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**THE PRESIDENT OF
THE NATIONAL COUNCIL OF THE SLOVAK REPUBLIC**

proclaims

the full wording of Act No. 80/11990 of the Slovak National Council on elections to the Slovak National Council as resulting from changes and amendments made by Act No. 8/1992 of the Slovak National Council of 3 December 1991, Act No. 104/1992 of the Slovak National Council of 26 February 1992, Act No. 518/1992 of the Slovak National Council of 5 November 1992, Act No. 157/1994 of the Slovak National Council of 7 June 1994, Act No. 81/1995 of the Slovak National Council of 7 April 1995, Act No. 187/1998 of the Slovak National Council of 20 May 1998.

LAW

on Elections to the Slovak National Council

The National Council of the Slovak Republic passed the following Act:

PART ONE

BASIC PROVISIONS

Article 1

The elections to the National Council of the Slovak Republic shall be held on the basis of universal, equal and direct suffrage by secret ballot, pursuant to the principle of proportional representation.

Article 2

(1) Citizens of the Slovak Republic, who have reached the age of 18 on election day, and who stay within the territory of the Slovak Republic on the election day, have the right to vote for the National Council of the Slovak Republic (hereinafter referred to as the "right to vote").

(2) Restraints on the execution of voting rights are as follows:

- a) restriction of personal liberty stipulated by law due to protection of public health,
- b) execution of imprisonment,

c) disqualification from legal capacity.

Article 3

A citizen of the Slovak Republic, who has reached the age of 21 on election day and who has permanent residence in the territory of the Slovak Republic, may be elected a Deputy of the National Council of the Slovak Republic (hereinafter referred to as "Deputy").

PART TWO

PERMANENT LIST OF VOTERS

Article 4

Composition and Maintenance of the Permanent List of Voters

(1) The permanent list of voters (hereinafter referred to as "List") shall be composed and maintained by the municipality, and in Bratislava and in Košice, by the city ward (hereinafter referred to as "municipality").

(2) During the electoral term, the municipality shall continuously ascertain facts, which are reasons for changes in the List. Changes in the List shall be carried out on the basis of:

a) the municipality's own records,

b) notices of state organs,

c) results of legal proceedings.

(3) The state organs that decide about the personal status of citizens or that keep records on the personal status of citizens shall immediately notify municipalities about the acquisition or loss of citizenship, death of a voter, or his or her legally defined death, or change of his or her forename or surname. A list of citizens who have reached the age of 18 and change permanent residence in Bratislava, must be declared immediately by the registration office to the respective ward.

(4) The municipality is obligated to make it possible for the citizen to look at his or her record in order to make certain if he or she is registered in the list, or if the registered data on his or her person are correct.

Article 5

Requisites and Changes in the List

(1) Electors are registered in the list in alphabetical order according to their surnames.

(2) It is necessary to state the following data for the each voter registered in the List:

a) forename and surname

b) personal identification number,

c) permanent residence, which for the purposes of this Act means the name of the municipality, and the name of the street, if the municipality is divided into streets, and the house number.

(3) The municipality shall register in the List those persons who:

- a) have acquired citizenship of the Slovak Republic,
- b) have been registered in the municipality for permanent residence,
- d) have reached the age of 18.

(4) The municipality shall delete from the List those persons who:

- a) have lost citizenship of the Slovak Republic,
- b) have died or who have been pronounced dead,
- c) have been registered for permanent residence in another municipality, on the basis of notification by that municipality.

(5) The municipality shall make a change in the list for that person who has changed

- a) forename or surname,
- b) permanent residence within the same municipality.

(6) There must be a space for correction of mistakes in the List.

Article 6

Registration in the List

(1) Citizens of the Slovak Republic who have the right to vote are registered in the List according to the place of their permanent residence. Each elector can be registered only in one list.

(2) Soldiers of armed forces and members of armed security forces and armed forces, who are collectively accommodated, shall be registered in the list in the municipality where that unit is located. Registration shall be carried out on the basis of documents furnished by the unit, within the term specified by the mayor of the municipality. Registration in the list is valid only for the time of elections. The municipality, where the unit has its seat, shall immediately notify the municipality of permanent residence of the soldier or member of the armed forces of this registration. The municipality shall ensure that polling station areas consisting exclusively of soldiers of the armed forces and members of armed security forces and armed forces are not formed.

(3) Persons registered in the list according to paragraph 2 for the time of election should be deleted from the registers of municipalities where they have their permanent residences.

(4) A citizen of the Slovak Republic who does not have permanent residence in the territory of the Slovak Republic, and who presents himself or herself in the polling station on election day, will be registered by the election commission in the list, and entitled to vote in that commission's electoral

district. Registration in the list will be recorded in his or her passport by this election commission. Registration in the list is valid only for the time of elections.

(5) A citizen of the Slovak Republic who presents himself or herself in the respective polling station on election day according to his or her place of permanent residence, and who is not registered in the List, will be registered by the Polling Station Commission in the List on the basis of the submitted identity card.

Article 7

Voting Certificates

(1) Voters, who will not be able to vote in the polling station area where they are registered in the List, will be given a voting certificate by the municipality after the proclamation of elections and based on their request, and they will be deleted from the List by the municipality on the basis of the voting certificate.

(2) The Voting Certificate entitles registration in the List in another polling station area; registration is valid for the time of elections only.

Article 8

Legal proceedings

(1) Each voter can verify at the municipal office whether he or she is registered in the list, and can ask for completion of data or for corrections to be made. The municipality is obligated to comply with the applicant within 48 hours, or to notify the applicant the reason why it was not possible to comply with his or her request within the above term.

(2) Should the municipality fail to correct mistakes or failures in the register, the affected citizen can have recourse to the court of law for the polling station area with a request for a ruling on correction or completion of the list. Provisions of a special Act are related to these proceedings. A municipality acts on the basis of the decision of the court; the Polling Station Commission makes changes on election day. Trial by court is not subject to any court fee.

(3) The commander of the armed unit can verify at the municipal office, whether the persons according to Article 6, paragraph 2 are registered in the list, and can ask for completion of data or for corrections to be made. The municipality is obligated to comply with the request within 48 hours, or to state in writing the reasons why it was not possible to comply with the request.

Article 8a

(1) The municipality shall furnish two copies of the list of voters who are entitled to vote in its polling station area to the Polling Station Commission, at the latest two hours before the beginning of polling.

(2) The Polling Station Commission will also register in the list of voters entitled to vote in its polling station area, also that person who demonstrates with confirmation by the municipality that he or she has permanent residence in a place within that polling station area, in addition to the persons according to Article 6, paragraph 2, Article 7 and Article 8, paragraph 2.

PART THREE

ELECTION DISTRICT AND POLLING STATION AREAS

Article 9

Election Constituency

(1) Elections to the National Council of the Slovak Republic shall be held on the territory of the Slovak Republic.

(2) The territory of the Slovak Republic forms one constituency.

Article 10

Polling Station Areas

(1) The mayor of municipalities or of city districts (hereinafter referred to as the "Mayor") shall, no later than 30 days before the day of elections, establish polling station areas in order to enable the citizens to cast their ballots and count the votes; the mayor shall also determine the polling station locations.

(2) Polling station areas shall be created to usually include 1,000 voters; in the polling station area, in which persons were additionally registered according to Article 6, paragraph 2, the number of voters can be higher. It shall be possible to create independent polling station areas for remote municipalities, if there will be at least 50 voters.

(3) Special polling station areas may be created in health care facilities, institutions of social care and similar institutions, provided there are at least 100 voters.

(4) The possibility of the execution of the right to vote on the basis of a Voting Certificate in the cells of police detention, jails or other facilities for serving disciplinary sentences shall be provided for by the Polling Station Commission having the jurisdiction for the respective area, in cooperation with the commander of the relevant facility. The size of the polling station area, as set forth in paragraph 3, need not be observed. Persons who do not have permanent residency in this polling station area shall vote on the basis of the Voting Certificate which they requested. In case of arraignment of a person, the appropriate unit of the police corps shall enable such arraigned persons to execute their right to vote.

PART FOUR

ELECTORAL BODIES

General Provisions

Article 11

(1) The Central Election Commission, District Election Commissions and Polling Station Commissions shall be established for the election to the National Council of the Slovak Republic.

(2) Any citizen with the right to vote and for whom there are no restraints on the execution of voting rights may become a member of an election commission. A candidate for Deputy (hereinafter referred to as "Candidate") may not be a member of the election commission.

(3) Election commissions shall be created by an equal number of representatives of political parties and political movements (hereinafter referred to as "political party") or their coalitions which will submit lists of candidates. Forenames and surnames of representatives and of their substitutes, with their addresses, shall be announced by a political party or a coalition to the person who summons the first meeting of the election commission. Failure to register the List of Candidates or its withdrawal by a political party or by a coalition will result in the end of membership of representatives of this political party or coalition in election commissions. Membership in the election commission will cease to exist on the day of delivery of written notice by the party or coalition that has nominated the representative or by the member about his or her resignation from the function, sent to the chairman of the election commission. The chairman of the election commission shall call on the substitute according to the order determined by a political party or by a coalition.

(4) The members of election commissions shall commence their offices on taking the following pledge:

"I do solemnly pledge that I shall exercise my office dutifully and impartially and I will abide by the Law and other legal regulations."

The pledge shall be taken by the member of election commission by execution of the written wording of the pledge.

(5) The election commission shall make resolutions in the presence of the simple majority of the members by simple majority of the votes. In case of the equal number of votes, the proposal shall be deemed voted down.

(6) The election commission shall determine by agreement its chairman and vice-chairman. If no agreement will be achieved, the chairman and vice-chairman shall be determined by drawing lots. The chairman and vice-chairman must not be representatives of the same political party or coalition. Drawing lots shall be controlled by the recorder of the election commission.

(7) The Statistical Office of the Slovak Republic shall establish expert summarization bodies consisting of employees assigned for this purpose by the appropriate state statistical bodies for preparation of processing and for processing of election returns for the Central Election Commission and for Polling Station Commissions. The employees appointed in the expert summarization bodies of the election commissions shall take a vow in the wording and manner specified in paragraph 4.

Article 12

Recorders of Election Commissions

(1) The recorder of an election commission shall ensure organisational and administrative matters related to the preparation and the course of meetings of the election commission. At the same time, the recorder shall fulfill the function of an expert adviser to the election commission.

(1) The recorder:

a) of the Central Election Commission shall be appointed and recalled by the government of the Slovak Republic,

b) of the District Election Commission shall be appointed and recalled by the director of the District Office (*prednosta okresného úradu*),

c) of the Polling Station Commission shall be appointed and recalled by the mayor of the municipality.

(3) The recorder of the Central Election Commission shall be appointed by the government of the Slovak Republic at the latest 70 days before election day; the recorders pursuant to paragraph 2, letters b) and c) shall be appointed sufficiently in advance in order to fulfill the tasks according to this Act. The recorder has the right to offer advice at the meetings of the election commission. The recorder shall take an oath in the manner and wording specified in Article 11, paragraph 4.

Article 13

Central Election Commission

(1) Every political party or coalition submitting a List of Candidates shall delegate not later than 65 days before election day, two members and two substitutes to the Central Election Commission.

(2) The first session of the Central Election Commission shall be held within five days after the term stipulated in paragraph 1; this session shall be convened by the Prime Minister of the Slovak Republic.

(3) The Central Election Commission shall:

a) review the lists of candidates and decide on their registration or on rejection of their registration,

b) oversee the preparedness of the election commissions at lower levels to fulfill their tasks according to this Act,

c) discuss information from the Ministry of Interior of the Slovak Republic on organizational and technical preparation of the election and recommend proposals for taking appropriate measures,

d) discuss information from the Statistical Office of the Slovak Republic on preparation of the project of technical processing of election returns in districts and in the Slovak Republic,

e) discuss information on assuring the assignment of equal broadcasting time in television and radio broadcasting during the election campaign,

f) determine and publicize the results of the election,

g) prepare minutes on the election results and deliver them to the Chairman of the National Council of the Slovak Republic,

h) issue Certificates of Election to elected candidates,

i) deliver election documents for the retention by the Ministry of Interior of the Slovak Republic.

(4) The Ministry of Interior of the Slovak Republic shall establish an expert-administrative body for assistance to the Central Election Commission in fulfilling its tasks.

Article 14

Deleted

Article 15

District Election Commission

(1) Every political party or coalition whose List of Candidates was registered shall delegate, no later than 45 days before election day, one member and one substitute to the District Election Commission.

(2) The first session of the District Election Commission shall be held within five days after the term specified in paragraph 1; the session shall be convened by the director of the District Office.

(3) The District Election Commission shall:

a) oversee the preparedness of the Polling Station Commissions to fulfil their tasks according to this Act,

b) discuss information from the District Office on organizational and technical preparation of election in the district and recommend proposals for taking appropriate measures,

c) discuss information on the activity of its expert summarization body,

d) supervise the processing of returns in polling station areas,

e) in case of any doubt, have the right to ask the Polling Station Commission for an explanation and other information; it shall correct apparent mistakes after agreement with the Polling Station Commission alone, otherwise it shall ask the Polling Station Commission to meet again and correct any inadequacies,

f) prepare minutes on the course and returns of the election in the district and deliver it to the Central Election Commission,

g) deliver election documents for retention by the District Office.

Article 16

Polling Station Commission

(1) Every political party or coalition whose List of Candidates was registered shall delegate no later than 30 days before election day, one member and one substitute to the Polling Station Commission.

(2) The Polling Station Commission must have at least five members; a Polling Station Commission whose List of voters includes a person additionally registered according to Article 6, paragraph 2, must have at least 7 members.

(3) If the Polling Station Commission does not have the required number of members stipulated in paragraph 1, the municipality mayor shall immediately make this fact known to the director of the District Office, who, after meeting with the authorized representatives of political parties, shall appoint for the missing members persons who are not members of any political party or coalition.

(4) The first session of the Polling Station Commission shall be held within seven days after the term stipulated in paragraph 1; the session shall be convened by the mayor of the municipality.

(5) The Polling Station Commission shall:

a) provide for the correct course of voting and maintain order in the polling station,

b) complete the List of voters and collect Voting Certificates,

c) count the ballots and prepare minutes on the election results, which shall be submitted immediately to the appropriate District Election Commission,

d) deliver other election documents for retention by the municipality.

PART FIVE

NOMINATION AND REGISTRATION OF THE LIST OF CANDIDATES

Article 17

The List of Candidates

(1) The List of Candidates shall be delivered by a political party registered according to the special Act or by a coalition of political parties in two copies to the recorder of the Central Election Commission no later than 65 days before the election day by its representative.

(2) The List of Candidates of a coalition for purposes of this Act means a separate List of Candidates of political parties that concluded a written agreement on a coalition. A member of one political party cannot be in the List of Candidates of another political party, nor even within a coalition among the candidates of another coalition partner political party.

(3) A political party shall attach to the List of Candidates a declaration that it has at least 10,000 individual members; this declaration shall also be attached by every political party which is a part of a coalition.

(4) If a political party has not met the conditions according to paragraph 3, it shall attach a petition signed by such number of voters as will substitute for the missing number of members of the political party according to paragraph 3. Upon signing the petition, the voter shall state his or her first name, surname, personal identification number and permanent residence, which for the purposes of this Act means the name of the municipality and the name of the street, if the municipality is divided into streets, and the house number. A signature on this petition cannot be withdrawn.

(5) Observance of the conditions stipulated in paragraph 3 or 4 is not applied to political parties that are represented in the National Council of the Slovak Republic and that have an independent group in the National Council of the Slovak Republic by the day when this Act enters into force.

(6) The List of Candidates shall contain

a) the name of the political party,

b) the first name, surname, academic title, age, personal identification number, profession, permanent residence, membership in political party or indication that he or she is not member of any political party and the order within the List of Candidates in the form of an Arabic numeral for all candidates.

7) The political party may place its graphic symbol on the List of Candidates.

8) The political party or coalition may nominate a maximum of 150 candidates on the List of Candidates.

(9) The declaration of the candidate signed by his or her own hand must be attached to the List of Candidates saying that he or she agrees with his or her candidacy, and that he or she is not a candidate on another List of Candidates, and that he or she knows of no obstacles to eligibility, and certification of his or her membership in the political party, or an affidavit that he or she is not a member of any political party.

(10) Political parties may agree in writing to form a coalition. Every political party represented in the coalition must observe the conditions stipulated in paragraphs 3 to 9.

(11) In an attachment to the List of Candidates, the political party shall determine its representative and two substitutes, and state their first names, surnames and exact addresses. The representative or his or her substitute cannot be a candidate. The political party shall be bound by actions of its representative. If a substitute takes the place of the representative, the political party shall make this fact known to the Central Election Commission. The coalition shall determine a common representative and common members of the election commissions. Actions of the representatives and members of the election commissions shall bind all political parties and political movements represented in the coalition.

(12) The recorder shall ascertain if the submitted List of Candidates observes the stipulated requirements. If this is not the case, the recorder shall make known this fact to the representative of the political party or coalition. The recorder shall certify the delivery of the List of Candidates to the representative of the political party or coalition.

(13) The recorder shall immediately convey the List of Candidates to the expert summarization body of the Central Election Commission for the purpose of verification and processing of election returns.

Article 18

Review of the Lists of Candidates

(1) The Central Election Commission shall start to review the submitted Lists of Candidates no later than 55 days before election day.

(2) The Central Election Commission shall review the List of Candidates as to whether it meets the conditions according to this Act. The Central Election Commission shall delete:

a) candidates who do not meet the conditions stipulated in Article 3,

b) a candidate to whose name the affidavit according to Article 17, paragraph 9 has not been attached,

c) a candidate whose name is included on the List of Candidates of several political parties, on that List of Candidates to which the affidavit according to Article 17, paragraph 9 has not been attached; if the candidate signed the affidavit attached to several List of Candidates, he or she shall be removed from all lists of candidates,

d) candidates, who have been nominated above the numerical limit according to Article 17, paragraph 8.

Article 19

Registration of Lists of Candidates

(1) The Central Election Commission shall register the Lists of Candidates which are in accordance with this Act, as well as the Lists of Candidates which were modified according to Article 18, paragraph 2, no later than 45 days before election day. Registration is a prerequisite for printing ballots. Ballots for coalition parties shall be printed in such a way to make it obvious that this is a coalition, and each party has a separate ballot.

(2) The Central Election Commission shall refuse registration of a List of Candidates which is not in accordance with this Act, and which cannot be modified according to Article 18, paragraph 2, within the term according to paragraph 1.

(3) The recorder of the Central Election Commission shall deliver the decision according to paragraphs 1 and 2 to the respective political party within 24 hours of the decision of the Central Election Commission.

(4) Political parties may appeal a decision of the Central Election Commission on registration of the List of Candidates, on registration of the List of Candidates with modifications according to Article 18, paragraph 2, and a decision on refusal of registration of the Lists of Candidates, to the Supreme Court of the Slovak Republic, and may submit a proposal for giving a ruling on cancellation of registration, or a proposal for giving a ruling on withholding a candidate from the List of Candidates, or a proposal for giving a ruling on registration of the List of Candidates. The proposal shall be submitted within three days of the decision of the Central Election Commission. It is not possible to appeal a decision of the Supreme Court of the Slovak Republic. The Supreme Court of the Slovak Republic shall decide within five days.

(5) The Ministry of Interior of the Slovak Republic shall send the municipalities a list of registered candidates through the Regional Offices and District Offices no later than 25 days before election day. The municipalities shall ensure that a copy will be furnished to every voter no later than 20 days before election day.

Article 20

Withdrawal of the List of Candidates and Resignation and Recall of Candidacy

(1) A political party or coalition may withdraw its List of Candidates in written form, by its representative, until 48 hours before the beginning of the election.

(2) Any candidate can resign his or her candidacy until 48 hours before the beginning of the election. The political party or coalition that has nominated this candidate may recall him or her in written form within the above term.

(3) Withdrawal of the List of Candidates by a political party or by a coalition, resignation or recall of candidature cannot be withdrawn. It must be delivered in two copies to the chairman of the Central Election Commission, who shall ensure its publication in a suitable manner.

(4) If a candidate has resigned, or if he or she was recalled after registration of the List of Candidates, his or her data shall remain on the List of Candidates, but he or she will not be taken into account during assignment of mandates.

Article 21

Numbering the Lists of Candidates

The Central Election Commission shall determine by lot the number by which the List of Candidates of any political party or coalition shall be marked, no later than 40 days before election day. A List of Candidates, which will be registered additionally based on the decision of the court will be allotted by the Central Election Commission a number, which will follow after the highest drawn number. The drawn numbers of the lists of candidates shall be made known immediately by the Central Election Commission in written form to the political parties and coalitions and the Central Election Commission shall ensure their publication. Coalition parties shall be marked by a common number, while the ballot shall be marked with a fraction of this number in the order in which parties run.

Article 22

Ballots

(1) A ballot shall be printed for any political party that nominates its members. A separate ballot shall be also printed for any political party that nominates its members in coalition, with the stipulation that in addition to the prerequisites according to paragraph 2, the name of the respective coalition political party or political movement shall be given on the ballot.

(2) The Ministry of Interior of the Slovak Republic shall ensure the necessary number of ballots based on the registered Lists of Candidates. The drawn number of the List of Candidates, name of political party or coalition, first name and surname of candidates, academic title, age, sex, permanent residence and membership in political party must be stated on the ballot. The order of candidates on the ballot must be the same as their order on the List of Candidates. If a political party has placed its graphical symbol on the List of Candidates, it shall also be placed on the ballot.

(3) Ballots for the elections in the National Council of the Slovak Republic must be printed using the same font and size of letters, on the paper of the same color, quality and size. Ballots shall be stamped by the seal of the Ministry of Interior of the Slovak Republic.

(4) The Ministry of Interior of the Slovak Republic shall deliver ballots to the mayors of municipalities who shall ensure that the ballots are delivered to all Polling Station Commissions on the day of elections.

(5) The voter shall receive ballots in the polling station on the day of elections.

(6) If a political party has been dissolved, or if its activity has been suspended, or if a political party has withdrawn its List of Candidates after registration of the List of Candidates, the ballots of this political party shall not be printed, and if they have been printed, the election commissions shall ensure that they not be distributed to voters in polling stations.

Article 23

Election Campaign

(1) For the purposes of this Act, the period of the election campaign shall mean the period commencing 30 days, and ending 48 hours, before the start of elections. During the period of election campaigning every running party is ensured equal access to the mass media and other services of local self-government. Running political parties can conduct election campaigns through radio or television broadcasting only on Slovak Radio and Slovak Television. Election campaigning is prohibited in the radio broadcasting and television broadcasting of private licence holders. It is not allowed to use local public loudspeakers for election campaigning, except for announcements concerning the holding of election meetings.

(2) Slovak Radio and Slovak Television shall reserve 21 hours of broadcasting time for the election campaign which will be divided evenly among running political parties, such that no political party shall be disadvantaged by allocation of its air time; the terms of air time are allocated by lot. Political parties are responsible for the content of these programs.

(3) It is forbidden to broadcast election speeches and election programs during the period of the election campaign and to publicize any external expressions which promote the running political parties outside of the broadcasting time reserved for the running political parties in accordance with paragraph 2. It is also forbidden to broadcast the election campaign during the time which is reserved for advertising in radio and television broadcasting or use radio and television advertising for the election campaign.

(4) Election posters can be posted in public areas during the election campaign only in locations reserved by the municipality, and the reserved area must reflect the principle of the equality of the running political parties. The municipality shall reserve areas for posting election posters by generally binding local law.

(5) 48 hours before the commencing of the elections and on election day, the election campaign in favor or against a political party or candidate using words, writing, sounds and pictures in the mass media, buildings of Polling Station Commissions and their immediate surroundings is forbidden. It is allowed to publicize the results of pre-election opinion polls until the fourteenth day before election day.

(6) Members of election commissions and staff of their expert (summarization) bodies must not provide information about the course and partial results of elections until the signing of the minutes on the results of voting.

(7) It is forbidden to publicize the results of election polls during the course of elections until their end.

(8) Disputes concerning the equality of division and allocation of time for conducting the election campaign on Slovak Radio and Slovak Television are resolved by the Central Election Commission; its decision in this matter is binding.

(9) Breaching the rules on managing the election campaign in accordance with this Act is punished in accordance with separate Acts.

PART SIX

ELECTIONS

Promulgation of Elections

Article 24

Day of Elections

(1) The Chairman of the National Council of the Slovak Republic shall promulgate the day of elections no later than 90 days before their commencement. The promulgation of elections shall be published in the Collection of Laws of the Slovak Republic.

(2) Elections shall be held on the same day on the whole territory of the Slovak Republic. The Chairman of the National Council of the Slovak Republic may, however, determine that the elections shall be held on two days.

(3) Elections shall be held on the determined day from 7 a.m. to 6 p.m. If local conditions so require, the mayor of municipality may determine an earlier hour for the start of the elections.

(4) If elections are held on two days, they shall commence at 2 p.m. and end at 10 p.m. of the first day. On the second day, elections shall commence at 7 a.m. and end at 2 p.m. If local conditions so require, the mayor of municipality may determine an earlier hour for the start of the elections.

Article 25

Informing voters

The municipality shall determine the time and place for holding elections in the municipality no later than 25 days before the day of elections. If more polling station areas have been established in the territory of the municipality, the municipality shall also determine which parts of the municipality or, as the case may be, units (Article 4, paragraph 2) or facilities (Article 10, paragraph 3) belong to individual polling station areas. In this term the municipality shall send every voter, registered in the list of voters, a notice in which the time of holding the elections, the polling station area and place where a voter can vote shall be stated; the notice will also make known the duty to prove one's identity by means of identity card before voting.

Manner of Voting

Article 26

Preparation of the Polling station

(1) Prior to the start of the elections, the chairman of the Polling Station Commission shall check the polling box and portable polling box and seal both boxes, in the presence of the members of the commission. The chairman shall also check the arrangement (equipment) of the polling station, whether the List of Voters, sufficient number of ballots, non-transparent envelopes of the same size,

quality and color with the official seal of the municipality (hereinafter referred to as the "envelope") are prepared. The chairman shall then declare the voting open.

(2) In case elections are held on two days, the chairman of the Polling Station Commission shall ensure, after the end of elections on the first day, that the polling box and portable polling box are sealed so that no ballots could be inserted inside and shall put them along with election documents in a safe place.

Article 27

Booths for the Completing of Voting Ballots

(1) Polling stations shall be arranged so that secrecy of voting is secured. Every voter with ballots is obliged to go through a special booth provided for their completion.

(2) No one shall be present in the polling booth concurrently with the voter, including any member of the election commission.

Article 28

Voting

(1) Voters shall appear before the Polling Station Commission and vote in person.

Representation is not allowed. Members of the Polling Station Commission shall not be allowed to complete ballots for voters.

(2) Upon entry in the polling station, every voter shall present his or her identification card and, after being recorded in both parts of the List of Voters, shall receive from the Polling Station Commission one empty envelope and ballots. Unless the voter presents the identification card and no member of the Polling Station Commission knows him or her, the commission shall ask the voter to prove his or her identity by the testimony of two witnesses known by the commission. Unless the voter can do so by end of voting, he or she shall not be allowed to vote. The Polling Station Commission shall proceed appropriately in the case specified in Article 6, paragraph 4.

(3) The Polling Station Commission shall register in the List of Voters any voter who shall come into the polling station with a Voting Certificate. The registration shall be signed by the chairman and two members of the commission; the voting certificate shall be attached to the first part of the List of Voters. The commission shall afterwards give the voter ballots and an empty envelope.

(4) Upon receiving ballots and an empty envelope, the voter shall enter the booth determined for such purpose (Article 27, paragraph 1). In the polling booth, he or she shall put one ballot in the envelope. On that ballot, he or she may select a maximum of four candidates that he or she prefers, by circling the respective number of the candidate. Other adjustments to the ballot shall not be taken into consideration.

(5) Any voter unable to complete the ballot by himself or herself due to a physical handicap, or the inability to read or write, shall have the right to take another voter into the polling booth, who may complete and put the ballot in the envelope for him or her.

(6) The voter shall vote in such way that upon leaving the polling booth, he or she shall place the envelope in the ballot box in front of the election commission. The commission shall not allow any voter to vote who did not go into the polling booth. As regards the conditions of voting, this applies similarly to voting in special polling station areas (Article 10, paragraph 3).

(7) Any voter who cannot come to the polling station may ask the Polling Station Commission to vote in the portable ballot box. In such a case, the Polling Station Commission shall send at least two of its members to the voter with the portable election box, envelope and ballots; those members shall ensure that the voting is secret.

(8) Upon the request of the voter who is unable to place the envelope in the ballot box due a physical handicap, another voter may do it in his or her presence, however, it may not be a member of the election commission.

Article 29

Order in the Polling station

(1) The chairman of the Polling Station Commission, or in his absence, the deputy, shall be responsible for order in the polling station.

(2) Instructions of the chairman of the Polling Station Commission and his deputy concerning order in the polling station and the dignified course of voting shall be binding for all persons present.

(3) Any election agitation shall be forbidden in the polling station.

Article 30

Interruption of Voting

If any circumstances occur that make it impossible to begin, continue, and end voting, the Polling Station Commission may adjourn the beginning of the voting or prolong the time of voting. The total time of voting (Article 24) may not be shortened by this measure. The Polling Station Commission shall inform the citizens of such measure in a manner common in that area. Should voting be interrupted, the Polling Station Commission shall seal election documents and ballot boxes. Upon resuming voting, the chairman, shall in the presence of the commission, check the integrity (intactness) of the seals and record it in the minutes on the course and result of the voting in the polling station area.

Article 31

Completion of Voting

Only persons present inside the polling station or in front of it shall be allowed to vote after the expiry of the hour determined for the completion of voting. The polling station shall be consequently closed and the chairman of the Polling Station Commission shall declare the voting finished.

Determination and announcement of election results

Article 32

Persons Present in the Polling Station Commission during Counting of Votes

Only the members of election commissions, commissions of a higher degree, the staff of expert (summarization) bodies, and persons with permission granted by the Central Election Commission shall have the right to be present in the room where the Polling Station Commission counts the votes.

Article 33

Counting of Votes in the Polling Station Commission

(1) Upon the completion of voting, the chairman of the Polling Station Commission shall cause the remaining unused ballots and envelopes to be sealed and shall open the ballot box. In the case that the Polling Station Commission also used the portable ballot box, upon the request of citizens, the commission shall mix the contents of both boxes.

(2) The Polling Station Commission shall take out the envelopes with the ballots from the ballot box, count the envelopes and compare their number with the records in the List of Voters. The commission shall exclude all non-official envelopes.

(3) After all ballots have been taken out from the envelopes, the commission shall divide and count the ballots cast for individual political parties, exclude invalid ballots and find how many voters used the right to preference vote. The commission shall further count preference votes given to individual candidates on the ballots.

(4) Any member of the Polling Station Commission may look at the ballots. The chairman of the Polling Station Commission shall check the correctness of the counting of votes.

Article 34

Judging of Ballots

(1) Such ballots that have the names of candidates crossed out, changed or written in shall be considered as cast for the political party. Such adjustment shall not be taken in the consideration. In case any voter gave the preference vote to more than four candidates, such ballot shall be counted for the benefit of the respective political party, however, preference votes shall not be taken into consideration.

(2) Ballots which are not on the prescribed form shall be invalid. If there are several ballots in the envelope cast for several parties, all such votes shall be invalid. If there are several ballots for the same political party, they shall be counted as one vote; in case preference votes have been given on these ballots, the commission shall take in the consideration the ballot with more preference votes; if the same number of preference votes has been given, but not for the same candidates, preference votes shall not taken into consideration.

(3) Should any doubts arise concerning the validity of an envelope, ballot or preference vote, the Polling Station Commission shall make the ultimate decision.

Article 35

Minutes on the Course and Results of Voting in Polling Station Area

(1) The Polling Station Commission shall make the minutes on the course and results of voting in the polling station area in two copies. The minutes shall be signed by the chairman and all members of the commission. Should any member of the commission not sign the minutes, the reasons shall be stated in the minutes.

(2) The minutes on the course and results of voting in the polling station area shall include:

a) the time of commencement and ending of the voting, or as the case may be its interruption,

b) the total number of persons in the polling station area registered in the List of Voters,

c) the number of voters to whom envelopes have been issued,

d) the number of cast envelopes,

e) the number of valid votes given for each political party,

f) the number of the voters of a political party who used the right to preference vote,

g) the number of valid preference votes given to individual candidates, which shall be listed by political party,

h) a summary of resolutions adopted by the commission and their brief explanation.

(3) The Polling Station Commission shall deliver a copy of the minutes, signed by the chairman of the Election Commission, to members of the commission.

Article 36

Ceasing of Activities in the Polling Station Commission

(1) Upon the counting of votes and signing of the minutes on the course and results of voting in the polling station area, the chairman of the Polling Station Commission shall announce the results of voting and deliver one copy of the minutes to the District Election Commission without undue delay; the chairman shall wait for the instructions of the District Election Commission to cease activities.

(2) In case the chairman of the Polling Station Commission fails to observe instructions of the District Election Commission pursuant to paragraph 1, within 24 hours after the completion of voting, the District Election Commission may deliver the results of voting in other polling station areas to the Central Election Commission.

(3) The Polling Station Commission shall seal the cast ballots, envelopes and the List of Voters and deliver them along with other election documents for retention to the municipality.

Article 37

Collection of the Results of Voting in the District Election Commission

The District Election Commission shall collect the results of voting from individual Polling Station Commissions and through its expert (summarization) body shall check the completeness of the minutes of Polling Station Commissions concerning the course and results of voting in the polling

station areas. Only the members of election commissions, the staff of expert (summarization) bodies and the persons with the permission granted by the Central Election Commission shall have the right to be present during that activity.

Article 38

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Article 39

The Minutes of the District Election Commission on the Course and Results of Voting in the District

(1) The District Election Commission shall make the minutes on the course and results of voting in the district, the chairman and other members of the commission shall sign the minutes. Should any member of the commission not sign the minutes, the reasons shall be stated in the minutes.

(2) The minutes of the District Election Commission on the course and results of voting shall include:

a) the number of polling station areas in the district and number of Polling Station Commissions which submitted the results of voting,

b) the number of persons included in the List of Voters in the district,

c) the number of voters to whom envelopes were given,

d) the number of cast envelopes,

e) the number of valid votes cast for each political party,

f) the number of voters of a political party or a political movement who used the right to preference vote,

g) the number of valid preference votes cast for individual candidates by political party,

h) a summary of resolutions adopted by the commission and their brief explanation.

(3) After signing both copies of the approved minutes on the course and results of voting in the district, the chairman of the District Election Commission shall without undue delay deliver one copy to the Central Election Commission. The chairman shall deliver other election documents for retention to the District Office.

(4) The District Election Commission shall deliver the minutes on the course and results of voting in the district, signed by the chairman, to members of the commission.

Article 40

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Article 41

Conditions for allocating mandates

(1) The Central Election Commission shall find how many valid votes were in total cast for each political party. It shall find the number of valid votes for coalitions of political parties in case paragraph 3 does not apply for the coalition.

(2) The Central Election Commission shall further determine which political party received less than 5 % of the total number of valid votes.

(3) In further determination of election results and the allocation of mandates, the political party described in paragraph 2 and votes cast to it are not taken into consideration. Should this political party be a member of a coalition, other political parties are considered as if they submitted the List of Candidates independently.

(4) Should the Central Election Commission find that the requirement pursuant to paragraph 2 was not met by any political party, it shall lower the threshold of five percent to the threshold of four percent.

Article 42

Allocating mandates

(1) The sum of valid votes cast for those political parties which succeed and advance in this process shall be divided by the number 151 (the number of mandates plus one). The number resulting from this division, rounded to a whole number, shall be the republic mandate number.

(2) The total number of valid votes received by a political party shall be divided by the republic mandate number, and the party shall be allocated a number of mandates equal to the number of times the republic mandate number goes into the sum of valid votes received by that political party.

(3) If, by this means, one more mandate was allocated than should have been, this excess mandate shall be deducted from the political party which proved to have the lowest remainder of division. If the remainder is equal, the mandate shall be deducted from the political party which received a lower number of votes. If the number of votes is equal, it shall be decided by lot.

(4) If not all mandates have been allocated by this means, or if a political party has nominated fewer candidates than the number of mandates which should be allocated to it, the Central Election Commission shall allocate these mandates progressively to those political parties which have the highest remainder of division. If the remainders are equal, the mandate is allocated to that political party which received more votes. If the number of votes is also equal, it shall be decided by lot.

(5) Within individual political parties the candidates shall be given mandates in the order as stated on the ballot. In a case where at least one-tenth of the total number of voters who cast a valid vote for that political party used their right to preference vote, the mandate shall be allocated first to the candidate who received at least 10 per cent of preference votes out of the total number of valid votes cast for the political party. In a case where a political party is allocated more mandates, and more candidates fulfilled the conditions pursuant to the previous sentence, the mandates shall be allocated to candidates progressively in order, according to the highest number of preference votes. Should preference votes be equal, the order on the ballot is decisive.

(6) Candidates who did not receive a mandate shall become substitutes.

Article 43

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Article 44

Minutes of the Central Election Commission and Publication of Election Results

(1) After the allocation of mandates, the Central Election Commission shall prepare the minutes on election results which shall be signed by the chairman and all members of the commission. Should any member of the commission not sign the minutes, the reasons shall be stated in the minutes.

(2) The minutes on election results shall include:

a) the total number of persons registered in the List of Voters,

b) the number of voters to whom envelopes have been issued,

c) the number of valid votes cast for each political party and for each coalition of political parties in which each political party received at least five per cent of the total number of valid votes, or four per cent of the total number of valid votes if proceeding in accordance with Article 41 paragraph 4,

d) the names of candidates who were elected, together with the data on the results of preference voting, as well as on candidates who became substitutes.

(3) The Central Election Commission shall publish complete election results upon signature of the minutes on election results. It may also publish preliminary results stating the data in accordance with paragraph 2, subparagraphs a) to c). At the same time, the Central Election Commission shall notify all candidates registered in the Lists of Candidates about the election results including the final order after the adjustment on the basis of preference votes.

Article 45

Certificate of Election

The Slovak Election Commission shall issue a certificate of election to all elected candidates.

Article 46

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Article 47

New elections

(1) If the Constitutional Court of the Slovak Republic annuls the elections or cancels the results of the elections, the speaker of the National Council of the Slovak Republic shall declare new elections to the National Council of the Slovak Republic; new elections shall be declared within 30 days from the publishing of the finding of the Constitutional Court of the Slovak Republic in the Collection of Laws of the Slovak Republic.

Article 48

Substitutes

- (1) If a mandate is vacated during the election period of the National Council of the Slovak Republic, a substitute from the same political party shall take this mandate, the substitute being determined by the political party.
- (2) If there is no substitute of the same political party, the mandate shall remain vacant until the end of electoral term.
- (3) Should any political party be cancelled, a substitute shall not take the place and the mandate shall remain vacant until the end of electoral term.
- (4) Should the activity of the political party be suspended, a substitute shall not take the place and the mandate shall remain vacant during the period of suspension.
- (5) If the mandate of a Deputy of Parliament is not exercised because the Deputy has been appointed a member of the government of the Slovak Republic, a substitute shall take such place.
- (6) The entry of the substitute shall be promulgated by the chairman of the National Council of the Slovak Republic 15 days after the mandate of the Deputy of Parliament ceased or an event in accordance with paragraph 5 occurred. The substitute shall be issued a certificate of the fact that he or she became a Deputy with the respective date; the certificate of substitute in accordance with paragraph 5, shall also include the statement that his or her mandate shall only be valid during the office term of the member of the government of the Slovak Republic whose vacant mandate of the Deputy had been taken by the substitute (paragraph 5). Upon the ceasing of substitute's mandate (paragraph 5), the substitute shall remain on the same Registration Form in the original order.

PART SEVEN

MEASURES FOR ENSURING ELECTIONS

Article 49

Auxiliary Means

- (1) All auxiliary means, mainly polling stations and their equipment, as well as auxiliary staff shall be provided for Polling Station Commissions by the municipalities on the territory of which the respective Polling Station Commissions have been established.
- (2) All means of assistance for the District Election Commissions shall be provided by District Offices and for the Central Election Commission by the Ministry of Interior of the Slovak Republic.

Article 50

Cooperation of State Bodies and Municipalities

State bodies and municipalities are obliged to cooperate in the execution of this Act.

Article 51

Claims of the Members of Election Commissions

(1) The function of the member of election commission shall be honorary. Any member of the election commission may not be limited in his or her rights and claims following from their employment or similar work relationship; primarily he or she shall have the right to time off and reimbursement of the salary, or if it is an independently earning person to reimbursement of the proportional part of the average monthly salary of the person in the national economy.

(2) An employer who paid the reimbursement of the salary pursuant to paragraph 1 shall have the right to receive compensation. The manner of the reimbursement for the members of election commissions shall be stipulated by regulations of the Ministry of Finance of the Slovak Republic after agreement with the Ministry of Interior of the Slovak Republic.

Article 52

Claims of the Candidates

(1) Any candidate shall have the right to time off provided by any person employing the candidate (hereinafter referred to as the "Employer") as of the day following the registration of the Registration Form which includes the candidate.

(2) The Employer shall pay the reimbursement of the salary upon request.

(3) The Employer shall be entitled to compensation from the political party for the amount that was paid as the reimbursement for the candidate registered on the List of Candidates of such political party.

(4) Any candidate who is not employed or in similar work relationship shall be entitled to reimbursement of the salary from the political party that registered the candidate on its List of Candidates.

(5) The reimbursement of the salary of candidates shall be calculated as the reimbursement of the members of election commissions.

(6) The fact that someone is a candidate may not affect his or her employment or similar work relations negatively. The period of time off pursuant to paragraph 1 shall be considered as the period of performing work.

Article 53

Reimbursement of Electoral Costs

(1) The expenses connected with the elections in the National Council of the Slovak Republic, including the expenses of the municipalities, shall be paid from the state budget of the Slovak Republic.

(2) The expenses pursuant to paragraph 1 shall not be the expenses of political parties connected with the election campaign.

(3) After the verification of elections of the Members by the National Council of the Slovak Republic, the chairman of the National Council of the Slovak Republic shall inform the Ministry of Finance of the Slovak Republic about the number of valid votes cast for every political party. A political party

which received more than three percent of the total number of valid cast votes in the Slovak Republic in the elections shall be paid SKK 60 for each such vote from the state budget.

PART EIGHT

PROVISIONAL AND FINAL PROVISIONS

Article 54

Provisions of Authorization

(1) The Ministry of Interior of the Slovak Republic

a) in a separate directive shall specify the details of the role of municipalities and local bodies of the state administration in:

1. establishment of polling station areas,
2. providing for and furnishing of polling stations,
3. retention of election documents.

b) shall issue samples of election forms and provide copies of the necessary number of election forms.

Article 55

The measures taken by the relevant bodies of the state administration and municipalities regarding the preparation of the execution of this Act before the day it becomes effective shall be viewed as if they were taken after this day.

Article 56

Provision of Termination

Act No. 55/1971 Coll., of the Slovak National Council on Elections in the Slovak National Council.

Article 57

The Force of the Act

This Act shall become effective as of the day of promulgation (March 16, 1990).

Act No. 8/1992 Coll., of Slovak National Council became effective as of the day of promulgation (January 16, 1992).

Act No. 104/1992 Coll., of Slovak National Council became effective as of the day of promulgation (March 12, 1992).

Act No. 518/1992 Coll., of Slovak National Council became effective as of the day of promulgation (November 13, 1992).

Act No. 157/1994 Coll., of Slovak National Council became effective as of the day of promulgation (June 28, 1994).

Act No. 187/1998 Coll., of Slovak National Council became effective as of the day of promulgation (June 18, 1998).