

GUIDELINES FOR THE MEMBERS OF
DISTRICT ELECTION COMMISSIONS

APPROVED BY THE CEC DECREE N20/2020 OF 24 AUGUST 2020

THE PRESENT GUIDELINES ARE INTENDED FOR THE UPCOMING ELECTIONS OF THE PARLIAMENT OF GEORGIA ON 31 OCTOBER 2020, AS WELL AS FOR THE TRAINING PURPOSES OF THE MEMBERS OF THE DISTRICT ELECTION COMMISSION FOR THE EXTRAORDINARY ELECTIONS OF THE MUNICIPALITY MAYOR AND BY-ELECTIONS OF THE SAKREBULO. THE GUIDELINES HAVE BEEN DEVELOPED ON THE BASIS OF THE ORGANIC LAW OF GEORGIA "ELECTION CODE OF GEORGIA" AND THE RELEVANT LEGAL ACTS OF THE CEC, INCLUDING THE CEC DECREE N16 / 2020 OF 23 JULY 2020. FOR A FULL UNDERSTANDING OF THE DEC'S POWERS AND RULES OF PROCEDURE, SEE ORGANIC LAW OF GEORGIA "ELECTION CODE OF GEORGIA" AND RELEVANT LEGAL ACTS OF THE CEC.

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PART I

COMPOSITION OF DECS AND
THE RULES OF PROCEDURE

CHAPTER I. STAFFING RULES FOR DECS AND THEIR POWERS

Staffing rules for DECs and their term of office

(Election Code – Article 19; Article 20)

DECs shall consist of 12 members:

- ▶ five members shall be elected by the CEC (with a term of 5 years);
- ▶ six members shall be appointed by parties (the mentioned members shall be appointed after calling of the elections and their term of authority ends upon the announcement of the final results of the elections);
- ▶ one member shall be elected by the CEC (he/she shall be elected after the elections are called and his/her term of office shall terminate upon the announcement of the final results of the elections).

ATTENTION!

Political parties may call off at any time a DEC member appointed by them except for the election day (31 October). The party must notify the respective district election commission about this.

DEC's powers

(Election Code – Article 21; Article 110²; Article 196.7; CEC Ordinances №52/2020 and №53/2020 of 10 July 2020)

A main District Election Commission shall within its territorial limits fully exercise its powers as laid down by Article 21 of the Organic Law of Georgia – The Election Code of Georgia, including the following:

- ▶ ensuring the organization of elections in the electoral districts, monitor the observance of the electoral legislation of Georgia and ensure its uniform application;
- ▶ establishing and ascertaining the boundaries of electoral precincts by an ordinance;
- ▶ facilitating the formation of the lists of voters in the established manner, ensuring their publicity and availability;
- ▶ granting the status of a local observer to non-entrepreneurial (non-commercial) legal entities by an ordinance;
- ▶ reviewing the applications and complaints related to the election process and making relevant decisions within the scope of their powers;
- ▶ based on the summary protocols of polling results of PECs, summarizes polling results, draws up the summary protocols of the polling results conducted with the majoritarian and proportional electoral systems;
- ▶ electing the members of DECs and defining their powers by an ordinance;
- ▶ ensuring re-run elections, repeat voting, and run-off elections.

A subsidiary District Election Commission (see Annex N1) shall exercise in part the powers provided for in Article 21 of the Organic Law of Georgia – The Election Code of Georgia within its area of operation, including the following:

- ▶ ensuring conduction of elections in election districts;

- ▶ participating in specification of the boundaries of polling stations on the basis of a written request of the Main District Election Commission;
- ▶ promoting the formation of voter lists in accordance with the established procedure, ensuring their publicity and availability;
- ▶ Receiving and sending relevant documents to the Main District Election Commission for the purpose of registration of the representatives of electoral subjects, observers and accreditation of representatives of the press and other mass media;
- ▶ Receiving and sending to the main District Election Commission the applications and complaints related to the election process, except for the applications / complaints requesting the preparation of a report on administrative offences (if there are relevant grounds, an authorized official of the Subsidiary District Election Commission draws up a report on administrative offences and sends it to the authorized body adjudicating the offence);
- ▶ In case of a written request of the chairperson of the main District Election Commission, participating in the administrative proceedings and ensuring the transfer of materials on the relevant administrative proceedings to the main DEC;
- ▶ Receiving summary protocols of the polling results from PECs located on the municipal territory of the subsidiary DEC and sending them to the main DEC;
- ▶ Ensuring re-run elections, repeat voting, and run-off elections.

DEC head officers and their powers

(The Election Code – Article 8; Article 20; Article 22; Article 25.21; Regulations of DEC – Article 2; Article 4; Article 9.4; Regulations of PECs – Article 1)

The following persons shall be the DEC head officers:

- ▶ DEC chairperson;
- ▶ DEC deputy chairperson;
- ▶ DEC secretary.

The DEC chairperson shall:

- ▶ chair DEC meetings;
- ▶ manage financial resources of a DEC;
- ▶ give assignments to the deputy chairperson, secretary, other members of the commission, as well as persons employed under employment contracts, support and technical personnel, in accordance with the regulations of the Election Administration;
- ▶ convene the first session of a PEC under an ordinance and determine the agenda of the first sessions;
- ▶ take a decision by issuing an ordinance to remove a person interfering with the work of the commission and breaking an order from the premises of the commission (the commission takes a decision on removing a person from the room during the session);
- ▶ determine the number of working days and hours of the commission by order;
- ▶ issue an ordinance to dismiss the application/complaint without prejudice in accordance with the Ordinance N8/2012 from 2 March 2012 on Approving the Guidelines for Lodging and Hearing Applications/Complaints with the Election Administration, provided there are grounds as laid down by the Organic Law of Georgia - the Election Code of Georgia.

The DEC deputy chairperson shall:

- ▶ perform the duties of the DEC chairperson if the DEC does not have a chairperson or the DEC chairperson is unable to perform his/her duties;

- ▶ exercise certain powers granted by an ordinance of the DEC chairperson (the ordinance shall clearly specify scopes and terms of the powers).

The DEC secretary shall:

- ▶ distribute electoral documents and correspondence submitted to the DEC;
- ▶ prepare drafts of commission ordinances, draw up minutes of the commission sessions;
- ▶ register by an ordinance the representatives of the party / election bloc independently participating in the elections in PECs and the representatives of initiative groups of voters in the relevant district and precinct election commissions, and provide them with respective certificates;
- ▶ register by an ordinance observers appointed by the non-entrepreneurial (non-commercial) legal entities with the status of election observers in DEC and PECs, and provide them with observer certificates;
- ▶ accredit by an ordinance media representative and provide them with accreditation cards.

Legal acts of DEC

(The Election Code – Article 30.1.b; The Regulations of DEC – Article 4; Article 7)

The Legal acts of DEC are:

- ▶ DEC ordinances;
- ▶ ordinances of the DEC chairperson;
- ▶ orders of the DEC chairperson;
- ▶ ordinances of the DEC secretary;
- ▶ DEC's summary protocols on voting and election results.

Engagement of DEC and restrictions applied to them in pre-election canvassing/ campaigning

(Election Code – Article 45(4)(a); Article 45(9-10) and Article 46(4))

Both the main and subsidiary DEC shall obtain information from municipal bodies on premises suitable for conducting pre-election campaigns (canvassing) and also information about areas allocated for displaying canvassing material and/or election campaign banners. The Main District Election Commission sends this information to the CEC and the relevant Subsidiary District Election Commission (if any), while the Subsidiary District Election Commission sends to the Main District Election Commission and the CEC.

Both the main and subsidiary DEC shall make public the list of premises allocated by the local self-government bodies within two days after the receipt thereof, shall ensure equal availability of the premises for all political parties and electoral subjects, and shall draw up a schedule, in agreement with political parties and electoral subjects, for the electoral events (if the events of different electoral subjects coincide and the electoral subjects fail to come to agreement, the sequence of events shall be determined by casting lots).

A DEC shall give a well-grounded written response to any respective application filed by an electoral subject for the use of premises within 24 hours from filing the application. Any failure to give a response within the above time frame shall be regarded as the consent to the application.

ATTENTION!

A member of the District Election Commission may not conduct pre-election canvassing and participate in canvassing.

CHAPTER II. THE RULES OF PROCEDURE OF DECS

Rules of preparation of DEC meetings

(The Election Code – Article 8; The regulations of DECs – Article 9; Article 10)

A chairperson of the district election commission convenes a session of the commission on his / her own initiative or at the request of his / her deputy.

Upon making a decision to convene a session, a secretary of the commission shall place a notice on convening the session in a visible place in the District Election Commission, indicating the date, exact time and approximate agenda of the session.

A deputy chairman, and in his/her absence the secretary of the Commission, shall be personally responsible for notifying all members of the Commission of the date of the meeting and the exact time of its commencement.

The session of the District Election Commission shall be open. The following persons are entitled to attend the session of the Commission:

- ▶ CEC members and CEC representatives;
- ▶ the members of the staff of the CEC and of the respective DEC;
- ▶ the representatives of media accredited by the CEC secretary or by the respective DEC secretary;
- ▶ one representative of each electoral subject to the respective DEC;
- ▶ one observer of the local observer organisation registered by the CEC secretary or by the respective DEC secretary;
- ▶ not more than two observers (together with an interpreter) from the international organisation registered with the CEC.
- ▶ interested parties invited to review specific issue(s), (who shall leave the meeting immediately after the relevant decision envisaged by the agenda has been made).

Persons entitled to attend the session of the commission, without interfering with the session of the commission, can take photos and videos in accordance with the rules established by the CEC Decree N33 / 2017 of 21 August 2017.

In case of obstruction of the work of the Election Commission during the session of the District Election Commission and violation of order, the commission shall have the right to make a decision on expulsion of the offender (including the commission member) from the commission session, which is recorded in the minutes. Expulsion of the offender from the session of the election commission shall also imply expulsion from the building of the election commission. If the offender does not voluntarily comply with the decision on expulsion, the chairperson of the commission shall appeal to the police. The police shall be obliged to immediately enforce the decision to expel the person.

ATTENTION!

Interference with the functions and activities of the Election Commission is an administrative offense, for which a report on administrative offenses is drawn up by a person authorized by the relevant district election commission (official) and immediately sent to the relevant district / city court. In case of confirmation of the violation, the court shall make a decision on imposing a fine of 500 GEL on the relevant person (Election Code of Georgia - Article 91¹; Article 93.1).

Course of DEC sessions

(Election Code – Article 8.3; Article 42.5; Regulations of the District Election Commission – Article 9; Article 10)

DEC meetings shall be chaired by a DEC chairperson or his/her deputy assigned by the chairperson. The meeting shall be considered valid if it is attended by the majority (at least 7 members) of its full composition (12 members). The DEC members shall verify their attendance by signing an attendance sheet. A DEC secretary shall prepare the agenda of DEC meetings.

Every member of the Commission may deliver a speech for two minutes related to the topic under the agenda, following the sequence determined by the chairperson of the meeting. The members of the DEC may deliver an additional speech on the same issue for two minutes with the consent of the chairperson of the meeting.

The members and the employees of the election commission as reporters on the issue under the agenda shall have no more than 10 minutes for the speech and where needed may be added another 5 minutes by the decision of the chairperson of the meeting.

During the discussion of a specific issue, with the consent of the chairman of the meeting and at the time specified by him/her, interested parties authorized to attend the commission meeting and participate in discussion, may be given time - After commission members that should be reasonable and should not exceed two minutes at a time. On the same issue in relation to the same person, the chairman of the meeting may, if necessary, decide to allocate additional time, which should not exceed 2 minutes.

ATTENTION!

- ▶ The representative of an electoral subject may ask for a speech and for expressing the opinion at the respective meeting of the election commission regarding the decision to be taken.
- ▶ During the discussion of issues, the questions may be asked to parties and by the parties and responded only with a consent of the chair of the meeting.

Procedure for adopting ordinances at DEC meetings

(Election Code – Article 8.4; 8.5; 8.6; District Election Commission Regulations – Article 7; Article 10)

A DEC ordinance shall be drafted by A Commission secretary. A DEC ordinance shall be deemed adopted if it is supported by the majority of the members present at the DEC meeting (unless a higher quorum is established by the Electoral Code), but not less than one thirds of its total membership (at least 4 members of the commission).

In the case of an equal number of votes at the DEC session, the chairperson of the meeting shall give the casting vote except for making decisions on the issues of human resources (not less than 7 votes) and when deciding on the issues of declaring void the results of electoral precincts, opening the packages from PECs and recounting the ballot papers (these decisions are made by at least two thirds of the persons attending the meeting).

An ordinance of the commission shall be signed by a chairperson and a secretary of the meeting.

ATTENTION!

A district electoral commission, a chairman and a secretary of the commission shall be obliged to post an ordinance as soon as it is signed in a visible place in the district electoral commission for public access. In addition, the main District Election Commission shall be obliged to forward all its decisions to the subsidiary District Election Commission.

Minutes of DEC meetings

(The Election Code – Article 8.7-9; The Regulations of DEC’s – Article 9; Article 10)

The sequence of reviewed issues and rendered decisions at a DEC meeting shall be recorded in the minutes of the DEC meeting. The minutes of the DEC meeting shall be signed by a DEC chairperson and a secretary. The secretary of the meeting shall draw up minutes of the meeting within a day from the meeting and shall indicate the date of the meeting.

ATTENTION!

- ▶ A DEC member objecting to the decision of the commission shall be entitled to express his/her dissenting opinion, which shall be attached to the minutes of the meeting.
- ▶ A DEC member with a dissenting opinion shall respect and comply with the decisions delivered by the commission. He/she may not impede the execution of the DEC decision by his/her action/inaction.

Paperwork of DEC’s

(The Election Code – Article 71.9, 75.8, 77.29; The Regulations of DEC’s – Article 11)

A district election commission shall keep registration book for the registration of incoming and outgoing letters of the commission, registration of issued / certified copies and tender applications, and a secretary of the commission shall be responsible for this paperwork. If the secretary is unable to exercise his/her powers, the registration book shall be kept by one of the members of the district election commission, elected for 5 years by order of the chairman of the district election commission. And in cases when it is impossible for the member of the commission to exercise these powers, the support staff of the district election commission shall ensure the keeping of the registration book by an order of the chairperson of the district election commission (except for the polling day).

ATTENTION!

On the day of voting, a secretary of the district election commission shall receive applications, complaints and register them with the district election commission.

The Commission shall accept correspondence / documents (including correspondence / documents received by e-mail in electronic form) from 10:00 to 18:00 in working days, in accordance with the Rules of Procedure of District Election Commissions determined by Appendix N2 to the Order N01-168 of the CEC Chairperson of 22 November 2019 on the Approval of the Rules of Procedure of the Office of the Central Election Commission of Georgia and District Election Commissions.

ATTENTION!

Applications / complaints addressed to a DEC email shall have no legal force and shall not be considered by the commission.

Every day at 18:00 (except for a polling day), an authorized person of the commission shall close registration book if an application / letter / tender application or other correspondence has been registered during the working day. For this purpose, after the last entry in each type of registration book, an entry is made "The registration book is closed" indicating the exact time, which is confirmed by a signature of the authorized person of the commission. Once a registration book/books are closed, it shall be prohibited to register any documents in it.

ATTENTION!

- ▶ Any application submitted to an subsidiary DEC shall be automatically considered a referral to the DEC.
- ▶ An subsidiary DEC shall submit documents to the main DEC in the form of "outgoing letters". The subsidiary DEC shall be required to keep copies of these documents.

A DEC shall issue information about elections and electoral documents within 2 days from the moment as requested, and if provision of information takes more time, in the manner established by the General Administrative Code of Georgia (except for the legal acts the deadline for appeal of which is defined in Article 77 of the Organic Law of Georgia – The Election Code of Georgia).

ATTENTION!

- ▶ A photocopy of the summary protocol (attached with dissenting opinions of commission members) shall be immediately given to representatives of a party/initiative group of voters and to observers from an observer organisation.
- ▶ From the second day of the polling day, the DEC's shall issue photocopies of the PEC's summary protocol of the polling results. Receipt of a photocopy of the protocol shall be confirmed by a representative / observer by signing the registration book of the District Election Commission.
- ▶ The decision on a complaint (except for the minutes of the commission meeting) must be delivered to the party participating in the review of the complaint, if requested, by 12 o'clock the day after the decision is made.

PART II

DEC ACTIVITIES DURING THE PRE-ELECTION PERIOD

CHAPTER I. STAFFING OF PECS AND ORGANISING ITS FIRST MEETING

Staffing rules for PECs

(The Election Code – Article 24.1,2,4)

A PEC shall consist of 12 members:

- ▶ 6 members are appointed by the parties;
- ▶ 6 members are elected by a main district election commission on the basis of a competition.

A main District Election Commission shall elect 6 members of the Precinct Election Commission by a majority of the full composition of the commission, provided that it is also supported by at least 3 members elected by the CEC to the District Election Commission for a term of 5 years. A member of the District Election Commission shall not participate in the election procedure if he / she is a family member of a candidate for membership in the relevant precinct election commission (a spouse, direct ascendant or descendant relative, stepchild, sister, brother, stepchild of his/her parents or children, the spouse's sister, brother, or parent). It shall be inadmissible to elect a person as a member of the Precinct Election Commission who was appointed as a member of any election commission by a political party during the last general elections.

PEC's first session

(The Election Code – Article 8.23; Article 25.21)

The first session of PECs shall be held not later than the 30th day before the elections (1 October). A main DEC chairperson shall convene the first session, on which the main DEC chairperson shall issue an ordinance and determine the agenda of the first sessions. A meeting of the precinct election commission shall be legally competent if it is attended by the majority of the full composition of the PEC, but not less than 7 members of the commission. The meeting shall be chaired by a senior member of the commission until the chairperson of the commission is elected.

Procedure of election of the PEC chairperson/deputy chairperson/secretary

(The Election Code – Article 25)

A PEC chairperson, a deputy chairperson and a secretary shall be elected on the first meeting of the commission from the commission members, by a roll-call, by a majority vote of the total number of members. Not less than 2 members of the commission shall have the right to nominate a candidate.

ATTENTION!

- ▶ A chairperson of the precinct election commission / deputy chairperson / secretary of the commission may not be members of the commission nominated by the same electoral subject.
- ▶ The same candidate may be nominated only twice for election as PEC chairperson / deputy chairperson / secretary of the commission.
- ▶ A candidate nominated as the chairperson / deputy chairperson of the precinct election commission / secretary of the commission shall have the right to participate in the voting and vote in favour of his / her candidacy.

Minutes shall be drawn up at a PEC session, which shall be signed by the chairperson and the secretary of the commission. The minutes of the session shall be drawn up within 1 day after the sitting, and the date of the sitting shall be entered in the minutes. The election of the chairperson / deputy chairperson / secretary of the precinct election commission shall be formalized by an ordinance of the precinct election commission.

If a chairperson / deputy chairperson / secretary of the election commission is not elected within the established timeframe, the duty of the mentioned official shall be performed by the member of the commission who receives the most votes in the voting, and in case of equality of votes - the person determined by lot.

CHAPTER II. THE PROCEDURE FOR FORMING, PUBLISHING AND VERIFYING OF THE LISTS OF VOTERS

The unified list of voters

(The Election Code – Article 31)

The unified list of voters is a list of persons with active suffrage registered in the manner established by the legislation of Georgia, which is divided according to the polling stations. The unified list of voters is compiled on the basis of data provided by the State Services Development Agency within the Ministry of Justice of Georgia, other relevant ministries and agencies. The CEC is responsible for formation a unified list of voters, processing it by computer and posting publicly available information on the CEC's official website.

The following voter data shall be included in the unified list of voters:

- ▶ first and last name;
- ▶ date of birth (day, month, year);
- ▶ address (according to a Georgian citizen's ID card or the database of the State Services Development Agency, which also includes the place of registration abroad);
- ▶ personal number of a citizen of Georgia;
- ▶ actual place of residence (for IDPs from the occupied territories of Georgia or for individuals registered without an indication of address, for individuals removed from registration according to their place of residence, as well as for individuals whose registration has been declared invalid by a decision of the State Services Development Agency, a temporary place of residence shall be indicated; for individuals living abroad, "on a consular registry" shall be indicated, and, if individuals living abroad are not on a consular registry of Georgia, "staying abroad" shall be indicated;
- ▶ date of registration in the unified list of voters;
- ▶ sex;
- ▶ photo (the latest digital photo available in the electronic database of the Public Services Development Agency).

Submission of the unified list of voters to a PEC and the procedure of its publication (*The Election Code – Article 31.11; Article 34.1*)

The main and subsidiary district election commissions shall provide the precinct election commissions located on the territory of the corresponding municipality with a version of the unified list of voters (wall list) designated for public information and certified by the CEC not later than the first day of the meeting (not later than the 30th day before the polling day – October 1).

A version of the unified list of voters (wall list - no photos) designated for public information and information about the procedure of filing a complaint in relation to them must be immediately posted in a visible place at the polling station.

Informational versions of the specified lists (wall list) must be submitted to a precinct election commission not later than the second day before the polling day (29 October), and the final versions of the specified lists for the election commission (desk list) - not later than 12 hours before the polling day.

ATTENTION!

- ▶ The original version of the wall list must be removed and the specified version must be posted in the same place.
- ▶ It is inadmissible to issue the desk list and its copy in the form of public information.

Verification of data of the unified list of voters (*The Election Code – Article 31.7-7¹*)

A party with an election registration, an election bloc, an initiative group of voters registered in accordance with the Election Code, an observer organization defined by Article 39 of the Election Code and a voter shall have the right to get acquainted with the public version of the lists of voters available at the CEC, DEC and PECs (an initiative group of voters shall have the right to get acquainted with the version of the lists of voters designated for public information) and registered within the respective majoritarian electoral district, and a voter shall have the right to get acquainted only with the data available about himself/ herself and members of his/her family, and to amend them) and in the case of any inaccuracies, to request changes in the voters' data and the lists of voters not later than the 18th day (13 October) before election day.

ATTENTION!

- ▶ The access to the data on voters and the release of the copies of such data shall be carried out in accordance with the procedure established by the legislation of Georgia for accessing and releasing public information.
- ▶ The public version of the unified list of voters with photos shall be issued only in electronic form. A person authorised to receive the mentioned list shall submit to the DEC an electronic storage device with adequate storage capacity.

Applications to change the voter lists are submitted to the main and/or subsidiary district election commissions, as well as to the precinct election commissions.

A precinct election commission located on the municipal territory of the main district election commission shall immediately submit applications on changes in voter lists to the main district election commission, while a precinct election commission located on the municipal territory of the subsidiary district election commission - to the subsidiary district election commission.

Consideration of the results of the verification of the lists of voters and making a decision (*The Election Code – Article 21.1; Article 26.2; Article 31.8-9*)

During the election period, the Election Administration of Georgia shall check the voter lists on its own initiative and on the basis of applications / complaints. A relevant main / subsidiary district election commission shall review the results of the inspection and make an appropriate decision within 2 days of receiving the application and the proposals of the precinct election commissions (about the changes in the voter lists, if any), but not later than the 16th day (October 15) before the election day.

ATTENTION!

For the above purposes, a respective district election commission shall be entitled to apply to a legal entity under public law LEPL – The Public Services Development Agency within the Ministry of Justice of Georgia / Ministry of Internally Displaced Persons from the Occupied Territories of Georgia, Labour, Health and Social Protection of Georgia and/or its territorial bodies. In case of application, the Agency / Ministry and / or its territorial bodies shall be obliged to immediately provide the relevant information to the District Election Commission.

A main district election commission shall immediately send an ordinance on changes to the voter data / voter lists to the CEC and the relevant precinct election commission, while an subsidiary district election commission shall immediately send an ordinance on changes to the voter data / voter lists to the CEC, the main district election commission and the relevant precinct election commission.

Terms and procedure for appealing DEC decisions on voters in relation to the data of voters/the lists of voters

(*The Election Code – Article 31.10*)

An ordinance of the relevant district election commission on the refusal to make changes to the voter data / voter lists must be submitted to the applicant upon request on the next day after the day of its issuance.

A DEC ordinance about the refusal to amend the data of voters/the lists of voters may be appealed to any respective district/city court within two days after issuance.

If a lawsuit is satisfied by the court, the court decision shall be submitted to a DEC within two days, but not later than the 13th day prior to the Election Day (18 October). The DEC shall immediately submit appropriate information to the CEC and the respective PEC, while an subsidiary district

election commission - to the main district election commission as well. The district election commission shall immediately make respective amendments to the data of voters/lists of voters.

Special list of voters

(The Election Code – Article 32; Article 31.12)

A District Election Commission (both the main and subsidiary district election commissions) shall establish and approve by a ordinance the special voter list not later than the 3rd day before the polling day (28 October) and with the signatures of the chairperson of the same DEC and the secretary of the same DEC shall immediately submit the versions designated for public information to a respective PEC, and not later than 12 hours before voting - the versions intended for the election commission.

The special voter list shall include the same voter data that are entered in the unified list of voters, with or without photos.

A District Election Commission shall include the following persons in the special list of voters:

- ▶ Electoral Administration officers who are unable to vote in elections on the polling day according to their place of registration because of their activities in election commissions (a respective DEC shall enter Electoral Administration officers in the list of pre-defined electoral precincts not later than the fifth day before the polling day (October 26));
- ▶ voters who undergo treatment in a hospital or in any other inpatient facility and who cannot be discharged from hospital on polling day because of their health problems (the head of the relevant medical institution shall submit it to the respective DEC not later than the sixth day before the polling day (October 25));
- ▶ voters serving a sentence in prison on the polling day (the head of the relevant penitentiary institution shall submit it to the respective DEC not later than on the sixth day before polling (October 25));
- ▶ voters that are in administrative detention on the polling day (the head of the relevant institution shall submit it to the respective DEC not later than sixth days before polling (October 25));
- ▶ the service members and persons with special ranks of the Ministry of Defence of Georgia, the Ministry of Internal Affairs of Georgia, Special Penitentiary Service - the state sub-agency institution within the system of the Ministry of Justice of Georgia, the State Security Service of Georgia, the Georgian Intelligence Service and the Special State Protection Service of Georgia, whose working or health conditions on the election day requires their presence at the location other than the address they are registered at, belonging to another electoral district (the lists of these persons shall be submitted to the DEC's by the commanders of respective divisions/units or heads of respective institutions/divisions not later than on the 25th day (October 6) before the polling day, and taking into account the results of conscription - not later than on the 6th day (October 25) before the polling day)). The starting and ending dates of the service of such category of voters at the relevant deployment shall also be entered into the special list of voters.

After forming the special lists of voters, a respective DEC shall forward to the relevant PEC the data of persons who are entered into another precinct's special list of voters.

A PEC Secretary shall find voters incorporated into special lists or transferred to the special lists of another precinct in the unified list of voters (both in the desk and wall lists) and in the box "actual status", shall make a respective note.

ATTENTION!

The public version of the special list of voters (wall list) shall be posted in the premise of PECs and polling places in visible place.

Where a voter applies to the DEC who not later than 18th day before the election day (October 13) failed to address the DEC with the request to be registered in the list (arrived from abroad, was discharged from a hospital, was released from the penitentiary institution), he/she shall be registered by the DEC within 2 days after the submission of the application and the documents (entry in the passport on crossing the border, a certificate from the medical institution on discharge, or a certificate from the penitentiary institution on release), and if there are less than 2 days left before the polling day – he/she shall be registered immediately (information on the voter shall be entered into the special list of voters). Voters will be immediately notified of the negative decision.

Special voter list for adapted polling stations - Interim rule for voters in wheelchairs to participate in Georgia's 2020 Parliamentary Elections

(The Election Code – Article 200)

Voters in wheelchairs shall have the right to vote at any adapted polling station within the respective majoritarian election district, for which he / she must apply to a district (both the main district election commission and the subsidiary district election commission) or a precinct election commission with a written or oral application by phone not later than the 6th day before the polling day (October 25).

An authorized person of the respective election commission shall register a voter's application in the registration book and confirm receipt of the application with his/her signature. The voter's personal number must be indicated in the written application. In case of receiving an oral application by phone, an authorized person of the relevant election commission must indicate in the registration book the exact time of receipt of the telephone message, the telephone number, the first and last names of the voter, his/her personal number and the number of the adapted polling station where he/she requests participation in the elections. The receipt of an oral application by phone is confirmed by an authorized person of the commission by a signature in the registration book.

ATTENTION!

If a wheelchair user applies to a precinct election commission, the precinct election commission located on the municipal territory of the main district election commission shall provide information about the voter to the main district election commission not later than the 6th day (25 October) before the polling day, and in case of a precinct election commission located on the municipal territory of the subsidiary district election commission - to the subsidiary district election commission.

Members of the precinct election commission, representatives of electoral subjects and observers shall have the right, at any time before Election Day, to check the validity of the request of voters in wheelchairs to vote at an adapted polling station and raise before the precinct election commission the issue of expediency of including these voters in the corresponding special list.

Both the main and subsidiary district election commissions, on the basis of the information received from the respective precinct election commissions, including the information received on the expediency of including voters in the corresponding special list, as well as the available data, not later than the 3rd day before the polling day (28 October) shall establish and approve by a ordinance a special list of voters of the adapted polling stations and immediately transfer its version intended for public access to the corresponding precinct election commission (wall list)), signed by the chairperson and secretary of the same commission.

ATTENTION!

The version of special list of voters for adapted polling stations intended for public access and forwarded by a Dec to a PEC (without photos) shall be immediately posted in a visible place in PEC buildings and polling stations.

Not later than 12 hours before the voting place, both the main and subsidiary district election commissions shall submit the version of special voter list of adapted election precinct (desk list) intended for the election commission to the relevant precinct election commission.

The special voter list of the adapted polling station must contain the same data about the voter as in the unified list of voters, and an additional reference to the serial number of this voter in the unified list of voters.

If a voter in a wheelchair is included in the special voter list of an adapted polling station, the relevant district election commission shall notify the precinct election commission, whose voter registered in the electoral list of the precinct was also included in the special list. In this case, the relevant precinct election commission shall enter the entry “Wheelchair user” in the column “Actual status” into the unified list of voters. The record shall be certified by the signatures of the chairperson of the precinct election commission and the secretary of the commission.

The rule for making a list of mobile ballot boxes

(The Election Code – Article 32.8; Article 33; Article 34.2.e)

A Precinct Election Commission shall be responsible for forming a list of mobile ballot boxes. A list of the mobile ballot box is compiled on the basis of unified and special lists.

A voter is included in the list of a mobile ballot box if:

- ▶ he/she is located on the territory of a polling station, but in a hard-to-reach place (in this case, it is recommended to consult with the district election commission);
- ▶ he/she cannot come to a polling station due to health reasons. The number of such voters may not exceed 3 percent of voters included in the unified list at a polling station.

ATTENTION!

- ▶ After filling the established threshold, a chairman of the precinct election commission located on the municipal territory of the main district election commission shall immediately notify the main district election commission of each new application, as well as a chairman of the precinct election commission located on the municipal territory of the subsidiary district election commission – the subsidiary election commission.
- ▶ A district election commission shall consider applications and make a decision on the expediency of including a voter in the list of a mobile ballot box by at least two-thirds of the participants in the meeting.
- ▶ A main district election commission shall make a decision on the expediency of including more than 3 percent of voters in the unified voter list at polling stations created on the municipal territory of the main district election commission.
- ▶ A subsidiary district election commission shall make a decision on the expediency of including more than 3 percent of voters in the unified voter list at polling stations created in the municipal territory of the subsidiary district election commission and immediately send it to the main district election commission.

If necessary, a precinct election commission shall include a voter in the mobile list of ballot boxes based on a special list of voters and information provided by the district election commission, who:

- ▶ is admitted to a hospital or other inpatient medical facility for treatment and there is no polling station;
- ▶ is in custody;
- ▶ is under administrative arrest;
- ▶ serves in a military unit deployed on the state border of Georgia, or in a border police unit located far from a polling station;
- ▶ is a military serviceman and a person with special ranks of the Ministry of Defence of Georgia, the Ministry of Internal Affairs of Georgia, Special Penitentiary Service - the state sub-agency institution within the system of the Ministry of Justice of Georgia, the State Security Service of Georgia, the Georgian Intelligence Service and the Special State Protection Service of Georgia, and cannot leave his / her workplace due to special working or health conditions during the voting period;
- ▶ serves in the Special Penitentiary Service - the state sub-agency institution within the system of the Ministry of Justice of Georgia and cannot leave his/her workplace due to the working conditions.

If a voter is included in the list of a mobile ballot box, an entry “Mobile Ballot Box” shall be made in the column “actual status” along with his/her first and last names in the unified or special list of voters (the reason for including the voter in the special list of voters is also indicated) and confirmed by the signatures of the chairperson of the precinct election commission and the secretary of the commission.

ATTENTION!

- ▶ The list of a mobile ballot box must contain the same data about the voter as in the unified voter list, with the exception of his/her photo and additionally indicate his/her serial number in the unified or special list.
- ▶ The version (wall list) of the mobile voting list assigned to the public information must be posted in a visible place in the buildings of precinct election commissions and polling stations immediately after it has been drawn up.

CHAPTER III. PREPARING FOR A POLLING DAY

Transferring election documents and inventory to PECs

(The Election Code – Article 63.9-11)

For the purpose of preparing and conducting polling, the main and subsidiary DEC's shall transfer all required election documentation and inventory to precinct election commissions located in their municipal territories before polling day, in particular:

Election documentation:

- ▶ the final versions of the unified list of voters (wall list; desk list - not later than 12 hours before voting);
- ▶ special list of voters if available (wall list; desk list - not later than 12 hours before voting);
- ▶ forms of the list of mobile ballot box (wall and desk lists);
- ▶ voter invitation cards;
- ▶ notebooks of ballot papers;
- ▶ special envelopes;
- ▶ the polling day log-book (a so-called lace-bound log-book);
- ▶ control sheets;
- ▶ summary protocols of polling results and "Amendment protocol" forms;
- ▶ demonstration protocol/protocols of polling results.

Election inventory:

- ▶ main and mobile transparent ballot boxes;
- ▶ seals of ballot boxes;
- ▶ polling booths;
- ▶ ink and voter verification device (an ultra-violet detector);
- ▶ PEC seal;
- ▶ special registrars' stamps;
- ▶ photocopier;
- ▶ ink pads.

Other election materials:

- ▶ party lists, lists of candidates;
- ▶ instructions for filling in ballot papers;
- ▶ an excerpt from the law providing for the cases where the ballot papers are deemed void;
- ▶ packaging envelopes for election documents, etc.

Main and subsidiary district election commissions shall hand over the ballot papers and special envelopes to the relevant precinct election commissions not later than 12 hours before the start of voting, at which time an delivery and acceptance act shall be drawn up in two copies.

The delivery and acceptance act shall reflect:

- ▶ names of issuing and receiving commissions;
- ▶ number of special envelopes;
- ▶ the types of ballot papers;

- ▶ the number of the blocks of ballot papers (indicating their reference numbers and ballot numbers);
- ▶ the names of persons issuing and receiving them.

A delivery and acceptance act shall be signed by the persons issuing and receiving election documents. One copy of the act remains with the district election commission, the other is submitted to the precinct election commission. The delivery and acceptance act is public information.

ATTENTION!

Before a delivery and acceptance act is signed the issuing and receiving persons shall verify the accuracy of the details of ballot papers and the numbers of ballot papers and special envelopes against the data entered in the delivery and acceptance act. Thereafter, the ballot papers shall be sealed again, which is certified by the signatures of the parties.

Arrangement of a polling station

(The Election Code – Article 58.4; Article 58.5)

The PEC members shall arrange polling places for conducting polling procedures as provided for by the law not later than one day before the polling day. The PEC shall arrange:

- ▶ voter registration desks;
- ▶ at least one polling booth with one pen shall be made available for every 500 voters;
- ▶ a desk for special envelopes (must be placed close to a ballot box);
- ▶ assembled, unsealed ballot boxes.

A transparent ballot box shall be installed in a visible place at a polling place in such a way as to allow a voter to access it freely and leave the election precinct immediately after inserting special envelope into it.

The following must be posted in a visible place in the polling station:

- ▶ version of the unified list of voters (wall list) intended for public information;
- ▶ version of the special voter list (if any) intended for public information (wall list);
- ▶ version of the mobile ballot box list (if any) intended for public information (wall list);
- ▶ party lists;
- ▶ list of candidates;
- ▶ rules for filling in the ballot paper established by the CEC;
- ▶ excerpt from the law in which case the ballot paper is deemed void;
- ▶ demonstration protocol / protocols of polling results.

ATTENTION!

If any electoral subject entered into a ballot paper no longer runs in the elections, a notice to that effect shall be displayed in a visible place both at the polling place and in the polling booths for secret voting.

PART III

REGISTRATION OF
PERSONS PARTICIPATING
IN THE ELECTION PROCESS

CHAPTER I. REGISTRATION OF OBSERVERS, REPRESENTATIVES OF ELECTORAL SUBJECTS, ACCREDITATION OF REPRESENTATIVES OF THE PRESS AND OTHER MASS MEDIA

Registration of observer organisations

(The Election Code – Article 39.2; Article 40)

A local observer organization observing in one election precinct must be registered with the relevant main district election commission.

A local observer organisation may be a local non-entrepreneurial (non-commercial) legal entity registered in accordance with the legislation of Georgia not later than one year prior to polling day and the charter or statute (constituent documents) of which, at the time of registration, envisages the monitoring of elections and/or the protection of human rights and which is registered with the CEC or the relevant DEC for the purpose of observing the elections.

For registration purposes, a local observer organization shall have the right, not later than the 10th day before the polling day (21 October), to apply to both the main and subsidiary district election commissions and provide an extract from the register of entrepreneurs and non-entrepreneurial (non-commercial) legal entities (the extract must be issued within the last 10 days before submitting the application to the Election Commission, indicating the person (persons) authorized to manage / represent the organization). The application must include the name of the election district/districts in which the organization implements observation. A subsidiary DEC shall immediately forward the documents received to the Main DEC.

The decision to register an organization shall be made by the main district election commission within 5 days after receiving the application.

ATTENTION!

- ▶ While registering an organization, for the purpose of verifying/approving the accuracy of data envisaged in the extract issued by the registry of entrepreneurial and non-entrepreneurial (non-commercial) legal entities, operating under the Ministry of Justice of Georgia and the requirements provided for by Article 39(2) of the Election Code of Georgia, the National Agency of Public Registry shall provide the CEC with the possibility to have an access to and verify relevant electronic data.
- ▶ If requested, the CEC Registration and Administrative Department shall immediately send a written notice to a DEC for the purpose of verifying/approving the accuracy of data of the extract submitted by the organization and the requirements provided for by Article 39(2) of the Election Code of Georgia.

If a local observation organization complies with the requirements established by the Electoral Code of Georgia, the main district election commission shall have no right to refuse its registration.

An ordinance of the DEC on refusal to register a local observer organisation shall be substantiated and communicated to the organisation not later than the following day after the decision is rendered. In that case, the ordinance of the DEC may be appealed in a court within two days after its approval.

Where a person authorised to manage or represent the registered local observer organisation is registered as an electoral subject and/or a representative of the electoral subject, the local observer organisation shall within 5 calendar days from the registration submit to a respective election commission a document evidencing that the powers of the person registered as the electoral subject or as the representative of the electoral subject are or shall be seized as of the leader or the representative of the observer organisation. The failure to submit the document shall serve as a ground to revoke the registration of the organisation.

In case of registration, not later than the 5th day before the polling day (26 October) a local observer organisation shall submit to the secretary of a main DEC / an subsidiary DEC (if any, the subsidiary district election commission shall immediately submit an application to the main district election commission) an application on registration of observers at the DEC(s) and/or PECs, specifying that the observers nominated in the list meet the requirements established by Article 39(4) of the Election Code of Georgia. The application shall be accompanied by the list of observers appointed at DEC(s) and/or PEC(s) and the copies of the ID cards and passports of a citizen of Georgia of each observer.

The following shall be specified in the list of observers:

- ▶ identity of an observer (first and last names, place of registration, ID number of the citizen of Georgia);
- ▶ the electoral district and electoral precinct(s) at which he/she is to observe the elections.

An application submitted to the Election Commission shall also be accompanied by the electronic list of observers (in an excel format, CD or other electronic form) appointed in the respective election commissions (the CEC Ordinance N297/2016 of 14 July 2016 on Establishing the Electronic Form of the Annex to the Application for the Appointment of Observers by a Local Observer Organization in Election Commissions).

ATTENTION!

The terms and conditions for submission and registration of applications on appointing the observers through electronic means by the local observer organizations is defined by the CEC Ordinance N21/2018 of 17 March 2018.

Local observers of a local observer organisation may be citizens of Georgia from the age of 18 (*The Election Code – Article 39.4*), except for:

- ▶ judges;
- ▶ members of the election commissions;
- ▶ officials of the prosecutor's office;
- ▶ electoral subjects and their representatives;
- ▶ observers from other observer organizations;
- ▶ representatives of the press and other mass media;
- ▶ public political officials determined by the Law of Georgia on Public Service;
- ▶ members of Sakrebulo - representative bodies of local self-government;
- ▶ heads and deputy heads of executive bodies of local self-governments;
- ▶ employees of the Ministry of Internal Affairs of Georgia, the Ministry of Defence of Georgia, as well as the employees of the sub-agencies of the Ministry of Justice of Georgia - Special Penitentiary Service, Offices of State Security and Intelligence of Georgia and the Special State Protection Service of Georgia.

Registration terms for observers from an observer organisation

(*The Election Code – Article 40.9-10*)

The main DEC secretary shall, not later than the 2nd day after the submission of the list of observers, register, by an ordinance, the observers and provide the observer organisation with observer certificates.

Upon request, a Subsidiary District Election Commission shall issue an observer certificate to the observers - a certificate certified by the seal of the Main District Election Commission and signed by the secretary (the certificate is printed out from the electronic election management system). The observer's certificate is also the observer's badge, and is valid together with the ID card / passport of the citizen of Georgia.

ATTENTION!

The local observers registered at the CEC may monitor the elections at all levels of any election commissions. An observer of the local observer organisation at a DEC and an observer observing elections at a PEC within the territory of the election district may on the polling day observe any electoral precinct within territory of the respective district.

Registration of representatives of an electoral subject

(The Election Code – Article 42)

A party / election bloc registered by the CEC chairperson shall have the right to appoint two representatives to each election commission. An initiative group of voters registered by the District Election Commission shall have the right to appoint two representatives to the relevant district and precinct election commissions.

A representative of an electoral subject may be a legally capable citizen of Georgia from the age of 18.

The following persons may not be appointed as the representatives of an electoral subject:

- ▶ a candidate nominated by the same or other electoral subject;
- ▶ a representative of another electoral subject;
- ▶ a member of an election commission;
- ▶ a local observer;
- ▶ a representative of the press and other mass media.

ATTENTION!

- ▶ The representatives of the electoral subjects appointed at the CEC and DEC may not be simultaneously appointed at other election commissions; and the representatives of the electoral subjects appointed at the PEC may not simultaneously be appointed at the CEC or DEC;
- ▶ Where a person registered as a representative of an electoral subject is registered as an electoral subject, his/her registration as a representative shall be revoked in the respective election commission.

A representative of an election subject shall represent an election subject in relation to only that election commission with which it is registered.

The representatives of the party / election bloc in precinct election commissions shall be registered by an ordinance of the secretary of the relevant main district election commission. For this purpose, the party / election bloc shall apply to the secretary of the relevant district election commission with an application, while for appointing its representatives in district (both the main and subsidiary elections commissions) and relevant precinct election commissions, an initiative group must apply to the secretary of the main district election commission, the chairperson of which registered the initiative group of voters.

In case an electoral subject applies to an subsidiary District Election Commission for the appointment of a representative in the Election Commission, the subsidiary District Election Commission shall be obliged to accept an application (relevant documentation) and immediately send it to the Main DEC.

An application for the appointment of a representative of an electoral subject shall be signed by the head officer of the party/presidential candidate or the person authorized by him/her, a representative of the presidential candidate/initiative group of voters at the higher election commission.

A relevant application on the appointment of the representative of an electoral subject shall be signed by a head of the party / election bloc or a person authorized by him / her, a representative of the initiative group of voters in the District Election Commission.

An application must include the following data about the representative of an electoral subject:

- ▶ first and last names;
- ▶ address;
- ▶ contact phone number (if any).

An application must be accompanied by a photocopy of the ID card of the citizen of Georgia or the photocopy of the passport of the citizen of Georgia of the representative of the electoral subject.

In case of complete submission of the relevant information, a Secretary of the Main District Election Commission shall register the representative of an electoral subject within 24 hours under an ordinance and issue a representative card, which is also a badge of the representative valid together with a Georgian ID card or Georgian passport.

Upon request, a subsidiary District Election Commission shall hand over a representative card to the Registered Representative certified with the seal of the Main District Election Commission and signed by the Secretary (the card is printed out from the electronic election management system).

ATTENTION!

- ▶ An electoral subject shall have the right, at any time, except the day before the polling day (October 30) and the polling day (October 31), to appoint / revoke and / or change his / her representative, about which he / she must inform the relevant election commission.
- ▶ The terms and conditions for the submission and registration of applications for the appointment of representatives by electoral subjects through electronic means shall be defined by the CEC ordinance №21 / 2018 of 17 March 2018.

Accreditation of representatives of the press and other mass media

(The Election Code – Article 44)

Accreditation of representatives of the press and other mass media working in the territory of several election districts shall be done by the CEC Secretary or secretaries of the relevant main district election commissions, and the representatives of the press and other mass media working in the territory of only one election district shall be accredited by the relevant main district election commission.

The press and other mass media shall have the right to submit an application for accreditation of representatives to both the main and subsidiary district election commissions not later than the 5th day before the polling day (26 October). The representative of the press and other mass media must be at least 18 years old at the time of accreditation. He/she may not simultaneously be:

- ▶ a representative of the electoral subject;
- ▶ an observer of the observer organization;
- ▶ a representative of other press and mass media.

ATTENTION!

In case the representative of the press and other mass media submits an application for accreditation to a subsidiary District Election Commission, the commission accepts it and immediately sends the relevant documents to the main district election commission.

An application must be accompanied by photocopies of the ID cards or passports of the representatives. In case of an application of the organisation, the application must be accompanied by an extract from the register of entrepreneurs and non-entrepreneurial (non-commercial) legal entities issued by the National Agency of Public Registry under the Ministry of Justice of Georgia within the last 10 days before submitting the application to the Election Commission, with the reference to the person (persons) authorized to lead / represent the organization. Extract for accreditation of foreign media and other mass media, the Public Broadcaster and the Adjara TV and Radio of the Public Broadcaster shall not be required.

An application submitted to the election commission must also be electronically accompanied by a list of representatives appointed to the relevant election commissions in excel format, in the form of a CD or other electronic form (ordinance №298 / 2016 of the Central Election Commission of Georgia of 14 July 2016 on Establishing an electronic application form for accreditation of representatives of the press and other mass media to be submitted to the CEC and district election commissions).

ATTENTION!

While registering an organization, for the purpose of verifying/approving the accuracy of data envisaged in the extract issued by the National Agency of Public Registry, operating under the Ministry of Justice of Georgia, National Agency of Public Registry shall provide the CEC with the capacity to have an access to and verify an electronic data. In case of request, the CEC Registration and Administrative Department shall immediately send a written notice to the DEC for the purpose of verifying/approving the accuracy of data of the extract submitted by the organization.

Within two day after submitting an application, the main DEC secretary shall decide the issue of accreditation of the representatives of press and other mass media, and provide representative certificates to the accredited representatives within one day after the decision is made; in the case of denial of accreditation, the representatives shall be provided with an appropriate ordinance within the same time limits.

Upon request, a subsidiary District Election Commission shall issue to the accredited representative a certificate certified by the seal of the Main District Election Commission and signed by the Secretary (the certificate is printed out from the electronic election management system).

Where a person authorized to manage / represent an accredited press or other mass media is registered as an electoral subject and/or a representative of an electoral subject, press and other mass media is obliged to submit within 5 calendar days from the registration a document to the relevant election commission confirming that the powers of the person in charge of managing / representing the press and other mass media registered as an election subject / representative have been terminated or shall be terminated. The failure to submit the document shall serve as a ground to revoke the accreditation of the press or other mass media.

The same organization of the press and other mass media shall have the right to simultaneously have not more than 2 representatives in a polling station on the polling day.

CHAPTER II. NOMINATION / REGISTRATION OF A CANDIDATE FOR MEMBER OF PARLIAMENT OF GEORGIA

Nomination of candidates in a majoritarian electoral district

(The Election Code – Article 116.2)

Any party running in elections independently/electoral bloc may nominate one candidate to be elected through the majoritarian system in every electoral district. An initiative group of voters may nominate one candidate in the respective majoritarian electoral district.

Registration of an initiative group

(The Election Code – Article 36¹; Article 116.3-7,9)

In order to nominate a candidate for Member of Parliament of Georgia, an initiative group of voters shall file an application to both the main and subsidiary DEC's not later than the 57th day before polling (4 September), after which the initiative group of voters may start collecting signatures of supporting voters.

ATTENTION!

If the submitted documents comply with the requirements of the law, a subsidiary District Election Commission shall immediately send the received documents to the Main District Election Commission.

An application submitted by the initiative group of voters shall specify the following information about a candidate for Member of Parliament of Georgia:

- ▶ first and last names;
- ▶ date of birth;
- ▶ profession
- ▶ position (activity);
- ▶ place of work;
- ▶ place of registration;
- ▶ party membership;
- ▶ duration of residence in Georgia;
- ▶ first and last names, personal number of the citizen of Georgia, place of registration, contact phone number, and other requisites (if such requisites exist) of members of the nominating initiative group of voters (at least 5 members) and their representative.

ATTENTION!

A member of the initiative group of voters may not be a member of the initiative group of other voters at the same time.

An application, which is signed by all members of the initiative group of voters, must be accompanied by:

- ▶ written consent of the person nominated as a candidate for the Parliament of Georgia to participate in the elections;
- ▶ photocopy of ID card of a citizen of Georgia or passport of a citizen of Georgia;
- ▶ certificate of deprivation of rights;
- ▶ 2 photos.

If the submitted documents comply with the requirements of the law, a chairperson of the main district election commission shall register the initiative group of voters not later than the next day after submitting the application both to the subsidiary district election commission and the main district election commission.

If the submitted documents do not comply with the requirements of the law, a chairperson of the relevant DEC shall immediately notify the applicant of the defect. The amended documents shall be returned to the chairperson of the district election commission not later than the next day.

ATTENTION!

A subsidiary District Election Commission shall immediately send the amended documentation to the Main District Election Commission.

Registration of the candidate nominated by an initiative group and checking the lists of supporters

(The Election Code – Article 115.7-11; 116, 203¹; CEC Decree №11/2014 of 20 March 2014)

In order to register a candidate for the membership of the Parliament of Georgia, the representative of the initiative group of voters must submit to the District Election Commission no later than the 50th day before the voting (September 11):

- ▶ Registration card (2 pieces);
- ▶ List of voters supporting the candidate.

ATTENTION!

A subsidiary district election commission shall immediately send the received documents to the main district election commission.

The nomination of a candidate by the initiative group of voters must be confirmed by the signatures of at least 1 percent of the pro-voters registered in the territory of the respective electoral district, unless the nominate candidate was elected as a member of the Parliament of Georgia in the last parliamentary elections.

The lists of supporters shall be sealed upon submission to a DEC in the presence of a representative of the initiative group, and the sealed documentation shall be signed by an authorized employee of the relevant DEC and a representative of the initiative group.

ATTENTION!

The minimum number of signatures of the supporters required to nominate a candidate in the respective majoritarian election district for the 31 October 2020 Parliamentary Elections of Georgia shall be determined by an ordinance of the Central Election Commission.

The lists of supporters of the candidate nominated by the initiative group shall be checked by the Main District Election Commission. Upon a written request from the Main District Election Commission, the subsidiary District Election Commission is authorized to review the lists of supporters submitted to the subsidiary District Election Commission by the initiative group. The report on the inspection shall be submitted by both the main and subsidiary district election commissions to a chairperson of the main district election commission. Based on the results of the inspection, the chairperson of the main district election commission shall make a decision on the registration of the candidate.

Checking the lists of supporters

(The Election Code – Article 38; The CEC Decree №11/2014 of 20 March 2014)

A representative of the electoral subject shall have the right to attend the process of checking the list of supporters. The checking of the list of supporters of the candidate shall be completed within 3 days after its submission.

During the verification of the lists of supporters, an authorized employee of the District Election Commission together with a representative of the initiative group inspects the integrity of the seal and opens the seal, after which the number of signatures submitted is counted. If the number of signatures meets the established minimum amount, the signatures of the supporters are checked sequentially by an authorized employee of the District Election Commission.

Supporters' signatures must be completed on a sample form approved by the Central Election Commission ordinance. The form has a distinctive mark, which is different for each party / candidate and is indicated on the form, one copy of which is kept in the relevant department of the CEC / DEC. In case of submitting an unidentified sample form with the lists of supporters to the relevant election commission, the mentioned signatures shall not be considered as a total number of signatories and shall not be subject to verification procedures.

ATTENTION!

If, except for the signatures on the unidentified sample form, the number of remaining signatures is less than the established minimum amount, a person wishing to register as an electoral subject shall be denied registration.

The signature of a voter in the list of supporters shall be considered invalid if:

- ▶ only the first name; only the last name; the last name and only the initials of the first name; the first name and only the initials of the last name; only the initials of the supporting voter is indicated;
- ▶ the number and month of birth (indicated by a two-digit number) and the year (indicated by a four-digit number) are not fully indicated;
- ▶ the personal 11-digit number of a citizen of Georgia is not fully indicated;
- ▶ the date of signature (e.g. 10.09.2014) is not fully indicated, which must coincide with the period between the dates of withdrawal and submission of the form by a representative of the party / initiative group;
- ▶ the date of issuance of the form is recorded and certified by the signature of a representative of the party / initiative group, one copy of which is kept in the relevant department of the CEC / DEC;
- ▶ Voter's signature is not recorded.

ATTENTION!

An employee of the District Election Commission shall be authorized to check the data of supporters on a selective basis in the unified voter database. In addition, the employee of the District Election Commission shall be obliged to check the fact of registration of the supporting voters in the territory of the respective election district, in addition to the data indicated in the list of supporters, when checking the voter data.

The signature of a voter in the list of supporters shall be also considered invalid if:

- ▶ The signature is made by another person and this is confirmed in writing by the voter (in whose place the signature is made);
- ▶ the signatory confirms by a notarized statement submitted to the relevant election commission that the signature was made by deception, threats or coercion;
- ▶ a voter registered in another election district is included in the list of supporters of a candidate nominated in the election district.

All signatures shall be invalid if they made on the form, which is not certified by a person responsible for collecting signatures, or in which the following data of the person responsible for collecting signatures is not indicated or is incompletely indicated:

- ▶ the first and last names;
- ▶ personal number;
- ▶ contact phone number;
- ▶ signature;
- ▶ date of filling in the form (which must coincide with the period between the dates of withdrawal and submission of the form by a representative of the initiative group).

If, considering the invalidated signatures as a result of the inspection, the number of supporters' signatures is less than the established minimum amount, the invalidated part shall be returned to the initiative group of voters and given 2 days to fill in the gaps.

A District Election Commission shall, in the same manner, again check the corrected part of the list of supporters submitted by an initiative group of voters. If, despite filling in the gaps, the number of signatures of supporters is still less than the established minimum amount, the list of supporters shall be completely canceled and the candidate shall be denied election registration by an ordinance of the chairperson of the main district election commission.

A candidate for the membership of the Parliament of Georgia shall be registered by an ordinance of the main DEC chairperson not later than the 30th day (1 October) before the election day and shall issue the relevant certificate within 3 days after registration.

Upon request, a chairperson of the subsidiary District Election Commission shall hand over the certificate to a candidate for membership of the Parliament of Georgia, certified by the seal of the main district election commission and signed by the chairperson (the certificate is printed out from the electronic election management system).

Registration of candidates nominated by a party / electoral bloc

(The Election Code – Article 116.1, 2, 8; 117, 203¹)

Any party running in elections independently/electoral bloc may nominate one candidate to be elected for the membership of the Parliament of Georgia through the majoritarian system in every electoral district. The party / election bloc shall be obliged to submit the registration documents of a majoritarian candidate to the CEC / DEC not later than the 30th day before the Election Day (1 October).

An application must be certified on behalf of the party running in elections independently/electoral bloc, with the signature of the person (persons) authorized to sign and must be accompanied by:

- ▶ Registration card filled in and signed by a candidate for membership of the Parliament of Georgia - in two pieces;
- ▶ photocopy of a citizen's ID card of Georgia or a citizen's passport of Georgia - in two pieces;
- ▶ photo of the candidate for the membership of the Parliament of Georgia - in two pieces;
- ▶ Certificate of deprivation of rights - in one piece.

The application must include the candidate's:

- ▶ first and last names;
- ▶ date of birth;
- ▶ position (activity);
- ▶ workplace;
- ▶ registration place;
- ▶ party membership;
- ▶ duration of residence in Georgia.

One copy of these documents must be submitted to the relevant district election commission within 2 days of receiving the application.

An application and attached documents for the registration of majoritarian candidates nominated by a party / election bloc in the election district shall be verified by a chairperson of the main district election commission, who not later than the 25th day before the Election Day (October 6) shall:

- ▶ register the candidate if the submitted documents meet the requirements set by the Election Code;
- ▶ inform in writing a representative of the party / election bloc about the non-compliance of the application and the data contained in the attached documents (indication of non-compliance is required) with the requirements established by the Election Code.

In case of discrepancies between the data in the application and the attached documents, a representative of the party / election bloc shall be given 3 days to improve the documentation. In case of submission of amended data, the issue of registration of the candidate must be resolved within 5 days after the submission of the amended documentation, but not later than the 20th day before the election day (11 October), if:

- ▶ the corrected data does not comply with the requirements established by the Election Code, it shall issue an ordinance on the refusal to register the candidate for the election within the same period. A District Election Commission shall immediately notify a representative of the party / election bloc of the said ordinance and, if requested, shall ensure its delivery;
- ▶ the corrected data complies with the requirements established by the Election Code, a chairperson of the district election commission shall register the candidate.

A chairperson of the Main District Election Commission shall issue the relevant certificate to a candidate within 3 days after the registration of the candidate for the membership of the Parliament of Georgia.

Upon request, a chairperson of the subsidiary District Election Commission shall hand over the certificate to a candidate for membership of the Parliament of Georgia, certified by the seal of the main district election commission and signed by the chairperson (the certificate is printed out from the electronic election management system).

Refusal to register a candidate for Member of Parliament of Georgia in an election / cancellation of registration in an election

(The Election Code – Article 116.12; 117.5; 118; 203¹)

A chairperson of the district election commission shall not register a candidate for the membership of the Parliament of Georgia, and shall cancel the registration of a registered candidate if the applications and documents submitted to the election commission do not meet the requirements of the Election Code or there are other grounds provided for by the Election Code, including the following:

- ▶ data mentioned in the applications and documents are incomplete or incorrect;
- ▶ other elections are held during the parliamentary elections of Georgia and at the same time there is or there was a consent of the candidate for the membership of the Parliament to participate in these elections as a candidate;

- ▶ the list of voters supporting the candidate was not submitted by the initiative group or the list of supporting voters was submitted in violation of the deadlines established by law;
- ▶ the list of supporting voters submitted by the initiative group shall contain less signatures than the established number of voters;
- ▶ election registration of the election subject nominating a candidate was canceled;
- ▶ based on a personal application of the majoritarian candidate;
- ▶ a person has died.

ATTENTION!

The election registration of a nominated candidate shall be revoked by a court decision if the fact of voter bribery (The Election Code - Article 47) is confirmed.

Cancellation of the decision on nominating a candidate for Member of Parliament of Georgia

(The Election Code – Article 120)

A candidate for Member of Parliament of Georgia, as well as the party/electoral bloc nominating him/her, may, at any time but not later than 12 days prior to the polling day (19 October), refuse to run in the election or refuse the nominated candidate, for which purpose they shall submit an application to a respective district election commission.

Determination of the sequence number of electoral subjects

(The Election Code – Article 38^{1.1})

Majoritarian candidates nominated by a party / election bloc shall have the same sequence number assigned to their nominating party / election bloc.

A candidate nominated by the initiative group of voters shall be assigned a sequence number by a Main District Election Commission not later than the 30th day before the Election Day (1 October), after the CEC holds a respective session on the issue of assigning numbers to electoral subjects. The procedures of casting lots shall be held in the premise of the Election Commission in the presence of the persons entitled to attend the sessions.

A chairman of the commission for casting lots shall:

- ▶ write the numbers on the relevant quantity of the sheets of paper of the same form and type, and with the same pen for majoritarian candidates nominated by an initiative group in the electoral district, starting from the next number of the highest sequence number assigned to the parties / electoral blocs participating in the elections;
- ▶ certify each sheet of paper by the Commission's seal;
- ▶ fold all sheets in such a way as to make it impossible to read the numbers written on them;
- ▶ place the filled in sheets of paper in a transparent box, from where the representatives of the initiative group of voters take them one by one;
- ▶ assign the number identified by casting lots to the electoral subject as its sequence number.

The data of candidates registered in the majoritarian election district, which are entered in a ballot paper, shall be published by the CEC on its official website not later than the 25th day before the polling day (6 October).

PART IV

DEC ACTIVITIES ON ELECTION
DAY AND IN THE AFTERMATH

CHAPTER I. COORDINATION/ COMMUNICATION WITH PECS

On the polling day, a DEC shall receive different kinds of mandatory information, including information about:

- ▶ opening of the PEC and number of PEC members;
- ▶ sealing of ballot box/boxes, registration of the first voter, placing of control sheets in the ballot box/boxes and starting of polling;
- ▶ the number of signatures of voters participating in the voting after the end of voting, as well as at 10:00, 12:00, 15:00 and 17:00, and gender statistics.

ATTENTION!

A DEC shall submit to the CEC data regarding the number of signatures of voters and gender data.

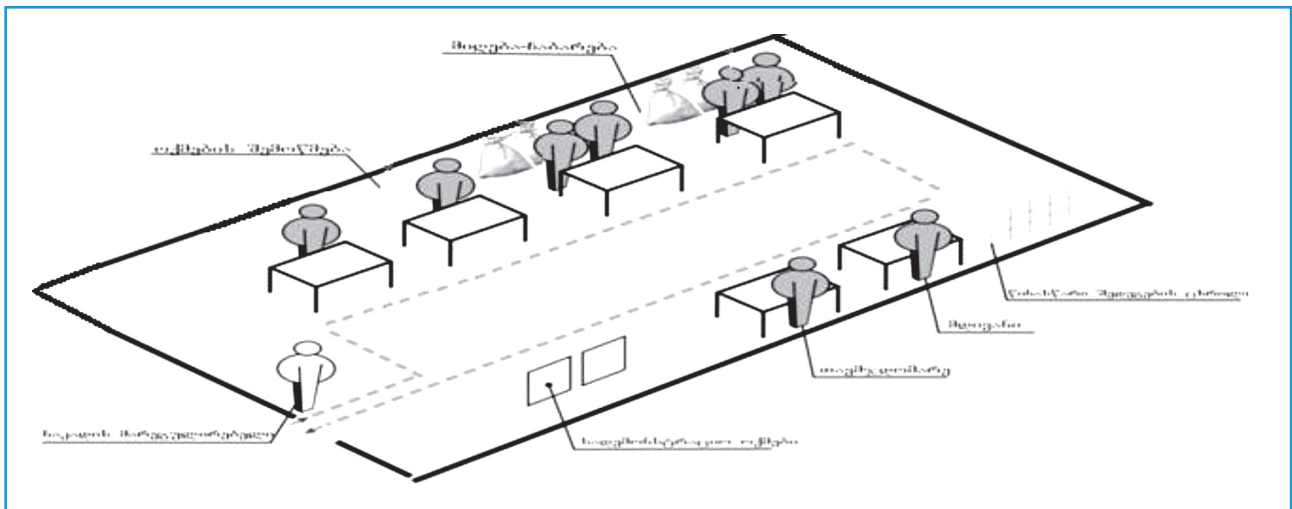
CHAPTER II. RECEIPT/SORTING OF DOCUMENTS AT DECS

Receipt/sorting of documents

Authorized persons of the Precinct Election Commission on the municipal territory of the Main District Election Commission shall submit to the Main District Election Commission, and authorized persons of the Precinct Election Commission on the municipal territory of the subsidiary District Election Commission shall submit to the subsidiary District Election Commission an election documentation box/bag and separately deliver:

- ▶ summary protocols of polling results, amendment protocol/protocols (if any);
- ▶ registration book and the explanation note of the commission members (if any);
- ▶ a sealed envelope of the applications/complaints and the log-book of the polling day.

It is recommended to receive/sort election documentation¹ according to the chart below.



¹ Election documentation - incoming and outgoing applications of the election commission, as well as complaints, letters, protocols, ballot papers, special envelopes, legal acts of the Electoral Administration of Georgia, control sheets, registration book, the list of voters, voters' invitation cards, explanations of members of the electoral commission.

A commission member regulating the flow of voters shall control the flow of PEC authorized persons and shall send the summary protocols of polling results to authorized members of the DEC for verification.

A DEC member/members authorized to verify summary protocols of polling results shall receive summary protocols of polling results (amendment protocols, and written explanatory notes (if any)), and shall verify data and information included in the summary protocols of polling results. A DEC member/members shall submit to the DEC secretary summary protocols of polling results together with amendment protocols and written explanatory letters (if any), taking into account verification results.

A DEC secretary shall upload summary protocols of polling results together with amendment protocols and written explanatory letters (if any), in the election electronic management system.

ATTENTION!

A subsidiary District Election Commission shall:

- ▶ upload the summary protocols of PEC polling results in the electronic election management system and send the originals, together with the attached documents, to the Main DEC immediately;
- ▶ in case of discrepancies in the summary protocol of the PEC polling results, upload the explanations and / or amendment protocols drawn up by the PEC members in the electronic election management system and send them to the main district election commission.

A commission member authorized to receive documentation from PECs shall make a record on the receipt of material and issue a delivery-acceptance act.

Drawing up a protocol on amendments to the Summary protocol on polling results of a PEC

(The Election Code – Article 26.2.d¹)

In case of availability of PEC members' explanatory letter and /or other legislative acts and factual grounds, PEC shall draw up, if necessary, amendment protocols to the summary protocols of polling results not later than the day following the polling day.

In order to draw up an amendment protocol, an official of the PEC operating within the territorial limits of the DEC, shall invite all members of the PEC, who participated in drawing up PEC summary protocols of polling results.

PEC shall draw up an amendment protocol based on the Commission members' explanatory notes and/or other legislative and factual grounds, which shall include the date and time of making an amendment to the data of summary protocols of polling results.

Amendment protocol shall be signed by members of PEC, stamped with the DEC seal, registered in the DEC registration book and shall be attached to a summary protocol of polling results containing amended data.

Verification of the polling results of a PEC by the DEC

(The Election Code – Article 8.4; Article 8.9; Article 21.e; Article 124.2)

A main DEC shall be authorized, based on the application/complaint (if an application/complaint is submitted to the DEC in accordance with the established legal procedure and timeline) or based on own initiative, to verify the accuracy of PEC summary protocols of polling results.

To this end, DEC shall examine the data in the explanatory notes submitted by PEC members (if any) and based on the findings, shall issue a DEC ordinance on the change of data in PEC summary protocols.

If there are no PEC members' explanatory notes, or if examination of the explanatory notes does not provide enough grounds for establishing accuracy of the data, the Main District Election Commission shall adopt an ordinance on opening the packages received from the Precinct Election Commission and counting the ballot papers by at least 2/3 of the participants of meeting.

In case of making decision on the opening of packages received from the PEC and on the re-count of ballot papers, a main DEC shall notify all electoral subjects and observation organizations present at the count of ballot papers in the electoral precinct, and, if they so wish, ensure that their representatives attend the recount process.

If the decision of the District Election Commission concerns the opening of packages received from the Precinct Election Commission (if any) located on the territory of the subsidiary District Election Commission and the recount of ballot papers, the above procedure shall be carried out by the subsidiary District Election Commission based on the decision of the Main District Election Commission. The minutes of the meeting of the subsidiary district election commission shall be drawn up for the verification of the data related to the recount, which shall be sent to the main district election commission for further response.

During the opening of election documents, a DEC shall preferably follow the following sequence of counting election documentation:

- ▶ number of signatures in voters' lists;
- ▶ number of void ballot papers;
- ▶ number of votes (ballot papers) cast for each candidate.

After the verification, a main DEC is authorized to make a decision on amending data in PEC summary protocols. The DEC decision on amending data in PEC summary protocols shall be taken by the ordinance by not less than 2/3 of those participants present at the session.

A member of the main DEC who does not agree with the decision of the commission shall be authorized to express a dissenting opinion in writing, which shall be attached to the protocol. In addition, a member of the commission with a dissenting opinion shall be obliged to respect and obey the decisions made by the commission. He / she shall have no right to obstruct the execution of these decisions by his / her action / inaction.

CHAPTER III. SUMMARISING THE POLLING RESULTS IN A DEC

Summarising the polling results in a DEC

(The Election Code – Article 75, Article 124)

Based on the summary protocols of the precinct election commissions, taking into account the results of the review of the violation of the election legislation, not later than the 11th day (11 November) after the voting, the main district election commission shall summarize the polling results and enter them in the summary protocols of the polling results conducted by the majoritarian and proportional electoral systems.

ATTENTION!

A Secretary of the District Election Commission shall enter the data to be entered in the summary protocol as soon as it is established in the demonstration protocol posted in a visible and accessible for everyone place in the District Election Commission.

All members of the District Election Commission who attend sessions of the the commission shall be obliged to sign the summary protocols of the voting / election results. The protocols shall be certified with the seal of the District Election Commission.

If a member of the District Election Commission does not agree with the data entered in the summary protocol, he / she shall have the right to state in the protocol what he / she does not agree with and attach a dissenting opinion in writing to the protocols. In addition, even in case of having dissenting opinion, the member of the District Election Commission shall be obliged to sign the summary protocol of the polling results in the appropriate box for the signature of the member of the commission.

Publicity of a summary protocol of election results

(The Election Code – Article 75.7-9)

A summary protocol of the Main District Election Commission (with the attached dissenting opinions of the members of the commission), as well as the ordinances of the commission on amending the summary protocols of precinct election commissions (if such changes were made) shall be immediately forwarded to the CEC.

If requested, a main district electoral commission shall immediately send a photocopy of the summary protocol (with the attached dissenting opinions of the members of the commission) to representatives of the party / electoral bloc / initiative group and observers of the observation organization. The photocopy of the summary protocol must be certified by the seal of the district election commission and signed by a chairman of the district election commission and a secretary of the district election commission. A representative / observer shall confirm the receipt of a photocopy of the final protocol on the election results with his/her signature in the registration book of the district election commission.

Upon request, a Subsidiary DEC shall issue photocopies of the polling results of Precinct Election Commissions, which are printed out from the electronic election management system. A copy of the protocol must be certified by the seal of the subsidiary district election commission and signed by the chairman of the election commission and the secretary of the commission.

ATTENTION!

In cases provided for by the law, failure to issue the certified copy of summary protocol of polling results shall lead to a liability of the DEC chairperson and the DEC secretary in accordance with the legislation of Georgia.

PART V

RULES FOR SUBMISSION AND
CONSIDERATION OF APPLICATIONS /
COMPLAINTS IN DECS

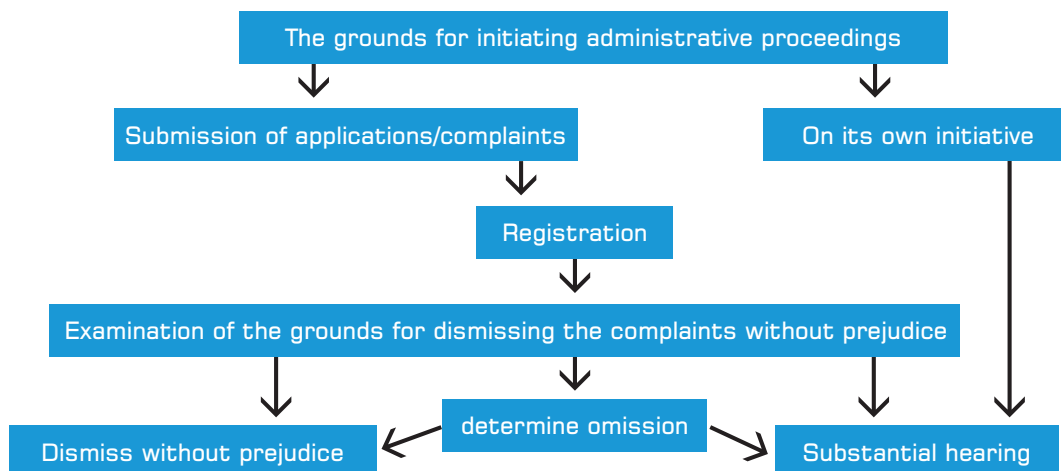
CHAPTER I. ADMINISTRATIVE PROCEEDINGS ON ELECTION DISPUTES

In administrative proceedings of election disputes the DEC's shall be guided by the Organic Law of Georgia – the Election Code of Georgia, also by the Guidelines for Filing Applications/Complaints with the Election Administration and Hearing thereof (the Guidelines) approved by Decree N8/2012 of the CEC from March 2, 2012, and also by the Regulations of the DEC's approved by Decree N2/2012 of the CEC from February 3, 2012, and also by the General Administrative Code of Georgia².

The grounds for initiating the administrative proceedings at the DEC related to the election disputes may be as follows:

- ▶ an application/complaint³;
- ▶ a decision by the DEC to examine an issue based on his own initiative.

The administrative proceedings initiated on the election disputes in the DEC's including based on the applications/complaints filed during the polling, and also based on the own initiative of the DEC shall be conducted in accordance with the stages given in the scheme below.



2 In order to impose a disciplinary measure on a PEC member, DEC shall apply the simple administrative proceedings provided for by the General Administrative Code of Georgia (based on the chapters VI, VII, XIII of the General Administration Code of Georgia).

3 An application is a written or oral request by a party interested in issuing/adoption of an individual administrative act on obtaining the right. A complaint - is a written request to restore violated rights submitted by an interested party to the PEC/DEC in the established manner, to declare null and void or modify an administrative act issued by the PEC/a head of the PEC; or to issue a new administrative act; or to perform or abstain from performing an action by the PEC/DEC/a head of PEC/a head of DEC that does not entail the issuance of an individual administrative act.

CHAPTER II. SUBMISSION AND REGISTRATION OF APPLICATIONS/COMPLAINTS OF POLLING DAY

Applicants/complainants and their rights in precinct and superior district election commissions

(The Election Code – Article 72; Article 73)

The administrative proceedings related to the application/complaint of the polling day shall begin in the DEC provided the interested party (authorised person) submits the application/complaint.

An organization observer/a representative of an election subject shall have a right to submit an application/complaint to the PEC on violations revealed during the polling, vote counting and summarizing the polling results, in accordance with the procedures stipulated by the Election Code of Georgia.

If the PEC chairperson/Commission does not rectify or otherwise has refused to react on the application/complaint, an observer/a representative of an election subject or other observer / other representative of an election subject of the same organization shall have the right to immediately appeal the violations revealed after opening of the polling place (7:00) until the time when the ballot box was opened before the respective DEC (the DEC shall take relevant measures to eliminate the violation).

If the PEC chairperson/commission does not rectify or otherwise has refused to react on the application/complaint related to vote counting and the procedures for summarizing polling results, an observer/a representative of an election subject or other observer /other representative of an election subject of the same organization shall have the right to appeal the action of the PEC/ PEC Chairperson before the relevant DEC within two days (the DEC shall consider the application/ complaint within 2 days period).

Registration of applications/complaints at the DEC

(The Election Code – Article 72; Article 73; Article 77; The Regulations of DEC’s – Article 11)

An application/complaint to be filed with the DEC shall be deemed filed after the registration of the application by the DEC. The filing of the application/complaint shall not suspend the validity of the appealed decision.

An application / complaint filed at the District Election Commission shall be registered by a Secretary of the Commission or another authorized person designated in accordance with the regulations of the District Election Commission in compliance with the following procedure:

- ▶ the identity of an applicant is indicated in the registration book;
- ▶ the persons submitting and receiving an application/complaint shall sign along with the record;
- ▶ In order to confirm the receipt of an application / complaint, an applicant shall be provided with a written reference certified by his / her signature (see Annex №3).

When registering an application/complaint, a DEC secretary/a person authorized by the commission shall be obliged to make sure that the application / complaint contains all the necessary requisites provided for by the Organic Law - the Election Code of Georgia (see Annex №2).

ATTENTION!

- ▶ On the polling day, a Secretary of the District Election Commission shall receive applications, complaints and register them in the DEC in accordance with the terms and conditions established by the Organic Law of Georgia - the Election Code of Georgia.
- ▶ If a secretary of the DEC / a person authorized by the commission does not take upon an application / complaint, an applicant / complainant shall have the right to contact the CEC hotline at the telephone number: 032-251 00 51.

Prerequisites for detecting an omission and checking the grounds for dismissing it without prejudice

(The Election Code – Article 74; Article 77.19¹)

A DEC secretary/a person authorized by the commission shall specify omissions to an applicant/complainant if the application/complaint does not contain:

- ▶ the date and time of drawing up the application/complaint;
- ▶ the first and last names of the applicant/complainant, and the place of his/her registration;
- ▶ number of an electoral precinct;
- ▶ in case of a witness – his/her first name, last name and place of registration.

In such a case, a DEC secretary / an authorized person of the commission shall define a reasonable time limit for an applicant/ complainant to rectify the omission. The time limit must be reasonable for the nominating subject to be able to rectify the omission.

NOTE:

The reasonable time limit for correcting the defect shall be determined based on the agreement between a DEC secretary/an authorized person of the commission and a person submitting the application/complaint. If the parties fail to agree on the time limit to remedy the defect, the DEC secretary/the authorized person of the commission shall set the time limit unilaterally.

An applicant/complainant and a DEC secretary/authorized person of the commission shall sign along with the record of defects in the registration book.

An applicant/complainant may rectify the omission within the established time limits by submitting a similar application/complaint not providing the grounds for establishing a defect, and/or by filing an application providing the data lack of which resulted in establishing the defect.

If the omission is rectified, a DEC secretary/authorized person of the commission shall enter "rectified" along with the application/complaint registered in the registration book, and specify the exact date and time of correcting the omission. An applicant/complainant and the DEC secretary/the authorized person of the commission shall sign along with the entry. The failure to remedy the defect of the application/complaint within the given time limit shall be the basis to dismiss the application without prejudice.

ATTENTION!

A subsidiary District Election Commission shall send all applications / complaints to the Main District Election Commission "in the form of outgoing letters" after the registration of the application / complaint in accordance with the established procedure.

It is worth mentioning that a defect is not identified in an application / complaint related to the appeal of the PEC's summary protocol of polling results, as well as in the case when the application / complaint contains the following grounds to dismiss it without prejudice:

- ▶ terms and rules of submission are violated
- ▶ the application/complaint is drawn up by an unauthorized person;
- ▶ the application/complaint does not specify the substance of the violation and the time of its occurrence.

The circumstances provided for by Article 182 of the General Administrative Code may also serve as a ground to dismiss the application/complaint without prejudice, provided that:

- ▶ there is a decision on the same issue by a DEC or a superior election commission;
- ▶ there is a court decision or ruling on waiver of the action by the claimant, a confession of the action by the defendant or confirmation of conciliation of the parties with respect to the matter of dispute;
- ▶ a case on the dispute between the same parties, over the same matters and with the same evidence is pending in court;

- ▶ the administrative proceedings are pending at the superior election commission with respect to the same application/complaint.

Where there are grounds to dismiss the application/complaint without prejudice, a DEC chairperson shall issue an ordinance to dismiss the application/complaint without prejudice.

The information on dismissing the application/complaint without prejudice shall be delivered to the party immediately upon the issuance of the ordinance of the DEC chairperson.

An applicant/complainant may be informed on dismissing the application/complaint without prejudice in writing, by phone (including by a mobile phone; short text messages), e-mail, or other technical means.

An applicant/complainant shall be deemed to be informed where the delivery of the information is confirmed:

- ▶ by contacting on the phone number specified by him/her;
- ▶ When sending a message via email, short text message or other technical means, by confirmation of sending by appropriate technical means.
- ▶ An applicant / complainant shall also be considered informed if it is impossible to contact him / her through the technical means indicated in the application / complaint.

A notification act (Annex N4) shall be drawn up about the notification of an applicant / complainant about the decision to dismiss the application/complaint without prejudice. The notification act shall be drawn up and signed by one of the members of the commission on the instructions of the chairman of the precinct election commission.

ATTENTION!

Where there is no data about technical means in an application/complaint for contacting a party concerned, an ordinance of the DEC chairperson upon its issuance shall be posted in the premises of the DEC and in such case the party shall be considered to be informed.

CHAPTER III. CONSIDERATION OF AN APPLICATION / COMPLAINT OF POLLING DAY

An application/complaint related to counting of votes and summarizing the polling results shall be heard by the respective DEC and the decision shall be made on them within two days of the registration of the application/complaint.

ATTENTION!

A DEC shall dismiss the application/complaint without prejudice if a chairperson of the relevant election commission has issued an ordinance on dismissing the application/complaint without prejudice (The Election Code – Article 8.13).

A DEC shall make a decision to consider an application/complaint after a proper examination and study of the evidence, submitted by the parties, and the materials obtained by the electoral administration on its own initiative. The DEC shall make a decision by issuing an ordinance which may be appealed only to a court in accordance with the procedure established by the Election Code of Georgia.

A party shall have the right to participate in the consideration of a complaint in accordance with the procedure established by the election legislation. In addition, photocopies of the materials related to the consideration of his / her complaint shall be provided to the party attending the session of the Election Commission before the beginning of the session, upon request. The non-appearance of a party at the DEC session shall not create a ground for postponing the consideration of the complaint.

A DEC shall inform the party on the time and place of considering of the matter not later than 3 hours before the beginning of the consideration of the matter. If an author of the complaint is:

- ▶ the observer organisation registered at the election commission or its representative, the time and place of the hearing of the complaint shall be notified to the respective observer registered at the election commission or the organisation;
- ▶ an electoral subject or its appointed representative, the time and place of the hearing of the complaint shall be notified to the representative appointed by the electoral subject;
- ▶ a DEC member, the time and place of the hearing of the complaint shall be notified personally to him/her.

The parties may be summoned for consideration of the complaint in writing as well as by phone (including a mobile phone; short text messages), e-mail, fax or other technical means.

Summoning of a party by technical means shall be confirmed:

- ▶ by contacting on the phone number specified by him/her;
- ▶ in case of an e-mail, fax or short text message – by an appropriate delivery report provided by the technical means.

ATTENTION!

A party shall be considered to be summoned if it is impossible to contact him/her by the technical means as indicated in the complaint (because of a shutdown mobile phone, fax, or computer etc.).

When summoning a party by technical means, a report shall be drawn up (see annex N5) and shall be attached to a complaint submitted at a commission meeting. The report in the DEC shall be drawn up by one of the members of the commission as assigned by the chairperson and shall be signed by the drafter of report and by the DEC chairperson.

A party shall have the right to:

- ▶ communicate with the election commission through a representative;
- ▶ use the assistance of a lawyer.

A representative shall submit to the election commission a document of representation certified in accordance with the procedure established by law:

- ▶ the representation of citizens shall be evidenced by an appropriate document of representation;
- ▶ the representation of the initiative group of voters shall be evidenced by an appropriate document certifying representation;
- ▶ the representation of a party, observer organisation shall be evidenced by a power of attorney issued by its head;
- ▶ the representation of a lawyer shall be evidenced by the document (power of attorney/warrant) issued to him/her by a principal in accordance with the established procedure.

ATTENTION!

If a representative fails to present a duly certified document of representation, he/she shall not be allowed to participate in consideration of an application/complaint and the decision shall be made without taking his/her opinion into account.

A person having filed an application/complaint may reject the application/ complaint (withdraw the application/complaint) before the DEC adopts a decision on it.

Rejection of the application/complaint must be stated in writing, the DEC shall attach the written statement of rejection to the application/complaint. During the oral hearing, an applicant/complainant may reject the application/complaint orally that is entered in the minutes of the DEC session.

ATTENTION!

Where an applicant/complainant withdraws his/her application/complaint (rejects the application/complaint), a DEC chairperson shall not issue an ordinance on leaving the application/complaint unconsidered.

CHAPTER IV. CONSIDERATION OF AN APPLICATION / COMPLAINT ABOUT VIOLATIONS OF ELECTORAL LEGISLATION (EXCEPT FOR POLLING DAY)

Registration of an application / complaint related to the violations of the election legislation (except for the polling day) in the District Election Commission, as well as summoning the parties to the review of the application / complaint and consideration of the application / complaint shall be carried out in a uniform manner, which is given in relation to the applications / complaints submitted on the violations of voting and counting procedures.

The DEC's shall not identify deficiencies of applications/complaints submitted due to violations of election legislation (except for polling day). If appropriate grounds are present, an application/complaint is dismissed without prejudice without establishing deficiencies.

Decisions of the Precinct Election Commission / head officers of commissions may be appealed to the relevant DEC within 2 calendar days of their receipt. The District Election Commission shall review the complaint filed against the decision of the Precinct Election Commission / the head officer of the commission within 2 calendar days.

CHAPTER V. TERMS AND PROCEDURE FOR APPEALING DECISIONS OF DECS / DEC HEAD OFFICERS

A decision of a DEC/head officer of a DEC, except for the decisions specified below, may be appealed to the CEC within one calendar day after it is adopted.

The decisions of a DEC, such as the decisions on refusal to make amendments to the data/lists of voters and refusal to register local observer organisations, as well as the decisions of a PEC/head officers of a PEC (including the decisions on drawing up summary protocols of polling results) may be appealed to the relevant district/city court within two calendar days.

PART VI

BY-ELECTIONS OF MUNICIPALITY
SAKREBULO AND EXTRAORDINARY
ELECTIONS OF A
MUNICIPALITY MAYOR

CHAPTER I. NOMINATION / REGISTRATION OF A CANDIDATE FOR THE MEMBER OF THE MUNICIPAL SAKREBULO AND A CANDIDATE FOR THE MUNICIPALITY MAYOR

Registration of the initiative group of voters

(The Election Code – Article – 36¹; Article 141; Article 144; Article 154.5)

An initiative group of voters for extraordinary elections of the Mayor of the Municipality and by-elections of the Municipality Sakrebulo shall apply to a district election commission not later than the 47th day before voting (14 September) to nominate and register a candidate, on the municipal territory of which the extraordinary elections of the Mayor of the Municipality and the by-elections of the Municipality Sakrebulo are held.

ATTENTION!

A member of the initiative group of voters may not be a member of the initiative group of other voters at the same time.

After submitting an application to the District Election Commission, the initiative group of voters shall have the right to collect the signatures of the supporting voters.

The following information of a candidate shall be specified in the application:

- ▶ first name and last name;
- ▶ date of birth;
- ▶ profession;
- ▶ position (occupation);
- ▶ place of employment (if unemployed, the word 'unemployed' shall be specified);
- ▶ place of registration;
- ▶ party affiliation (if not a member of any party, the word 'nonpartisan' shall be specified);
- ▶ personal number of a citizen of Georgia;
- ▶ name of an election district/local majoritarian district where he/she has been nominated as a candidate;
- ▶ first name, surname, personal number of the citizen of Georgia, place of registration, contact phone number and other requisites (if such requisites exist) of members of an initiative group of voters (at least 5 members) nominating him/her, and of their representative.

An application, which is signed by all members of the initiative group of voters, shall be enclosed with a written consent of a person nominated as a candidate for running in elections, a photocopy of the identity card of a citizen of Georgia or of the passport of a citizen of Georgia, a certificate on the deprivation of the right, 2 photos, and 2 copies of a registration card signed by him/her.

The chairperson of a DEC shall, not later than the following day after an application is submitted, registers an initiative group of voters. If the requirements established by the law are not observed, the DEC chairperson shall immediately notify the applicant about the deficiency. The corrected documents shall be returned to the DEC chairperson not later than the following day who makes a decision on the registration of the initiative group.

Registration of the candidate nominated by the initiative group of voters and verification of the lists of supporters

(The Election Code – Article 14.1.z7; Article 38; Article 141; CEC Ordinance №11/2014 of 20 March 2014)

In order to register a candidate, a representative of the initiative group of voters must submit a list of voters supporting the candidate to a District Election Commission not later than the 40th day before the voting (21 September). The nomination of a candidate by the initiative group of voters must be confirmed by the signatures of at least 1 percent of the supporting voters registered in the territory of the respective local majoritarian DEC. The minimum number of signatures of the supporters required to nominate a candidate in the respective local majoritarian election district by the initiative group of voters shall be determined by an ordinance of the Central Election Commission. The lists of supporters shall be sealed in the presence of the representative of the initiative group as soon as they are submitted to the District Election Commission, which is confirmed by putting the signatures of both the employee of the District Election Commission and the representative of the initiative group on the seal.

The deadline for verifying the list of supporters of a candidate shall be three days after its submission. A representative of the electoral subject may attend the process of verification of the list of supporters.

Within 2 days after checking the lists of supporters of the Sakrebulo candidate / mayoral candidate, a chairperson of the relevant election commission shall:

- ▶ register a candidate for running in the election, if the candidate's registration documentation meets the requirements defined by the legislation;
- ▶ inform the representative of the initiative group of voters in writing about the non-compliance of the data in the candidate's registration documentation with the requirements defined by the legislation (with indication of non-compliance).

A representative of the initiative group of voters shall be given 2 days to correct the documents. The corrected data shall be checked and the issue of registering a candidate shall be resolved within 3 days after the submission of the data of the majoritarian candidate for Sakrebulo membership / mayoral candidate.

If the amended data comply with the requirements established by the Election Code and the relevant CEC decree, a chairperson of the relevant election commission shall register a candidate, and in case of non-compliance, issue an ordinance on refusal to register him / her within the same period (the ordinance shall exactly specify the reasons for the refusal to register and the norms of the law non-compliance with which has led to the refusal). A representative of the initiative group of voters shall be notified immediately of the ordinance and shall be delivered upon request.

A candidate for Sakrebulo membership / mayoral candidate shall be registered by an ordinance of the chairperson of the relevant district election commission not later than the 30th day before the election day (1 October) and issue the relevant certificate within 3 days after registration.

Registration of candidates nominated by a party / electoral bloc

(The Election Code – Article 144; Article 145, Article 167)

A party / election bloc participating independently in by-elections of Sakrebulo and extraordinary elections of the Mayor shall have the right to nominate a majoritarian candidate for the Sakrebulo and a mayoral candidate not later than the 30th day before the election day (1 October).

An independent party / election bloc participating independently in the extraordinary elections of the mayor shall apply to the relevant district election commission with a respective application to nominate a mayoral candidate. The application for nomination of a candidate, which must be certified by the signature of the person (persons) in charge of the party / election bloc, must be accompanied by:

- ▶ a candidate's registration card;
- ▶ two photos;
- ▶ a photocopy of a candidate's identity card of a citizen of Georgia, or of the passport of a citizen of Georgia;
- ▶ a certificate on the deprivation of the right.

In order to nominate a majoritarian candidate for Sakrebulo membership, a party / election bloc that independently participates in the by-elections of the Sakrebulo shall apply to the relevant district election commission. The application must be certified by the signatures of the authorized persons of the party or all parties united in the election bloc and must be accompanied by:

- ▶ a photocopy of a candidate's identity card of a citizen of Georgia, or of the passport of a citizen of Georgia;
- ▶ a certificate on the deprivation of the right;
- ▶ two photos;
- ▶ a registration card signed by a candidate (in 2 copies).

For the purpose of registration of candidates nominated by a party / election bloc, an application and attached documents shall be checked by a DEC chairperson, who shall register the candidate if the submitted documents meet the requirements established by the Election Code, otherwise notify in writing the representative of the party / election bloc about the non-compliance of the data contained in the application and attached documents with the requirements established by the Election Code (indication of non-compliance is required).

A representative of party / election bloc nominating a candidate shall be given 2 days to complete the documents. The corrected data shall be verified and the issue of registering the candidate shall be resolved within 3 days after the submission of the data of the majoritarian candidate for Sakrebulo (but not later than the 23rd day before the election day (8 October)) and within 2 days after the submission of the data of the mayoral candidate (not later than the 24th day before the election day (7 October)).

If the amended data meet the requirements established by the Election Code, a chairperson of the relevant election commission shall register a candidate, and in case of non-compliance, issue an ordinance on refusal to register him / her within the same period (the ordinance shall exactly specify the reasons for the refusal to register and the norms of the law non-compliance with which has led to the refusal). A representative of the party/election bloc shall be notified immediately of the ordinance and shall be delivered upon request.

The candidate for Sakrebulo membership / mayor shall be registered by an ordinance of the chairperson of relevant district election commission and issue the relevant certificate within 3 days after registration.

ATTENTION!

For matters not covered by this Chapter, the provisions of Chapter 2, Part 3 of the Guidelines shall apply.

CHAPTER II. SUMMARIZING THE RESULTS OF THE BY-ELECTIONS OF THE MUNICIPAL SAKREBULO AND THE EXTRAORDINARY ELECTIONS OF THE MUNICIPALITY MAYOR IN A DEC

Summarizing the election results in a DEC

(The Election Code – Article 21; Article 75; Article 149; Article 169)

In electoral districts where by-elections of the Sakrebulo and / or extraordinary elections of the mayor are held, the results of voting and elections shall be summarized by the district election commission, within the municipal territory of which the said elections are held.

Based on the summary protocols of PECs, and taking into account the results of the examination of the violations of the electoral legislation of Georgia, a relevant DEC shall, not later than the 11th day after polling day (11 November), summarise the election results at its session and shall draw up summary protocol/protocols for elections held in an electoral district. The DEC shall forward the protocol/protocols to the CEC not later than the following day.

All members of the District Election Commission who attend a session of the commission shall be obliged to sign a summary protocol of the election results. The protocol shall be certified with the seal of the District Election Commission. If a member of the District Election Commission does not agree with the data entered in the summary protocol, he / she shall have the right to state in the protocol what he / she does not agree with and attach a dissenting opinion in writing to the protocol. In addition, even in case of disagreement, the member of the District Election Commission shall be obliged to sign the summary protocol of the polling results in the appropriate box for the signature of the member of the commission.

A candidate who receives the most votes in the elections shall be considered elected as a result of the by-elections of the Municipal Council – Sakrebulo (the number of votes provided by the void ballot papers shall not be counted in the number of votes cast in the elections). If two candidates running in the election receive an equal number of votes, the candidate who was previously registered in the District Election Commission shall be considered elected.

A candidate who receives more than 50% of the votes cast in the elections shall be considered elected in the extraordinary elections of the mayor (the number of votes provided by the void ballot papers shall not be counted in the number of votes cast in the elections). If the mayor is not elected in the first round of elections, the CEC shall, together with summarizing the results of the first round, appoint a second round of elections, which is held on the third Saturday after the elections.

Within 10 days after summarizing the election results, a District Election Commission shall publish a notice on the official website of the CEC on the results of the Sakrebulo by-elections and the extraordinary mayoral elections in the respective district.

Publicity of a summary protocol on election results

(The Election Code – Article 75, Article 150)

A DEC shall be obliged to post a photocopy of the election summary protocol for public availability. A District Election Commission shall immediately submit a photocopy of the summary protocol (with the attached dissenting opinions of the commission members) upon request to the representatives of a party / election bloc / initiative group of voters and the observers of an observer organization.

ATTENTION!

A certified photocopy of the summary protocol of the results of the Sakrebulo by-elections shall be handed over to a mandate commission of the relevant Sakrebulo.

A photocopy of the summary protocol must be certified with the seal of a District Election Commission and signed by a chairperson of the district election commission and the secretary of the district election commission. A representative / observer shall confirm the receipt of the photocopy of the summary protocol of the election results by signing it in the registration book of the District Election Commission.

ATTENTION!

In case of request in the manner established by law, failure to issue a certified copy of the summary protocol of the polling results shall result in the liability of a chairperson and a secretary of the commission in the manner established by the legislation of Georgia.

Annex N1

Action Area/Majoritarian Election District N	Number and Title of the Main District Election Commission	NUMBER AND TITLE OF THE SUBSIDIARY DISTRICT ELECTION COMMISSION
№1	№1 Mtatsminda District Election Commission	№4 Krtsanisi District Election Commission
№2	№2 Vake District Election Commission	
№3	№3 Saburtalo District Election Commission	
№4	№5 Isani District Election Commission	
№5	№6 Samgori District Election Commission	
№6	№8 Didube District Election Commission	№7 Chughureti District Election Commission
№7	№9 Nadzaladevi District Election Commission	
№8	№10 Gldani District Election Commission	
№9	№12 Gurjaani District Election Commission	№11 Sagarejo District Election Commission
		№13 Signaghi District Election Commission
№10	№17 Telavi District Election Commission	№14 Dedoplistskaro District Election Commission
		№15 Lagodekhi District Election Commission
		№16 Kvareli District Election Commission
№11	№27 Mtskheta District Election Commission	№18 Akhmeta District Election Commission
		№19 Tianeti District Election Commission
		№29 Kazbegi District Election Commission
№12	№20 Rustavi District Election Commission	№28 Dusheti District Election Commission
№13	№22 Marneuli District Election Commission	№21 Gardabani District Election Commission

№14	№23 Bolnisi District Election Commission	№24 Dmanisi District Election Commission №25 Tsalka District Election Commission №26 Tetritskaro District Election Commission
№15	№32 Gori District Election Commission	№30 Kaspi District Election Commission
№16	№35 Khashuri District Election Commission	№33 Kareli District Election Commission
№17	№37 Akhaltsikhe District Election Commission	№36 Borjomi District Election Commission №38 Adigeni District Election Commission №39 Aspindza District Election Commission
№18	№40 Akhalkalaki District Election Commission	№41 Ninotsminda District Election Commission
№19	№44 Ambrolauri District Election Commission	№43 Oni District Election Commission №45 Tsageri District Election Commission №46 Lentekhi District Election Commission №47 Mestia District Election Commission
№20	№56 Chiatura District Election Commission	№48 Kharagauli District Election Commission №50 Sachkhere District Election Commission
№21	№51 Zestaponi District Election Commission	№49 Terjola District Election Commission №52 Baghdati District Election Commission №57 Tkibuli District Election Commission
№22	№58 Tskaltubo District Election Commission	№53 Vani District Election Commission №54 Samtredia District Election Commission №55 khoni District Election Commission

№23	№59 Kutaisi District Election Commission	
№24	№60 Ozurgeti District Election Commission	№61 Lanchkhuti District Election Commission №62 Chokhatauri District Election Commission
№25	№65 Martvili District Election Commission	№68 Tsalenjikha District Election Commission №63 Abasha District Election Commission №69 Chkhorotsku District Election Commission
№26	№70 Poti District Election Commission	№66 Khobi District Election Commission №64 Senaki District Election Commission
№27	№67 Zugdidi District Election Commission	
№28	№79 Batumi District Election Commission	
№29	№81 Kobuleti District Election Commission	
№30	№83 Khelvachauri District Election Commission	№80 Keda District Election Commission №82 Shuakhevi District Election Commission №84 Khulo District Election Commission

Details of an application / complaint submitted to an Election Commission

The following shall be specified in an application/complaint:

- ▶ date and time of drawing up an application/complaint*;
- ▶ the first name, last name and place of registration of the applicant/complainant*;
- ▶ number of an electoral precinct*;
- ▶ in case of a witness - his/her first name, last name and place of registration*;
- ▶ the essence of the violation and the time of its commission**;
- ▶ in case of identification of an infringer - his / her data, which were identified**;
- ▶ explanation of the infringer (if any) **;
- ▶ contact phone number (home phone and/or mobile phone number) of an applicant/complainant***;
- ▶ fax number and an e-mail address (if any) of the applicant/complainant***;
- ▶ other additional information.

* An inaccurate or incomplete reference to the specified details shall be the basis for establishing a defect in the application / complaint, and if the defect is not corrected, it is the basis for dismissing it without prejudice.

** Failure to indicate the specified details shall be a reason dismiss application/complaint without prejudice without identifying the defect.

*** An inaccurate or incomplete reference to the above details may be the basis for identifying a defect in the application / compliant and dismissing it without prejudice, but it may be the basis for the inability to summon a party to consider the complaint.

Annex N3

№ „.....“ District Election Commission

Certificate

on Registration of an Application/Complaint

Date of receipt of an application/complaint:

Time of receipt of an application/complaint:

Registration number of an application/complaint:

A DEC Secretary/An authorized person of the election commission:

/Signature/

**Report
on notification of a party on an ordinance of the DEC chairperson
dismissing it without prejudice**

The city of ----- „----“ „-----“ 20--

An Author of the Report -----

(First name, last name, and his/her position)

I have drawn up the report on the following: -----

(Identity of a person to be summoned, name and number of the technical means with and to which the party was contacted, and the result)

(The name of a complaint dismissed without prejudice)

(Time and date of dismissing a complaint without prejudice)

In view of the above mentioned this report has been drawn up, the validity of which is certified by our signatures:

(Signature of a respective member of the DEC / an officer of the Legal Department of the CEC)

Time of drawing up a report -----

Day/Month/Year

Annex N5

Report**on Summoning a Party through Technical Means**

The city of ----- „----“ „-----“ 20--

An Author of the Report -----

(First name, last name, and position)

I have drawn up the report on the following: -----

(Identity of a person to be summoned, name and number of technical means with and to which a party was contacted, and the result)

(Time and place of consideration of a complaint)

(Title of the complaint, due to which the person has been summoned)

In case of non-appearance, the content of paragraphs (25) and (31) of Article 77 of the Organic Law of Georgia – the Election Code of Georgia shall be explained to a party.

The party is also explained that he/she is obliged to check the temperature. And in case of high temperature reading, he/she shall have the right, based on his/her own written statement, to introduce an alternative representative as the substitute for himself/herself.

This report is made on all of the above mentioned, the accuracy of which we confirm by signing:

(Signature of the Author)

(Signature of the DEC Chairperson / Head of the CEC Department)

Time of drawing up the report -----

Day/month/year

