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**Appraisal of the Draft Electoral Code of Ukraine
(Local Elections)**

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Introduction

The European Charter on Local Self-Government contains a clear, but very general statement on local elections. According to article 3, paragraph 2, the right of local self-government (LSG) “shall be exercised by councils or assemblies composed of members freely elected by secret ballot on the basis of direct, equal, universal suffrage, and which may possess executive organs responsible to them. This provision shall in no way affect recourse to assemblies of citizens, referendums or any other form of direct citizen participation where it is permitted by statute”.

The text of the present draft complies with this provision. However, some comments and proposals for improvement of the draft could be made on the basis of the experience of other European countries. The appraisal analyses both the Ukrainian version and the English translations. It focuses on 1) the codification issue; 2) the electoral system; 3) the special case of the electoral system for district and regional councils, which are said to represent “common interests of territorial communities (*hromadas*) by article 140 of the Constitution; 4) the election dates, jointly with the terms of office; 5) the registration of candidates; 6) gender issues.

1. The codification issue

The draft election code is an attempt to consolidate the norms applicable to different elections, instead of having them spread over different pieces of legislation.

Keeping rules on election in different pieces of legislation does not violate any European or international standards - both options are used across European countries and circumstances are often the main reason for a choice.

Nevertheless, the advantages of codification are obvious:

- accessibility, since all norms applicable to a subject matter are gathered in a single document;
- opportunity to streamline legal rules on this subject, since the work on consolidating removes discrepancies; many rules can and must be the same for all elections – for example the general principles of elections, the administrative bodies for the management of the electoral process, the voters lists, etc;
- clarity resulting from the new order introduced in the whole code, making it easier to find the provisions that are needed and to understand their consistency.

As it is, the present draft is well structured. Some parts might be too detailed and a number of very technical provisions could be left to government regulations.

The recent decision (August 2010) to revise the new law on local elections provides an opportunity to improve the new law and later make it a part of a future Electoral Code. This solution would reconcile the need to have a new law before the local elections (October 2010), and the need to have a full code, even if more time is needed to achieve its adoption.

2. The electoral system

Beyond the UK (except Northern Ireland), Slovakia, Ukraine and Russia which use different forms of majority systems, European countries prefer the proportional representation for the local council elections, albeit in different forms¹.

The proportional representation introduced in 2006 has been strongly criticised in Ukraine. The new draft code returns to a simple majority system, in single mandate constituencies at the municipal level for villages, settlements and all cities, including inner city district councils (art.447), and multi-mandate constituencies for the election of district and regional councils (art.537). There is thus a clear difference between the municipal elections and the district and regional council elections. This difference could undermine the capacity of councils in larger cities to deal properly with wider city issues, and could leave deputies focusing too much on very local problems.

The electoral system is usually a trade off between electoral justice and governing capacity after the election. The more the party system is split, the less adequate is the majority system, and even less if it is a simple majority system with one ballot and closed lists. In this case, an alternative is to set a threshold for participation in the distribution of seats, thus inciting smaller parties to join coalitions and maximise their chance of getting seats. However, in contrast to parliamentary elections, this is rather exceptional for local elections. The threshold approach is used in Estonia, France, Spain and Turkey. The draft Code does not set a threshold for local elections.

There is a single ballot, but, where two or more candidates to the council obtain the same number of votes, the vote is to be “repeated” (see art.489-490); the same rule applies to the election of the mayor (art.531), except in cities of regional significance and Kyiv. In France, in such a case, the seat is given to the oldest of the competing candidates.

Under the draft Code, a second ballot may be held for the direct election of the mayor at city of regional level and for the city of Kyiv. A candidate must have 50% of the valid votes cast to be elected. Less than 50% is acceptable if the candidate got 20% more votes than the next runner-up. In other cases, the election has to be held again; this is indeed a second ballot (art.532).

The second ballot is a good option in a majority system applied to a rather fragmented party system, because it is conducive to coalition forming for the second ballot. Furthermore, it secures the legitimacy of the councillors or of the mayor by providing a larger majority. For the same purpose, this can be combined with a rule which enables the two candidates with the highest number of votes to run for the second ballot, or the candidates with a specific minimum percentage of votes. If there are reasons to fear an excessive polarisation, however, it would be more expedient to let all candidates run for the second ballot; the results of the

¹ In Russia, by law municipal governments are free to use proportional, majority and mixed election systems. The simple majority system dominates in single mandate constituencies. In Slovakia, there is a simple majority system with closed lists. France and Italy have mixed systems: in France, the winning list gets the majority of seats, but the rest of the seats are distributed among all lists by proportional representation (municipalities from 3 500 inhabitants and over); Italy also has a mixed system that depends on the class of municipalities.

first ballot will make the candidates look for allies. To avoid too much political bargaining, a threshold can be fixed for participating in the second ballot (for example a candidate with less than 10% of the votes cast at the first ballot cannot run for the second ballot).

The hearing in the Verkhovna Rada on 12 May has shown that there is almost no support for proportional representation in Ukraine. The President of the Association of Ukrainian Cities has reported that at the last congress of its association, the 400 mayors who attended unanimously voted for the return to the majority system for the election of the councils.

This general trend can be explained by the fact that proportional representation is an electoral system based on a strong party system, even if it is a split party system. It implies that existing political parties are generally recognized as the basis of political representation. At present, with approximately 200 parties, Ukraine does not have this type of party system. Furthermore, it is likely that the mayors, who are directly elected and have therefore a stronger legitimacy, do not wish to have councils structured by parties, the leadership of which could challenge their authority.

Lastly, just as there is no one single type of majority electoral system, there are many different proportional systems. The majority system may be single-mandate or multi-mandate constituencies. In the latter case lists may be closed or open, with one or two ballots. If there are two ballots, there may be conditions restricting the right to participate at the second ballot etc.

In the case of Ukraine, where political parties are fragmented and are numerous, a good option seems to be a majority system with multi-mandate constituencies, open lists which give voters the opportunity of selecting names from different lists and a second ballot if one or several seats cannot be attributed to candidates because they obtained over 50% of votes at the first ballot. The second ballot incites parties or candidates to form coalitions and thus contributes to a clarification of the main political options. Access to the second ballot can be subject to conditions (minimum percentage of votes at the first ballot, for example).

3. Election of district and regional councils representing “common interests” of municipalities

The issue is to what extent the electoral system can take into account the principle stated in Article 140, para 4 of the Constitution, according to which district and regional councils represent the common interests of municipalities of their territory. The draft Code refers explicitly to Article 140 in its Article 537: the election of district and regional councils is based on the principles of the majority system in multi-mandate constituencies that correspond to the principle established by Article 140.

It has been argued that in the case of regional and district councils, proportional representation and, more generally, any closed list system would contradict the Constitution because neither ensure representation of all territories. (*Органами місцевого самоврядування, що представляють спільні інтереси територіальних громад сіл, селищ та міст, є районні та обласні ради*).

Article 538 of the draft Code is in line with this position. Each municipality is represented in the district council by a number of members in proportion to the population: from 2 members for a municipality of up to 5,000 voters, to 6 members for a municipality with more than 30,000 voters. For the regional council, each district and each city of regional significance is

represented by a number of members in proportion to its population: from 2 members for up to 20,000 voters, to 9 members for over 1 million voters. Article 542 is not quite clear, but the idea seems to be that constituencies correspond to municipalities, which in their turn are districts for the election of the regional councils (paragraphs 2 and 3). The number of seats is fixed by the Head of the Electoral Commission of the Territory on the basis of the number of representatives assigned to a municipality/ district according to the provisions of Article 538 (Art.542, Par.5). This means that a municipality or a district cannot be split up into several multi-mandate constituencies, as was provided in an earlier version. Paragraph 4 (first sentence) of article 542 is also unclear (both in Ukrainian and in English): “No decision on creation of multi-mandate districts as indicated in part 2 and 3 hereunder shall be approved”. It should be interpreted as meaning that it is not possible to design multi-mandate constituencies that do not coincide with the borders of municipalities/districts. According to this interpretation, it would then be possible to join several municipalities/districts under one constituency which coincides with their borders. This would be a good option, in order to facilitate the overcoming of inequalities in representation. However, the **formulation of this provision should be clarified.**

The argument on the impact of Article 140 on the electoral system is not convincing. Article 141, paragraph 1, provides that all councils, including district and regional councils, are composed of members elected by “the inhabitants of the villages, settlements, cities, districts and regions on the basis of universal, equal, direct suffrage...” (*До складу сільської, селищної, міської, районної, обласної ради входять депутати, які обираються жителями села, селища, міста, району, області на основі загального, рівного, прямого виборчого права*). This formulation means that citizens are inhabitants of districts and regions as well as of municipalities, and this could be interpreted as meaning that the representation of the common interests of municipalities does not necessarily imply the representation of municipalities in the district and regional councils. Furthermore, according to this interpretation, the composition of the regional council should be based also on municipalities, including cities of regional significance, since the district is not a territorial community (*hromada*) in the sense of the Constitution. This would raise practical problems for the regional councils: ensuring a representation of all *hromadas* would be impossible, and would result in excessive territorial representation inequalities and the violation of the principle of the equality of suffrage.

Of course, it belongs to the Constitutional Court to deliver an authoritative interpretation. Nevertheless, Articles 538 and 542 may be seen as an acceptable way of representing territories, subject to the condition that the representation of the common interest of municipalities through the districts shall be considered a reasonable compromise that is compatible with the rule of Article 140, or that Article 140 shall be interpreted as having no strict implication for the electoral system.

In any case, the risk of excessive inequality due to the number of small municipalities in the countryside will remain. The threshold of 5 000 voters means probably more than 10 000 inhabitants, and there is a large number of municipalities below this threshold. The **law should therefore provide for the possibility of including several small *hromadas* in one constituency for the election of the district council**, for example for municipalities below 2 000 voters.

The proposal is to add a sentence to paragraph 1 of Article 538: “*Hromadas with less than 2 000 voters may join together to form a single constituency of several hromadas to reach at least 5 000 voters. The decision shall be taken by the competent electoral*

commission after consultation of the municipal councils concerned". This would have to be co-ordinated with Article 542 (see above).

The equality of suffrage is a constitutional requirement (Art.71) and a requirement of the European Charter of Local Self-Government (Art.3). The options available for arrangements aimed at ensuring the representation of common interests of municipalities through district and regional councils are limited by this requirement.

An indirect election of district and regional councils by municipal councils of different kinds, or by an electoral college formed through municipal councils is not an option, because indirect suffrage is ruled out by Article 71 of the Constitution².

For the election of the district and regional councils, the draft Code provides for a simple majority system within the multi-mandate constituencies. For each seat, voters can make their choice from among all candidates. They mark their choice on the ballot paper; they are not bound to vote for the lists presented. Those who are elected are the candidates who got the highest numbers of votes. This is practicable since the number of seats, and hence of candidates, is small in each constituency.

However, for the reasons stated above, a **majority system with two ballots would be preferable.**

4. The election dates, jointly with the terms of office

The term of office for local councils (municipal, district and regional) is 5 years (Constitution, Art 141, Para 1), the same as for the Parliament (Art.76). This does not mean that parliamentary elections and local elections should take place at the same time. On the contrary, the application of constitutional provisions can result in different dates: Parliament can be dissolved and new elections will have to take place (Art.77 and 90), and it belongs to the Parliament to call ordinary (regular) or extraordinary local elections (art.85, 30°).

It is usually considered that it is better to organise national and local elections on different dates to avoid national issues prevailing upon local issues. Local issues should be at stake for local elections. There is no obstacle to this in the Ukrainian Constitution.

However, it is important to have all local elections organised on the same day, depending on the term of office determined by the law. This is the only way to make political campaigns possible, with support from the mass media and to mobilise the voters.

The decision of the Constitutional Court of 4 June 2009 (n°13-rp/2009) makes it impossible. Asked to deliver an official interpretation of Article 141, paragraphs 1 and 2, the Court declared the provisions of Article 2 of the law of 24 June 2004 unconstitutional. Under this Article, interim elections would not entail the constitution of a new council, and would therefore not have any impact on the term of office of the council.

To understand the implications of this ruling it is important to know that the territory of the jurisdiction of each council was divided into a number of constituencies for the election of the councillors, always by a majority system. Thus, unlike in a proportional system, interim elections are in practice unavoidable.

² Such a solution was abandoned by countries that practised it: Norway and Hungary, because it was considered less democratic. However, it is still used for provincial councils in Spain (*deputaciones provinciales*).

According to the Constitutional Court (Para 3.2), “the constitutional provisions establishing the terms of office of representative organs have a general scope (...) and they have to be computed in the same way for all elections, without distinction between regular and interim elections, between the election of councils and the election to an individual mandate” *(конституційні положення, які встановлюють строки повноважень представницьких органів, мають загальний характер, Конституційний Суд України дійшов висновку, що обчислення цих строків здійснюється однаково, незалежно від того, на чергових чи позачергових виборах обрано склад представницького органу чи посадову особу)*. As a consequence, in the case of interim elections or after the dissolution of a local council, the term of office of the newly elected councillors or of the newly elected council or mayor will be five years (respectively 4 years for a mayor). For the Court, this is the same as for the parliament: after dissolution, the newly elected parliament will begin a new legislature with full term of office (par.6 of the decision). Therefore, it is not up to the law to determine a shorter term in certain circumstances (ibid.). It is only possible to change this norm through a constitutional amendment (par.3.2). The Constitutional Court leaves no room for distinguishing the nature of interim elections; the only distinction is between ordinary and extraordinary elections, and the term of office of the elected official shall be the same in both cases. After this ruling of the Constitutional Court, the only way for overcoming this difficulty is to amend the Constitution.

Another issue is the discrepancy between the term of office of municipal councils (5 years) and the term of office of mayors (4 years). This is the result of a constitutional revision that extended the mandate of the local councils to 5 years, but did not change the mandate of mayors. This could be a source of conflict between the mayor and the council, since the discrepancy between both terms of office would increase over time. This problem could also only be solved by a constitutional amendment.

Therefore **the recommendation is not to fix the term of office of local government bodies in the Constitution; this should be by law instead.**

5. Some of the conditions for registration of candidates

Broadly speaking, the draft code is in line with the Venice Commission requirements regarding elections and there is no undue restrictions on the right of the citizens to participate as candidates in all elections. In particular, under Article 13 of the draft Code, all citizens may nominate candidates to elections through political parties or their organisations, or they may nominate themselves as candidates insofar as they are voters. Regarding political parties, for general elections as well as for local government elections, the only requirement is that these parties have been registered for at least 365 days before election day.³ In the case of the merger of several parties, it is enough that the parties involved in the merger have been registered for at least 365 days before election day. The openness of the electoral process is an important achievement for the electoral process in Ukraine.

Two issues could be discussed: the cash deposit and the signature sheets.

All candidates to local elections must have the support of a number of voters and the list of signatures must be presented with their declaration of candidacy for their registration. This is the requirement for both candidates presented by political parties or independent candidates. Signatures may be collected by a voter with the candidate's authorisation. For example, the

³ The parliament revised this provision on 30 Aug 2010.

number of signatures to be collected is at least 750 for those running for the election of mayor of a city of regional significance, Kyiv and Sevastopil (Art.503).

This requirement is not needed⁴. The purpose is certainly to certify the candidates' validity. However, due to the strict regulation of political parties and how they designate their candidates, this should not be necessary at least for candidates presented by political parties. Furthermore, the collection of signatures may result in a competition between parties for signatures in order to demonstrate public support before the elections, and thus sway the voters; this competition could result in undesirable practices for collecting more signatures.

To avoid this , the law could state that the candidate must present a specific number of signatures and no more. A candidate with less than the number of signatures specified would not be able to continue.

The recommendation is to remove all articles on signature sheets from the draft Code.

Another issue is the money deposit. The candidates for local offices have to submit a money deposit for the register their candidacy. The amount is rather high: 50 times the minimum wage for the mandate of mayor of a city, and 100 times for the mandate of the mayor of Kyiv, Symfiropil or an oblast centre; the deposit is reimbursed only to candidates with above 7% of the vote (Art. 502). For the mandate of a district or regional councillor, the deposit is 10 times the minimum wage and is reimbursed only to candidates with over 5% of the vote cast (Art.549).

This provision can only discourage individual candidates, or citizen organisations, unless they are supported by a lobby, which would be the worst reason to vote for a candidate. The thresholds of 7% and 5% make it risky to place the deposit: usually the candidates do not succeed first time; they need a longstanding campaign and two or three elections before they have significant support from the voters. Therefore, the provisions proposed in the draft can only make it impossible for independent candidates without resources to take part in the electoral competition⁵.

Therefore, the recommendation is to remove Articles 502 and 543, and the provisions of Articles 501 and 542, requiring the money deposit for registration of the candidate .

⁴ In France, the registration of candidates for election does not require the collection of signatures. In Spain, this is required only for candidates supported only by a group of voters. In Italy, this is required for candidates at parliamentary elections, but not for candidates at local elections (TUEL, art.54 and ff.). In Germany it depends on the regional legislation, but it is ruled by the Constitutional Court that the support of a number signatures may be required in order to certify the candidate's validity (BverfGE 6, 121, 130).

⁵ In the French electoral code, no money deposit is required from the candidates. The State reimburses expenditure of the electoral campaign, during the legal period of the electoral campaign, and for a list of electoral campaign instruments only to the candidates having passed the threshold of 5% of the vote cast (see articles L.216, L.243, L.355).A ceiling is set ceiling for expenditure on the electoral campaign. This is the most important rule. An independent commission has to scrutinise the electoral expenditure of each candidate. The electoral expenditure includes any indirect support to the candidate of an economic value. If the total expenditure of the elected candidate exceeds the ceiling, the election is cancelled and the candidate may not run again, because he/she will be ineligible by law for one year.

There is a need to study in depth how to limit the influence of money in the electoral process as a whole, and to work out strict provisions to sanction those who do not comply with such rules.

6. Gender Issues

Context

Article 24 of the Constitution and Articles 15 and 16 of the Law on Ensuring Equal Rights and Opportunities of Women and Men give a solid legal basis for ensuring equality between women and men in political and public life. Similarly, the draft Election Code Article 14 on Equal Suffrage section 1 states “Elections shall be conducted on the basis of an equal suffrage. Ukrainian citizens shall participate in elections on an equal basis.” However in reality these rights are substantially constrained by social, economic and cultural norms.

Ukraine is committed under the UN Development Goals to have at least 30% of either gender holding legislative and executive office by 2015.⁶ The UN gender empowerment measure (GEM) reveals whether women take an active part in economic and political life. It tracks the share of seats in parliament held by women, the number of female legislators, senior officials and managers, female professional and technical workers and the gender disparity in income, reflecting economic independence. Ukraine ranks 86th out of 109 countries in the GEM.

Women are more likely to be elected in the smaller authorities - indeed in rural executive authorities they outnumber men. But the percentage of women decreases markedly as the size and power of the authority increases. This situation has remained largely unchanged for the 7 years detailed below.

Women elected at different levels in Ukraine⁷

Indicators: *Nos. of women/men 2001 2003 2004 2005 2006 2007 2008*

Indicator 1.1. Gender ratio among deputies to the Verkhovna Rada: 8/92 5/95 5/95 5/95 9/91 8/92 8/92

Indicator 1.2. Gender ratio among deputies to local executive authorities: 42/58 42/58 42/58 42/58 35/65 35/65 37/63

Indicator 1.3. Gender ratio among deputies to province executive authorities: 11/89 10/90 10/90 10/90 12/88 12/88 12/88

Indicator 1.4. Gender ratio among deputies to district executive authorities: 21/79 21/79 21/79 21/79 21/79 21/79 23/77

Indicator 1.5. Gender ratio among deputies to municipal executive authorities: 22/78 22/78 22/78 22/78 26/76 26/76 28/72

Indicator 1.6. Gender ratio among deputies to village executive authorities: 47/53 47/53 47/53 47/53 40/60 40/60 46/54

⁶Goal 6 Target 6.1 Human Development Report UNDP 2008

⁷ Committee on the Elimination of Discrimination against Women 45th Session Jan-Feb 2010 Responses to the list of issues and questions with regard to the consideration of the combined 6th and 7th periodic reports of Ukraine.

Indicator 1.7. Gender ratio among deputies to rural executive authorities: 47/53 47/53 47/53
47/53 50/50 50/50 51/49

The Ukrainian Government's response to the CEDAW Committee at the beginning of this year suggested that the issue of under representation of women in electoral positions would be addressed as a matter of urgency.

Electoral System

A wide variety of socio-economic, cultural and political factors hamper women's access to elected office. Compared to the structural and cultural obstacles, the electoral system can be changed more easily and electoral reforms offer a viable option for increasing women's representation.

There is currently strong opposition in the Parliament to the adoption of any system of gender quotas for addressing the underrepresentation of women, but it is worth recalling that the Venice Commission expert Michael Krennerich⁸ concluded that a plurality or majority system in single member districts tended to work against women and are seldom used in Europe – the exceptions include the UK (England at local level) and Azerbaijan.

The recommendation is therefore to make minor alterations to the electoral code which have been shown to make some difference to increasing the numbers of women standing for election and being elected at local level.

Electoral Commissions (Article 118)

Those overseeing elections should be aware of gender issues and the potential for the electoral process itself to contribute to increasing equality of women and men. It is proposed that gender awareness training should be included as a specific requirement in the training provided for members of Electoral Commissions.

Political Parties (Articles 455,499,546)

In the absence of legal quotas for candidates it should be made clear in the Electoral Code that political parties can take positive action measures under Article 24 of the Constitution and Article 16 of the Law on Ensuring Equal Rights and Opportunities of Women and Men, which could include for example; the voluntary adoption of quotas for women candidates; women-only shortlists for selection in a number of electoral districts; training programmes for potential women candidates.

Article 16 of the Law on Ensuring Equal Rights and Opportunities of Women and Men states: 'Positive action shall be allowed to achieve balanced representation of women and men in public service and local self government bodies provided that ranking categories of public servants are taken into consideration.'

It is suggested that including the requirement for political parties to report on the number of women and men members and who are present at the selection meetings at least demonstrates that women have been involved in the selection process.

⁸ European Commission for Democracy through Law CDL-AD(2009)029

Nomination of Candidates (Articles 457,501,548)

There does not seem to be any reason to include the place of work (occupation) and position of the nominee as this could count against women who may not have paid employment outside of the home. The inclusion of place of work in the nomination information for independent candidates should be removed for the same reason. Family status is also not necessary and could count against women or men in non-traditional family relationships.

Electoral Budgets (Articles 474,518,562)

Women are likely to be disadvantaged by not having their own resources to use in an election campaign and are more likely to have caring responsibilities and less likely to have their own transport. Therefore, it would be helpful to include in the code an explicit reference to candidates being able to use the electoral funds to pay for care for dependents (children, disabled or elderly relatives) and transport necessary for the election campaign.

Ballot Papers (Articles 477, 522)

Although the overall level of literacy for women in the Ukraine is not very different from those of men⁹ (99.8%) older women have lower literacy levels as do members of minority populations such as Roma. It would therefore be useful to consider putting symbols on ballot papers although these would have to be agreed and registered in advance of the ballot and would have to form part of the general electoral code.

It is also not necessary to include the information on place of work on the ballot paper for the reasons stated above.

Individual Voting Rights (Articles 479, 524, 569)

Article 237 sections 1-4 set out the rights for voters to personally cast their vote in private. The only exception is in the case of a physical disability where permission can be sought for another person to cast the vote on their behalf. This should be included in the procedure for the ballots at local, regional and provincial levels. This is consistent with the Venice Commission Code of Electoral Good Practice¹⁰ section 4. Secret suffrage, which states:

- a. For the voter, secrecy of voting is not only a right but also a duty, non-compliance with which must be punishable by disqualification of any ballot paper whose content is disclosed.
- b. Voting must be individual. Family voting and any other form of control by one voter over the vote of another must be prohibited.

Publication of Results (Articles 491, 535, 579)

Again information on date of birth and place of work (occupation) is not needed.

⁹ UNDP Ukraine Human Development Report 2009

¹⁰ CDL-AD(2002)023rev Code of Good Practice in Electoral Matters European Commission for Democracy through Law

Gender Mainstreaming in the Election Code:

Text Proposals

Proposed changes are in **bold and highlighted in grey**

Article 118. Requirements for Training Potential Candidates to Election Commissions

1. Persons complying with the general requirements for members of the election commissions determined by Article 86 of this Code may undergo training for potential candidates to election commissions.

2. The requirements for the required qualification of the members of district or territorial election commissions, as well as the respective requirements related to the content of training potential candidates to the election commissions shall be established by the Central Election Commission in accordance with parts three-five of this Article. Such requirements shall determine the content and scope of knowledge and skills to be gained by potential candidates to the election commissions, minimal quantity of academic hours for lectures and practical classes, recommended programmes for training potential candidates to the election commissions, and recommended forms of final attestation.

3. The scope of knowledge specified in part two of this Article should include, in particular:

- 1) electoral rights of citizens and basic principles of election laws of Ukraine;
- 2) powers and authorities of election commissions of all levels, rights and obligations of the members of such commissions;
- 3) operating procedure of election commissions, the procedure for considering issues and making decisions by the Commission;
- 4) organisational framework for operations of the State Voter Register;
- 5) procedure for conducting election campaign;
- 6) procedure for appealing the decisions, acts or omissions of the election commissions and their members; other subjects of the election process; executive bodies, authorities of the Autonomous Republic of Crimea, bodies of local self-governance, their officials; mass media, their owners, officials and production personnel;
- 7) the reasons and procedure for holding persons legally liable for any violations of the laws on elections.

4. The scope of skills specified in part two of this Article should include, in particular:

- 1) execution (completion) of documents of the election commission or draft documents stipulated by the law and resolutions of the Central Election Commission;
- 2) holding a meeting of the election commission in accordance with the requirements of this Code and resolutions of the Central Election Commission;

- 3) carrying out any other election procedures provided by the law;
- 4) drawing up protocols for administrative violations under the Administrative Offences Code of Ukraine.

5. The training should include gender awareness and the need to ensure equality of women and men through all stages of the electoral process.

6. The Central Election Commission may clarify the content and scope of requirements specified in parts three and four of this Article and set forth additional requirements in relation to the content and scope of knowledge and skills to be mastered by the potential candidates to the election commissions, to the extent required for efficient performance of the duties of a member of the election commission.

Article 455. The procedure for nominating candidates by the parties

1. The respective party as indicated in part two of Article 449 shall be entitled to nominate one candidate for member of village, settlement, city and city raion boards in every single-mandate election district on the territory of the respective community or city raion.

2. A party shall be entitled to nominate any party member or an independent individual who under Article 12 has the right to be elected as board member and who has not submitted an application for self-nomination as candidate for board member. The same individual shall not be nominated by more than one party.

3. A party shall nominate its candidates for board members during its conference (meeting) organised and held under the procedure set forth by the party's charter. **Parties are able to exercise positive action to encourage candidates from the underrepresented sex in line with Article 24 of the Constitution and Articles 15 and 16 of the Law on Ensuring Equal Rights and Opportunities of Women and Men**

4. The chairman of the party shall notify in writing the respective Head of the Territorial Election Commission about the time and place of holding the party's conference (meeting) to nominate its candidates for board members within three days prior to such a conference (meeting). A member of the aforementioned Territorial Election Commission assigned by its Head shall be present at such a conference (meeting).

5. The party's conference (meeting) on nomination of its candidates for board members shall be held openly. The conference (meeting) shall have the appropriate atmosphere for free and comprehensive discussion of the individuals proposed as candidates for board members and their election programs.

6. The decision of the party's conference (meeting) to nominate the candidates for board members shall be approved in the form of a list of candidates with indication of the number of single-mandate districts for each such candidate in which s/he is nominated.

7. The decision of the party's conference (meeting) described in part six shall indicate the following information in relation to each candidate:

- 1) the candidate's full name;
- 2) date, month and year of birth;

- 3) nationality;
- 4) party membership;
- 5) education;
- 6)... ;
- 7) place of residence and election address.

8. The minutes of the party's conference (meeting) shall provide the following information: date of conference (meeting), agenda, number of selected and present delegates **including the number of women and men** (when holding a meeting – the total number of the party's members and those present at the meeting, **including the number of women and men**), the voting results (number of affirmative votes, number of negative votes, number of abstentions or spoilt ballot papers, voters which did not take part in voting, on nomination of each of the candidates, as well as information on each individual nominated as candidate for board member in compliance with part seven with indication of the number of single-mandate district in which such candidate is nominated.

9. The decision described in part six and the minutes described in part eight shall be signed by the chairman of the party and authenticated by the party's stamp.

Article 457. The conditions for registration of candidates for board members

1. To be registered any self-nominated candidate shall submit the following documents in person to the Head of the Territorial Election Commission of the respective elections, in addition to his/her application:

- 1) the candidate's biography which shall provide the following information:
 - a) full name;
 - b) date, month and year of birth;
 - c) nationality;
 - d) education;
 - e) **work(including part time)**
 - f) public activity (including elective office);
 - g) place of work (occupation) and position at the time of nomination as candidate for board member;
 - h) party membership, year of joining the party;
 - i) **family status**
 - j) place of residence and election address with indication of duration of residing in Ukraine,

- k) instances and grounds for criminal responsibility or responsibility for corruption;
- l) prior convictions if applicable;
- 2) brief election programme in the official national language;
- 3) property and income statement in compliance with Article 458 hereunder;
- 4) signature sheets with signatures of voters eligible to vote at the elections of members of the respective board in support of registration of the candidate; the required number of such signatures shall be regulated by part one of Article 459 hereunder;
- 5) photographs of the candidate; the size and quantity of such photographs shall be determined by the Head of the Territorial Election Commission no later than on the third day of the election process.

2. The following documents shall be submitted in addition to the documents listed in clause 1 through 5 of part one when registering candidates for board members nominated by parties:

- 1) the party's application on registration of the candidate signed by the chairman of the party and authenticated by the party's stamp;

- 2) a copy of the party's registration certificate, authenticated without charge by the territorial body of the Ministry of Justice of Ukraine after commencement of the election process;

- 3) the decision of the conference (meeting) of the party to nominate candidates for board members as indicated in parts six and seven of Article 455;

- 4) the minutes of the party's conference (meeting) on nomination of candidates for board members as indicated in part eight of Article 455;

- 5) the written consent from the respective individual to be nominated as candidate for member of village, settlement and city board from a given party in the respective single-mandate district along with the information required by clauses 3 through 5 of part two of Article 456.

3. One copy of each document listed in part two shall be submitted by the party in relation to each candidate for member of the respective board nominated by the party.

4. The documents of registration of the candidate(s) from a party as indicated in part two shall be submitted to the Head of the Territorial Election Commission by the individual assigned by the decision of the party's management body.

5. The head, deputy head, secretary or other member of the Territorial Election Commission shall accept the documents. The commission shall issue a notice of acceptance of documents to the person submitting the documents in compliance with part one or four. The notice shall indicate the list of documents submitted, date, month, year and time they were submitted and the last name and position of the individual who accepted them.

6. The acceptance of documents by the respective Territorial Election Commission on registration of candidates for board members shall terminate 40 days prior to the election day.

7. The documents submitted to the respective Territorial Election Commission may not be re-submitted.

Article 458. Property and income statement of the candidate

1. The property and income statement of the candidate for the previous year subject to reporting as of the day of commencement of the election process shall be filled in by the candidate in person under the form for property and income statements of officials approved by the Ministry of Finance of Ukraine as of 1 January of the year in which the election process commenced.

2. Any mistakes or discrepancies in the property and income statement shall be subject to correction and are not grounds for refusal to register the candidate for board member.

Article 459. Collecting signatures to support registration of the candidate for board member

1. Signature sheets with the following number of signatures to support registration of the candidate for board member shall be submitted for:

- 1) candidates for village board member – no less than 10 signatures;
- 2) candidates for settlement board member – no less than 15 signatures;
- 3) candidates for city (city of subordinate raion status (?) or satellite city) board member – no less than 25 signatures;
- 4) candidates for city (city of an Oblast and at Republic level in the Autonomous Republic of Crimea with no more than 300 thousand voters) or city raion (less city raion in Kyiv) board – no less than 50 signatures;
- 5) candidates for city (city of an Oblast and at Republic level in the Autonomous Republic of Crimea with more than 300 thousand voters, less oblast centers, Kyiv, Symferopil and Sevastopol) – no less than 80 signatures;
- 6) candidates for city (Oblast centers, Kyiv, Simferopil and Sevastopol) and city raion in Kyiv boards – no less than 100 signatures.

2. The form of signature sheets shall be regulated by part four of Article 402 . Instead of the information indicated in clauses 2 and 3 of part two of Article 403 the signature sheet shall provide the following information:

- 1) the number of election precincts in which signatures are being collected;
- 2) full name of the candidate in whose support signatures are being collected and the nominating entity.

3. The individual nominated by a party or an individual who has nominated his/herself shall submit in person the application on their intent to collect signatures of voters to support

their registration to the Head of the Territorial Commission of the respective elections . They must attach an example of the signature sheet. Additionally, they shall submit the document stipulated by clause 1 or 2 of part one of Article 10.

4. The Head of the Territorial Election Commission of the respective elections shall approve the respective decision within two days of receipt of the application. The example of the signature sheet shall be returned to the applicant within three days of approval of this decision.

5. The individual who received the example of the signature list shall be entitled to produce any number of signature sheets in the approved form.

Article 474. Specific procedure for opening, raising and using election funds by candidates for board members

1. The candidates for members of city (cities of the oblast and at republican level in the Autonomous Republic of Crimea sub ordinance with more than 300 thousand voters, cities of Kyiv and Sevastopol), and city raion boards shall raise their electoral funds under the procedure in Articles 185 through to 189.

2. The candidates for members of village, settlement, city (with the exception of the cities in part one) boards may raise electoral funds to finance their election campaigns under the procedure described in articles 185 through 189.

3. The parties nominating candidates for members of village, settlement, city and city raion boards may not raise their own electoral funds to finance election campaigns in the course of such elections.

4. The candidate's electoral fund accumulation account (if such a fund is created) shall be opened within five days of approval of the decision on registration of the candidate by the Territorial Election Commission.

5. No current accounts shall be opened for the candidate's electoral fund. The electoral funds shall be spent directly from the electoral fund accumulation account.

6. When creating the electoral fund the candidate shall personally manage the fund's accumulation and current accounts or assign management of the fund's accounts to one of his/her proxies.

7. Electoral funds can be used to reimburse candidates for additional expenses incurred in the election campaign including for childcare, and transport.

7. The maximum expenditure from the candidate's electoral fund shall be limited to:

1) 50 times the minimum wage effective on the day of commencement of the election process for the elections of members of village or settlement boards;

2) 75 times the minimum wage effective on the day of commencement of the election process for the elections of members of city (city of raion subordination or satellite cities) boards;

3) 100 times the minimum wage effective on the day of commencement of the election process for the elections of members of city (city of an Oblast and at Republic level in the Autonomous Republic of Crimea with more than 300 thousand voters, less oblast centres, Kyiv, Simferopil and Sevastopol) or city raion (less the city raion in Kyiv) boards;

4) 150 times the minimum wage effective on the day of commencement of the election process for the elections of members of city (oblast centres, Kyiv, Simferopil and Sevastopol) or city raion boards in Kyiv.

8. Voluntary contributions to the candidate's electoral fund shall be limited to three times the minimum wage effective on the day of commencement of the election process. The amount of the candidate's own funds to be transferred into the accumulation account shall be limited to the maximum expenditure from the electoral fund as indicated in part seven.

Article 477. Ballot papers for the elections of members of village, settlement, city (town) boards

1. The text for the ballot paper for each single-mandate district shall be approved by the Head of the Territorial Election Commission of the respective local elections within 25 days prior to the election day.

2. The ballot paper for the respective election district shall list the names of candidates in alphabetical order along with the following information on registered candidates: full name, ~~year of birth, principal place of work (occupation) party membership, party symbol and nominating entity~~. An empty box shall be allocated between the candidate's full name and the information about the candidate.

3. The Head of the Territorial Election Commission of the respective local elections shall determine the number of ballot papers for each single-mandate election district based on the information provided by the State Voter Register on the number of voters with the respective voting addresses, increased by 2%.

Article 479. The procedure for filling out the ballot paper when casting the vote

1. The procedures for individual voting and assisted voting in prescribed circumstances shall be as in described in Article 237.

2. Each voter shall vote putting either a "plus" ("+") or other symbol in the box next to the name of the candidate selected.

3. When filling in the ballot paper each voter may vote for only one candidate for board member.

Article 491. Official publication of the results of elections

1. The Head of the Territorial Election Commission of the respective elections shall officially publish the results of the elections of members of village, settlement, city and city raion boards in the local media within five days of the results being approved.

2. The published results will show only the list of the individuals elected to the board. The following information on each individual shall also be provided:

- 1) number of single-mandate districts;
- 2) full name;
- 3) number of votes obtained ;
- 4) ratio of votes obtained to the number of valid votes cast in the respective single-mandate district;
- 5) **year of birth**
- 6) entity which nominated the candidate;
- 7) party membership;
- 8) education;
- 9) **place of work(occupation), position obtained by the elected board member prior to elections**
- 10) place of residence.

Article 499. The procedure for nomination of the candidates by parties

1. Any party as regulated in part two of Article 494 may nominate only one candidate for the respective territorial community head.

2. Any party may nominate as candidate for the Head of the territorial community any individual who is or is not a member of the party This individual, who may not have previously submitted an application for self-nomination, may run as candidate for the territorial community head in compliance with Article 12 . **Any individual may be nominated by one party only. Parties are able to take positive action to encourage candidates from the underrepresented sex in line with Article 24 of the Constitution and Articles 15 and 16 of the Law on Ensuring Equal Rights and Opportunities of Women and Men**

3. The candidate for the territorial community head shall be nominated by a party at its conference (meeting) which is convened following the procedure in the party's charter.

4. The chairman of the party shall notify the respective Head of the Territorial Election Commission in writing of the time and place of the party's conference (meeting) to nominate its candidate for territorial community head within three days prior to the conference (meeting). A member of the Territorial Election Commission may attend the conference (meeting) with the approval of the Commission's Head.

5. The party's conference (meeting) for nominating its candidate for the territorial community head shall be open to the public. The conference (meeting) shall have the appropriate atmosphere for free and comprehensive discussion of the individuals put forward as candidates and their election programmes.

6. The candidate for the respective territorial community head shall be nominated from the party further to the decision of the party's conference (meeting). Should candidates be

nominated for more than one territorial community the party's conference (meeting) shall approve each candidate's nomination by separate decision .

7. The decision of the party's conference (meeting) described in part six shall indicate the following information on the candidate:

- 1) the candidate's full name;
- 2) ~~date, month and year of birth;~~
- 3) nationality;
- 4) party membership;
- 5) education;
- 6) ~~place of work(occupation), position;~~
- 7) availability of any other representative mandate at the time of nomination;
- 8) place of residence and election address.

8. The minutes of the party's conference (meeting) shall provide the following information: date of the conference (meeting), agenda, number of selected and present delegates, **number of men and women present** (when holding a meeting – the total number of the party's members and those present at the meeting **including the number of women and men**), the voting results (number of affirmative votes, number of negative votes, number of abstentions and spoilt ballot papers) on nomination of each of the candidates, as well as the information on each individual nominated as candidate for the respective territorial community head in compliance with part seven.

9. The decision described in part six and the minutes described in part eight shall be signed by the chairman of the party and authenticated by the party's stamp.

Article 501. The conditions for registration of candidates for village, settlement, or city mayor

1. To register any self-nominated candidate for the territorial community head shall submit the following documents in person to the respective Territorial Election Commission, in addition to his/her application as indicated in Article 500:

- 1) the candidate's biography which shall provide the following specific information :
 - a) full name;
 - b) ~~date, month and year of birth~~
 - b) nationality;
 - r) education;
 - r) ~~work (including part time);~~

д) public activity (including elective office);

е) place of work (occupation) and position at the time of nomination as candidate;

е) party membership, year of joining the party;

~~ж) family status;~~

3) place of residence and election address with indication of duration of residing in Ukraine,

и) instances and grounds for criminal responsibility or responsibility for corruption ;

і) prior convictions if applicable;

2) brief election programme of less than 3000 characters in the official national language;

3) property and income statement in compliance with Article 458 hereunder;

4) signature sheets with signatures of voters who may vote at the elections of the respective territorial community head in support of registration of the candidate; the required number of signatures shall be regulated by part one of Article 503;

5) the document confirming availability of money guarantee in compliance with Article 502;

6) photographs of the candidate; the size and number of photographs shall be determined by the Territorial Election Commission no later than on the third day of the election process.

2. The following documents shall be submitted in addition to the documents listed in clause 1 through 6 when registering a candidate nominated by parties for the territorial community head:

1) the party's application for registration of the candidate signed by the chairman of the party and authenticated by the party's stamp;

2) a copy of the party's registration certificate, authenticated without charge by the territorial body of the Ministry of Justice of Ukraine after commencement of the election process;

3) the decision of the conference (meeting) of the party to nominate the candidate for territorial community head as indicated in parts six and seven of Article 499;

4) the minutes of the party's conference (meeting) on the nomination of the candidate for the territorial community head as indicated in part eight of Article 499;

5) the written consent of the individual to be nominated as candidate for village, settlement, or city mayor from a given party with indication of his/her official contact address along with his/her statement of obligation to refuse the mandate as representative or office which under the Constitution and the laws of Ukraine would be incompatible with the

mandate of village, settlement, or city mayor, and written consent to publication of the candidate's information in the documents submitted to the Territorial Election Commission .

3. The documents submitted by a party for registering the candidate as indicated in part two shall be submitted to the Head Territorial Election Commission by the individual appointed by the decision of the party's management body.

4. The head, deputy head, secretary or other member of the Territorial Election Commission shall accept the documents. The commission shall issue a notice of acceptance of documents to the person submitting the documents in compliance with part one or three. This notice shall indicate the list of documents submitted, date, month, year and time they were submitted and the last name and position of the individual who had accepted them.

5. The respective Territorial Election Commission may not accept documents for registering candidates for the territorial community head 40 days prior to election day.

6. The documents submitted to the respective Territorial Election Commission may not be re-submitted.

Article 518. Specific procedure for opening, funding and using election budgets by candidates for the territorial community head

1. Any candidate for village, settlement, or city (city of raion subordination or satellite cities) mayor may create and raise an electoral fund to finance his/her election campaign under the procedure set out in Articles 185 through 189.

2. Each candidate for city (city of an Oblast and at Republic level in Autonomous Republic of Crimea, Kyiv city) mayor shall create and and raise his/her own electoral fund to finance his/her election campaign under the procedure set out in Articles 185 through 189 hereunder

3) Electoral funds can be used to reimburse candidates for additional expenses incurred in the election campaign including for childcare, and transport.

3. The party nominating the candidate for territorial community head shall not create its own electoral fund to finance the election campaign at the respective elections.

4. The electoral fund accumulation account of the candidate (if created) shall be opened within five days of the approval of the decision by the Territorial Election Commission on registration of the candidate.

5. No current accounts shall be opened for the candidate's electoral fund. The electoral funds shall be spent directly from the electoral fund accumulation account.

6. When creating the electoral fund the candidate shall personally manage the fund's accumulation and current account or assign management of the fund's accounts to one of his/her proxies.

7. The maximum expenditure from the candidate's electoral fund shall be limited to:

1) 250 times the minimum wage effective on the day of commencement of the election process for the candidates for village or settlement mayor;

2) 500 times the minimum wage effective on the day of commencement of the election process for the candidates for city (city of raion subordination or satellite cities) mayor;

3) 2000 times the minimum wage effective on the day of commencement of the election process for the candidates for city (city of an oblast or at republican subordination, less oblast centers, and Simferopil) mayor;

4) 3000 times the minimum wage effective on the day of commencement of the election process for the candidates for city (oblast centres, cities of Kyiv or Simferopil) mayor.

8. In the event of a second round of voting the limit in part seven on maximum expenditure for the candidates shall be increased by 15 percent.

9. Voluntary contributions to the candidate's electoral fund shall be limited to 30 times the minimum wage effective on the day of commencement of the election process. The amount of the candidate's own funds to be transferred into the accumulation account shall be limited to the maximum expenditure from the electoral fund as indicated in part seven and eight.

Article 522. Requirements for the content of ballot papers for the elections of territorial community head

1. The text of the ballot paper for the elections of territorial community head shall be approved by the Head of the Territorial Election Commission within 25 days prior to the voting day.

2. The ballot paper for elections of the territorial community head shall list candidates' names in alphabetical order along with the following information on the candidates: full name, ~~year of birth~~, education, place of residence, ~~principal place of work (occupation)~~ party membership, **registered party symbol** and nominating entity. A blank box shall be placed in between the candidate's full name and other information on the candidate.

3. The Head of the Territorial Election Commission of the respective elections shall determine the number of ballot papers based on the number of voters included in the State Voter Register, increased by 2%.**Article 524. The procedure for filling in the ballot paper when casting the vote**

1. The procedures for individual voting and assisted voting in prescribed circumstances shall be as outlined in Article 237 above.

2. Each voter shall express their vote by putting either a "plus" ("+") or other symbol in the box next to the candidate's name of their choice.

3. Each voter may only vote for one candidate for the head of the respective territorial community.

Article 535. Official publication of the results of elections of village, settlement, or city mayor

1. The Head of the Territorial Election Commission of the respective elections shall officially publish the results of the elections of the head of the respective territorial community in the local media within five days of approval of the results.

2. The publication required under part one shall provide the following information about the elected territorial community head:

- 1) full name of the elected territorial community head;
- 2) number of votes obtained;
- 3) ratio of votes obtained to the number of valid votes cast;

5) **year of birth**

6) entity which nominated the candidate elected as the territorial community head;

7) party membership;

8) education;

9) ~~place of work (occupation), position obtained by the elected territorial community head member prior to elections~~

10) place of residence.

3. The official publication of the results of elections of territorial community head by the Head of the Territorial Election Commission shall provide the grounds for dismissing representatives whose work (position) is incompatible with the position of village, settlement, or city mayor and for approving the decision to terminate any other representative's mandate as village, settlement, or city mayor.

Article 545. The terms for nominating candidates as board members

1. Nomination of candidates as board members and self-nomination shall commence the day following the commencement of the election process and finish 45 days prior to the election day.

2. The candidate for the territorial community head shall acquire the status of subject of the respective election process under the procedure in part six of Article 546 and part one of Article 547.

Article 546. The procedure for nominating candidates by the parties

1. The respective party as indicated in part two of Article 539 shall be entitled to nominate candidates for board members in every multiple mandate district of the respective elections; the number of nominated candidates may not exceed the number of mandates in the respective election district as determined by part five of Article 542.

2. A party shall be entitled to nominate as candidate for board member any party member or independent individual who under Article 12 may be elected as board member and who has not submitted a application of self-nomination. The same individual may not be nominated by more than one party.

3. A party shall nominate its candidates for board members during its conference (meeting) organised and held under the procedure set out in the party's charter. **Parties may**

take positive action to encourage candidates from the underrepresented sex in line with Article 24 of the Constitution and Articles 15 and 16 of the Law on Ensuring Equal Rights and Opportunities of Women and men. No less than 100 delegates shall be present at the conference in which the candidates for the oblast board members are nominated.

4. The chairman of the party shall notify in writing the respective Territorial Election Commission of the time and place of holding the party's conference (meeting) to nominate its candidates for board members within three days prior to the conference (meeting). A member of this Territorial Election Commission appointed by its Head shall have the right to attend the conference (meeting).

5. The party's conference (meeting) for nominating its candidate for the territorial community head shall be held open to the public. The conference (meeting) shall have the appropriate atmosphere for free and comprehensive discussion of the individuals proposed as candidates and their election programmes.

6. The decision of the party's conference (meeting) to nominate candidates for board members shall be approved as a list of candidates with indication of the number of multiple mandate districts for which each candidate is nominated.

7. The decision of the party's conference (meeting) described in part six shall indicate the following information in relation to each candidate:

- 1) the candidate's full name;
- 2) **date, month and year of birth**
- 3) nationality;
- 4) party membership;
- 5) education;
- 6) **place of work (occupation), position;**
- 7) availability of any other representative mandate at the time of nomination;
- 8) place of residence and election address.

8. The minutes of the party's conference (meeting) shall provide the following information: date of the conference (meeting), agenda, number of selected and present delegates, **number of men and women** (when holding a meeting – the total number of the party's members and those present at the meeting **including the number of women and men**), the voting results (number of affirmative votes, number of negative votes, number of abstentions and spoilt ballot papers) on nomination of each of the candidates, as well as information about each individual nominated as candidate for board member in compliance with part seven, with indication of the number of multiple mandate districts in which each candidate is nominated.

9. The decision described in part six and the minutes described in part eight shall be signed by the chairman of the party and authenticated by the party's stamp.

Article 548. The conditions for registration of candidates for board members

1. To be registered any self-nominated candidate shall submit in person the following documents to the Head of the Territorial Election Commission of the respective elections in addition to his/her application required by Article 547:

1) the candidate's biography which shall provide the following information in a precise manner:

a) full name;

~~б) date, month and year of birth;~~

b) nationality;

r) education;

~~г) work~~

д) public activity (including elective office);

~~е) place of work (occupation) and position at the time of nomination as candidate for board member~~

e) party membership, year of joining the party;

~~ж) family status;~~

з) place of residence and election address with indication of length of residence in Ukraine,

и) instances and grounds for criminal responsibility or responsibility for corruption;

i) prior convictions if applicable;

2) the candidate's brief election programme in the official national language;

3) property and income statement in compliance with Article 458;

4) the signature sheets with signatures of voters who may vote at the elections of members of the respective board in support of registration of the candidate; the required number of signatures shall be regulated by part one of Article 550;

5) the document confirming availability of the money guarantee in compliance with Article 549;

6) photographs of the candidate; the size and number of photographs shall be determined by the Head of the Territorial Election Commission no later than on the third day of the election process.

2. The following documents shall be submitted in addition to the documents listed in clause 1 through 5 of part one when registering candidates for board members nominated by parties:

1) the party's application on registration of the candidate(s), signed by the chairman of the party and authenticated by the party's stamp;

2) a copy of the party's registration certificate, authenticated without charge by the territorial body of the Ministry of Justice of Ukraine after commencement of the election process;

3) the minutes of the party's conference (meeting) on nomination of candidates for board members as indicated in part eight of Article 546;

4) the decision of the conference (meeting) of the party to nominate candidates for board members as indicated in parts six and seven of Article 546;

5) the written consent from the individual to be nominated as candidate for member of the raion or oblast board from a given party in the respective multiple mandate district, along with information required by clauses 3 through 5 of part two of Article 457.

3. One copy of each document listed in part two shall be submitted by the party in relation to each candidate for member of the respective board nominated by the party.

4. The documents on registration of the candidate(s) from a party as indicated in part two shall be submitted to the Head of the Territorial Election Commission of the respective elections by the individual appointed by the decision of the party's management body.

5. The head, deputy head, secretary or other member of the Territorial Election Commission shall accept the documents. The commission shall issue a notice of acceptance of documents to the person submitting the documents in compliance with part one or four. This notice shall indicate the list of documents submitted, date, month, year and time they were submitted and the last name and position of the individual who had accepted them.

6. The acceptance of documents by the respective Territorial Election Commission on registration of candidates for board members shall terminate 40 days prior to the voting day.

7. The documents submitted to the respective Territorial Election Commission may not be re-submitted.

Article 562. Special Features for Opening, Raising and Using Electoral Funds of Candidates

1. A candidate for a deputy of a raion or oblast council in order to finance his/her election campaign creates an electoral fund pursuant to the procedure provided for in Articles 185–189 of this Code.

2. Electoral funds can be used to reimburse candidates for additional expenses incurred in the election campaign including for childcare, and transport.

2. An organisation of the party that nominated candidates for deputies of a raion or oblast council does not create its own electoral fund to finance the election campaign during the elections.

3. The accumulation account of the candidate's electoral fund is to be opened no later than on the fifth day after adoption of a decision of the Territorial Election Commission on the candidate's registration.

4. The current accounts of the candidate's electoral fund shall not be opened. The resources of the electoral fund shall be spent directly from the accumulation account of the electoral fund.

5. The candidate shall personally exercise the powers of the manager of the accumulation and the current accounts of the fund or may appoint one of his/her proxies to act as the fund accounts manager.

6. The maximum amount spent from the candidate's electoral fund may not exceed:

1) a candidate for a deputy of a raion council –150 times the minimum salaries established as of the day of the start of the election process;

2) a candidate of a deputy of an oblast council –500 times the minimum salaries established as of the day of the start of the election process.

7. The voluntary contribution to the candidate's electoral fund may not exceed 30 minimum salaries established as of the day of the start of the election process. The amount of the candidate's own funds transferred to the accumulation account may not exceed the maximum amount that may be spent from the electoral fund as provided for in part six of this Article.

Article 569. Procedure for Filling Out the Ballot Paper During the Election

1. the procedures for individual voting and assisted voting in prescribed circumstances shall be as outlined in Article 237 above.

1. A voter expresses his/her vote by putting a plus (+) or another mark in the box next to the selected candidate's name .

2. A voter may only vote for one candidate for deputy.

Article 579. Official Publication of the Results of the Elections of Deputies of Raion or Oblast Councils

1. The main territorial election commission for the respective elections officially announces the results of the elections of deputies of a respective council in the regional or local media no later than on the fifth day after establishment of the elections results.

2. The results of elections are published as a list of persons elected as deputies to the respective council. For each person who is elected deputy, the list must contain the following information:

1) the number of multiple mandate districts and the number of mandates in it as provided for in part five Article 543 of this Code as well as the number of deputies elected in the respective election district;

2) family name, first name and patronymic;

- 3) number of votes obtained;
- 4) ratio of votes cast to the number of valid votes cast in the respective single mandate election district;
- 5) **year of birth**
- 6) party which (?) nominated the candidate who was elected a deputy;
- 7) party affiliation;
- 8) educational background;
- 9) **place of work (employment), position of the person who was elected a deputy as of the moment of elections;**
- 10) place of residence.

3. When a second round of voting is necessary or if there has been a second election in an individual multiple mandate district, this fact must be mentioned when the results are published. The results must also state the number of mandates, for which the second round of voting or second election will be conducted.

4. The results of the second round of voting in a single mandate election district are officially published pursuant to the procedure and within the timelines provided for in parts one and two of this Article. When on the basis of the results of the second round of voting in a respective multiple mandate district a second election becomes necessary, this fact shall be published pursuant to the procedure provided for in part three of this Article.

5. On official publication of the respective election results by the main territorial election commission a decision shall be taken to terminate the representative mandate of the person previously elected a deputy.