and on one list only.

Article 49

In determining a list of candidates it must also be decided in which electoral district an individual candidate from the list of candidates would stand.

Only one candidate from the list of candidates shall stand in an individual electoral district.

If there are not as many candidates on the list as there are deputies to be elected in a constituency, an individual candidate from such a list may stand in a maximum of two electoral districts.

If there is only one candidate on a list of candidates submitted by voters, he shall stand in all electoral districts.

Article 50

The written consent of the candidate shall be required for each candidacy. The consent of the candidate shall be irrevocable.

Article 51

The list of candidates shall be submitted to the constituency electoral commission. The proposed list of candidates must bear the mark of the constituency, the name of the proposer, the name of the list, the personal data of the candidates (full name, date and place of birth, profession trained for, occupation and permanent address), and the name and permanent address of the representative of the list. Enclosed with the list must be the written consent of the candidates, confirming that they accept the candidacy, and the minimum number of voters' signatures on the prescribed forms, as provided by this Act.

The proposed list must also enclose the distribution of the candidates on the list of candidates in electoral districts.

A list of candidates submitted by a political party must also include the minutes of the nomination of the list of candidates and the regulations of the political party relating to the nomination of candidates for election in the National Assembly.

Article 52

The name of the list of candidates submitted by a political party shall be the name of the political party. Part of the name of the list may also be an abbreviation or the initials of the name of the party. The symbol of the party may also be added to the name of the list.

If two or more political parties submit a joint list of candidates, they shall determine the name of the joint list, which must clearly show that it is a joint list of two or more political parties.

Article 53

The name of a list of candidates submitted by voters shall be determined by the voters themselves. If no name is determined, the name of the list shall be deemed to be the name of the first candidate on the list.

Article 53a

The name of a list of candidates must not include the name of a foreign state, a foreign political party, or their symbols and the abbreviations they use.

VIII. CONFIRMATION OF LISTS OF CANDIDATES

Article 54

Lists of candidates shall be submitted to the constituency electoral commission not later than 25 days prior to Election Day.

Upon receipt of the list of candidates, the constituency electoral commission shall immediately ascertain whether the list of candidates was submitted in due time and whether it was nominated in accordance with this Act.

Article 55

The constituency electoral commission shall reject a list of candidates if it ascertains that the list was not submitted in due time.

Article 56

The constituency electoral commission shall reject a list of candidates if it ascertains that the list was not nominated in accordance with this Act.

If the constituency electoral commission ascertains formal shortcomings in a list of candidates, it shall immediately request that the proposer make corrections within three days. If the formal shortcomings are not corrected in due time, the electoral commission shall reject the list of candidates.

In the cases referred to in the preceding two paragraphs, the electoral commission shall reject a list of candidates entirely or in respect of individual candidates.

Article 57

If the constituency electoral commission ascertains that a candidate appears on two or more lists of candidates in the constituency, it shall accept as valid the candidacy that was first submitted, and inform the candidate and the representatives of the lists of candidates of its decision.

Constituency electoral commissions shall immediately send the information on the submitted lists of candidates to the national electoral commission. If the national electoral commission ascertains that a candidate appears on lists in more than one constituency, it shall accept as valid the candidacy that was first submitted, and shall inform the constituency electoral commissions, the candidate and the representatives of the lists of candidates of its decision.

Article 58

The constituency electoral commission shall confirm a list of candidates that was submitted in due time and was nominated in accordance with this Act.

Article 59

The constituency electoral commission shall issue a certificate of confirmation or rejection of a list of candidates at least 18 days prior to Election Day. The certificate shall be sent to the representative of the list of candidates.

Article 60

The constituency electoral commission shall draw up a roll of confirmed lists of candidates in the constituency in an order determined by lot.

The constituency electoral commission shall also draw up a roll of candidates for election in individual electoral districts. The order of the candidates on such a roll shall be the same as the order on the roll of confirmed lists of candidates.

Article 61

The rolls of confirmed lists of candidates and rolls of candidates for election in individual electoral districts shall be published in the media or in some other manner chosen by the national electoral commission, whereby due account shall be taken of the principle of providing information to the maximum number of voters and of the principle of economy, at least 15 days prior to Election Day. The national electoral commission shall provide for their publication.

Article 62

The media shall be obliged to publish rolls of the lists of candidates with data determined by this Act.

The national electoral commission shall determine the media that shall publish the rolls of the lists of candidates. The costs of publication shall be covered from funds for the holding of elections.

IX. VOTING AT POLLING STATIONS

1. Organization and work at polling stations

Article 63

Polling stations shall be determined by the district electoral commission.

Polling stations shall have serial numbers.

Article 64

A special room shall be designated for each polling station. The room in which voting is conducted must be arranged in such a way as to ensure secrecy of voting. Polling stations must be equipped in such a way as to prevent anyone from observing a voter who is completing a ballot paper.

A polling station shall include the building in which voting is conducted, the courtyard of such building and a specified space around the building.

Electoral commissions shall prepare, in due time and for all the polling stations determined by them, the appropriate number of ballot boxes, printed ballot papers and other voting material.

Notices must be put up at the polling station indicating the rolls of the lists of candidates for election.

Article 65

On Election Day, all forms of electioneering shall be prohibited on the premises of the polling station.

Article 66

The chairman and members of the electoral committee shall gather, one day prior to the elections, in the room where the elections are to be held, ensure that the room is adequately arranged for the holding of elections, and take receipt of the necessary number of ballot boxes and ballot papers, the verified electoral register for the area covered by the polling station, notices and any other material needed for the facilitation of voting at the polling station.

The chairman and members of the electoral committee may also receive the voting material referred to in the preceding paragraph at least half an hour prior to the commencement of voting.

The electoral committee shall draw up records on the polling station and the receipt of voting material from the first paragraph of this article. The records must be signed by the chairman and all members of the electoral committee.

Article 67

The chairman and members of the electoral committee shall gather in the room where elections are to be held at least half an hour prior to the commencement of voting, check whether the room is in the same condition as they left it on the day prior to elections and whether the voting material is in the same condition as they left it on the day prior to voting and, in particular, check whether the ballot box is empty. Records on this shall be drawn up and signed by the chairman and members of the electoral committee.

2. Voting

Article 68

Voting shall be conducted without interruption from 7 a.m. to 7 p.m. A polling station at which all voters on the electoral register have voted may close before 7 p.m.

Electoral committees may, in agreement with the district electoral commission, determine that voting should commence before 7 a.m. or to end after 7 p.m., if this is needed to accommodate voters who could not otherwise vote. The district electoral commission shall immediately inform representatives of the lists of candidates of any such decision that voting would end after 7 p.m.

Notwithstanding the provision of the second paragraph of this Article, voting may not commence before 4 a.m. nor end after 11 p.m.

Article 69

Voters who will be absent on Election Day may vote prior to that day, but not earlier than five days and not later than two days prior to Election Day. Voting shall be conducted at a special polling station at the headquarters of the district electoral commission.

Voting shall be conducted by the electoral committee appointed by the electoral commission in a manner referred to in Article 41 of this Act.

After the end of early voting, ballot boxes and other voting material shall be sealed; they shall be unsealed on any continuation of the early voting and before establishing the election results. The national electoral commission shall define unified standards for the protection of ballot boxes and other voting material in the period between early voting and establishing the election results.

Article 70

The district electoral commission shall inform voters of Election Day and of the polling station for which they are entered in the electoral register.

Article 71

Voters shall vote in person at the polling station for which they are entered in the electoral register.

Voters shall first give their full name and, if necessary, their address.

The chairman or a member of the electoral committee shall ascertain the identity of voters by their personal identification document or in any other way. Identity may be ascertained on the basis of any personal document that provides personal data on the voter.

Thereupon the chairman or a member of the electoral committee shall encircle the serial number before the name of the voter on the electoral register, and the voter shall put his signature in the appropriate box in the electoral register. The chairman or a member of the electoral committee shall check whether the voter has put his signature in the appropriate box, and hand him the ballot paper. The voter shall be handed a ballot paper even if he/she cannot or refuses to put his/her signature in the electoral register. Incapacity to sign, due to physical disability or some other reason, or refusal to sign, shall be indicated by the electoral committee in the electoral register. On request, the electoral committee president or member shall explain to the voter the technical aspects of voting.

If, by mistake, a voter is not entered in the electoral register, he may vote on the basis of a certificate issued by the competent body stating that he is registered as a voter in the area covered by the polling station at which he wishes to vote. This shall be entered in the records; the certificate shall be enclosed with the records.

Article 72

The electoral committee may not deny the right to vote to anyone who is entered in the electoral register for that polling station, or to persons who have proven their eligibility with a certificate.

If a member of the electoral committee wishes to record a comment related to individual voters who wish to vote, the comment shall be entered in the records.

If a person whose name has already been encircled on the electoral register and whose signature has been put in the register, and/or where there is a remark indicating 'other way of voting', wishes to vote, his full name and address and any statement shall be entered in the records, but the electoral committee shall not allow him to vote.

Article 73

Voting shall be conducted with a ballot paper.

Ballot papers for voting on candidates in electoral districts shall comprise:

- the mark of the constituency;
- the mark of the electoral district;
- the serial numbers and names of the lists of candidates in the order from the roll of lists of candidates, and the full names of the candidates standing for election in the electoral district;
- instructions on how to vote.

Voters may vote for only one candidate. Voters shall vote by encircling the serial number before the name of the candidate for whom they wish to vote.

Article 74

Ballot papers for voting on candidates for deputy of the Italian or Hungarian national communities shall comprise:

- the mark of the constituency;
- full names of the candidates in the order from the roll of candidates;
- instructions on how to vote.

Voters shall vote by indicating their preferential order of candidates in front of the names of the candidates, starting with number 1.

Article 75

When a voter completes the ballot paper, he shall put the ballot paper into the ballot box and leave the polling station.

Article 76

Incomplete ballot papers and ballot papers on which it cannot be clearly determined which candidate the voter has selected, shall be declared invalid.

A ballot paper shall be valid if the voter voted in a manner other than that specified by the provisions of Articles 73 and 74 of this Act, provided it is clear which candidate he voted for.

Article 77

All members of the electoral committee or their deputies must be present during the entire period of voting.

Trustees of individual lists of candidates may be present for the entire period of voting.

A list of candidates may have only one trustee at the polling station. The district electoral commission shall issue a certificate to the trustee by which he shall identify himself to the electoral committee.

Article 78

The chairman of the electoral committee, assisted by the members of the committee, shall keep peace and order in the polling station. If necessary, he may call for the assistance of the police. When police officers are in the polling station they shall be under the authority of the chairman and voting shall be suspended.

The chairman of the electoral committee may remove from the polling station anyone who disturbs the peace and order. Such an event shall be entered in the records.

No one shall be allowed to enter the polling station bearing arms or dangerous implements, with the exception of police officers in cases referred to in the first paragraph of this Article.

The chairman of the electoral committee may order voters to be allowed in only in small numbers or one by one, if this is necessary to ensure uninterrupted voting.

Article 79

If a voter, due to a physical disability or illiteracy, is not able to vote in the manner provided by this Act, he shall have the right to be accompanied by a person who shall help him to cast his vote or deliver the ballot paper. The decision on this shall be made by the electoral committee and entered in the records.

Article 79a

In the electoral district area, the district electoral commission shall designate at least one polling station accessible to the disabled. Voters who wish to cast their votes at this polling station shall inform the district electoral commission of their intention to vote at least three days prior to Election Day. At this polling station, the electoral commission may facilitate voting by way of specifically adapted ballot papers and voting machines.

The district electoral commission shall also designate at least one polling station for voters without permanent residence in the district area, provided that they inform the district electoral commission where they are entered in the electoral register of their intent at least three days prior to Election Day.

Article 80

Records shall be kept on voting, and all the important events occurring at the polling station shall be written therein.

At the request of any member of the electoral committee or any trustee, individual circumstances, his particular opinion and remarks on the records shall be entered in the records. The records shall be signed by the chairman and the members of the committee.

Article 81

Voters may not be called up for military exercises on Election Day.

People in care in retirement homes who do not have permanent residence there, and voters who are hospitalized, may also vote by post, provided that they have notified the district electoral commission or the constituency electoral commission not later than seven days prior to Election Day.

Voting by post shall be conducted before the day determined as Election Day.

Article 82

Voters who are registered in the Voting Rights Register of the Republic of Slovenia and who do not have permanent residence in Slovenia, may vote by post or through a diplomatic or consular representation of the Republic of Slovenia, provided that the country in which they are residing approves of such voting or that it is authorized by an international agreement. These voters shall be sent ballot papers with the enclosed voting card in due time.

Voters who are abroad on Election Day because they have temporary or permanent residence there, may vote by post or through a diplomatic or consular representation of the Republic of Slovenia, provided that they have notified the national electoral commission not later than thirty days prior to Election Day, and that the country in which they are residing approves of such voting or that it is authorised by an international agreement.

The ballot paper shall only be accepted if a voter casting his vote by post also encloses a manually signed voting card in the envelope.

The provisions applicable for elections in Slovenia shall be applied *mutatis mutandis* for voting by post from abroad or through diplomatic or consular representations of the Republic of Slovenia.

Notwithstanding the provisions of Articles 73 and 74 of this Act, voting may be performed on a statutory blank ballot paper which contains the electoral constituency and electoral district mark and instructions on how to vote. Voters shall perform the act of voting by entering, manually or in some other way, the candidate's full name or the name of the list of candidates of his choice in the appropriate ballot paper box.

Article 83

Voters, who, for reasons of illness, cannot go in person to the polling station where they are entered in the electoral register, may vote in their homes before an electoral committee. They must notify the district electoral commission of this no later than three days prior to Election Day.

3. Determination of election results in a polling station

Article 84

When voting is completed, the electoral committee shall immediately begin to determine the election results. First, unused ballot papers shall be counted and put in a special envelope, which is then sealed. Thereupon the electoral committee shall determine, using the electoral register and

certificates, the total number of voters who cast their votes; then it shall open the ballot box and determine the number of delivered ballot papers, the number of invalid ballot papers and the number of votes given to individual candidates.

For the election of deputies of a national community, the electoral committee shall determine the preferential order of the candidates.

Article 85

Records shall be kept on the work of the electoral committee in determining the election results. The records shall comprise: the number of voters in the area covered by the polling station entered in the electoral register; the number of voters in the electoral register who voted; the number of voters who voted with a certificate; the total number of voters who voted by ballot paper; the number of invalid ballot papers; and the number of votes given to individual candidates.

In the case referred to in the second paragraph of the preceding Article, the preferential order of candidates shall be written in the records.

Any special opinions and remarks by members of the electoral committee and the trustees of lists of candidates shall also be written in the records.

The records shall be signed by the chairman and the members of the electoral committee.

Article 86

The chairman of the electoral committee shall announce the results of the elections at the polling station, but not before 7 p.m.

The electoral committee shall send the records on its work and other electoral material to the district electoral commission.

X. DETERMINATION OF ELECTION RESULTS

BY ELECTORAL COMMISSIONS

Article 87

The district electoral commission shall determine for the electoral district: the number of voters entered in the electoral register; the number of voters from the electoral register who voted; the number of voters who voted with certificates; the number of voters who voted by post; the number of invalid ballot papers; the number of votes given to individual candidates; and the number of votes given to individual candidates and to relevant lists of candidates. The electoral commission shall also determine the results of postal votes, by taking into consideration the ballot papers that arrived by post by 12 p.m. on the day after the Election Day, with the exception of votes from abroad. In determining the results of voting by post from abroad, consideration shall be taken of ballot papers that arrived by 12 p.m. on the eighth day following Election Day.

Article 88

The district electoral commission shall keep records on the determination of election results for the area of the electoral district, which shall be signed by the chairman and members of the district electoral commission.

The district electoral commission shall send the records on its work and other voting material to the constituency electoral commission by a due term determined by the national electoral commission.

Article 89

The constituency electoral commission shall determine, for each list of candidates: the total number of votes cast for individual candidates from the list in electoral districts; the share of votes of individual candidates in the overall number of votes cast in the electoral district; and the total number of votes given to the list in the constituency.

If a candidate from a list of candidates has received votes in two electoral districts, the constituency electoral commission shall determine his share of votes in the overall number of votes cast in both electoral districts.

The electoral commission shall also determine the total number of votes cast for all lists of candidates in a constituency.

Article 89a

The national electoral commission shall determine, for the national territory: the number of votes cast for individual candidates from the list in constituencies, the number of votes given to the lists in constituencies; and the total number of votes cast for all lists of candidates in the national territory. The electoral commission shall also take into consideration the voting results obtained at diplomatic and consular representations of the Republic of Slovenia and the results of postal votes from abroad that were received by the national electoral commission pursuant to Article 87 of this Act. The national electoral commission shall determine the voting results referred to in the preceding sentence by electoral constituencies.

The national electoral commission shall transmit the final voting results to the constituency electoral commissions for each constituency.

Based on the established voting results for the national territory, the national electoral commission shall determine the lists of candidates or lists having the same nomination that obtained at least 4% of the total number of votes cast for all lists in the national territory and which shall be taken into consideration with respect to the distribution of seats.

X.a DETERMINATION OF ELECTION RESULTS

Article 90

The number of seats given to an individual list shall be determined by a quotient calculated by dividing the total number of votes given to all the lists of candidates in a constituency by the number of deputies elected in the constituency plus one, which is rounded up to the next whole number. The number of votes given to a list shall be divided by this quotient. The list shall be given the number of seats equal to the number of times the quotient divides into the number of votes for the list.

Notwithstanding the provision of the preceding paragraph, a list that does not fulfil the condition referred to in the third paragraph of Article 92 of this Act, shall not be allocated a seat.

Article 91

For each list of candidates, the number of candidates elected shall be equal to the number of seats given to the list.

Candidates from a list of candidates shall be elected according to their share of votes in the overall number of votes in an electoral district or in the overall number of votes in two electoral districts.

If two candidates received the same number of votes, lots shall be drawn.

Article 92

Seats that were not distributed to constituencies, shall be distributed at the national level in such a way that lists or lists having the same nomination are assigned as many seats as is the difference between the number of seats given on the basis of the sums of votes at national level and the number of seats obtained in constituencies.

For the distribution of these seats it shall first be determined how many of all 88 seats would be assigned to lists having the same nomination, in proportion to the number of votes given in all constituencies. This shall be determined on the basis of the highest quotients, which shall be calculated by dividing the sums of votes given to lists having the same nomination, in all constituencies by all numbers from 1 to 88 (the d'Hondt system).

Lists having the same nomination which in the national territory have not obtained at least 4% of the overall number of votes, shall not be taken into account in the distribution of seats at the national level.

Seats referred to in the first paragraph of this Article shall be assigned to lists and/or lists having the same nomination in the order of the highest quotients from the preceding paragraph, where higher quotients shall be considered seats that the list and/or the list having the same nomination accepted pursuant to Article 90 of this Act.

If, regarding the distribution of seats pursuant to the first paragraph of this Article, any of the lists or lists having the same nomination was to be assigned less seats than would be the case at electoral constituency level, the process of determining the number of seats to be assigned to the lists or lists having the same nomination on the basis of the sums of votes at national level shall take into consideration the lesser total number of seats still to be distributed at national level.

Article 93

Seats given to lists having the same nomination in distribution at the national level, shall be assigned to lists in the constituencies that are left with the highest remainder of votes in proportion to the quotient in the constituency according to Article 90 of this Act. If all seats in a constituency are distributed, the seat shall be assigned to the list in a constituency in which the list has the next highest remainder of votes in proportion to the quotient in the constituency. Candidates from the lists of candidates shall be elected in accordance with Article 91 hereof.

Article 94

The results of elections in constituencies shall be determined by the constituency electoral commission. It shall enter them and its work in the records, which shall be signed by the chairman and the members of the commission. The records and other voting material shall be sent to the national electoral commission.

The national electoral commission shall determine the results of elections at the national level. It shall enter them in the records, which shall be signed by the chairman and members of the electoral commission.

Article 95

The electoral commission of the special constituency for the election of deputies of the Italian or Hungarian national communities shall ascertain the number of voters entered in the electoral register, the number of voters who voted, the number of voters who voted by post, the number of invalid ballot papers, and the preferential order of candidates.

Points shall be assigned to candidates according to orders of preference. For each first place the candidate shall receive as many points as there were candidates on the ballot paper. For each successive place a point less shall be assigned. The points of each candidate shall be totalled.

Article 96

The candidate who received the highest number of points in a constituency shall be elected as the deputy of the Italian or Hungarian national communities. If two or more candidates receive an equal number of points, lots shall be drawn. The draw shall be performed by the special constituency electoral commission, in the presence of the candidates or their representatives.

The election results referred to in the preceding paragraph shall be determined by the special constituency electoral commission. It shall enter them and its work in the records, which shall be signed by the chairman and members of the commission. The records and other voting material shall be sent to the national electoral commission.

Article 97

The results of elections to the National Assembly shall be published in the Uradni list Republike Slovenije (Official Gazette of the Republic of Slovenia).

Article 98

The national electoral commission shall issue an election certificate to the elected deputy.

XI. SPECIAL AND REPEAT ELECTIONS

Article 99

Special elections shall be held if voting was not conducted in a constituency or at an individual polling station on the day determined as Election Day. Special elections shall be called by the constituency electoral commission. The provisions of this Act applying to general elections shall apply mutatis

mutandis to special elections, which must be held within 30 days of the day determined for voting in general elections.

Article 100

Repeat elections shall be held if the competent electoral commission, due to irregularities which could affect the results of elections, nullifies the voting at the polling station and orders repeat elections.

Repeat elections shall be called by the constituency electoral commission, unless the voting was nullified by the national electoral commission, in which case the elections shall be called by the national electoral commission.

Article 101

Repeat elections shall also be held if, in the event of a complaint, the National Assembly or the Constitutional Court does not confirm a deputy's term of office and the national electoral commission establishes that repeat elections must be held for this reason.

Repeat elections in the case referred to in the preceding paragraph shall be called by the national electoral commission.

Article 102

The decree calling elections shall determine the day on which repeat elections are held.

Repeat elections on the basis of existing candidacies shall be held within 15 days of the day elections are called. Repeat elections on the basis of new candidacies shall be held not later than two months after the day the elections are called.

XII. PROTECTION OF THE VOTING RIGHT

Article 103

In the event of irregularities in the nomination procedure, each candidate or representative of lists of candidates shall have the right to lodge an objection with the constituency electoral commission. Such objection may be lodged by the due term for the submission of the list of candidates.

The constituency electoral commission must reach a decision on the objection, in accordance with the procedure for determining the legitimacy of lists of candidates, within 48 hours of the due term for the submission of lists of candidates.

Article 104

The national electoral commission may nullify or change the decision of the constituency electoral commission issued in accordance with the procedure for confirming the lists of candidates, if it ascertains that the decision is irregular or in breach of the law, at the latest by the day determined for the announcement of lists of candidates.

Article 105

An appeal against a decision of the electoral commission by which a list of candidates is rejected, against a decision of the electoral commission referred to in the second paragraph of Article 103 of this Act and against a decision of the national electoral commission referred to in the preceding Article may be lodged at the court competent to deal with contentious administrative matters, within 48 hours of the announcement of the decision.

The court must reach a decision on such appeal within 48 hours of the lodging thereof.

The court shall reach a decision in a senate of three judges.

The court shall reach a decision on the basis of appropriate application of the provisions of the Administrative Disputes Act.

Article 106

With regard to irregularities in the work of the electoral committee or the district electoral commission at elections, each candidate, each representative of a list of candidates and each voter shall have the right to lodge an objection with the constituency electoral commission.

An objection may be lodged within three days of the Election Day. The constituency electoral commission must reach a decision on such objection within 48 hours.

Article 107

If a constituency electoral commission ascertains such irregularities in the voting at a polling station or in the work of an electoral committee which considerably affected or could affect the result of the election, it shall nullify the voting at the polling station and order repeat elections to the extent to which the voting was nullified.

If a constituency electoral commission ascertains such irregularities in the work of the district electoral commission which considerably affected or could affect the results of the election, it shall determine the results of the election in the electoral district by itself.

Article 108

If the national electoral commission ascertains such irregularities in the work of the constituency electoral commission which considerably affected or could affect the results of the election, it shall determine the results of the election in the constituency by itself.

Article 109

Each candidate or representative of a list of candidates shall have the right to lodge an appeal with the National Assembly against the decision of an electoral commission which could affect the confirmation of a deputy's term of office. The appeal may be lodged by the first session of the National Assembly at the latest; an appeal related to special or repeat elections may be lodged within 15 days of the day of special or repeat elections at the latest. The National Assembly shall decide on the appeal when confirming deputies' terms of office.

XIII. PENALTY PROVISIONS

Article 110

The following offences shall be punishable by a fine of at least SIT 30,000:

1. Acting in breach of Article 58 of this Act;
2. Electioneering at a polling station (Article 65);
3. Refusing to leave a polling station at the request of the chairman of the electoral committee after voting (Article 75);
4. Disturbing the peace at a polling station (Article 78).

The following offences shall be punishable by a fine of at least SIT 50,000: arriving at the polling station bearing arms or dangerous implements in breach of Article 78 hereof, or ordering armed forces to be present at polling station or bringing them into a polling station without authorization of the chairman of the electoral committee.

A fine of at least SIT 200,000 shall be imposed upon a legal person, sole proprietor or an individual person who performs an activity in breach of Article 5 of this Act.

A fine of at least SIT 50,000 shall be imposed upon the responsible person of a legal person, sole proprietor or individual person who performs an activity in breach of Article 5 of this Act.

The offence authority's tasks regarding breaches under Articles 75 and 78 of this Act shall be assumed by the Police, and those under Articles 5 and 65 by the Ministry of the Interior.

The National Assembly Elections Act – ZVDZ (Uradni list RS, no. 44/92) shall contain the following transitional and final provisions:

XIV. TRANSITIONAL AND FINAL PROVISIONS

Article 111

In the first elections to the National Assembly, political parties may submit lists of candidates in every constituency, provided the lists of candidates are supported by the signatures of at least three delegates of the chambers of the Assembly of the Republic of Slovenia.

Article 112

On the day this Act enters into force, the Assembly Elections Act (Ur. l. SRS nos. 42/89 and 5/90, Uradni list RS, nos. 10/90 and 45/90) shall cease to apply, with the exception of the provisions on the by-elections of delegates to the chambers of the assemblies of the municipalities and special socio-political communities.

Article 113

This Act shall enter into force on the fifteenth day following its publication in Uradni list Republike Slovenije.

The Act Amending the National Assembly Elections Act – ZVDZ-A (Uradni list RS, no. 60/95) shall contain the following final provision:

Article 2

This Act shall enter into force on the fifteenth day following its publication in Uradni list Republike Slovenije.

The Act Amending the National Assembly Elections Act – ZVDZ-B (Uradni list RS, no. 78/06) shall contain the following transitional and final provisions:

TRANSITIONAL AND FINAL PROVISIONS

Article 32

Persons who due to mental illness, developmental difficulties or impairment have been fully deprived of the capacity to enter into contracts or for whom parental rights have been extended for their parents or other persons through a final court ruling, prior to the entry into force of this Act, shall not have the right to stand for election but shall have the right to vote.

The court, based on the proposal of a person entitled to lodge a motion for the initiation of proceedings from the preceding paragraph, shall decide on the right to vote of a person referred to in the preceding paragraph pursuant to the second and third paragraphs of Article 2 of this Act.

Article 33

Notwithstanding the provisions of Articles 10 and 11 of this Act, in the first elections to the National Assembly to be held following the entry into force of this Act, no gender on the list of candidates shall be represented by less than 25% of the actual total number of women and male candidates on the list.

Article 34

On the date of entry into force of this Act, the current secretary of the national electoral commission shall assume the five-year term of director of the national electoral commission service.

Article 35

The provisions of Article 16 and of other articles relating to the introduction of translucent ballot boxes shall start to apply as of 1 January 2007.

Article 36

Notwithstanding the provisions of this Act related to the Voting Rights Register Act (Uradni list RS, no. 52/02), electoral registers shall be designed in such a way that they contain a space for the voter's signature, and shall be handed to the competent electoral commissions on the ninth day prior to Election Day.

Article 37

This Act shall enter into force on the fifteenth day following its publication in Uradni list Republike Slovenije.