

**LAW**  
on the election  
to the Chamber of Deputies and the Senate

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**LAW**  
on the election of the President of Romania

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**LAW**  
on the declaration and control of the wealth  
of dignitaries, magistrates, civil servants  
and of certain persons holding a leading office

(excerpt)

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**EXPEDITIOUS ORDINANCE No. 63/2000**  
on the modification and completion of the Law  
No. 68/1992 on the election to the Chamber  
of Deputies and the Senate, the modification of the  
Law No. 69/1992 on the election of the President  
of Romania, and the modification and completion  
of the Law No. 70/1991 on local elections

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**EXPEDITIOUS ORDINANCE No. 129/2000**  
on the modification of the Law No. 68/1992  
on the election to the Chamber of Deputies  
and the Senate, and of the Law No. 69/1992  
on the election of the President of Romania

**EXPEDITIOUS ORDINANCE No. 140 /2000**  
on the modification and completion  
of the Law No. 68/1992 on the election  
to the Chamber of Deputies and the Senate,  
and of the Law No. 69/1992 on the election  
of the President of Romania

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**EXPEDITIOUS ORDINANCE No. 154/2000**  
on the modification and completion  
of the Law No. 68/1992 on the election  
to the Chamber of Deputies and the Senate,  
and the modification of the Law No. 69/1992  
on the election of the President of Romania

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**EXPEDITIOUS ORDINANCE No. 165/2000**  
on the completion of Art. 5  
of the Law No. 68/1992 on the election  
to the Chamber of Deputies and the Senate

**LAW**  
on the election to the Chamber  
of Deputies and the Senate\*

CHAPTER I  
**General provisions**

**Art. 1.** – The Chamber of Deputies and the Senate shall be elected by universal, equal, direct, secret, and freely expressed suffrage, under the conditions of the present law.

**Art. 2.** – Each elector has the right to cast a single vote for the election to the Chamber of Deputies and a single vote for the election to the Senate.

**Art. 3.** – (1) Deputies and Senators shall be elected in constituencies on the basis of list system and independent candidatures, according to the principle of proportional representation.

(2) The norm or representation for the election to the Chamber of Deputies shall be of one Deputy to seventy thousand inhabitants.

(3) The norm of representation for the election to the Senate shall be of one Senator to one hundred and sixty thousand inhabitants.

(4) The number of Deputies and Senators which will be elected shall be determined by relating the number of inhabitants of each constituency to the norms of representation provided under paragraphs (2) and (3), to

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\* The Law No. 68/July 15, 1992 was published in the Official Gazette of Romania, Part I No. 164/July 16, 1992.

The Law No. 68 was modified by the Law No. 115/October 16, 1996, published in the Official Gazette of Romania No. 263/October 28, 1996, found in this book at page 274, by the Expeditious Government Ordinance No. 63/May 26, 2000 published in the Official Gazette of Romania No. 240/May 31, 2000 (p. 275), by the Expeditious Government Ordinance No. 129/June 30, 2000, published in the Official Gazette of Romania No. 311/July 5, 2000 (p. 293), by the Expeditious Government Ordinance No. 140/September 14, 2000, published in the Official Gazette of Romania No. 467/September 26, 2000 (p. 299), by the Expeditious Government Ordinance No. 154/October 10, 2000, published in the Official Gazette of Romania No. 498/October 11, 2000 (p. 304), and by the Expeditious Government Ordinance No. 165/October 13, 2000, published in the Official Gazette of Romania No. 514/October 19, 2000 (p. 306).

which it shall be added one Deputy or Senator seat for what exceeds half the representation norm, without the number of Deputies being smaller than four, and that of Senators smaller than two.

(5) The number of inhabitants taken into account, according to paragraph (4), shall be that existing on July 1 of the preceding year, published in the Statistical Year Book of Romania. If, at least five months before the date of elections, a general census of the population takes place, the number of inhabitants taken into account shall be that resulting from the census, and published by the National Committee for Statistics.

(6) The numbering of the constituencies, and the number of Deputies and Senators who are to be elected in each constituency are provided in Annex No. 1.

**Art. 4.** – (1) Legally constituted organizations of citizens belonging to a national minority, which in the elections have not obtained at least one Deputy or Senator mandate shall have the right, together, according to Article 59, paragraph (2) of the Constitution, to a Deputy mandate, if they have obtained throughout the country at least five per cent of the average number of validly expressed votes throughout the country for the election of one Deputy.

(2) The organizations of citizens belonging to national minorities participating in the elections shall be, as far as electoral operations are concerned, juridically equivalent to political parties.

(3) Organizations of citizens belonging to national minorities which have participated in the elections on the common list of these organizations shall also benefit by the provisions under paragraph (1); in this case, if no candidate from the common list has been elected, a Deputy mandate shall be assigned for all the organizations which have proposed the list, under the observance of the provisions under paragraph (1).

(4) The provisions under paragraph (3) shall not apply to an organization of citizens belonging to a national minority which has participated in the elections on the common list with a party or another political formation, or both on common lists, according to paragraph (3), and on their own separate lists.

(5) The Deputy mandate assigned according to paragraph (1) or (3) shall be granted over and above the total number of Deputies resulting from the norm of representation.

**Art. 5.** – (1) The candidatures for the Chamber of Deputies and for the Senate shall be proposed on separate lists of candidates only by parties and other political formations constituted according to the law.

(2) The number of candidates on each list may be greater than the number of mandates resulting from the norm of representation by two to one quarter of these mandates; fractions shall be rounded up to the figure 1.

(3) In the same constituency, a party, a political formation, or a coalition of these may propose, for each of the Chambers of Parliament, only a single list of candidates. Coalitions of parties and of political formations are allowed to be made only at the national level. Parties and political formations from electoral coalitions may participate in elections only on the lists of the coalition. A party or a political formation may belong only to a single electoral coalition.

(4) The lists of candidates shall also specify the political affiliation of the candidates, as the case may be.

(5) An independent candidate may participate in elections only individually, and if he or she has the support of at least nought point five per cent of the total number of electors registered in the permanent rolls of the localities situated in the constituency in which he or she has put up the candidature. Independent candidatures on lists of candidates proposed by parties, political formations, or by coalitions of these shall not be permitted, nor shall be permitted lists of independent candidates.

(6) One person may stand as candidate either for a Deputy mandate, or for a Senator one, and only in a single constituency.

(7) Candidatures on several lists of candidates, or both on lists and as independents shall be void.

**Art. 6.** – (1) The date of elections shall be settled, and publicly announced by the Government, at least sixty days before the election day, and up to the passage of five days since the date when the terms provided under Article 60, paragraph (2) of the Constitution start to be counted.

(2) Elections shall take place in a single day, which may only be Sunday.

(3) The sequential number of the ballot in the voter's card shall be established and announced publicly by the Government at the same time as the date of elections.

(4) The public announcement shall be made through the Official Gazette of Romania and through the press.

## CHAPTER II

### Electoral rolls and voter's cards

#### Section 1

#### Electoral rolls

**Art. 7.** – The electoral rolls shall include the citizens with the right to vote. They shall be permanent or special.

**Art. 8.** – (1) The permanent electoral rolls shall be drawn up for each locality, and they shall include all the citizens with the right to vote who have their domicile in the locality for which these rolls were prepared. Romanian citizens residing abroad may, at their request, be registered in the permanent electoral rolls of the locality where they were born, or where they had their last domicile in the country. The application shall be presented to the Diplomatic Mission of Romania in the country where they reside, or directly to the local council.

(2) The permanent electoral rolls shall be drawn up by the mayors of the communes, towns, municipalities, or of the territorial-administrative subdivisions of the municipalities.

(3) The permanent electoral rolls shall be drawn up in communes per villages, and in towns, municipalities, and territorial-administrative subdivisions of the municipalities, per streets.

(4) The permanent electoral rolls shall specify the name and surname, date of birth, and residence of the electors, according to the running number of the buildings in which they live, as well as the number of the constituency.

(5) The permanent electoral rolls shall be drawn up in two official fair copies signed by the mayor and the secretary of the local council, and they shall be filed in two special registers with detachable leaves, one of which shall be kept by the secretary of the local council and the other by the court in the territorial radius of which the respective locality is situated.

(6) The mayor shall compulsorily inform the court of any changes in the electoral rolls.

**Art. 9.** – (1) The permanent electoral rolls shall be updated by the mayors, every year in January, as well as within fifteen days at the most after the date established as polling day.

(2) Deceased persons shall be struck off from the electoral roll on the basis of a notification received from the local public service where the demise was recorded. The notification shall be transmitted within twenty-four hours.

(3) Persons who have lost the Romanian citizenship shall be struck off from the electoral roll on the basis of a notification from the Ministry of Justice.

(4) Disfranchised persons shall be struck off from the electoral roll on the basis of a notification, *ex officio*, from the court.

**Art. 10.** – (1) Each elector shall be registered only in a single permanent electoral roll.

(2) The registration in the permanent electoral rolls is compulsory. In case of change of domicile, the authority competent to effect the change shall be compelled, *ex officio*, to communicate to the mayor the necessary data for the registration of the respective citizen in the electoral roll at the new domicile and for accordingly striking him off from the electoral roll of the locality of the former domicile.

**Art. 11.** – Special electoral rolls shall be drawn up in the cases provided by the present law, and they shall specify the name and surname, domicile, date of birth, number and series of the identity document of the elector. The rolls shall be signed by the president of the electoral bureau of the polling station where they were drawn up.

**Art. 12.** – (1) The electors have the right to verify their registration in the electoral rolls. Objections against omissions, wrong registration, and against any possible errors in the rolls shall be presented to the authorities which have drawn up the rolls, and these shall be compelled to settle the objection by an order within three days at the most after the date of registration.

(2) Complaints against the orders passed shall be settled within three days at the most after their registration, by the court in the territorial radius of which the elector resides, or, in the case of those recorded in special rolls, by the court in the territorial radius of which the electoral bureau of the polling station which has drawn up the roll is situated. The judgment shall be executory. Against the judgment passed an appeal may be lodged within forty-eight hours after its

declaration. The appeal shall be settled within three days after its registration.

(3) Objections formulated with regard to the special rolls from abroad shall be settled by the head of the diplomatic mission or by his deputy. Complaints against the dispositions given by the head of the diplomatic mission or by his deputy shall be registered at the seat of the mission and shall be sent for settling to the court of the first district of the Municipality of Bucharest, the provisions of paragraph (2) being accordingly applied.

**Art. 13.** – (1) The mayors who have drawn up the permanent electoral rolls shall send a copy of the rolls, including the electors in each polling station, to the electoral bureaux of the polling stations, within twenty-four hours from their setting up.

(2) Modifications that have taken place after the copies of the electoral rolls have been sent shall be notified to the court and to the electoral bureau of the polling station within twenty-four hours.

#### *Section 2* **Voter's cards**

**Art. 14.** – (1) The right to vote shall be exercised only on the basis of a voter's card, issued under the terms of the present law. Romanian citizens from abroad may also vote without a voter's card.

(2) The form of the voter's card is presented in Annex No. 2.

(3) Each elector shall receive only one voter's card.

**Art. 15.** – (1) The voter's cards shall be permanent and they shall be valid for all electoral consultations with a national character, according to the number of polls provided in their content, and they shall be handed over to the electors registered in the permanent electoral rolls of the locality in which they have their domicile.

(2) The voter's card shall be kept and used only by the holder.

**Art. 16.** – (1) The voter's card shall be drawn up by the mayor of the locality where the elector resides.

(2) The voter's card shall be handed over on the basis of the identity card only to the holder, under his signature, by:

(a) the mayor who has drawn it up;

(b) the mayor of the locality where the elector has his residence, within ten days after the voter's request; the mayor

to whom the request was directed shall ask the mayor of the locality where the elector has his residence to send the voter's card, and the latter, in sending the card, shall make the adequate mention in the permanent electoral roll of the locality;

(c) the electoral bureau of the polling station of the locality where the elector has his residence, for voter's cards which have not been taken over; to this end, the voter's cards which have not been taken over shall be handed over by the mayor, three days before the election day, to the electoral bureau of the polling station, on the basis of a minute stating the number of voter's cards, the name, surname, and domicile of the holders.

(3) The domicile or place of residence shall be proved only with the identity document.

(4) After the electoral rolls have been updated according to Article 9, paragraph (1), the voter's cards for citizens who shall be eighteen years of age by January, or who shall reach this age up to the election day inclusive, shall be drawn up and handed over according to the provisions of paragraphs (1) and (2).

(5) Complaints and objections concerning the drawing up and the delivering of the voter's cards shall be made with the observance of the provisions of Article 12, which shall apply accordingly.

(6) An account of the voter's cards shall be kept by the secretary of the local council.

**Art. 17.** – (1) In case of loss or destruction of the voter's card, regardless of the motive, a duplicate may be issued by the mayors provided under Article 16, paragraph (2), subparagraphs (a) and (b), who shall make a mention of this on the permanent electoral roll of the locality.

(2) The duplicate shall be issued at the request of the holder and on his responsibility. The original declared lost or destroyed shall be void *de jure*.

#### **CHAPTER III** **Polling stations**

**Art. 18.** – (1) Polling stations shall be organized in localities, as follows:

(a) in localities with a population over two thousand inhabitants, one polling station for each lot of one thousand to two thousand inhabitants;

(b) in communes with under two thousand inhabitants, one single polling station.

(2) Polling stations may also be organized in villages or clusters of villages with a population of up to one thousand inhabitants, located farther than five kilometers from the polling station in the residence of the commune.

**Art. 19.** – (1) Separate polling stations may be organized in military units as well as in hospitals, maternity hospitals, sanatoria, invalid homes, and homes for aged people, having at least fifty electors.

(2) Polling stations may also be organized in railway stations, bus terminals, ports, and airports, for electors who, on election day, are travelling.

(3) For regular day students and for schoolboys and school-girls who have the right to vote, and whose residence is not in the locality in which they are educated, a polling station shall be organized in each students' or pupils' hostel, for a number starting from five hundred to two thousand electors.

(4) At the polling stations organized in military units there shall vote only the military belonging to the respective unit, and at those for students and pupils, only the students and pupils from the affiliated teaching units.

**Art. 20.** – (1) A polling station shall be organized at each of Romania's diplomatic missions and consular offices for the electors that are members of these representations and their families as well as for Romanian citizens travelling or living abroad who on election day shall be in the respective countries. These polling stations shall be part of the constituency of the Municipality of Bucharest.

(2) On ships flying the Romanian flag, which are navigating on election day, polling stations shall be organized, belonging to the constituency of the place where the ship is registered.

**Art. 21.** – Electors shall vote both for the Chamber of Deputies, and for the Senate at the same polling station.

**Art. 22.** – (1) The delimitation of the polling stations shall be established by the local councils of the communes, towns, municipalities, or territorial-administrative subdivisions of the municipalities.

(2) All polling stations from a constituency shall be numbered, regardless of the localities, starting with the residential locality of the county, respectively with that of the Ilfov Agricultural District, and continuing with those from the municipalities, the other towns, and then with those from the communes, in alphabetical order; in municipalities with territorial-administrative subdivisions, the numbering shall be made under the observance of the order of these subdivisions, provided by the law.

(3) The prefects are obliged to carry out the numbering of all polling stations within ten days after the fixing of the election date, and to give public notice of this numbering and of the delimitation of each polling station, indicating also the place where the voting will take place.

(4) The mayors of the localities and the secretaries of the local councils shall ensure all the data, information, and support necessary for the prefects to fulfil the obligations provided under paragraph (3).

#### CHAPTER IV Electoral bureaux

**Art. 23.** – (1) For the purpose of a good conduct of electoral proceedings, the Central Electoral Bureau, constituency bureaux, and electoral bureaux of polling stations shall be set up for each election, under the conditions of the present law.

(2) The electoral bureaux shall be formed only of citizens with a right to vote; candidates may not be members of the electoral bureaux.

(3) In achieving the attributions incumbent upon the electoral bureaux, all the members these are formed of shall be deemed to exercise a function which implies the state authority. The correct and impartial exercise of this function is compulsory.

**Art. 24.** – (1) The Central Electoral Bureau shall be formed of seven judges of the Supreme Court of Justice and sixteen representatives of the parties, political formations, and their coalitions, participating in the poll.

(2) The designation of the seven judges shall be made in an open meeting, within five days after the fixing of the election date, by the president of the Supreme Court of Justice, by drawing lots, from among all the acting judges

of the Court. The results of the lots shall be recorded in a minute signed by the president and the head adviser of the Supreme Court of Justice, which shall constitute the act of investiture. The date of the meeting shall be made publicly known through the press by the president of the Supreme Court of Justice, at least forty-eight hours in advance.

(3) Within twenty-four hours after the investiture, the designated judges shall elect from among them, by secret ballot, the president of the Central Electoral Bureau. In this organization, the Central Electoral Bureau shall exercise all the attributions that are incumbent upon it, according to the present law, and it shall next be completed with the representatives of the parties, political formations, and their coalitions.

(4) Within two days from the date up to which nominations may be made, the parties, political formations, and their coalitions participating in the election shall communicate in writing to the Central Electoral Bureau the number of the lists of candidates from all the constituencies, as well as the name and surname of their representatives. Notifications transmitted after this term shall be disregarded.

(5) The designation of the representatives of the parties, political formations or of their coalitions to the Central Electoral Bureau shall be made in decreasing order of the share of the number of lists of candidates notified by each party, political formation or their coalition, according to paragraph (4), in the number of the constituencies throughout the country. A party, political formation, or a coalition of these may not have more than five representatives.

(6) Persons having the quality of representatives of a party, political formation, or their coalition in the Central Electoral Bureau shall be established in the order mentioned in the notification provided under paragraph (4).

(7) In case more parties, political formations or their coalitions have handed in the same number of lists, the designation of their representatives shall be made by casting lots, by the president of the Central Electoral Bureau, in the presence of the persons delegated by the parties, political formations or coalitions involved.

(8) The completion of the Central Electoral Bureau with the representatives of the parties, political formations, and their coalitions shall be made within twenty-four hours

after the expiry of the term provided under paragraph (4), by the president of the Central Electoral Bureau, assisted by three judges, in the presence of the persons delegated by the parties, political formations, and their coalitions which have notified the representatives. The minute drawn up by the president regarding the way in which the representatives were established shall constitute the act attesting their position as members of the Central Electoral Bureau.

**Art. 25.** – (1) The Central Electoral Bureau shall have the following attributions:

(a) it shall supervise the updating of the electoral rolls; it shall follow up the application of the statutory provisions regarding the elections throughout the country's territory; it shall ensure their uniform interpretation;

(b) it shall settle objections referring to its own activity and complaints with regard to the proceedings of the constituency electoral bureaux;

(c) it shall receive from the constituency electoral bureaux the minutes stating the number of validly expressed votes for each list of candidates, and it shall establish if there are parties, political formations, or their coalitions which have not accumulated at least three per cent of the votes validly expressed throughout the country; it shall notify, within twenty-four hours from the finding, the constituency electoral bureaux and shall make public the parties, political formations, or their coalitions which are in this situation;

(d) it shall verify and record the election returns; it shall sum up the votes that were not taken into account throughout the country for each party, political formation, or their coalition fulfilling the condition provided under sub-paragraph (c); it shall ensure the centralized distribution and spreading per constituencies of the mandates which are their due;

(e) it shall attest the assignment of a Deputy mandate to the organization of citizens belonging to the national minorities which has met the conditions provided under Article 4; it shall issue a certificate attesting the Deputy designated on this basis;

(f) it shall cancel the election in a constituency in case the voting and the returns have taken place by frauds of a nature to modify the assignment of the mandates, and it shall order the ballot to be repeated;

(g) it shall carry out any other obligations which devolve upon it in accordance with the present law.

(2) In case the settling of a complaint shall require verifications of facts, these shall be carried out in the presence of a judge from the Central Electoral Bureau. Such verifications may not be made on polling day.

(3) A complaint for the voiding of the election in a constituency may be presented only by the parties, political formations, their coalitions, or by the independent candidates participating in the election, within forty-eight hours after closing the voting, under sanction of the loss of this right. The request must be motivated and it shall be presented together with the evidence on which it is based. The petition may be admitted only if the party having signed is not involved in the fraud. The dispositions of paragraph (2) shall apply accordingly. The petition shall be settled by the Central Electoral Bureau up to the date when the election returns shall be published in the Official Gazette of Romania.

(4) The decisions of the Central Electoral Bureau shall be made known in an open meeting.

**Art. 26.** – (1) The constituency electoral bureau shall be constituted of three judges and not more than eight representatives of the parties, political formations, or their coalitions participating in the elections in the constituency in which the electoral bureau operates.

(2) The designation of the three judges shall be made in an open meeting, within five days after the fixing of the election date, by the president of the tribunal, by drawing lots, from among the acting judges of the county tribunal or of the Tribunal of the Municipality of Bucharest. The date of the meeting shall be made publicly known through the press by the president of the tribunal, at least forty-eight hours in advance. The result of the drawing of lots shall be recorded in a minute signed by the president, which shall constitute the act of investiture. Within twenty-four hours from their designation the judges shall, by secret ballot, elect the president of the constituency electoral bureau. The bureau thus constituted shall fulfil all the duties incumbent upon it according to the present law, and it shall be completed with the representatives of the parties, political formations, or their coalitions participating in the elections.

(3) Within two days from the date up to which the candidatures may be put forward, the parties, political formations, and their coalitions shall notify in writing the

constituency electoral bureaux the number of the candidatures on the lists of candidates registered in the respective constituency, as well as the name and surname of the representatives. Notifications transmitted after this term shall not be taken into consideration.

(4) The designation of the representatives of the parties, political formations, and of their coalitions in the constituency electoral bureau shall be made in the decreasing order of the share of the number of candidates notified by each party, political formation, or their coalition, according to paragraph (3), in the total number of candidates from the notifications received. A party, political formation, or their coalition may not have more than three representatives.

(5) The completion of the electoral bureau with the representatives of the parties, political formations, or their coalitions shall be made according to the provisions of Article 24 paragraphs (6) and (8), which shall apply accordingly. In case several parties, political formations, or their coalitions have proposed the same number of candidates, the designation of the representatives shall be made by drawing lots, by the president of the constituency electoral bureau in the presence of the delegates of the parties, political formations, or coalitions involved.

**Art. 27.** – (1) The constituency electoral bureaux shall have the following attributions:

(a) they shall follow up the application of the statutory provisions regarding the elections in the constituency in which they operate, and they shall supervise the timely organization of the polling stations;

(b) they shall record the candidatures put forward and shall certify their final character;

(c) they shall make the necessary publications and postings provided by the law with regard to the lists of candidates and the independent candidatures;

(d) they shall settle the objections regarding their own activity and the complaints regarding the proceedings of the electoral bureaux of the polling stations within the framework of the constituency in which they function;

(e) they shall distribute to the electoral bureaux of the polling stations the ballot papers, the control stamp, and the stamps with the mention 'Voted';

(f) they shall add up the election returns from the polling stations, and shall send to the Central Electoral Bureau the minutes including the number of votes validly expressed for each list of candidates;

(g) on the basis of the findings of the Central Electoral Bureau with regard to the parties, political formations, and their coalitions which have not received at least three per cent of the votes validly expressed throughout the country, they shall ascertain the election returns for the constituency, and shall issue to the Deputies or Senators, as the case may be, a certificate attesting their election;

(h) they shall submit to the Central Electoral Bureau the minutes including the election returns, as well as the objections, complaints, and minutes received from the electoral bureaux of the polling stations;

(i) they shall fulfil any other attributions incumbent upon them according to the law.

(2) The decisions of the electoral bureau shall be made known in an open meeting.

**Art. 28.** – (1) The electoral bureaux of the polling stations shall be formed of a president, a deputy-president and not more than seven members.

(2) The president and his deputy shall be, as a rule, magistrates or other jurists who do not belong to any party or political formation, and are designated by the president of the county tribunal or of the Tribunal of the Municipality of Bucharest, fifteen days before election day, by drawing lots from a list set up by the prefects and notified by them to the president of the tribunal at least five days before drawing lots.

(3) In case the number of jurists is insufficient, the list shall be completed with other persons with an untouched reputation and who do not belong to any party or political formation.

(4) The list proposed by the prefect shall include a number of persons by ten per cent bigger than the necessary one, the excess being a reserve at the disposal of the president of the tribunal; the list shall specify the names and surnames, addresses, telephone numbers and signatures of acceptance of the persons proposed.

(5) The grouping in the list of the persons, in order to draw lots, shall be made by taking into consideration the necessity for their homes to be as close as possible to the seat of the electoral bureau of the polling station.

(6) The electoral bureaux of the polling stations shall be constituted on the date of designation of their members.

(7) The members of the electoral bureaux of the polling stations shall come from one representative of the parties, political formations, and their coalitions participating in the elections, in the decreasing order of the number of candidates put forward in the respective constituency.

(8) To this end, the president of the constituency electoral bureau shall notify the presidents of the electoral bureaux of the polling stations, within twenty-four hours after their designation, according to paragraph (2), of the number of candidates proposed by each party, political formation, and their coalition.

Likewise, each party, political formation, and their coalition shall be compelled to notify the president of the electoral bureau of the polling station, within the same term, of the name and surname of their representative.

(9) If two or more parties, political formations or their coalitions have the same number of candidates, their representatives shall enter into the composition of the electoral bureau of the polling station within the limits of the seats not occupied by the representatives of the parties, political formations, and their coalitions, which, according to paragraph (7), shall be in a more favourable situation; if, by applying this provision, it shall not be possible for all representatives to be included in the composition of the electoral bureau, its president shall proceed to the drawing of lots, with the observance of the provisions of Article 26, paragraph (5), which shall apply accordingly.

(10) In case the parties, political formations, or their coalitions have not designated their representatives, or the number of the representatives is insufficient, the completion of the electoral bureaux of the polling stations shall be made by the president of the tribunal with persons from the list provided under paragraph (4), by drawing lots.

(11) The designation of the members of the electoral bureau of the polling station shall be made by its president, on the basis of the notifications provided under paragraph (8), or, as the case may be, of the provisions under paragraph (9), by a minute specifying the method used in establishing the representatives, and which shall constitute the document attesting their position as members in the electoral bureau of

the polling station; the drawing up of the minute shall be made within twenty-four hours after the expiry of the term provided under paragraph (8), with the participation of the interested parties, political formations, and their coalitions, if, to this end, they have sent one delegate each.

**Art. 29.** – The electoral bureaux of the polling stations shall have the following attributions:

(a) they shall receive the copy of the electoral rolls notified according to Article 13, paragraph (1), and the voter's cards that have not been claimed according to Article 16, subparagraph (c), and, from the constituency bureaux, the ballot papers for the electors that are to vote at the polling station, the control stamp, and the stamps with the mention 'Voted';

(b) they shall conduct the polling, and shall take all the necessary measures for keeping order in and around the building of the polling station;

(c) they shall count the votes and record the voting returns;

(d) they shall settle the objections with reference to their own activity;

(e) they shall submit to the constituency electoral bureaux the minutes attesting the voting returns, together with the complaints presented and the documents they refer to;

(f) they shall hand over, with a minute, the cast and uncontested ballot papers, as well as the voided ones, the stamps and other materials required for the voting, to the court in the territorial radius of which they have their seat; the special electoral rolls from the polling stations constituted in military units shall be transmitted to these units under military guard, and they shall be preserved by the commander of the unit.

**Art. 30.** – The electoral bureaux shall sit in the presence of the majority of the members they are composed of, and shall take decisions with the vote of the majority of the present members.

**Art. 31.** – The representatives of the parties, political formations or of their coalitions in the electoral bureaux may not receive other accreditations provided by the present law.

**Art. 32.** – (1) The parties and political formations participating in the elections, as well as the independent

candidates may question the mode of formation and the composition of the electoral bureaux within forty-eight hours at the most after the expiry of the term for their setting up or for the completion of these bureaux, as the case may be.

(2) Complaints shall be settled by the constituency electoral bureau, if they concern the electoral bureau of the polling station, by the Central Electoral Bureau, if they concern the constituency electoral bureau, and by the Supreme Court of Justice, if they concern the Central Electoral Bureau, within not more than two days after their registration. The decision shall be final.

## CHAPTER V Candidatures

**Art. 33.** – (1) Nominations of candidates shall be made per constituencies, and they shall be presented to the constituency electoral bureaux not later than thirty days before the election date.

(2) Nominations of candidates shall be made in writing, in four copies, by the parties and political formations participating in the election, and they shall be signed by their leadership or the persons designated to sign, and in the case of independent candidates, on the basis of the list of supporters.

(3) The list of supporters must specify the election date, the name and surname of the candidate, the name and surname, date of birth, address, series and number of the identity document, and the signature of the supporters, as well as the person having drawn up the list.

(4) The list of supporters shall constitute a public document involving all the consequences provided by the law.

(5) Supporters may be only citizens who have the right to vote.

(6) One supporter may support only one candidate each for the Chamber of Deputies and for the Senate.

(7) The adhesions of the supporters shall be given on their own responsibility.

(8) The nominations of candidates provided under paragraph (2) must specify the name, surname, domicile, place and date of birth, occupation and profession of the candidate, and they shall be accompanied by the declaration of acceptance of the candidature, written, signed, and dated by the candidate.

(9) The declaration of acceptance shall specify the name, surname, political affiliation, profession and occupation of the candidate, his express consent to stand as a candidate, as well as the specification that he meets the conditions provided by the law in order to be nominated for election.

**Art. 34.** – (1) Persons who, at the date of nomination, do not fulfil the conditions provided by Article 35 of the Constitution in order to be eligible, may not stand as candidates.

(2) Likewise, the prefects, sub-prefects, and heads of the public services of the ministries and of other governmental authorities, decentralized in territorial-administrative units, may not stand as candidates in the constituencies constituted in the territorial-administrative units in which they exercise or have exercised their functions for the past six months previous to the election date.

(3) The President of Romania, in case he is elected Senator or Deputy, shall compulsorily make his option between the position of Member of Parliament or President, up to the date of validation.

**Art. 35.** – (1) The constituency electoral bureau shall examine the observance of the legal conditions for a person to be allowed to stand as a candidate, and it shall register the nominations which meet these conditions.

(2) Two copies of the nomination of candidature shall be kept at the constituency electoral bureau, another one shall be registered at the tribunal in the territorial radius of which is situated the constituency, and a fourth, certified by the bureau, shall be returned to the person who has made the registration.

**Art. 36.** – (1) Twenty days before the polling day, the citizens, parties, and other political formations may question the candidatures.

(2) To this end, within twenty-four hours after the registration of the nomination, one of the copies of the nomination shall be posted up by the constituency electoral bureau at its seat.

(3) Complaints regarding the registration or rejection of the candidatures shall be settled by the tribunal in the territorial radius of which is situated the constituency, within two days at the most after the registration of the complaint. The decision shall not be notified.

(4) An appeal may be lodged with the hierarchically superior court against the judgment on the complaint within twenty-four hours after the passing. The appeal shall be settled within two days after its registration.

(5) The complaints shall specify the name, surname, address, and the capacity of the contestant, the name and surname of the candidate, a statement of the grounds for the complaint, the date and signature of the contestant, and the pointing out, if need be, of the person designated to represent him or her.

(6) The complaint and the appeal shall be entered with the competent court, under sanction of nullity.

(7) After the expiry of the terms provided under paragraphs (1), (3), and (4), the constituency electoral bureaux shall draw up a minute declaring the candidatures final, and they shall post up the final candidatures at their seat and order the printing of the ballot papers.

## CHAPTER VI Ballot papers

**Art. 37.** – The ballot papers shall be printed, and the necessary stamps for the voting shall be made with the observance of the forms provided for in Annex No. 3.

**Art. 38.** – (1) The size of the ballot paper shall be established by the constituency electoral bureau, taking into account the number of the lists of candidates, and that of the independent candidates, as well as the space required for their printing.

(2) The ballot papers shall be printed on white and sufficiently thick paper so that the printed name and the vote cast should not be distinguishable on the back.

(3) A sufficient number of quadrilaterals shall be printed on the pages of the ballot paper in order to include the names of all the candidates, except the last page which shall remain blank, for the control stamp; the pages shall be numbered.

(4) The ballot papers shall be stapled.

(5) The quadrilaterals shall be printed parallel to one another, in two columns on the same page.

(6) In the upper left hand corner of the quadrilateral there shall be printed the name of the party, political formation, or of their coalition participating in the election, or, as the case

may be, the mention "Independent Candidate", and in the upper right hand corner, the electoral sign.

(7) In the quadrilaterals of each ballot paper the lists of candidates shall be printed in the order resulted from the drawing of lots, carried out by the constituency electoral bureau; the candidates shall be identified on the list by name and surname and, as the case may be, by the political affiliation.

(8) For each independent candidate, a distinct quadrilateral shall be printed in the final part of the ballot paper, in the registration order of the nominations.

**Art. 39.** – (1) The electoral signs shall be established by each party, political formation or their coalition, or by each independent candidate, and it shall be notified to the Central Electoral Bureau within three days from its setting up.

(2) The electoral signs used in the preceding elections may not be used by other parties, political formations, their coalitions or by independent candidates unless they have the assent of those to whom they belonged, respectively of the parties which formed the initial coalition.

(3) In case the same electoral sign should be requested by several parties, political formations, their coalitions, or by independent candidates, the allotment shall be made to the benefit of the party, political formation, their coalition, or of the independent candidate having first registered the respective sign, or in case of concomitant registration, or of impossibility to establish the priority, by drawing lots, by the president of the Central Electoral Bureau, within twenty-four hours after the expiry of the term provided under paragraph (1).

(4) The electoral signs may not be contrary to the legal order.

(5) The Central Electoral Bureau shall ensure the publication of the electoral signs on the next day after expiry of the term provided under paragraph (1).

**Art. 40.** – A coalition of parties having participated in the previous elections under a certain denomination, may preserve it provided that no change has occurred in its initial composition. Likewise, the respective denomination may not be used by another coalition.

**Art. 41.** – (1) For the whole constituency, the ballot papers shall be printed with letters of the same size and type, and with the same ink, in as many copies as there are electors in the constituency, with a supplement of ten per cent.

(2) The printing of the ballot papers shall be ensured by the constituency electoral bureaux, through the agency of the prefects. The prefects shall be responsible for all the necessary ballot papers to be printed at least ten days before the date of elections.

**Art. 42.** – (1) The ballot papers shall be handed over to the president of the constituency electoral bureau, who shall distribute them to the presidents of the electoral bureaux of the polling stations at least two days before the date of elections. The handing over and the distribution shall be made in sealed parcels of one hundred copies, on the basis of minutes.

(2) Two copies of the ballot papers, initialled and cancelled by the president of the constituency electoral bureau, shall be posted up one day before the elections at the seat of the law courts, as well as at the seat of each polling station.

**Art. 43.** – At the request of the parties, political formations, their coalitions, or of the independent candidates participating in the poll, the constituency electoral bureau shall deliver two initialled and cancelled ballot papers for each of them.

## CHAPTER VII

### Electoral campaign

**Art. 44.** – (1) The electoral campaign shall start when the date of elections has been made public and it shall be closed two days before the polling day.

(2) In the electoral campaign, the candidates, parties, political formations, all the social organizations, and the citizens shall have the right to express their opinions freely and without any discrimination, through meetings, assemblies, the use of radio and television, of the press and of all the other mass media.

(3) The means used in the electoral campaign shall not contravene the legal order.

(4) Any commercial advertising procedure through the press, radio and television for purposes of electoral propaganda shall be prohibited.

(5) It shall be prohibited the organization of the electoral campaign activities in military units.

**Art. 45.** – (1) The parties and political formations participating in the electoral campaign may receive, by a special law, a subvention from the State budget. The classes of

activities carried on within the framework of the electoral campaign which can thus be financed shall be established by the law on the granting of subventions. The parties and political formations which have not obtained at least five per cent of the votes validly expressed throughout the country shall return the subvention within two months after the polling day.

(2) The subventions received after the opening of the electoral campaign from natural or legal persons in the country, except the subventions provided under paragraph (1), may be used for the electoral campaign of a party or political formation only if they have previously been publicly declared.

(3) The subvention of the electoral campaign, either directly or indirectly, by natural or legal persons from abroad shall be prohibited. The sums thus received shall be confiscated and payed in as revenue to the State budget.

(4) The subvention of the electoral campaign of a party, political formation, their coalition, or of an independent candidate by a public authority, a public institution, a self-managed public company, or a company in which the State holds most or all of the capital, shall be prohibited.

(5) Subventions for the electoral campaign from the State budget or from other legal or natural persons shall be received only through an authorized financial agent designated for this purpose by the leadership of the party or political formation involved.

(6) The authorized financial agent shall be jointly accountable with the party or political formation by which he or she was designated for the lawfulness of the expenses incurred from the subventions granted, and for the observance of the provisions under paragraph (2).

(7) The authorized financial agent may be a natural or legal person.

(8) A party or political formation may have several authorized financial agents; in this case, the authorization by which they are designated shall specify the limits of their mandate.

(9) Several parties or political formations may use the services of the same authorized financial agent.

(10) The capacity of authorized financial agent shall be obtained only after its official registration with the Ministry of Economy and Finance and its publication in the press.

(11) The provisions of the present article shall also apply accordingly to independent candidates who receive subventions from natural and legal persons from the country.

**Art. 46.** – (1) The access to the public services of radio and television broadcasting within the framework of the electoral campaign shall be guaranteed under the conditions of the present article.

(2) The parties, political formations, and independent candidates represented in Parliament shall have access to the public services of radio and television broadcasting subsidized from the State budget. The remaining parties, political formations, and independent candidates shall have access to the respective services on the basis of contracts concluded by the authorized financial agents representing them with the corresponding institutions of the Romanian Radio and Television Broadcasting Companies, unique tariffs per unit of broadcasting time being charged.

(3) The parties and political formations participating in the elections shall be under the obligation, within forty-eight hours after the date for the polling day was established, to apply to the management of the public services of radio and television broadcasting, for the granting of broadcasting time. Requests after this term shall not be taken into account.

(4) The time-table for the electoral campaign and the allotment of broadcasting time shall be established by a special parliamentary committee together with representatives of the public services of radio and television broadcasting, within not more than five days after the opening of the electoral campaign. The allotment shall be made by taking into account that the broadcasting time allotted to the parties and political formations represented in Parliament, under the conditions of paragraph (2), must be twice as long as that allotted to the other parties and political formations, and that it must be proportional to their parliamentary share.

(5) After the conclusion of the period for nominations, a new time-table and a new allotment of broadcasting time shall be made, according to paragraph (4), proportionally to the number of the lists of candidates handed in throughout the

country. The parties, political formations, or their coalitions which have not handed in lists of candidates in at least ten constituencies shall forfeit the right to broadcasting time over the central radio and television broadcasting stations. Proof of the nominations shall be made with a certificate issued by the constituency electoral bureau.

(6) Independent candidates shall exercise their right to broadcasting time only once, equally, for a duration from five minutes to one hour, depending on the established time-table and on their number.

(7) Interviews, feature reports, and other similar radio and television broadcasting services of general interest for the information of the citizens shall not be included in the right to broadcasting time.

**Art. 47.** – (1) The mayors shall have the obligation, within five days after the beginning of the electoral campaign, to establish special places for the electoral posting up, taking into account the number of parties, political formations, and their coalitions which declare that they will put up lists of candidates, and of persons who declare that they will stand for the elections as independent candidates.

(2) The mayors shall ensure that the special places for electoral posting up are situated in market places, streets, and other public places frequented by citizens, without hindering the circulation on public roads and other activities in the respective localities. As a preliminary, the mayors shall compulsorily ensure that any posters, graffiti, and signs left over from the previous electoral campaigns are removed.

(3) The use of places for electoral posters shall be permitted only for parties, political formations, or their coalitions, and for the independent candidates participating in the elections.

(4) The use by a party, political formation, their coalitions, or by independent candidates of the special places for electoral posters so as to prevent their use by another party, political formation, their coalition, or independent candidate shall be prohibited.

(5) In other places than those established according to paragraph (1) the posting of electoral bills shall be permitted only with the agreement of the owners or the holders, as the case may be.

(6) On an electoral panel, each party, political formation, coalition of these ones, or independent candidate shall not put up more than a single electoral poster.

(7) The size of an electoral poster shall not exceed 500 mm by 300 mm, and that for summoning an electoral meeting, 400 mm by 250 mm.

(8) Electoral posters combining colours so as to evoke the flag of Romania or that of other countries shall be prohibited.

(9) The police is under an obligation to ensure the integrity of the panels and electoral posters.

**Art. 48.** – (1) The constituency electoral bureaux shall supervise the correct conduct of the electoral campaign in the constituency in which they function, settling the complaints that are presented to them with regard to the obstruction of a party, political formation, coalition of these ones, or an independent candidate to carry on their electoral campaign under the conditions provided by the law and with the observance of the electoral deontology.

(2) If the constituency electoral bureau shall consider, when settling a complaint, that administrative measures or the application of contraventional or penal sanctions are necessary, they shall notify the competent authorities.

(3) A petition questioning the settlement by the constituency electoral bureau may be presented to the Central Electoral Bureau; the settlement of this contestation shall be final.

(4) The settlement of complaints and contestations shall be made within three days after their registration, and the decisions given shall be published in the press and visibly posted at the seat of the electoral bureau which issued them.

## Chapter VIII

### Conduct of the polling

**Art. 49.** – (1) Each polling station shall have a sufficient number of polling-booths, ballot-boxes, and voting stamps, proportional to the number of electors on the lists notified by the mayors.

(2) The polling-booths and ballot-boxes shall be placed in the same room with the president's desk. The polling-booths, ballot-boxes, stamps, and other materials required by

the electoral bureau of the polling station shall be ensured and provided by the mayors of the communes, towns, municipalities, and of the territorial-administrative subdivisions of the municipalities, together with the prefects.

(3) The stamps and other materials required by the electoral bureaux of the polling stations shall be handed over by the mayors to the presidents of the polling stations on the basis of minutes at least two days before the date of elections. After taking over the ballot papers and the stamps, the president of the polling station shall ensure their safe storage.

(4) The printed forms and other printed matter necessary for the polling shall be handed over to the electoral bureau of the polling station on the basis of a handing over-receiving docket specifying the kind and number of copies of each printed matter.

(5) The president of the electoral bureau of the polling station shall be present at the seat of the polling station on the eve of election day, at 18:00 hours, and it shall be his duty to immediately take the necessary measures for ensuring order and correctness of the polling.

(6) The president shall order the fixing of the watchposts around the polling station.

**Art. 50.** – (1) On election day, at 5:00 hours, the president of the electoral bureau of the polling station, in the presence of the other members of the bureau, shall verify the ballot-boxes, the existence of the electoral rolls, of the ballot papers and stamps, after which he shall close and seal the ballot-boxes by applying the control stamp of the polling station.

(2) The president shall then make sure the control stamp is also applied on the ballot papers.

**Art. 51.** – (1) The president of the electoral bureau of the polling station shall take the necessary measures for the polling to proceed in the best conditions.

(2) His powers in this respect shall also extend outside the building of the polling station, in its yard, to the entries into the yard, around the building of the polling station as well as in the streets and public open places, within a radius of five hundred metres.

(3) Except members of the electoral bureau of the polling station, candidates and accredited delegates, no other person shall stop in the public places from the polling zone or in the polling station more than the necessary time for voting.

(4) Accreditation of the delegates shall be made by the Central Electoral Bureau for the Romanian press, cinematography, radio and television, and by the Ministry of Foreign Affairs for the foreign press, cinematography, radio and television, and for representatives of certain soliciting international organizations. Infringement of the conditions of accreditation shall bring, *de jure*, the cancellation of the accreditation.

(5) Accredited delegates may attend the polling only if they produce the accreditation document. They shall in no way intervene in the organization and conduct of the polling, having only the right to intimate the president of the electoral bureau in case of irregularities of which they have become aware. Any act of propaganda for or against a party, political formation, coalition of these ones, or individual candidate, or attempt to influence the elector's option, as well as the violation in any way of the conditions set out in the accreditation document shall involve application of legal sanctions, suspension of the accreditation by the electoral bureau which has ascertained the violation, and, on polling day, the immediate removal of the respective person from the polling station.

(6) For keeping order, the president of the electoral bureau of the polling station shall dispose of the necessary agents provided by the prefects together with the Ministry of the Interior.

(7) For the duration of the polling, members of the electoral bureaux and accredited persons shall be prohibited from wearing or exhibiting any badges, or other signs of electoral propaganda.

**Art. 52.** – Voting shall start at 6:00 hours, and it shall take place up to 21:00 hours, when the polling station shall be closed. Exceptionally, the president of the electoral bureau of the polling station may extend the voting after 21:00 hours, but not later than 24:00 hours, subject to the approval of the constituency electoral bureau.

**Art. 53.** – (1) The electors may vote at the polling station where they have their place of permanent residence or at the polling stations organized according to articles 19 and 20. Electors voting at polling stations organized according to articles 19 and 20 shall be registered in special electoral rolls.

(2) The electors who, on polling day, shall be in another locality than that in which they are registered in the electoral rolls, may exercise their right to vote on the basis of their voter's card at any polling station, where they shall be registered in a special electoral roll by the electoral bureau of the polling station.

(3) The provisions of paragraph (2) shall also apply to Romanian citizens residing abroad who, on polling day, shall be in the country, on the basis of their passport.

**Art. 54.** – (1) The access of the electors to the polling room shall take place in series corresponding to the number of polling booths. Each elector shall present the voter's card and the identity document to the electoral bureau of the polling station; after checking the elector's registration in the electoral roll or, as the case may be, in the special electoral roll provided under Article 53, the elector shall be given the ballot papers and the polling stamp, under signature in the electoral roll. If an elector presents a duplicate of the voter's card, the electoral bureau of the polling station shall mention this in the electoral roll.

(2) The electors who, according to Article 16, paragraph (2), subparagraph (c) have received their voter's card from the polling station shall confirm the receipt by signing in the minutes drawn up by the mayors when handing over the unclaimed voter's cards.

(3) If an elector, for reasons found by the president of the bureau of the polling station, is not able to sign the electoral roll, this shall be mentioned in the roll, and confirmed under signature by a member of the electoral bureau.

(4) The electors shall vote separately in closed polling-booths, by applying the stamp bearing the mention 'Voted' in the quadrilateral of the ballot paper which includes the list of candidates or the name and surname of the independent candidate whom they wish to vote.

(5) The stamp with the mention 'Voted' shall be of a smaller size than the quadrilateral.

(6) After voting, the electors shall fold the ballot papers so that the white page bearing the control stamp remains on the outside, and they shall introduce them into the ballot-box, taking care they do not unfold.

(7) The wrong folding of the ballot paper does not entail the voiding of the vote.

(8) In case the ballot paper opens by mistake, at the elector's request it shall be made void, and it shall be replaced by a new ballot paper only once, a corresponding mention being made in the minute of the polling proceedings.

(9) The stamp entrusted to the voter for the voting shall be returned to the president of the polling bureau, after which the said president shall apply it on the voter's card in the place corresponding to the number of the ballot.

(10) The president may take measures that an elector's stay in the polling-booth should not be unduly delayed.

**Art. 55.** – The presidents and members of the electoral bureaux of the polling stations as well as the persons whose duty is to maintain order shall vote at the polling station where they carry on their activity, after their registration in the special electoral roll provided under Article 53.

**Art. 56.** – (1) The candidates as well as any other elector shall have the right to question the identity of the person reporting to the polls. In this case, the person's identity shall be established by the president making use of any lawful means.

(2) In case the questioning is found to be justified, the president shall prevent the questioned elector from voting and enter the incident in the minute, while informing the police authorities of this incident.

**Art. 57.** – (1) The president of the electoral bureau of the polling station may, for good reasons, suspend the polling.

(2) The suspension may not exceed one hour, and it shall be announced by posting a bill at the door of the polling building at least one hour earlier. The total duration of the suspension may not exceed two hours.

(3) During the suspension, the ballot boxes, stamps, ballot papers, and other documents and materials of the electoral bureau shall remain under permanent guard, while the members of the electoral bureau shall not leave the polling room all at the same time.

(4) Persons who shall attend the voting, as stipulated in Article 51, paragraph (3), may not be compelled to leave the polling room during this time.

**Art. 58.** – (1) The presence of any person in the polling-booth except the voter shall be forbidden.

(2) An elector who, for good reasons, found by the president of the electoral bureau of the polling station, cannot vote alone shall have the right to call into the polling-booth an attendant of his or her own choice for helping him. This person may not be one of the observers or members of the electoral bureau of the polling station.

**Art. 59.** – For the electors who are not capable of being removed for reasons of illness or invalidity, at the request of those who are in this situation, or of the administration bodies of the health or social protection institutions in which those who are not capable of being removed are confined, the president of the electoral bureau of the polling station shall designate, from among the members of the bureau, a number of persons to go with a special ballot-box and the necessary material for voting to the place where the elector is confined so that the polling may be effected.

**Art. 60.** – At 21:00 hours or at the time up to which the extension of the polling has been approved under the terms of Article 52, the president of the electoral bureau of the polling station shall declare the voting concluded and shall order the polling station to be closed.

## CHAPTER IX

### Counting and returning of the polls

#### Section 1

#### *Returning of votes at the polling stations*

**Art. 61.** – (1) After conclusion of the voting, and in the presence of the members of the bureau and, as the case may be, of the candidates and persons accredited to attend the polling, the president of the electoral bureau of the polling station shall proceed to make an inventory of and seal the stamps with the mention ‘Voted’, and to count and cancel the ballot papers left unused, to verify the seals on the ballot-boxes, and after conclusion of these operations, to open the ballot-boxes.

(2) On opening each ballot paper, the president shall read aloud the list of candidates which was voted or, as the case may be, the name and surname of the independent candidate voted and shall show the ballot paper to those present. The opened ballot papers shall be arranged by

parties, political formations, and their coalitions as well as by independent candidates, and they shall be counted and bound up separately.

(3) Ballot papers which do not bear the control stamp of the polling station, ballot papers of another form than the lawfully approved one, ballot papers which do not bear the stamp ‘Voted’, or in which the stamp is applied inside two or more quadrilaterals shall be void. The vote shall also be valid in case that, although the stamp applied has exceeded the limits of the quadrilateral, the option of the elector is obvious.

(4) The voided ballot papers shall not be introduced into the calculation of the validly expressed votes.

(5) The result of the voting for the Chamber of Deputies and for the Senate shall be recorded in two separate tables. Each of the tables shall be drawn up by a separate member of the electoral bureau of the polling station designated by the president. If, when recording the results, the candidates are also present, they too shall have the right to draw up a table for each of the Chambers of Parliament.

(6) In the tables provided under paragraph (5) shall be recorded the void votes, the lists of candidates or names and surnames of the independent candidates and the validly expressed votes for each of them.

**Art. 62.** – (1) After opening the ballot-boxes and counting the votes, the president of the electoral bureau of the polling station shall draw up minutes in two copies, one for the Chamber of Deputies and one for the Senate, which shall specify:

(a) the number of electors according to the permanent electoral rolls;

(b) the number of electors that have participated in the poll; the breakdown of this number into electors from the permanent electoral roll and from the special roll;

(c) the total number of validly expressed votes;

(d) the number of void votes;

(e) the number of votes validly expressed in favour of each list of candidates or of each independent candidate;

(f) a brief statement of the objections and questionings and of the manner of their settlement as well as of the questionings presented for settlement to the constituency electoral bureau;

(g) the state of the seals on the ballot boxes at the conclusion of the voting;

(h) the number of ballot papers received;

(i) the number of unused and voided ballot papers.

(2) The minutes shall be signed by the president and by the members of the bureau, and they shall have the control stamp applied on them. The signatures shall be put opposite the name, surname, and, as the case may be, political affiliation of each member.

(3) On request, a duplicate certified by all those who have signed the minutes shall be issued to all the members of the electoral bureaux of the polling stations who have signed the fair copy; the request shall be made before the minute is drawn up.

(4) Missing signatures of some members of the bureau shall not affect the validity of the minutes. The president shall mention the reasons which have prevented the signing.

**Art. 63.** – (1) Throughout the duration of the electoral proceedings and opening of the ballot boxes, objections and questionings may be made with regard to these proceedings by the candidates, members of the electoral bureau as well as – up to the conclusion of the polling – by the electors themselves.

(2) Questionings shall be made in writing, and they shall be presented to the president of the electoral bureau of the polling station, who shall issue a certificate of receipt.

(3) The president of the electoral bureau of the polling station shall decide forthwith on the questionings whose settlement suffers no delay.

**Art. 64.** – (1) For the Chamber of Deputies and for the Senate a file each shall be drawn up which shall include the minutes and the petitions questioning the electoral proceedings of the polling station as well as the void ballot papers and the questioned ones. The sealed files and the stamps shall be forwarded to the constituency electoral bureau by the president of the electoral bureau of the polling station and by the members of the bureau, under military guard, within at most twenty-four hours after the closure of the polling station.

(2) Within twenty-four hours after the receipt of the file, the constituency electoral bureau shall send one copy of the

minutes to the tribunal in the territorial radius of which the constituency lies; the parties and political formations as well as the independent candidates may obtain authenticated copies of this minute.

#### *Section 2*

#### ***Returning of votes in the constituencies***

**Art. 65.** – (1) After receiving the minutes with the results of the counting of the votes, the constituency electoral bureau shall draw up separate minutes for the Chamber et Deputies and for the Senate specifying the votes validly expressed for each party, political formation, or their coalition, which they shall forward within twenty-four hours to the Central Electoral Bureau.

(2) After receiving from the Central Electoral Bureau the report with regard to the parties, political formations, or their coalitions which have not obtained at least three per cent of the votes validly expressed throughout the country, the constituency electoral bureau shall proceed, according to Article 66, to assign the mandates of Deputy, respectively of Senator.

(3) Candidates and accredited persons shall also have the right to attend the proceedings of the constituency electoral bureau.

**Art. 66.** – (1) The assignment of mandates to the candidates on the lists shall be made by having in view only the parties, political formations, or their coalitions which have obtained throughout the country at least three per cent of the votes validly expressed separately for the Chamber of Deputies and for the Senate.

(2) The assignment of the mandates shall be made only after the communication of the Central Electoral Bureau with regard to the parties, political formations, and their coalitions which have obtained at least three per cent of the total number of validly expressed votes throughout the country, distinctly for the Chamber of Deputies, and for the Senate.

(3) The distribution and assignment of the Deputy and Senator mandates shall be carried out in two stages: at the level of each constituency, and at the level of the whole country.

(4) At the level of the constituency, the electoral bureau shall establish the electoral coefficient of the constituency separately for the Chamber of Deputies and for the Senate, by dividing the total number of votes validly expressed for

all the lists of candidates of the parties, political formations, and their coalitions which meet the condition provided under paragraph (1) and also for the independent candidates by the number of Deputies, respectively Senators who are to be elected in that constituency; to each list as many mandates shall be assigned as many times the electoral coefficient of the constituency is included in the votes validly expressed for that list; the assignment of mandates shall be made by the constituency electoral bureau in the order of registration of the candidates on the list; a mandate shall also be assigned to each independent candidate having obtained a number of votes validly expressed at least equal to the electoral coefficient for Deputies or Senators, as the case may be. The remaining votes, namely those that have not been used, or are inferior to the electoral coefficient, obtained by the lists of candidates of the parties, political formations, and their coalitions which meet the condition provided under paragraph (1), as well as the mandates that could not be assigned by the constituency electoral bureau shall be communicated to the Central Electoral Bureau in order to be centralizingly assigned.

(5) The Central Electoral Bureau shall totalize the unused votes and those inferior to the constituency electoral coefficient from all constituencies, for each party, political formation, or their coalition which meet the condition provided under paragraph (1), throughout the country, for the Chamber of Deputies and for the Senate separately; the number of votes thus obtained for each party, political formation or their coalition shall be divided by 1, 2, 3, 4 etc., making as many divisions as there are mandates which could not be assigned at the level of the constituencies; the quotients resulting from the division, regardless of the list they are coming from, shall be classified in decreasing order down to the number of non-assigned mandates; the smallest of these quotients shall constitute the electoral coefficient throughout the country for Deputies and, separately, for Senators; as many mandates of Deputy or, as the case may be, of Senators shall be assigned to each party, political formation or their coalition as many times the electoral coefficient throughout the country shall enter into the total number of votes validly expressed for the respective party, political formation or coalition, resulting by totalling the unused votes and those inferior to the constituency electoral coefficient.

(6) The spreading of the mandates distributed per constituencies shall be made by the Central Electoral Bureau as follows:

(a) for each party, political formation or their coalition, which have received mandates according to paragraph (5), the number of unused votes or of those lower than the constituency electoral coefficient, from each constituency, shall be divided by the total number of votes validly expressed for that party, political formation or coalition considered in distributing the mandates throughout the country.

The result thus obtained for each constituency shall be multiplied by the number of mandates due to the party, political formation, or their coalition. The data obtained shall be classified in decreasing order at country level, and in separately decreasing order within the framework of each constituency.

For each constituency, the first parties, political formations or their coalitions shall be taken into account within the limits of the mandates that have remained undistributed in the respective constituency. The last number in this operation shall represent the distributor of that constituency.

The next step shall be the distribution of the mandates per constituencies in the order of the parties, political formations, their coalitions as well as of the constituencies on the ordered list for the whole country as follows: the first number from the ordered list for the whole country shall be divided by the distributor of the constituency from which it originates, resulting the number of mandates that are due to the respective constituency. The procedure shall be continued in the same way with the following numbers from the ordered list for the whole country.

If the number of mandates due to a party, political formation, or a coalition, or from a constituency have been exhausted, the operation shall continue without these.

If the number from the ordered list for the whole country is smaller than the constituency distributor, a mandate shall be assigned;

(b) in case the assignment of mandates in the order resulting from the provisions under subparagraph (a) should not be possible, the Central Electoral Bureau shall take into account the constituency in which the party, political formation, or their coalition has the greatest number of

candidates or one candidate to whom no mandates were assigned, and if, in this way too, there have remained mandates unindividualized per constituencies, the Bureau shall take into account the constituency in which the party, political formation, or the respective coalition has the greatest number of unused votes, or the greatest number of votes inferior to the constituency electoral coefficient;

(c) if, after application of the provisions under subparagraphs (a) and (b), there shall have remained mandates not spread over the constituencies, the Central Electoral Bureau shall establish them, on the basis of an agreement, the parties, political formations, or their coalitions to which these mandates are due, according to paragraph (5), and failing an agreement, by drawing lots, within twenty-four hours after the previous operations are closed.

(7) The mandates spread over per lists of candidates according to paragraph (6) shall be assigned by the constituency electoral bureau to the candidates in the order of their registration in the list.

(8) Within twenty-four hours after the closing of each assignment operation, the constituency electoral bureau shall issue a certificate attesting the election of the Deputies and Senators to whom mandates have been assigned.

(9) The candidates registered in the lists who have not been elected shall be declared alternate candidates on the respective lists. In case of vacancy of the mandates of Deputies or of Senators elected on lists of candidates, the alternate candidates shall occupy the places that have become vacant, in the order in which they are registered in the lists, if up to the date of validation for the occupation of vacant seats, the parties or political formations on whose lists the alternate candidates have been nominated shall confirm in writing that they belong to them.

**Art. 67.** – (1) The constituency electoral bureau shall draw up minutes, separately, for the Chamber of Deputies and for the Senate, with regard to all the electoral operations, centralization of the votes, counting and returning of the votes, and assignment of the mandates.

(2) The minutes shall specify:

(a) the number of the electors from the constituency, according to the permanent electoral rolls;

(b) the total number of electors having participated in the polls; the breakdown of this number by electors on the permanent rolls and on the special ones;

(c) the total numbers of the votes validly expressed;

(d) the total number of votes validly expressed for each list of candidates and for each independent candidate;

(e) the number of void votes;

(f) the manner of assigning the mandates according to Article 66, the name and surname of the elected candidates as well as the party, political formation, or their coalition which has proposed them, as the case may be;

(g) the mandates that could not be assigned at the level of the constituency, as well as the votes validly expressed that are to be totalized, according to Article 66, throughout the country;

(h) a brief account of the objections and questioning petitions received, and of the decisions taken by the constituency electoral bureau.

(3) The minute, together with the objections, questionings, and the minutes received by the electoral bureaux of the polling stations, forming a file, closed, sealed, and signed by the members of the electoral bureau shall be forwarded, under military guard, to the Central Electoral Bureau, within forty-eight hours at the most after receiving the communication from the Central Electoral Bureau referring to the spreading per constituencies of the mandates centralizingly distributed throughout the country.

**Art. 68.** – (1) The Central Electoral Bureau shall settle the objections and questionings presented, after which it shall draw up separate minutes for the Chamber of Deputies and for the Senate, specifying for the whole country:

(a) the total number of electors according to the permanent electoral rolls;

(b) the total number of electors having reported to the polls;

(c) the total number of validly expressed votes;

(d) the total number of void votes;

(e) the finding with regard to the manner of application by the constituency electoral bureaux of the provisions under Article 66, paragraph (4);

(f) the assignment throughout the country of the mandates according to Article 66, paragraph (5) and their spreading per constituencies according to paragraph (6) of the same article;

(g) the organizations of citizens belonging to the national minorities which, although they have participated in the elections, have not obtained a Deputy or Senator mandate; the totality of the votes validly expressed for the lists of each of these organizations, and the finding of the organizations to which a Deputy mandate is due according to Article 4; the name and surname of the first candidate on the list entitled to a Deputy mandate, which has totalized the greatest number of votes; in case the lists of the organization have obtained an equal number of votes, the designation shall be made by drawing lots;

(h) the manner of settling the questionings and objections received.

(2) The minutes shall be signed by the president and the other members of the bureau in whose presence they were drawn up, and they shall be forwarded to the Chamber of Deputies and to the Senate, in view of the validation of the elections, together with the files set up by the constituency electoral bureaux.

(3) In view of the validation, the Deputies and Senators shall present to the senior president or the incumbent president, as the case may be, a declaration of the wealth they possess. The declaration shall be confidential, and it shall be presented against a receipt of presentation.

(4) The programme used by the Central Electoral Bureau for the centralized assignment of the mandates and their spreading per constituencies shall be approved by the Central Electoral Bureau, and it shall constitute an appendix to the minute which shall be forwarded for the validation of the mandates.

**Art. 69.** – The Central Electoral Bureau shall publish the results of the elections in the press and in the Official Gazette of Romania, in due time for the observance of the provisions of Article 60, paragraph (3) of the Constitution.

## CHAPTER X

### By-elections

**Art. 70.** – (1) In case elections are voided in a constituency, according to Article 25, paragraph (1), sub-paragraph (f), as well as in case a mandate of Deputy or Senator becomes vacant and cannot be occupied by the alternate candidate on the list, by-elections shall be organized.

(2) No by-elections shall be organized if the vacancy of a Deputy or Senator mandate has occurred in the last twelve months previous to the expiry of the mandate of the Chamber of Deputies and of the Senate, provided under Article 60, paragraph (1) of the Constitution.

**Art. 71.** – (1) If the by-elections take place as a result of the voiding of elections in a constituency, they shall be held on the basis of the same candidatures, electoral bureaux, and at the same polling stations, on the third Sunday after the initial elections were voided.

(2) Candidates guilty of fraud shall not participate in the new ballot.

(3) By-elections organized in case of vacancy of a mandate of Deputy or Senator shall take place under the conditions of an adequate application of the present law, within not more than three months after the notification of the Government by the president of the Chamber of Deputies or, as the case may be, by the president of the Senate, regarding the fulfilment of the conditions provided under Article 70.

(4) In case the by-elections provided under paragraph (3) are organized in a single constituency, no Central Electoral Bureau shall be constituted, its duties being fulfilled by the constituency electoral bureau.

(5) In the by-elections shall participate only the electors from the permanent electoral rolls of the localities within the framework of the constituency where the elections shall be organized.

## CHAPTER XI

### Petty and criminal offences

**Art. 72.** – The following deeds, unless according to the law they are criminal offences, shall constitute petty offences:

(a) the knowingly registration of an elector in several electoral rolls in the locality of residence, the registration in

the electoral rolls of fictitious persons or of disfranchised persons, the signing of the list of supporters with the violation of the provisions under Article 33, as well as the violation of the provisions referring to the posting up of the lists of candidates and of independent candidates, or to the use of the electoral signs;

(b) the unjustified refusal to hand over the voter's card at the written request of the interested person, or not drawing up the voter's card within the established terms;

(c) the omission, by the organizers, to take the necessary measures for the normal proceeding of the electoral meetings as well as the distribution and consumption of alcoholic drinks during these meetings;

(d) the destruction, deterioration, soiling, writing over, or spoiling in any way whatsoever of the posted electoral rolls, planks, political platforms, or of any printed electoral propaganda posters or notices;

(e) the posting up of electoral propaganda materials in other places than those allowed for or by violating the provisions of the present law;

(f) the acceptance by a citizen to be registered in several lists of candidates;

(g) the omission, by members of the constituency electoral bureaux, to bring the proposed nominations to public notice;

(h) the refusal to allow access in the polling station to the candidates or persons accredited to attend the polling proceedings;

(i) the refusal to obey the orders of the president of the electoral bureau of the polling station concerning the ensurance of order in the polling station and in its surroundings;

(j) the unjustified refusal to register an elector in the special roll, or to hand over the ballot paper and voting stamp to an elector who has signed the electoral roll; the handing over of the ballot paper to an elector who does not show the voter's card and the identity document, or who refuses to sign for their receipt in the electoral roll in which he is registered;

(k) the drawing up of minutes by the electoral bureaux of the polling stations with the violation of the provisions of the present law;

(l) the continuation of the electoral propaganda after its closure, as well as the advising of the voters, on polling day, at the seat of the polling stations or in the places provided under Article 51, paragraph (2), to vote for or against a certain party, political formation, their coalition, or an independent candidate;

(m) the receipt of subventions for the electoral campaign otherwise than through an authorized financial agent or the violation, by such an agent, of the obligations incumbent upon him, according to Article 45, paragraph (4);

(n) the wearing of badges, or of other electoral propaganda insignia by members of the bureaux of the polling stations or by the accredited persons for the duration of the voting;

(o) the failure, by the members of the electoral bureaux, to comply with the obligation to participate in the activity of these bureaux.

**Art. 73.** – Petty offences provided under Article 72, paragraphs (d), (e), (h), (n), and (o) shall be sanctioned with a fine from 5,000 to 15,000 lei, those under letters (f), (g), (k), (l), and (m), with a fine from 15,000 to 45,000 lei, and those under letters (a), (b), (c), (i), and (j), with contraventional imprisonment from one month to six months, or with a fine from 45,000 to 100,000 lei.

**Art. 74.** – (1) The finding of petty offences provided under Article 72 shall be made by an official report drawn up by:

(a) the police officers and non-commissioned officers for the deeds provided under letters (a), (b), (c), (d), (e), (g), (h), (i), (j), (l), and (m);

(b) the mayors and their authorized representatives for the deeds provided under letters (d), (e), and (m);

(c) the president of the constituency electoral bureau for the deeds provided under letters (f), (k), (l), (n), and (o).

(2) As for the petty offences provided under Article 72, let. (d), (e), (f), (g), (h), (k), (l), (m), (n), and (o), in his official report, the finding agent shall also settle the fine applied.

(3) The provisions of the Law No. 32/1968, except Article 26, shall apply to the petty offences provided under the previous paragraph.

(4) The official report on the finding of the petty offences provided under Article 72, let. (a), (b), (c), (i), and (j) shall be

presented to the law court in the territorial radius of which the petty offence was committed, and which shall apply the sanction, taking into account the provisions of the Law No. 61/1991.

**Art. 75.** – (1) The interference by any means with the free exercise of the right to elect or to be elected shall be punished with imprisonment from six months to five years, and interdiction of certain rights.

(2) In case that, by the deed provided under paragraph (1), an injury to the corporal integrity or health has been caused which requires medical care for a period exceeding sixty days, or which has caused one of the following consequences: loss of a sense or organ, their failure to function, a permanent physical or psychic infirmity, disfigurement, abortion, or endangering the life of a person, the punishment shall be imprisonment from three to ten years.

(3) The attempt at the criminal offence provided under paragraphs (1) and (2) shall be punished.

**Art. 76.** – (1) The violation by any means of the secret of the ballot by members of the electoral bureau of the polling station or by other persons shall be punished with imprisonment from six months to three years.

(2) The attempt shall be punished.

**Art. 77.** – (1) The promise, offer, or giving of money or other advantages for the purpose of inducing the elector to vote or not to vote for a certain list of candidates or an independent candidate as well as their receipt by an elector, to the same end, shall be punished with imprisonment from six months to five years.

(2) If the deed provided under paragraph (1) has been committed by an internal observer, the punishment shall be imprisonment from two to seven years.

(3) The punishment provided under paragraph (1) shall also be applied to a person voting without having a right to vote, or to an elector voting more than once on the election day. The attempt shall be punished.

**Art. 78.** – (1) The use of a void voter's card or of a forged voter's card or ballot paper, the introduction into the ballot box of an additional number of ballot papers than those an elector is entitled to, or the forging by any means of the documents from the electoral bureau shall be punished with imprisonment from two to seven years.

(2) The attempt shall be punished.

**Art. 79.** – (1) The attack by any means on the building of the polling station, the theft of the ballot box, or of the electoral documents shall be punished with imprisonment from two to seven years, unless the deed shall constitute a heavier offence.

(2) The attempt shall be punished.

**Art. 80.** – The opening of the ballot box before the hour established for the closure of the polling shall be punished with imprisonment from one year to five years.

**Art. 81.** – For the offences provided under Articles 75 to 80, the criminal proceeding shall be started *ex officio*.

**Art. 82.** – The goods intended for, used for, or resulted from the petty offences provided under Article 72 or from the offences provided under Articles 75 to 80 shall be confiscated.

## CHAPTER XII

### Transitory and final provisions

**Art. 83.** – (1) Any costs or expenses incurred for carrying out the election proceedings shall be paid out of the State budget.

(2) The seat and equipment of the Central Electoral Bureau shall be provided by the Government; those of the constituency electoral bureaux, by the prefects, and those of the polling stations, by the mayors, together with the prefects.

(3) Any documents drawn up in exercising the electoral rights provided in the present law shall be exempt from the stamp-tax.

**Art. 84.** – (1) In support of the activity of the electoral bureaux, the Government of Romania shall provide the necessary auxiliary technical staff and trained statisticians.

(2) For the duration in which the electoral bureaux shall be operating, their members, the statisticians, and the auxiliary technical staff, who are employed under a contract, shall be considered temporarily transferred.

**Art. 85.** – (1) The trial in court of the objections, questionings, or of any other petitions provided by the present law shall be made according to the rules settled by law for the presidential order, with the compulsory participation of the public prosecutor.

(2) No proceedings may be instituted against the final decisions passed by the courts of law according to the present law.

**Art. 86.** – (1) The timetable provided in the present law shall be calculated including the first and the last day, even if they are not working days.

(2) For the whole duration of the elections, the electoral bureaux and courts of law shall be permanently on duty in order to enable the citizens to exercise their franchise.

**Art. 87.** – (1) Persons disfranchised by a final sentence shall not participate in the voting and shall not be counted in establishing the total number of electors.

(2) The provisions of Article 59 regarding the special ballot box shall be applied accordingly to persons under arrest before trial or convicted for an infringement.

**Art. 88.** – (1) The prefects shall verify the correct fulfilment by the mayors of their obligations provided by the present law, and if electoral frauds are found, they shall notify the lawful bodies.

(2) Likewise, in case the prefects find that an elector has not been registered in or struck off from the electoral rolls, according to the law, or that the constituency or polling station bureaux have not been lawfully constituted, they shall formulate objections and questionings that shall be settled in agreement with the provisions of the present law.

**Art. 89.** – For the purpose of the present law, *identity document* shall mean the identity paper, the certificate replacing the identity paper, or the diplomatic or service passport, and in the case of conscripts and students at military schools, the military service card.

**Art. 90.** – Elections for the constitution of a new Parliament shall take place at the date that is to be settled by law.

**Art. 91.** – For the 1992 elections, in the case of electoral coalitions, to the threshold of three per cent provided under Article 66, paragraph (1) shall be added one per cent of the total of validly expressed votes throughout the country for each member of the coalition, beginning with the second party or political formation, without exceeding eight per cent of these votes.

**Art. 92.** – (1) For the 1992 elections, voting shall be done on the basis of the electoral rolls used in the local elections, updated within fifteen days from the date when the polling

day shall be settled as well as on the basis of the identification paper on which the control stamp of the polling station shall be applied over the endorsement, written in ink, stating the polling date.

(2) The Government shall provide by December 31, 1992 the printing, drawing up and issue of all voter's cards to all citizens having the right to vote from the electoral rolls of the localities where they have their residence.

(3) The voter's cards of conscripts shall be sent by the mayor to the commanders of the military units, who shall hand them over against a signature.

(4) For the 1992 elections, if the stapling of the ballot papers is not possible, these shall be introduced into the ballot box after the elector has introduced them into envelopes corresponding to their size, provided by the electoral bureau of the polling station.

**Art. 93.** – (1) The provisions of Article 51, paragraph (3) shall also apply to the delegates accredited by the Central Electoral Bureau as internal observers only for the 1992 elections. As internal observers may be accredited only electors authorized by a non-governmental organization whose single aim is to defend the rights of the man, lawfully constituted by the opening date of the electoral campaign.

(2) The persons designated as internal observers may not be members of a party or of a political formation. Their accreditation shall be made for a single polling station. The Central Electoral Bureau may accredit to a polling station only one internal observer, on the basis of his or her written declaration to strictly observe the conditions of the accreditation. The declaration shall be given on his or her own responsibility, and it shall constitute a public document, with all the consequences provided by the law. The conditions of the accreditation shall be specified in the accreditation deed; if several persons are authorized for one and the same polling station, the accreditation shall be decided by drawing lots.

(3) The provisions of Article 45, paragraph (3), and of Article 51 paragraph (5) shall be accordingly applicable to non-governmental organizations provided under paragraph (1).

**Art. 94.** – As for the Constituency No. 42, the competencies provided by the present law for the county tribunal shall be exercised by the Tribunal of the Municipality of Bucharest.

## ANNEX No. 1

**NUMBERING AND NUMBER OF MANDATES  
FOR EACH CONSTITUENCY**

| Number<br>of the constituency | Territorial<br>location | Number of:         |                     |
|-------------------------------|-------------------------|--------------------|---------------------|
|                               |                         | Deputy<br>mandates | Senator<br>mandates |
| 1. Constituency No. 1         | Alba County             | 6                  | 3                   |
| 2. Constituency No. 2         | Arad County             | 7                  | 3                   |
| 3. Constituency No. 3         | Argeş County            | 10                 | 4                   |
| 4. Constituency No. 4         | Bacău County            | 11                 | 5                   |
| 5. Constituency No. 5         | Bihor County            | 9                  | 4                   |
| 6. Constituency No. 6         | Bistriţa Năsăud County  | 5                  | 2                   |
| 7. Constituency No. 7         | Botoşani County         | 7                  | 3                   |
| 8. Constituency No. 8         | Braşov County           | 9                  | 4                   |
| 9. Constituency No. 9         | Brăila County           | 6                  | 2                   |
| 10. Constituency No. 10       | Buzău County            | 7                  | 3                   |
| 11. Constituency No. 11       | Caraş-Severin County    | 5                  | 2                   |
| 12. Constituency No. 12       | Călăraşi County         | 5                  | 2                   |
| 13. Constituency No. 13       | Cluj County             | 11                 | 5                   |
| 14. Constituency No. 14       | Constanţa County        | 11                 | 5                   |
| 15. Constituency No. 15       | Covasna County          | 4                  | 2                   |
| 16. Constituency No. 16       | Dâmboviţa County        | 8                  | 3                   |
| 17. Constituency No. 17       | Dolj County             | 11                 | 5                   |
| 18. Constituency No. 18       | Galaţi County           | 9                  | 4                   |
| 19. Constituency No. 19       | Giurgiu County          | 4                  | 2                   |
| 20. Constituency No. 20       | Gorj County             | 6                  | 3                   |
| 21. Constituency No. 21       | Harghita County         | 5                  | 2                   |
| 22. Constituency No. 22       | Hunedoara County        | 8                  | 3                   |
| 23. Constituency No. 23       | Ialomiţa County         | 4                  | 2                   |
| 24. Constituency No. 24       | Iaşi County             | 12                 | 5                   |
| 25. Constituency No. 25       | Maramureş County        | 8                  | 3                   |
| 26. Constituency No. 26       | Mehedinţi County        | 5                  | 2                   |
| 27. Constituency No. 27       | Mureş County            | 9                  | 4                   |
| 28. Constituency No. 28       | Neamţ County            | 8                  | 4                   |
| 29. Constituency No. 29       | Olt County              | 7                  | 3                   |

| Number<br>of the constituency | Territorial<br>location   | Number of:         |                     |
|-------------------------------|---------------------------|--------------------|---------------------|
|                               |                           | Deputy<br>mandates | Senator<br>mandates |
| 30. Constituency No. 30       | Prahova County            | 12                 | 5                   |
| 31. Constituency No. 31       | Satu Mare County          | 6                  | 3                   |
| 32. Constituency No. 32       | Sălaj County              | 4                  | 2                   |
| 33. Constituency No. 33       | Sibiu County              | 6                  | 3                   |
| 34. Constituency No. 34       | Suceava County            | 10                 | 4                   |
| 35. Constituency No. 35       | Teleorman County          | 7                  | 3                   |
| 36. Constituency No. 36       | Timiş County              | 10                 | 4                   |
| 37. Constituency No. 37       | Tulcea County             | 4                  | 2                   |
| 38. Constituency No. 38       | Vaslui County             | 7                  | 3                   |
| 39. Constituency No. 39       | Vâlcea County             | 6                  | 3                   |
| 40. Constituency No. 40       | Vrancea County            | 6                  | 2                   |
| 41. Constituency No. 41       | Municipality of Bucharest | 29                 | 13                  |
| 42. Constituency No. 42       | Ilfov Agricultural Sector | 4                  | 2                   |
| <b>TOTAL:</b>                 |                           | <b>528</b>         | <b>143</b>          |

ANNEX No. 2

**N O T E :**

1. The dimensions of the voter's card shall be: 11 cm in width and 15 cm in length; the letters shall be printed in 10 – point Roman capitals, and the card shall be filled in with black or blue ink; the second face of the voter's card shall be on the back of the first face.

2. The suffrages, in case of by-elections, shall be subtracted from all voter's cards, also from those of the electors whose place of permanent residence is in the localities situated in the constituencies where no such elections were organized.

3. When the number of suffrages shall be completed, the Government shall provide the issue of new voter's cards, in which only the year of the first suffrage round shall be accordingly modified.

4. On issuing a duplicate, the mention "Duplicate No..." shall be typed below the denomination "Voter's card", and the number of the duplicate shall be written in the order of its issue.

|   |  |                   |
|---|--|-------------------|
| <b>Romania<br/>VOTER'S CARD</b><br>issued by* .....<br>.....<br>signature and<br>stamp** .....<br><br>to*** .....<br>signature .....<br>residence ..... | SUFFRAGE<br>No. 1  | SUFFRAGE<br>No. 2 |
|   | SUFFRAGE<br>No. 3  | SUFFRAGE<br>No. 4 |
| <b>INTRANSMISSIBLE</b>  | To be counted as from the first<br>suffrage after the 1992 elections |                   |

|  |                   |  |                    |
|--|-------------------|--|--------------------|
| SUFFRAGE<br>No. 5  | SUFFRAGE<br>No. 6 | SUFFRAGE<br>No. 9  | SUFFRAGE<br>No. 10 |
| SUFFRAGE<br>No. 7  | SUFFRAGE<br>No. 8 | SUFFRAGE<br>No. 11   | SUFFRAGE<br>No. 12 |
| To be counted as from the first<br>suffrage after the 1992 elections |                   | To be counted as from the first<br>suffrage after the 1992 elections |                    |

\* The mayor of the locality.

\*\* Signature of the mayor and stamp of the local council of the locality.

\*\*\* Name and surname of the holder.

ANNEX No. 3

I. Form of the ballot paper for the election to the Chamber of Deputies

ROMANIA

D

BALLOT PAPER

FOR THE ELECTION TO THE CHAMBER OF DEPUTIES

\*

Constituency No. \_\_\_\_\_

\* Date of elections shall be printed.

|    |    |    |
|----|----|----|
| 1) | 2) |    |
| 3) |    |    |
|    |    | 4) |
|    |    | 5) |
|    |    | 6) |

NOTE :

(1) The full denomination of the party, political formation or of their coalition shall be printed, in the order established according to the law.

(2) The electoral sign shall be printed; a three-character interval shall be kept between the denomination of the party, political formation, respectively of their coalition, as well as the electoral sign.

The electoral sign shall be printed in a graphic space of 2.5 cm x 2.5 cm.

(3) The name and surname of the candidates shall be printed, in the order in which they are typed on the presented list of candidates, as well as, if such be the case, the political affiliation abbreviated to the initials of the party or political formation, after which the quadrilateral shall be closed.

(4) The mention "Independent Candidate" shall be printed; for each independent candidate a distinct quadrilateral shall be printed in the final part of the ballot paper, in the order provided by the law.

(5) The electoral sign shall be printed.

(6) The name and surname of the independent candidate shall be printed.

(7) All the names, surnames and the words printed inside the quadrilaterals shall be printed in 10-point Roman capitals.

II. Form of the ballot paper for the election to the Senate

ROMANIA

S

BALLOT PAPER

FOR THE ELECTION TO THE SENATE

\*

Constituency No. \_\_\_\_\_

|          |    |             |
|----------|----|-------------|
| 1)<br>3) | 2) |             |
|          |    | 4) 5)<br>6) |

NOTE :

(1) The full denomination of the party, political formation or their coalition shall be printed, in the order established according to the law.

(2) The electoral sign shall be printed; a three-character interval shall be kept between the denomination of the party, political formation, respectively of their coalition, as well as the electoral sign.

The electoral sign shall be printed in a graphic space of 2.5 cm x 2.5 cm.

(3) The name and surname of the candidates shall be printed, in the order in which they are typed on the presented list of candidates, as well as, if such be the case, the political affiliation abbreviated to the initials of the party or political formation, after which the quadrilateral shall be closed.

(4) The mention "Independent Candidate" shall be printed; for each independent candidate a distinct quadrilateral shall be printed in the final part of the ballot paper, in the order provided by the law.

(5) The electoral sign shall be printed.

(6) The name and surname of the independent candidate shall be printed.

(7) All the names, surnames and words printed inside the quadrilaterals shall be printed in 10-point Roman capitals.

\* Date of elections shall be printed.

### III. Form of the stamp of the polling station

(The stamp shall include the number of the constituency and of the polling station.)



### IV. Form of the "Voted" stamp



\* The number of the constituency shall be printed.

## LAW on the election of the President of Romania\*

### CHAPTER I General provisions

**Art. 1.** – (1) The President of Romania shall be elected by universal, equal, direct, secret, and freely expressed suffrage, under the conditions of the present law.

(2) Each elector shall be entitled to a single vote at each round of suffrage organized for the election of the President of Romania, according to Article 81, paragraphs (2) and (3) of the Constitution.

**Art. 2.** – (1) In the territorial-administrative units, the electoral proceedings for the election of the President of Romania shall be carried out in constituencies and polling stations, under the control of the electoral bureaux provided by law for the election to the Chamber of Deputies and to the Senate, on the basis of the same electoral rolls.

(2) According to Article 144, paragraph (d) of the Constitution, the Constitutional Court shall observe that the provisions of the present law are abided throughout the country, and it shall confirm the results of the suffrage.

**Art. 3.** – (1) Only candidates nominated by parties and political formations, or independent candidates may stand in elections for President of Romania. The parties and political formations, either separately or jointly, may nominate only a single candidate.

(2) Both candidates nominated by parties or political formations and independent candidates may put forward

\* The Law No. 69/July 15, 1992 was published in the Official Gazette of Romania, Part I, No. 164/July 16, 1992.

The Law No. 69 was modified by the Expeditious Government Ordinance No. 63/May 26, 2000, published in the Official Gazette of Romania No. 240/May 31, 2000, found in this book at page 275, by the Expeditious Government Ordinance No. 129/June 30, 2000, published in the Official Gazette of Romania No. 311/July 5, 2000, (p. 293), by the Expeditious Government Ordinance No. 140/September 14, 2000, published in the Official Gazette of Romania No. 467/September 26, 2000 (p. 299), and by the Expeditious Government Ordinance No. 154/October 10, 2000, published in the Official Gazette of Romania No. 498/October 11, 2000 (p. 304).

their candidature only if they have the support of at least one hundred thousand electors. An elector may support only one candidate.

**Art. 4.** – (1) The date of elections shall be fixed and made public by the Government at least sixty days before polling day and up to five days inclusive after the date of expiry of the mandate of the President in office, as the case may be, after the date when the term provided under Article 96, paragraph (2) of the Constitution starts to be counted.

(2) The elections shall take place in a single day, which may only be Sunday.

## CHAPTER II

### Organization and conduct of elections

#### *Section 1*

#### *Attributions of electoral bureaux*

**Art. 5.** – The Central Electoral Bureau shall have the following attributions:

a) it shall supervise the updating of the electoral rolls, it shall follow up the observance of the statutory provisions regarding the election of the President of Romania throughout the country's territory, and it shall ensure their uniform application;

b) it shall ascertain the observance of the provisions of the present law referring to the putting up of candidatures, and it shall register the candidatures which meet these conditions;

c) it shall notify the registered candidatures to the constituency electoral bureaux, and it shall make them known through the press;

d) it shall settle the objections regarding its own activity and the questionings forwarded by the constituency electoral bureaux; the decisions delivered shall be final;

e) it shall centralize the results of the elections, it shall declare the elected candidate, and it shall present to the Constitutional Court the necessary documentation for the validation of the mandate of President of Romania;

f) it shall fulfil any other obligations which shall devolve upon it according to the present law.

**Art. 6.** – The constituency electoral bureaux shall have the following attributions:

a) they shall make the publications and postings provided by the law, within five days after the receipt of the notification concerning the candidatures registered at the Central Electoral Bureau;

b) they shall settle objections referring to their own activity and the complaints regarding the operations of the electoral bureaux of the polling stations;

c) they shall distribute the ballot papers, control stamps, and stamps with the mention 'Voted' to the electoral bureaux of the polling stations;

d) they shall centralize the result of the poll for the constituency, and they shall forward to the Central Electoral Bureau the minutes specifying these results, as well as the objections, complaints, and minutes received from the electoral bureaux of the polling stations;

e) they shall fulfil any other obligations provided by the law to be their task.

**Art. 7.** – The electoral bureaux of the polling stations shall accordingly fulfil the attributions devolving upon them, according to the law, for the election to the Chamber of Deputies and to the Senate.

**Art. 8.** – The electoral bureaux shall work and take decisions with the vote of the majority of the members present.

#### *Section 2*

#### *Candidatures*

**Art. 9.** – (1) The nominations of candidates for the election of the President of Romania shall be handed in at the Central Electoral Bureau not later than thirty days before the date of elections.

(2) The nominations shall be made in writing, and they shall be received only if:

a) they are signed by the leaders of the party or of the political formation, or by their leadership, which have put forward the candidate, or, as the case may be, by the independent candidate;

b) they specify the name and surname, place and date of birth, civil status, residence, studies, occupation and profession of the candidate, and that the conditions provided by the law in order to stand as candidate are met;

c) they are attended by the declaration of acceptance of the candidature, written, signed and dated by the candidate, as

well as by the list or lists of supporters, whose number may not be smaller than one hundred thousand electors; the list or lists of supporters shall specify the name and surname of the candidate, as well as the name and surname, date of birth, address, series and number of the identity document, and the signatures of the electors supporting the candidature.

(3) The list of supporters is a public document, falling under the sanction provided by Article 292 of the Criminal Code.

(4) The nomination shall be presented in four copies, a top copy and three carbon-copies, of which the top copy and one carbon-copy shall be kept at the Central Electoral Bureau, another one shall be registered at the Constitutional Court, and a fourth, certified by the president of the Central Electoral Bureau, shall be returned to the person having handed them in.

**Art. 10.** – Persons who, at the date when the nomination was handed in, shall fail to fulfil the conditions provided under Article 35 of the Constitution for election, or who have been already elected twice as President of Romania may not stand as candidates.

**Art. 11.** – (1) The Central Electoral Bureau shall bring to the public notice, through the press, and shall post up at its seat the nominations received, within twenty-four hours after their registration.

(2) By twenty days before the date of elections, the candidate, parties, political formations, or citizens may question the registration or failure to register the candidature. The complaint shall be presented at the Central Electoral Bureau, which shall forward it, together with the candidature file, within twenty-four hours, for settling to the Constitutional Court.

(3) The Constitutional Court shall settle the complaint within forty-eight hours after its registration. The judgment shall be final, and it shall be published in the Official Gazette of Romania.

(4) On the day following the expiry of the settling term of the complaints provided under paragraph (3) above, the Central Electoral Bureau shall notify the constituency electoral bureaux of the nominations finally registered, in the order in which they were handed in.

### *Section 3* **Ballot papers**

**Art. 12.** – (1) The ballot papers shall be printed according to the form provided in the annex.

(2) The dimensions of the ballot paper shall be established by the Central Electoral Bureau, taking into account the number of candidates and the space required for their printing, and they shall be transmitted to the constituency electoral bureaux together with the communication of the candidatures.

(3) The printing of the ballot papers shall be ensured by the constituency electoral bureaux through the agency of the prefects, while observing the statutory provisions regarding the printing of ballot papers for the election of the Chamber of Deputies and the Senate, which shall apply accordingly. The prefects shall be accountable for all the necessary ballot papers to be printed at least ten days before the date of elections.

**Art. 13.** – (1) The electoral signs shall be declared at the Central Electoral Bureau simultaneously with the handing in of the candidature.

(2) If the elections for President of Romania take place at the same time with those for the Chamber of Deputies and Senate, there shall be used only the electoral signs established at the suffrage for the two Chambers. If the elections for President of Romania take place at a different date, there shall be used only the electoral signs established at the latest elections for the Chamber of Deputies and the Senate. As for the parties or political formations which have not participated in these elections as well as for the electoral coalitions, the provisions of the Law on the election to the Chamber of Deputies and the Senate referring to signs and denominations shall be applied.

**Art. 14.** – The statutory provisions for the election to the Chamber of Deputies and the Senate, referring to the stamps of the polling stations, and to the handing, distribution and posting of the ballot papers, or to the issue of initialled and voided ballot papers, shall also apply to the elections of the President of Romania.

## Section 4

**Electoral campaign and conduct of elections**

**Art. 15.** – (1) The electoral campaign and the conduct of elections for President of Romania shall be carried out according to the statutory provisions regarding the election to the Chamber of Deputies and the Senate, with the exceptions provided in the present section.

(2) The President in office may participate in the electoral campaign of the party or political formation which has nominated him or which supports his candidature, according to Article 9.

**Art. 16.** – (1) For candidates to the election of President of Romania, the access to the public services of the radio and television broadcasting shall be equal and free of charge.

(2) The timetable for the electoral campaign and the distribution of broadcasting time for an equal and gratuitous access of the candidates to the public services of the radio and television broadcasting shall be drawn up, after the closure of the period for the handing in of the candidatures, by the joint standing committees of the two Chambers of Parliament, together with the representatives of the public services of radio and television broadcasting, and with the participation of the candidates.

(3) If the elections for President of Romania take place simultaneously with those for the Chamber of Deputies and the Senate, there shall also be taken into consideration the timetable and distribution of broadcasting time for the electoral campaign regarding the election of the two Chambers.

**Art. 17.** – Against the decision given by the constituency electoral bureau on the complaints entered with regard to the prevention of a party or political formation, or of a candidate to conduct his or her electoral campaign, the complaints shall be settled by the Constitutional Court within three days after their presentation.

**Art. 18.** – (1) If the elections for President of Romania take place simultaneously with those for the Chamber of Deputies and the Senate, the persons accredited to attend the carrying out of the electoral operations for the election of the Deputies and Senators may also attend the proceedings for the election of the President of Romania.

(2) In case the elections for President of Romania take place at a different date, the accreditation for attending the electoral operations of the Romanian or foreign delegates of the press, cinematography, radio and television, or of foreign observers, who make such a request, shall be of the Central Electoral Bureau's competence.

(3) In the situation provided under paragraph (2) above, the parties and political formations which have nominated candidates shall be permitted to designate a single delegate for each polling station and constituency electoral bureau, who shall attend the performance of the electoral proceedings. The designation shall be made by a communication stating the name, surname, and residence of the representative, under the signature of the leadership of the party or political formation. If several parties or political formations have nominated the same candidate, they may designate only one mutual representative.

**Art. 19.** – (1) The elector shall vote by applying the stamp inside the quadrilateral which includes the name and surname of the candidate whom he or she wishes to vote.

(2) If the elections for President of Romania take place simultaneously with those for the Chamber of Deputies and the Senate, the stamp shall be applied on the voter's card on a single suffrage number.

(3) If the elections for President of Romania take place at a different date from those for the Chamber of Deputies and the Senate, the stamp shall be applied on the voter's card on the suffrage number made publicly known by the Government at the same time as the voting date.

(4) At the second suffrage round, the stamp shall be applied on the next suffrage number.

## CHAPTER III

**Counting and returning of votes**

**Art. 20.** – (1) The electoral operations for finding the results of the ballot at the polling stations, the objections and complaints regarding the voting operations, and the opening of the ballot-boxes shall be performed in keeping with the statutory provisions referring to the election of the Chamber of Deputies and the Senate.

(2) The returns of the ballot at the polling station shall be recorded in a table.

(3) The candidates at the elections for Parliament put forward by parties or political formations which have also nominated candidates for the election of the President of Romania shall also have the right to draw up a table. If the elections for the two Chambers and for President of Romania do not take place simultaneously, this right shall devolve on the delegates of the parties or political formations which have nominated candidates in the elections for President of Romania.

(4) The tables shall specify the void votes, the names and surnames of the candidates, and the votes validly expressed for each candidate.

**Art. 21.** – (1) After opening the ballot-boxes and counting the votes, the president of the polling station shall draw up minutes in two copies, specifying:

a) the elector's number according to the permanent electoral rolls;

b) the number of electors that have participated in the ballot; the breakdown of this number by electors on the permanent roll and on the special roll;

c) the total number of validly expressed votes;

d) the number of void votes;

e) the number of votes validly expressed for each candidate;

f) a brief account of the objections and complaints as well as of the way in which they were settled, and of the complaints forwarded for settling to the constituency electoral bureau.

(2) The minutes shall be signed by the president and by the members of the bureau.

(3) On request, a copy certified by all those who have signed the original shall be handed over to the members of the electoral bureaux of the polling stations who have signed the minutes; the request shall be formulated before drawing up the minutes.

(4) Missing signatures of some of the members of the bureau of the polling station shall not affect the validity of the minutes.

The president shall mention the reasons which have prevented the signing.

(5) The minutes, together with all the complaints regarding the electoral operations of the polling station as well as with the void ballot papers and the questioned ones, shall

constitute a file, which, duly sealed and stamped, shall be forwarded to the constituency electoral bureau by the president of the electoral bureau of the polling station and by the members of the bureau, under military guard, within twenty-four hours at the most.

(6) Within twenty-four hours after receiving the file, the constituency electoral bureau shall present one of the copies of the minutes to the tribunal in whose territorial area the constituency is included; the candidates or parties and political formations by which they had been nominated shall be entitled to receive authenticated copies of the minutes.

**Art. 22.** – (1) After receiving the minutes from all the electoral bureaux of the polling stations, and after settling the objections and complaints received, the constituency electoral bureau shall draw up minutes stating:

a) the number of electors from the constituency, according to the permanent electoral rolls;

b) the total number of electors that have participated in the ballot; the breakdown of this number by permanent and special rolls;

c) the total number of validly expressed votes;

d) the number of void votes;

e) the number of votes validly expressed for each candidate within the framework of the constituency;

f) a brief report on the objections, complaints and decisions taken by the constituency electoral bureau.

(2) The provisions under Article 21, paragraphs (2) and (4) shall be accordingly applied.

(3) The minutes, together with the objections, complaints, and minutes received from the electoral bureaux of the polling stations, forming a file, closed, sealed, and signed by the members of the electoral bureau, shall be forwarded, under military guard, to the Central Electoral Bureau, within forty-eight hours at the most after the reception of the last minute from the electoral bureaux of the polling stations.

**Art. 23.** – (1) The Central Electoral Bureau shall settle the objections and complaints presented, the decisions passed being final, then it shall draw up a minute stating:

a) the total number of electors, according to the electoral rolls of the localities where the electors have their places of permanent residence;

b) the total number of electors that have participated in the ballot;

c) the total number of void votes;

d) the total number of validly expressed votes throughout the country for each candidate, and the finding that the conditions provided under Article 81 of the Constitution have been met; in case these conditions have not been met, the names and surnames of the candidates who shall participate in the second suffrage round;

e) the centralization of the results of the second round, according to the provisions under sub-paragraphs a) to d), which shall apply accordingly, the name and surname of the candidate whose election was found valid;

f) the manner of settling the objections and complaints received.

(2) The provisions under Article 21, paragraphs (2) and (4) shall be applied accordingly.

(3) The minutes for each suffrage round, together with the files of the constituency electoral bureaux, received according to Article 22, paragraph (3) shall be forwarded, under military guard, to the Constitutional Court within twenty-four hours after the registration of the last file.

**Art. 24.** – (1) The Constitutional Court shall declare the elections void in case the voting and returning of votes have taken place by fraud of a nature to modify the assignment of the mandate, or, as the case may be, the order of the candidates who may participate in the second suffrage round. In this situation, the Court shall order the suffrage round to be repeated on the third Sunday after the date when the elections were declared void.

(2) The petition for the voiding of elections may be presented by the parties, political formations, and candidates that have participated in the elections, within three days at the most after the closure of the voting; the petition shall be motivated and attended by the proofs on which it is based.

(3) The petition may be admitted only if the petitioner is not involved in the fraud.

(4) The petition shall be settled by the Constitutional Court up to the date provided by law for making the result of the elections publicly known.

**Art. 25.** – (1) The Constitutional Court shall publish the result of the elections in the press and in the Official Gazette

of Romania for each suffrage round, and it shall validate the result of elections for the elected president.

(2) The validation document shall be drawn up in three copies, one of which shall be presented to Parliament for taking the oath provided under Article 82, paragraph (2) of the Constitution, and the third one shall be handed over to the elected candidate.

**Art. 26.** – (1) The second suffrage round shall take place under the conditions provided in Article 81, paragraph (3) of the Constitution, two weeks after the first suffrage round, at the same polling stations and constituencies, the electoral operations being conducted by the same electoral bureaux and on the basis of the same electoral rolls at the first round.

(2) In the second suffrage round there shall participate the first two candidates who have received the largest number of validly expressed votes, throughout the country, at the first round. This number shall be confirmed by the Constitutional Court within twenty-four hours after receiving the minutes provided under Article 23, paragraph (3), by making publicly known the names and surnames of the two candidates who shall participate in the second suffrage round, and the polling day established according to paragraph (1) above.

(3) The electoral campaign for the second suffrage round shall begin as from the date when the polling day has been made publicly known.

(4) Within two days after the opening of the electoral campaign, there shall be established the timetable for its conduct at the public services of radio and television broadcasting and the distribution of the broadcasting time, according to Article 16, which shall apply accordingly.

(5) The persons accredited to attend the performance of the electoral operations at the first suffrage round are, *de jure*, accredited to attend also the performance of these operations at the second suffrage round.

#### CHAPTER IV

##### Transitory and final provisions

**Art. 27.** – The sanctions for petty offences and the punishments, provided by law for the violation of the statutory provisions regarding the election to the Chamber of Deputies and to the Senate, shall be applied also with regard to the

violation of the corresponding statutory provisions regarding the election of the President of Romania.

**Art. 28.** – (1) The statutory provisions for the election to the Chamber of Deputies and the Senate referring to the support of the electoral expenses, stamp tax, the support by the Government of the activity of the electoral bureaux, and the trial by the courts of law of the objections, complaints, and any other petitions shall also apply with regard to the elections for President of Romania.

(2) If the election of the President of Romania takes place simultaneously with the election to the Chamber of Deputies and the Senate, the expenses for the performance of the electoral operations, including the subvention for parties and political formations from the State budget, shall be supported from the funds allocated for the election of the two Chambers.

(3) In case the elections for President of Romania take place at a different date from that of the parliamentary elections, the subvention of the electoral campaign of the parties and political formations which have nominated candidates shall be established by a special law. The parties and political formations which have not obtained at least ten per cent of the validly expressed votes throughout the country for the candidate they have nominated shall refund the subvention within two months after the date when the electoral campaign has ceased.

**Art. 29.** – (1) The 1992 elections for the President of Romania shall take place at the same time with those for the election to the Chamber of Deputies and the Senate.

(2) For the elections under paragraph (1) above, internal observers may also be accredited to attend the electoral operations under the conditions provided by the Law on the election to the Chamber of Deputies and the Senate.

**Art. 30.** – The Statutory Order No. 92/1990 on the election of the Parliament and of the President of Romania shall be abrogated.

# ROMANIA

# P

## BALLOT PAPER

FOR THE ELECTION OF THE PRESIDENT OF ROMANIA

\*

Constituency No. \_\_\_\_\_

\* Date of elections shall be printed.

|                        |  |
|------------------------|--|
| 1)            2)<br>3) |  |
|                        |  |
|                        |  |

All the names, surnames, and words printed inside the quadrilateral shall be printed in 10-point Roman capitals.

The pages of the ballot paper, including the last blank page, shall be numbered.

Stamp-ink of the same colour shall be used for all stamps within the territory of a constituency.

The electoral sign shall be printed within a graphic space of 2.5 cm x 2.5 cm.

(1) The full denomination of the party, political formation or the mention "Independent Candidate" shall be printed.

(2) The electoral sign shall be printed; a three-character interval shall be kept between the denomination of the party, political formation or the mention "Independent Candidate" and the electoral sign.

(3) The name and surname of the candidate shall be printed.

**NOTE:**

As many quadrilaterals shall be printed as there are candidates, in the order in which they have presented their candidatures.

Ballot papers shall be printed on white and sufficiently thick paper to prevent the name and the vote cast from being distinguishable on the back.

On the pages of the ballot paper a sufficient number of quadrilaterals shall be printed in order to include all the candidatures, except the last page which shall remain blank for the control stamp.

## LAW

### on the declaration and control of the wealth of dignitaries, magistrates, civil servants and of certain persons holding a leading office\*

(excerpt)

#### CHAPTER IV Final provisions

**Art. 40.** – On the date of coming into force of the present law, the Law No. 18/1968 on the control of the source of certain goods of natural persons, that have not been lawfully obtained, the provisions of Art. 68 par. (3) of the Law No. 68/1992 on the election to the Chamber of Deputies and the Senate, the Art. 69 of the Law No. 58/1991 on the privatization of trading companies, and the Government Decision No. 473/1993 on the declaration of wealth by the civil servants within the executive power authorities, as well as any other provisions to the contrary shall be abrogated.

\* The Law No. 115/October 16, 1996 was published in the Official Gazette of Romania, Part I, No. 263/October 28, 1996.

## EXPEDITIOUS ORDINANCE

### No. 63/2000

### on the modification and completion of the Law No. 68/1992 on the election to the Chamber of Deputies and the Senate, the modification of the Law No. 69/1992 on the election of the President of Romania, and the modification and completion of the Law No. 70/1991 on local elections\*

**Art. I.** – Law No. 68/1992 on the election to the Chamber of Deputies and the Senate, published in the Official Gazette of Romania, Part I, No. 164 of July 16, 1992, with the subsequent modifications, is hereby modified and completed as follows:

**1. Paragraph (6) of Art. 3 shall have the following contents:**

“(6) The numbering of the constituencies and the number of Deputies and Senators to be elected in each constituency are approved by the Government, at the same time with the settling of the date of elections.”

**2. Paragraphs (1), (2), (3), (4) and (5) of Article 8 shall have the following contents:**

“Art. 8. – (1) The permanent electoral rolls shall be drawn up per localities and shall include all the citizens with a right to rote residing in the locality for which the rolls were drawn up. The Romanian citizens residing abroad may be registered, at their request, in the permanent electoral rolls of the locality in which they were born or they had the last domicile in the country. The application shall be presented to the Diplomatic Mission of Romania in the state of residence or directly to the population record county service.

(2) The permanent electoral rolls shall be drawn up by the Ministry of the Interior, through the population record units.

(3) The permanent electoral rolls are drawn up for communes per villages, and for towns, municipalities and

\* The Expeditious Government Ordinance No. 63/May 26, 2000 was published in the Official Gazette of Romania, Part I, No. 240/May 31, 2000.

territorial-administrative subdivisions of the municipalities, per streets.

(4) The permanent electoral rolls shall compulsorily include, in the order of the number of buildings in which the electors live, the name and surname, the identity number, the domicile, the number and series of the identity paper, as well as the number of the constituency.

(5) The permanent electoral rolls shall be drawn up in two official copies, shall be signed by the representative of the Ministry of the Interior, that is, by the head of the population record unit, and by the mayor. One copy shall be handed over for keeping to the town hall, on the basis of a minute, while the other to the court in the territorial radius of which the locality for which they were drawn up is situated. The permanent electoral rolls shall be kept in special registers with detachable leaves.”

**3. Paragraph (6) of Article 8 shall be abrogated.**

**4. Paragraphs (1), (2) and (4) of Article 9 shall have the following contents:**

“Art. 9. – (1) The Ministry of the Interior shall update the permanent electoral rolls, drawn up as per Art. 8, and shall communicate them to the town hall and the court within maximum 15 days from the date of settling the polling day.

(2) The deceased persons shall be struck off from the electoral roll, based on a notification from the local public service where the demise was registered, within 24 hours since the registration, addressed to the population record county service where the deceased person had the last domicile.

.....  
(4) The persons who lost their right to vote shall be struck off from the electoral roll on the grounds of the notification of the court to the population record county service in the area of which the locality where the person in case has the domicile is situated.”

**5. Paragraph (2) of Article 10 shall have the following contents:**

“(2) The registration in the permanent electoral rolls is compulsory. The change of domicile of a person shall be modified accordingly in the permanent electoral roll too, by

the population record unit within the radius of the new domicile.”

**6. Article 11 shall have the following contents:**

“Art. 11. – The special electoral rolls shall be drawn up in the cases stipulated by the present law and shall include the name and surname, the identity number, the domicile, the series and number of the identity paper of the elector. The rolls shall be signed by the president of the electoral bureau of the polling station where they were drawn up.”

**7. Paragraphs (1) and (2) of Article 12 shall have the following contents:**

“Art. 12. – (1) The electors have the right to verify the registration in the electoral rolls. The claims against omissions, wrong registration and any other errors in the rolls shall be presented to the mayor, who shall forward them immediately to the authorities that drew up the rolls. These are obliged to pronounce themselves within maximum 3 days from registration.

(2) Complaints may be lodged against the solution given within 24 hours from notification. The complaint shall be settled within maximum 3 days by the court within the territorial radius of which the elector is domiciled or, in the case of those registered in special rolls, by the court within the territorial radius of which the electoral bureau of the polling station that drew up the roll is situated. The judgment is final, enforceable and is notified to those concerned within 24 hours from the passing.”

**8. Article 13 shall have the following contents:**

“Art. 13. – (1) At the request of the population record units within the competence territorial radius of which the locality is situated, the mayors shall notify the necessary information with a view to precisely determining the domicile address of the citizens living in villages, on renumbered streets or on streets the name of which was modified by decision of the local council.

(2) The mayors shall make copies of the permanent electoral rolls containing the electors in each polling station, which they shall forward in two copies to the electoral bureaux of the polling stations, within 24 hours from their drawing up. A copy shall be put at the disposal of the

electors for consultation, while the other shall be utilized on the polling day.

(3) The population record unit shall notify the mayor, within 24 hours, the modifications occurred after the sending of the copies of the electoral rolls, who shall notify immediately the court and the electoral bureau of the polling station."

**9. After Article 13, Article 13<sup>1</sup> is introduced with the following contents:**

"Art. 13<sup>1</sup>. – The model of the permanent electoral rolls, as well as the printing expenses shall be established by Government Decision."

**10. Paragraphs (1) and (2) of Article 12 shall have the following contents:**

"Art. 14. – (1) Exercising the franchise is done on the basis of the voter's card, issued under the terms of the present law. The Romanian citizens from abroad may vote also without a voter's card.

(2) The form, contents, mode of issuing and utilization of the voter's card, as well as the printing and distribution expenses shall be established by Government Decision, on the proposal of the Ministry of the Interior and of the Ministry of the Civil Service."

**11. Paragraph (1) of Article 15 shall have the following contents:**

"Art. 15. – (1) The voter's cards are valid for all electoral consultations, according to the number of polls provided for in their contents, and are issued to the voters registered in the permanent electoral rolls of the locality of domicile."

**12. Paragraphs (1), (2), (3), (4) and (6) of Article 16 shall have the following contents:**

"Art. 16. – (1) The voter's card is drawn up by the Ministry of the Interior, through the population record unit on which the locality where the voter resides is dependent.

(2) The issuing of the voter's card is made on the basis of the identity paper only to the holder and under his signature, by the Ministry of the Interior, through the population record units.

(3) The voter's cards not taken are sent by the population record units to the mayor, who, 3 days before the polling day, shall hand them over to the electoral bureaux of the polling

stations, on the basis of a minute containing the number of the voter's cards, the name, surname and domicile of the holders.

(4) After updating the permanent electoral rolls as per Art. 9 par. (1) the drawing up and issuing of the voter's cards for the citizens who reached the age of 18 until the month of January or who shall reach this age until the polling day inclusive, shall be done according to the provisions of par. (1), (2) and (3).

.....  
(6) The record of the voter's cards is ensured by the Ministry of the Interior."

**13. Paragraph (1) of Article 17 shall have the following contents:**

"Art. 17. – (1) In case of loss or destruction of the voter's card a duplicate may be issued by the authorities provided for in Art. 16 par. (2), who shall make the corresponding mention in the permanent electoral roll of the locality."

**14. Article 22 shall have the following contents:**

"Art. 22. – (1) The delimitation of the polling stations shall be established by the mayors of the communes, towns, municipalities or of the territorial-administrative subdivisions of the municipalities and shall be notified to the prefect. Within 30 days from the settling of the election date, the mayors shall notify the prefect as to the latest modifications regarding the delimitation of the polling stations.

(2) The prefects are obliged to do the numbering of all the polling stations in the county and to notify the population record county service the numbering, as well as the delimitation of each polling station.

Within 5 days from the settling of the election date, the prefects shall notify the population record county service the latest modifications regarding the delimitation of the polling stations and their numbering. Within 10 days from the settling of the election date, the prefects shall make public the numbering, as well as the delimitation of each polling station, indicating also the place where the voting shall take place.

(3) All the polling stations in a constituency are numbered, irrespective of the localities, starting with the residential locality of the county, and continuing with those in the

municipalities, the other towns and then with those in the communes, in alphabetical order; in the municipalities with territorial-administrative subdivisions, the numbering is done by observing the order of these subdivisions, provided by the law.

(4) The mayors and the secretaries of the communes, towns and the territorial-administrative subdivisions of the municipalities shall ensure all the data, information and necessary support for the carrying out by the prefects of the obligations provided for in par. (2).”

**15. Article 23 shall have the following contents:**

“Art. 23. – (1) For the purpose of a good conduct of the electoral proceedings, the Central Electoral Bureau, constituency electoral bureaux and electoral bureaux of the polling stations shall be set up for each poll, under the conditions of the present law. At the level of the districts of the Municipality of Bucharest electoral offices shall be set up.

(2) The electoral bureaux and offices are made up only of franchised citizens; the candidates are not allowed to be members of these bureaux and offices.

(3) In carrying out the duties incumbent upon the electoral bureaux and offices, all the members these are made of exercise a function that implies the state authority. The correct and impartial exercise of this function is compulsory.”

**16. Letters d), e), f) and h) of par. (1) of Article 27 shall have the following contents:**

“d) they shall settle the objections regarding their own activity and the complaints regarding the proceedings of the electoral bureaux of the polling stations or, as the case may be, of the electoral offices, within the constituency in which they function;

e) they shall distribute, together with the mayors, the ballot papers, the control stamp, and the stamps with the mention ‘Voted’ to the electoral bureaux of the polling stations. The constituency electoral bureau of the Municipality of Bucharest shall distribute these materials.

f) they shall add up the returns from the polling stations and send to the Central Electoral Bureau the minute containing the number of votes validly expressed for each list of candidates. The constituency electoral bureau of the Municipality of Bucharest shall add up the election returns

from the electoral offices and shall send to the Central Electoral Bureau the minute containing the number of validly expressed votes for each list of candidates.

.....  
h) shall forward to the Central Electoral Bureau the minutes containing the election returns, as well as the objections, claims and the minutes received from the electoral bureaux of the polling stations, and in the Municipality of Bucharest from the electoral offices.”

**17. After Article 27 articles 27<sup>1</sup> and 27<sup>2</sup> are introduced with the following contents:**

“Art. 27<sup>1</sup>. – (1) The electoral offices are made of a president, a deputy and maximum 7 members, representatives of the parties or political alliances participating in the elections in the constituency in which they function.

(2) The president and the deputy are magistrates, designated by the president of the Bucharest Tribunal 20 days before the election date, by drawing lots, out of the judges in office of the tribunal. The provisions of Art. 28 par. (6), (7), (8), (9), (10) and (11) shall apply accordingly.

Art. 27<sup>2</sup>. – The electoral offices of the districts of the Municipality of Bucharest shall have the following duties:

a) they shall distribute, together with the mayors, the voter’s cards, the control stamp and the stamp with the mention ‘Voted’ to the electoral bureaux of the polling stations;

b) they shall add up the election returns from the polling stations and shall send to the constituency electoral bureau of the Municipality of Bucharest the minute containing the number of validly expressed votes for each list of candidates;

c) they shall settle the objections regarding their own activity and the complaints regarding the operations of the electoral bureaux of the polling stations;

d) they shall forward to the constituency electoral bureau the minutes containing the election returns, as well as the objections, complaints and minutes received from the electoral bureaux of the polling stations.”

**18. Letters a) and e) of Article 29 shall have the following contents:**

“a) they shall receive the copy of the sent lists, according to Art. 13 par. (2), and the voter’s cards, not taken according to Art. 16 par. (3), and from the constituency electoral bureaux, the ballot papers for the electors that are to vote at the polling station, the control stamp and the stamps with the mention ‘Voted’. In the Municipality of Bucharest, the ballot papers, the control stamp and the stamps with the mention ‘Voted’ are received from the electoral offices;

.....  
 e) they shall forward to the constituency electoral bureaux or, as the case may be, to the electoral offices the minutes containing the polling returns, together with the complaints submitted and the materials they refer to;”

**19. Article 30 shall have the following contents:**

“Art. 30. – The electoral bureaux and offices work in the presence of the majority of their members and take decisions with the vote of the majority of the members present.”

**20. Article 32 shall have the following contents:**

“Art. 32. – (1) The parties and the political alliances participating in the elections, as well as the independent candidates may question the mode of formation and the composition of the electoral bureaux and offices within maximum 48 hours from the expiry of the term for their setting up or, as the case may be, for the completion of these electoral bureaux and offices.

(2) The complaints shall be settled by the constituency electoral bureau if they concern the electoral bureau of the polling station, by the Central Electoral Bureau, if they concern the constituency electoral bureau or by the Supreme Court of Justice if they concern the Central Electoral Bureau, within maximum two days from registration. The decision passed is final. In the Municipality of Bucharest the complaints shall be settled by the electoral office, if they concern the electoral bureau of the polling station, and by the constituency electoral bureau if they concern the electoral offices.”

**21. Paragraph (1) of Article 42 shall have the following contents:**

“Art. 42. – (1) The ballot papers shall be handed over to the president of the constituency electoral bureau who shall distribute them to the presidents of the electoral bureaux of

the polling stations at least two days before the election date. In the Municipality of Bucharest the president of the constituency electoral bureau shall distribute, three days before the date of the elections, the ballot papers to the presidents of the electoral offices who shall hand them over to the electoral bureaux of the polling stations two days before the date of the elections. The handing over and the distribution of the ballot papers shall be done in sealed packages of 100 pieces each, on the basis of minutes.”

**22. Paragraph (3) of Article 49 shall have the following contents:**

“(3) The stamps and the other materials required by the electoral bureaux of the polling stations shall be handed over on the basis of minutes, by the mayors, together with the presidents of the constituency electoral bureaux or, as the case may be, those of the electoral offices, to the presidents of the polling stations, at least two days before the date of the elections. After taking over the ballot papers and the stamps, the president of the polling station ensures their safe storage.”

**23. Paragraph (1) of Article 50 shall have the following contents:**

“Art. 50. – (1) On election day at 6:00 hours the president of the electoral bureau of the polling station, in the presence of the other members, shall verify the ballot boxes, the existence of the electoral rolls, of the ballot papers and of the stamps, after which he shall close and seal the ballot boxes, applying the control stamp of the polling station.”

**24. Paragraph (4) of Article 51 shall have the following contents:**

“(4) The accreditation of the delegates for the Romanian press, cinematography, radio and television stations shall be made by the Central Electoral Bureau, while for the foreign press, cinematography, radio and television stations, as well as for the representatives of certain international organizations, by the Central Electoral Bureau, with the approval of the Ministry of Foreign Affairs. The infringement of the accrediting terms brings about, according to the law, the cancellation of the accreditation.”

**25. Article 52 shall have the following contents:**

“Art. 52. – Voting shall start at 7:00 hours and shall end at 21:00 hours.”

**26. Paragraphs (2) and (9) of Article 54 shall have the following contents:**

“(2) The electors who, according to Article 16 par. (3), have received the voter’s card from the polling station shall sign for receipt in the minute drawn up at the handing over by the mayors of the unclaimed voter’s cards.

.....  
(9) The stamp entrusted to the voter for the voting shall be returned to the president, after which the president shall apply it on the voter’s card in the place corresponding to the number of the ballot, mentioning also the date.”

**27. Article 60 shall have the following contents:**

“Art. 60. – At 21:00 hours the president of the electoral bureau of the polling station declares the voting concluded and orders the closing of the polling station.”

**28. Paragraph (1) of Article 64 shall have the following contents:**

“Art. 64. – (1) A file each shall be set for the Chamber of Deputies and for the Senate that shall include the minutes and the complaints regarding the proceedings of the polling station, as well as the void ballot papers and the contested ones. The sealed files and the stamps shall be forwarded to the constituency electoral bureau or to the electoral office, as the case may be, by the president of the electoral bureau of the polling station and the members of the bureau, under military guard, within maximum 24 hours from declaring closed the polling station. Within 24 hours from receipt, the electoral offices shall forward the sealed files and the stamps to the constituency electoral bureau of the Municipality of Bucharest.”

**29. After Article 64 Article 64<sup>1</sup> is introduced with the following contents:**

“Art. 64<sup>1</sup>. – The electoral office, after the receipt of the minutes containing the election returns, shall conclude, separately, for the Chamber of Deputies and for the Senate, one minute each containing the total of the validly expressed votes for each party or political alliance, which shall be forwarded within 24 hours to the constituency electoral bureau of the Municipality of Bucharest.”

**30. Paragraph (3) of Article 67 shall have the following contents:**

“(3) The minute, together with the objections, complaints and the minutes received from the electoral bureaux of the polling stations, and from the electoral offices, as the case may

be, forming a file, closed, sealed and signed by the members of the electoral bureau, shall be forwarded, under military guard, to the Central Electoral Bureau within maximum 48 hours from receiving the communication of the Central Electoral Bureau regarding the spreading, per constituencies, of the mandates distributed throughout the country.”

**31. Paragraph (1) of Article 71 shall have the following contents:**

“Art. 71. – (1) If the by-elections take place as a result of the nullification of the elections in a constituency, they shall be held on the basis of the same candidatures, electoral bureaux, electoral offices and at the same polling stations, on the 3<sup>rd</sup> Sunday following the nullification of the initial elections.”

**32. Article 73 shall have the following contents:**

“Art. 73. – The offences stipulated in Art. 72 let. d), e), h), n) and o) shall be sanctioned with fine from 300,000 lei to 700,000 lei, those stipulated in let. f), g), k), l) and m), with fine from 700,000 lei to 2,000,000 lei, and those stipulated in let. a), b), c), i) and j), with contravention imprisonment from one month to 6 months or with fine from 2,000,000 lei to 8,000,000 lei.”

**33. Paragraph (2) of Article 83 shall have the following contents:**

“(2) The seat and the equipment of the Central Electoral Bureau shall be ensured by the Government, those of the constituency electoral bureaux by the prefects and the presidents of the county councils, while those of the electoral offices and of the electoral bureaux of the polling stations, by the mayors together with the prefects.”

**34. Paragraph (2) of Article 88 shall have the following contents:**

“(2) Likewise, in case the prefects find that an elector has not been registered in or has been struck off from the electoral rolls, according to the law, or that the constituency electoral bureaux, the electoral offices or the electoral bureaux of the polling stations have not been legally constituted, they shall formulate objections and complaints, that shall be settled in accordance with the provisions of the present law.”

**35. Article 89 shall have the following contents:**

“Art. 89. – By *identity document*, in the sense of the present law, it is understood the identity card, the provisional identity card, the identity paper, the certificate standing for the identity paper or the diplomatic or service passport, and in the case of conscripts and of students in the military schools, the military service card.”

**36. Article 92 shall have the following contents:**

“Art. 92. – (1) For the 2000 elections, the Ministry of the Interior shall ensure the drawing up and the issuing of the voter’s cards, under the terms of the present law. For the citizens with a right to vote, owners of an identity paper, the voter’s cards shall be issued at the same time with the identity cards, under the terms of the law.

(2) Until the finalization of the process of issuing the identity cards, according to the law, for the citizens with a right to vote that do not have an identity card, that is a voter’s card, after voting, on the identity document of each elector, the stamp with the mention ‘Voted’ and the date shall be applied.”

**37. Paragraph (1) of Article 93 shall have the following contents:**

“Art. 93. – (1) The Central Electoral Bureau may accredit as internal observers only the specially authorized persons by a non-governmental organization, legally constituted before the opening of the electoral campaign, that has as sole aim the defence of human rights.”

**38. Article 94 shall have the following contents:**

“Art. 94. – (1) The utilized or unutilized ballot papers, the minutes and the stamps required for the voting, received by the tribunals from the constituency electoral bureaux, shall be kept in the archives, separately from the other documents of the court, for a period of 3 months from the publishing of the election returns in the Official Gazette of Romania.

(2) After the completion of the term provided for in par. (1) the tribunals, with the support of the prefects, shall hand over, for melting, to specialized economic units, the ballot papers and the other materials utilized in the polling process, which they received from the constituency electoral bureaux.”

**Art. II.** – (1) The delimitation of the polling stations, established according to Art. 22 par. (1) of the Law No. 68/1992, is notified to the prefects within 5 days from the date of coming into force of the present expeditious ordinance.

(2) The numbering by the prefects of all the polling stations within the radius of the county, and the notification to the population record county service, of the numbering, as well as of the delimitation of each polling station, according to Art. 22 par. (2) of the Law No. 68/1992, shall be done within 15 days from the date of coming into force of the present expeditious ordinance.

**Art. III.** – Paragraph (1) of Article 28 of the Law No. 69/1992 on the election of the President of Romania, published in the Official Gazette of Romania, Part I, No. 164 of July 16, 1992, is hereby modified and shall have the following contents:

“Art. 28. – (1) The statutory provisions for the election to the Chamber of Deputies and the Senate, referring to the covering of the electoral expenses, the stamp fee, the support by the Government of the activity of the electoral bureaux, of the electoral offices, to the storage of the materials required for the voting, and to the settlement by the courts of law of the objections, of the complaints and of any other demands, shall also apply with regard to the elections for the President of Romania.”

**Art. IV.** – The Law No. 70/1991 on local elections, republished, with the subsequent modifications and completions, is modified and completed as follows:

**1. In Article 2, after paragraph (1) the paragraph (1<sup>1</sup>) is introduced with the following contents:**

“(1<sup>1</sup>) The exercise of the right to vote is carried out on the basis of a voter’s card, issued under the terms provided by the Law No. 68/1992 on the election to the Chamber of Deputies and the Senate, and of the identity document.”

**2. In Article 7, after paragraph (2) paragraph (2<sup>1</sup>) is introduced with the following contents:**

“(2<sup>1</sup>) The number of the ballot in the voter’s card is established and is publicly notified by the Government, at the same time with the date of the elections.”

**3. Article 9 shall have the following contents:**

“Art. 9. – The numbering of the constituencies in each county, of the Municipality of Bucharest, and in the Municipality of Bucharest is made by the prefects within 3 days from the settling of the date of the elections. The prefects are obliged to notify the population record county service the numbering of the constituencies within 5 days from the settling of the date of the elections.”

**4. Article 13 shall have the following contents:**

“Art. 13. – (1) The delimitation and the numbering of the polling stations are made under the conditions provided for in the Law No. 68/1992.

(2) The mayor notifies the voters the delimitation and the numbering of the polling stations within 20 days from the settling of the election date.”

**5. Paragraphs (2), (3), (4), (5) and (7) of Article 14 shall have the following contents:**

“(2) The citizens have the right to verify the registrations made in the electoral rolls. The objections against omissions, wrong registrations or any other errors in the rolls are presented to the mayor. He immediately sends them to the authorities that drew up the rolls.

(3) The authorities that drew up the electoral rolls are obliged to pronounce themselves within maximum 3 days from the registration of the application.

(4) A complaint may be filed against the solution, within 24 hours from communication. The complaint shall be settled within maximum 3 days from registration, by the court in the territorial radius of which the polling station is situated. The judgment is final and is notified to those interested within 24 hours from passing.

(5) The mayors shall make copies of the permanent electoral rolls, containing the voters from each polling station, and they shall send these in two copies to the electoral bureaux of the polling stations, within 24 hours from their setting up. One copy shall be put at the disposal of the voters for consultation, while the other shall be utilized on polling day.

.....  
(7) The electoral rolls shall be signed by the representative of the Ministry of the Interior, respectively by the head of the population record unit, and by the mayor.”

**6. Article 15 shall have the following contents:**

“Art. 15. – The copies of the permanent electoral rolls are completed separately for each polling station. They shall include all the citizens with a right to vote, who have their domicile in the constituency in which the elections are organized and who, according to the delimitation made in keeping with the provisions of Art. 13, shall carry out their franchise at the respective station. These copies shall include: the name and surname, the identity number, the domicile, the number of the constituency, the number of the polling station, as well as a column for the signature of the voter.”

**7. Paragraph (2) of Article 16 shall have the following contents:**

“(2) Any discrepancy between the copy and the permanent electoral roll shall be settled by the head of the population record unit, on the basis of the data included in the permanent electoral roll. The provisions of Art. 14 par. (2) shall apply accordingly.”

**8. Paragraphs (1) and (2) of Article 17 shall have the following contents:**

“Art. 17. – (1) At the request of the citizens with a right to vote, who established their residence in the constituency where the elections take place, at least 3 months before the ballot, these shall be registered by the head of the population record unit in an additional electoral roll, on the basis of the identity document.

(2) The head of the population record unit, to which belongs the locality of residence, shall request the striking off of the person from the electoral roll attached to his domicile. The request shall be made in writing or by phone. The telephone requests in the form of notes shall be entered in a special register.”

**9. Article 20 shall have the following contents:**

“Art. 20. – The head of the population record unit shall notify the constituency electoral bureau the number of voters resulting from the permanent electoral rolls within 24 hours from its being set up. The final number of voters shall be notified to the constituency electoral bureau 10 days before the date of the elections.”

**10. Letter e) of Article 23 shall have the following contents:**

“e) to establish, on the basis of the number of voters registered in the permanent electoral rolls, notified according

to the provisions of Art. 20, the number of supporters required for putting forward independent candidatures;"

**11. Letter a) of Article 26 shall have the following contents:**

"a) to receive, from the mayors, the copies of the permanent electoral rolls, and from the population record unit, the additional electoral rolls, and to ensure the necessary conditions for their verification by the voters; to receive from the constituency electoral bureaux the ballot papers for the voters who are to vote at the respective station, the control stamp and the stamps with the mention 'Voted';"

**12. Paragraph (1) of Article 61 shall have the following contents:**

"Art. 61. – (1) On polling day, at 6:00 hours, the president of the electoral bureau of the polling station, in the presence of the other members, verifies the ballot boxes, the existence of the electoral rolls, of the ballot papers and of the stamps, after which he closes and seals the ballot boxes, applying the control stamp of the polling station."

**13. Article 63 shall have the following contents:**

"Art. 63. – The voting takes place in a single day. It starts at 7:00 hours and ends at 21:00 hours."

**14. Paragraph (2), (8) and (10) of Article 64 shall have the following contents:**

"(2) The access of the voters to the polling room shall take place in series corresponding to the number of booths. Each voter shall present the voter's card and the identity document to the electoral bureau of the polling station which, after verifying the registration in the electoral roll, shall hand over the ballot papers and the voting stamp.

.....  
(8) The stamp entrusted for voting shall be returned to the president, after which he will apply it on the voter's card in the place corresponding to the number of the ballot mentioning also the date.  
.....

(10) Until the finalization of the process of issuing the identity cards according to the law, for the citizens with a right to vote, who do not hold an identity card, respectively a voter's card, after the voting, on the identity document of each voter the stamp with the mention 'Voted' and the date shall be applied."

**15. Paragraph (11) of Article 64 shall be abrogated.**

**16. Paragraph (1) of Article 80 shall have the following contents:**

"Art. 80. – (1) In case one of the candidates to the position of mayor, among whom a second ballot is to take place, according to the provisions of Art. 78 par. (4), should die, give up or no longer meet the conditions provided by the law for being elected, in the second ballot shall participate the candidate situated on the next place."

**17. Paragraph (1) of Article 84 shall have the following contents:**

"Art. 84. – (1) The validated county councillors or those of the Municipality of Bucharest may not be members of the local councils at the same time; the vacancies are completed according to Art. 77 par. (9). The candidates elected both in the position of local councillor, as well as in the position of county councillor are obliged to choose one of the two positions within 10 days from the date of the last validation."

**18. Letter i) of Article 85 shall have the following contents:**

"i) the unjustified refusal to hand over the ballot paper and the voting stamp to the voter registered in the roll, who produces the voter's card and the identity document, as well as the handing over of the ballot paper to a voter who does not produce these documents;"

**19. Paragraph (1) of Article 91 shall have the following contents:**

"Art. 91. – (1) The printing and utilization of forged ballot papers, the introduction into the ballot box of an additional number of ballot papers compared to those voted by the voters, the forgery by any means of the documents from the electoral bureaux, as well as the utilization of a null or forged voter's card shall be punished with imprisonment from 2 to 7 years."

**20. Paragraph (2) of Article 110 shall have the following contents:**

"(2) One year before the expiry of the normal duration of the mandate, elections for the local councils, county councils, mayors, the General Council of the Municipality of Bucharest, and for the general mayor shall no longer be organized."

**Art. V.** – On the date of coming into force of the present expeditious ordinance shall be abrogated:

– the annexes No. 1 and 2 to the Law No. 68/1992 on the election to the Chamber of Deputies and the Senate, published in the Official Gazette of Romania, Part I, No. 164 of July 16, 1992, with the subsequent modifications;

– the Government Decision No. 729/1992 on organizing the activity of drawing up and issuing of the voter's card, published in the Official Gazette of Romania, Part I, No. 325 of December 14, 1992;

– the Government Decision No. 758/1993 on the approval of the Methodology regarding the drawing up and the issuing of the voter's cards, published in the Official Gazette of Romania, Part I, No. 31 of February 1, 1994, with the subsequent modifications, as well as any other provisions to the contrary.

**Art. VI.** – The provisions of the present expeditious ordinance shall apply to the local elections of the year 2000, except for the provisions of points 16 and 17 of Art. IV.

**Art. VII.** – The Law No. 68/1992 on the election to the Chamber of Deputies and the Senate, the Law No. 69/1992 on the election of the President of Romania and the Law No. 70/1991 on local elections, with the subsequent modifications and completions and with those brought in by the present expeditious ordinance, shall be republished in the Official Gazette of Romania, Part I, after their approval by the Parliament, giving the texts a new numbering.

## **EXPEDITIOUS ORDINANCE**

### **No. 129/2000**

**on the modification of the Law No. 68/1992  
on the election to the Chamber of Deputies  
and the Senate, and of the Law No. 69/1992  
on the election of the President of Romania\***

**Art. I.** – The Law No. 68/1992 on the election to the Chamber of Deputies and the Senate, published in the Official Gazette of Romania, Part I, No. 164 of July 16, 1992, with the subsequent modifications and completions, is hereby modified and completed as follows:

**1. Paragraph (6) of Article 3 shall have the following contents:**

“(6) The numbering of the constituencies, and the number of Deputies and Senators who are to be elected in each constituency are provided for in Annex No. 1 which is an integral part of the present law.”

**2. Letter c) of paragraph (1) of Article 25 shall have the following contents:**

“(c) it shall receive from the constituency electoral bureaux the minutes containing the number of validly expressed votes for each roll of candidates and it shall establish whether there are parties, political formations or alliances of these that did not meet the electoral ceiling stipulated in Art. 65 par. (2); it shall notify the constituency electoral bureaux and make public, within 24 hours from the finding, the parties, political formations or the alliances of these, which are in such a position;”

**3. Paragraph (2) of Article 34 shall have the following contents:**

“(2) Likewise, the prefects, sub-prefects and the heads of the public services of the ministries and of other bodies of the specialized central public administration, decentralized in the territorial-administrative units, may not stand for the constituencies set up in the territorial-administrative units in which they carry out their duties, after the date of the official start of the electoral campaign.”

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\* The Expeditious Government Ordinance No. 129/June 30, 2000 was published in the Official Gazette of Romania, Part I, No. 311/July 5, 2000.

**4. Paragraphs (1) and (2) of Article 62 shall have the following contents:**

“Art. 62. – (1) After opening the ballot boxes and the counting of the votes, the president of the electoral bureau of the polling station shall draw up, separately for the Chamber of Deputies and for the Senate, a minute in 3 copies, that shall include:

- a) the number of electors, according to the permanent electoral rolls;
- b) the number of electors that reported to the polls; the breakdown up of this number according to the electors in the permanent electoral roll and in the special one;
- c) the total number of validly expressed votes;
- d) the number of void votes;
- e) the number of validly expressed votes, obtained by each list of candidates or by each independent candidate;
- f) a short presentation of the objections and complaints and of the manner of their settlement, as well as of the complaints sent for settlement to the constituency electoral bureau;
- g) the state of the seals on the ballot boxes at the closing of the voting;
- h) the number of ballot papers received;
- i) the number of unused and voided ballot papers.

(2) The minutes shall be signed by the president and by the members of the bureau, and shall have the control stamp applied. The signatures shall be put in line with the surname, name and, as the case may be, with the political affiliation of each member. A copy of the minute shall be posted up, in a visible place, at the seat of the electoral bureau of the polling station.”

**5. Article 65 shall have the following contents:**

“Art. 65. – (1) After the receipt of the minutes with the election returns, the constituency electoral bureau shall draw up, separately for the Chamber of Deputies and for the Senate, minutes containing the validly expressed votes for each party, political formation or their coalition, which shall be sent to the Central Electoral Bureau within 24 hours.

(2) After the receipt of the minutes drawn up by the constituency electoral bureaux according to par. (1), the Central Electoral Bureau shall establish the parties, political

formations or their coalitions that meet the electoral ceiling, separately for the Chamber of Deputies and the Senate. The electoral ceiling represents the minimum number of validly expressed votes for the parliamentary representation, expressed in percentages, as follows:

- a) 5% of the validly expressed votes throughout the country, for the political parties or political formations;
- b) in the case of political coalitions, to the 5% ceiling stipulated at let. a) is added, for the second party member of the political coalition, 3% of the validly expressed votes throughout the country, and, for each member of the political coalition, starting with the third party, one single percentage (1%) of the validly expressed votes throughout the country, but not more than 10%.

(3) After the receipt from the Central Electoral Bureau of the finding regarding the parties, the political formations or their coalitions that meet and do not meet the electoral ceiling, the constituency electoral bureau shall proceed to the assignment of the mandates of Deputy, respectively of Senator, as per Art. 66.

(4) The candidates and the accredited persons have the right to be present at the proceedings of the constituency electoral bureau.”

**6. Paragraphs (1) and (2) of Article 66 shall have the following contents:**

“Art. 66. – (1) The assignment of mandates to the candidates on the lists is made by taking into account only the parties, political formations or their coalitions that met the electoral ceiling stipulated in Art. 65 par. (2), distinctly for the Chamber of Deputies and for the Senate.

(2) The operation of assignment of the mandates is made after the notification by the Central Electoral Bureau regarding the parties, political formations and their coalitions that met the electoral ceiling stipulated in Art. 65 par. (2), distinctly for the Chamber of Deputies and for the Senate.”

**7. Article 91 shall be abrogated.**

**8. Annex No. 1 shall have the contents stipulated in the annex that is an integral part of the present expeditious ordinance.**

**Art. II.** – The Law No. 69/1992 on the election of the President of Romania, published in the Official Gazette of

Romania, Part I, No. 164 of July 16, 1992, with the subsequent modifications and completions, is hereby modified as follows:

**1. Paragraph (2) of Article 3 shall have the following contents:**

“(2) The candidatures nominated by the parties, political formations or political coalitions, as well as the independent candidatures may be filed only if they are supported by at least 300,000 electors. An elector may support only one candidate.”

**2. Letter c) of paragraph (2) of Article 9 shall have the following contents:**

“c) they are accompanied by the statement of acceptance of the candidature, written, signed and dated by the candidate, as well as by the list or lists of supporters, whose number may not be smaller than 300,000 electors.”

**3. Paragraph (3) of Article 9 shall have the following contents:**

“(3) The list of supporters is a public document, under the sanction provided by Art. 292 of the Criminal Code. The list or lists of supporters has to contain the date of the elections, the name and surname of the candidate, as well as the name and surname, date of birth, address, denomination, series and number of the identity document and the signatures of the electors that support the candidature. In the list there shall also be mentioned the name and surname of the person that drew it up. The person that drew up the list is obliged to submit a statement on one’s own responsibility by which to certify the truthfulness of the supporters’ signatures.”

**4. Paragraphs (1) and (2) of Article 21 shall have the following contents:**

“Art. 21. – (1) After opening the ballot boxes and counting the votes, the president of the polling station bureau shall draw up a minute in 3 copies, which shall include:

- a) the number of electors according to the permanent electoral rolls;
- b) the number of electors that reported to the polls; the breakdown of this number according to the electors in the permanent roll and in the special one;
- c) the total number of validly expressed votes;
- d) the number of void votes;

e) the number of validly expressed votes for each candidate;

f) a short presentation of the objections and complaints and of the manner of their settlement, as well as of the complaints forwarded for settlement to the constituency electoral bureau.

(2) The minutes shall be signed by the president and the members of the bureau. A copy of the minute shall be posted up, in a visible place, at the seat of the electoral bureau of the polling station.”

**Art. III.** – The syntagms *political coalitions* and *electoral coalitions* in the contents of the Law No. 68/1992 on the election to the Chamber of Deputies and the Senate, published in the Official Gazette of Romania, Part I, No. 164 of July 16, 1992, with the subsequent modifications and completions, and of the Law No. 69/1992 on the election of the President of Romania, published in the Official Gazette of Romania, Part I, No. 164 of July 16, 1992, with the subsequent modifications and completions shall be replaced by the syntagm *political alliances*.

**Art. IV.** – Any provisions to the contrary shall be abrogated on the date of coming into force of the present expeditious ordinance.

*ANNEX*

NUMBERING AND NUMBER OF MANDATES  
FOR EACH CONSTITUENCY

| Constituency number | Territorial location | Number of:      |                  |
|---------------------|----------------------|-----------------|------------------|
|                     |                      | Deputy mandates | Senator mandates |
| Constituency No. 1  | Alba                 | 6               | 2                |
| Constituency No. 2  | Arad                 | 7               | 3                |
| Constituency No. 3  | Argeş                | 10              | 4                |
| Constituency No. 4  | Bacău                | 11              | 5                |
| Constituency No. 5  | Bihor                | 9               | 4                |
| Constituency No. 6  | Bistriţa-Năsăud      | 5               | 2                |
| Constituency No. 7  | Botoşani             | 7               | 3                |

| Constituency number | Territorial location      | Number of:      |                  |
|---------------------|---------------------------|-----------------|------------------|
|                     |                           | Deputy mandates | Senator mandates |
| Constituency No. 8  | Braşov                    | 9               | 4                |
| Constituency No. 9  | Brăila                    | 6               | 2                |
| Constituency No. 10 | Buzău                     | 7               | 3                |
| Constituency No. 11 | Caraş-Severin             | 5               | 2                |
| Constituency No. 12 | Călăraşi                  | 5               | 2                |
| Constituency No. 13 | Cluj                      | 10              | 5                |
| Constituency No. 14 | Constanţa                 | 11              | 5                |
| Constituency No. 15 | Covasna                   | 4               | 2                |
| Constituency No. 16 | Dâmboviţa                 | 8               | 3                |
| Constituency No. 17 | Dolj                      | 11              | 5                |
| Constituency No. 18 | Galaţi                    | 9               | 4                |
| Constituency No. 19 | Giurgiu                   | 4               | 2                |
| Constituency No. 20 | Gorj                      | 6               | 2                |
| Constituency No. 21 | Harghita                  | 5               | 2                |
| Constituency No. 22 | Hunedoara                 | 8               | 3                |
| Constituency No. 23 | Ialomiţa                  | 4               | 2                |
| Constituency No. 24 | Iaşi                      | 12              | 5                |
| Constituency No. 25 | Ilfov                     | 4               | 2                |
| Constituency No. 26 | Maramureş                 | 8               | 3                |
| Constituency No. 27 | Mehedinţi                 | 5               | 2                |
| Constituency No. 28 | Mureş                     | 9               | 4                |
| Constituency No. 29 | Neamţ                     | 8               | 4                |
| Constituency No. 30 | Olt                       | 7               | 3                |
| Constituency No. 31 | Prahova                   | 12              | 5                |
| Constituency No. 32 | Satu Mare                 | 6               | 2                |
| Constituency No. 33 | Sălaj                     | 4               | 2                |
| Constituency No. 34 | Sibiu                     | 6               | 3                |
| Constituency No. 35 | Suceava                   | 10              | 4                |
| Constituency No. 36 | Teleorman                 | 7               | 3                |
| Constituency No. 37 | Timiş                     | 10              | 4                |
| Constituency No. 38 | Tulcea                    | 4               | 2                |
| Constituency No. 39 | Vaslui                    | 7               | 3                |
| Constituency No. 40 | Vâlcea                    | 6               | 3                |
| Constituency No. 41 | Vrancea                   | 6               | 2                |
| Constituency No. 42 | Municipality of Bucharest | 29              | 13               |
| <b>TOTAL:</b>       |                           | <b>327</b>      | <b>140</b>       |

## EXPEDITIOUS ORDINANCE No. 140/2000

### on the modification and completion of the Law No. 68/1992 on the election to the Chamber of Deputies and the Senate, and of the Law No. 69/1992 on the election of the President of Romania\*

**Art. I.** – The Law No. 68/1992 on the election to the Chamber of Deputies and the Senate, published in the Official Gazette of Romania, Part I, No. 164 of July 16, 1992, with the subsequent modifications and completions, is hereby modified and completed as follows:

**1. Paragraph (1) of Article 6 shall have the following contents:**

“Art. 6. – (1) The date of the elections is established and is made publicly known by the Government at least 45 days before the polling day and up to and including 5 days from the date on which the term stipulated in Art. 60 par. (2) of the Constitution starts running.”

**2. Paragraph (3) of Article 16 shall have the following contents:**

“(3) The unclaimed voter’s cards shall be sent to the mayor by the unit of computerized record of the person to which the locality is attached, who, by at least one day before the date of the elections, shall hand them over to the electoral bureaux of the polling stations on the basis of a minute containing the number of voter’s cards, the name, surname, and domicile of the holders.”

**3. Paragraph (4) of Article 22 shall have the following contents:**

“(4) The mayors and the secretaries of the communes, towns, municipalities and of the territorial-administrative subdivisions of the municipalities shall ensure all the data, information and necessary support for the carrying out by the prefects of the obligations stipulated in par. (2).”

\* The Expeditious Government Ordinance No. 140/September 14, 2000 was published in the Official Gazette of Romania, Part I, No. 467/September 26, 2000.

**4. Letter a) of paragraph (1) of Article 25 shall have the following contents:**

“a) it shall observe the updating of the permanent electoral rolls, shall follow up the applying of the statutory provisions regarding the elections on the entire territory of the country, and shall ensure their uniform interpretation;”

**5. Letters f) and g) of paragraph (1) of Article 27 shall have the following contents:**

“f) they shall add up the election returns from the polling stations, and send to the Central Electoral Bureau the minute containing the number of validly expressed votes for each list of candidates. The constituency electoral bureau of the Municipality of Bucharest shall add up the election returns sent from the electoral offices and shall communicate to the Central Electoral Bureau the minute containing the number of validly expressed votes for each roll of candidates;

g) on the basis of the finding of the Central Electoral Bureau with regard to the parties, political formations or their coalitions which do not meet the electoral ceiling stipulated in Art. 65 par. (2), they shall establish the election returns for the constituency, and shall issue to the Deputies or, as the case may be, to the Senators, the provable certificate of the election;”

**6. Letter a) of Article 27<sup>2</sup> shall have the following contents:**

“a) shall receive the ballot papers, the control stamp and the stamp with the mention ‘Voted’ from the constituency electoral bureau of the Municipality of Bucharest and shall distribute these materials, together with the mayors, to the electoral bureaux of the polling stations;”

**7. Paragraph (2) of Article 34 shall have the following contents:**

“(2) Likewise, the prefects and sub-prefects may not stand for the constituencies set up in the territorial-administrative units in which they carry out their duties after the date of the official start of the electoral campaign.”

**8. Paragraph (2) of Article 41 shall have the following contents:**

“(2) The printing of the ballot papers shall be ensured by the constituency electoral bureaux, through the prefects. The prefects are responsible for all the ballot papers to be printed by at least 3 days before the date of the elections.”

**9. Article 42 shall have the following contents:**

“Art. 42. – (1) The ballot papers shall be handed over to the president of the constituency electoral bureau, who shall distribute them to the presidents of the electoral bureaux of the polling stations by at least one day before the date of the elections. In the Municipality of Bucharest the president of the constituency electoral bureau shall distribute, by at least two days before the date of the elections, the ballot papers to the presidents of the electoral offices, who shall hand them over to the presidents of the electoral bureaux of the polling stations by at least one day before the date of the elections. The handing over and the distribution of the ballot papers shall be made in sealed packages of 100 pieces each, on the basis of a minute.

(2) Two copies each of the ballot papers, initialled and cancelled by the president of the constituency electoral bureau shall be posted up on the eve of the elections at the seat of the law courts, as well as at the seat of each polling station.”

**10. Paragraph (3) of Article 49 shall have the following contents:**

“(3) The stamps and the other materials required by the electoral bureaux of the polling stations shall be handed over on the basis of minutes by the mayors, together with the presidents of the constituency electoral bureaux or, as the case may be, of the electoral offices, to the presidents of the polling stations by at least one day before the date of the elections. After taking over the ballot papers and the stamps, the president of the polling station shall ensure their fully safe storage.”

**11. Article 64<sup>1</sup> shall have the following contents:**

“Art. 64<sup>1</sup>. – The electoral office, after receiving the minute containing the result of the counting of the votes, shall draw up, according to Art. 62 par. (1) let. a) – f), h) and i), par. (2), (3), and (4), separately for the Chamber of Deputies and for the Senate, one minute each containing the total of the validly expressed votes for each party or political alliance, which it shall send within 24 hours to the constituency electoral bureau of the Municipality of Bucharest.”

**12. Letter l) of Article 72 shall have the following contents:**

“l) the continuation of the electoral propaganda, in the press, at the radio or television stations included, as well as

advising, on polling day, the voters, in the press, at the radio and television stations, as well as at the seat of the polling stations or in the places provided under Art. 51 par. (2), to vote or not to vote a certain party, a certain political formation, political alliance or an independent candidate;”

**13. Paragraph (2) of Article 83 shall have the following contents:**

“(2) The seat and the equipment of the Central Electoral Bureau shall be provided by the Government, those of the constituency electoral bureaux by the prefects and the presidents of the county councils, respectively by the mayor of the Municipality of Bucharest, while those of the electoral offices, as well as those of the electoral bureaux of the polling stations, by the mayor, together with the prefects.”

**14. Article 90 shall be abrogated.**

**15. Article 93 is completed with par. (4) with the following contents:**

“(4) The minutes handed over to the Central Electoral Bureau, its registers, as well as all the documents and materials from the Central Electoral Bureau, resulting from the electoral process for the election to the Chamber of Deputies and the Senate, shall be stored, in accordance with the Law on the Public Record Office No. 16/1996, in the archives of the Supreme Court of Justice, separately from the other documents of the court.”

**Art. II.** – The Law No. 69/1992 on the election of the President of Romania, published in the Official Gazette of Romania, Part I, No. 164 of July 16, 1992, with the subsequent modifications and completions, is hereby modified as follows:

**1. Paragraph (1) of Article 4 shall have the following contents:**

“Art. 4. – (1) The date of the elections shall be established and brought to the public knowledge by the Government by at least 45 days before the polling day and up to and including 5 days since the date of expiry of the mandate of the President in office or, as the case may be, since the date when the term provided under Art. 96 par. (2) of the Constitution starts to run.”

**2. Paragraph (3) of Article 12 shall have the following contents:**

“(3) The printing of the ballot papers shall be ensured by the constituency electoral bureaux through the prefects, by observing the statutory provisions regarding the printing of the ballot papers for the election to the Chamber of Deputies and the Senate, which shall apply accordingly. The prefects shall be responsible for all the necessary ballot papers to be printed by at least 3 days before the date of the elections.”

## **EXPEDITIOUS ORDINANCE**

### **No. 154/2000**

#### **on the modification and completion of the Law No. 68/1992 on the election to the Chamber of Deputies and the Senate, and the modification of the Law No. 69/1992 on the election of the President of Romania\***

**Art. I.** – The Law No. 68/1992 on the election to the Chamber of Deputies and the Senate, published in the Official Gazette of Romania, Part I, No 164 of July 16, 1992, with the subsequent modifications and completions, is hereby modified and completed as follows:

**1. Paragraph (1) of Article 5 shall have the following contents:**

“Art. 5. – (1) The candidatures for the Chamber of Deputies and the Senate shall be proposed on separate lists of candidates only by political parties, their alliances and other political formations, set up according to the law, as well as by electoral alliances set up under the conditions of the present law.”

**2. After Article 5 Article 5<sup>1</sup> is introduced with the following contents:**

“Art. 5<sup>1</sup>. – (1) The political parties and the political alliances may associate among them only at national level, based on a protocol, making up an electoral alliance, for the purpose of participating in the election to the Chamber of Deputies and the Senate.

(2) The protocol for forming the electoral alliance shall be submitted to the Central Electoral Bureau within 48 hours from its setting up.

(3) The Central Electoral Bureau shall pronounce itself in open meeting on the acceptance or rejection of the protocol for forming the electoral alliance, within 24 hours from its registration.

(4) The decision of the Central Electoral Bureau to accept the protocol for the setting up of the electoral alliance may be contested by any natural or legal person interested, at the Supreme Court of Justice within 24 hours from pronouncement.

(5) The decision of the Central Electoral Bureau to reject the protocol for the setting up of the electoral alliance may be contested by the latter at the Supreme Court of Justice within 24 hours from pronouncement.

(6) The Supreme Court of Justice shall pronounce itself on the disputes provided under par. (4) and (5) within 24 hours, by irrevocable judgment.

(7) The other provisions of the present law referring to political alliances shall also apply accordingly to electoral alliances.”

**Art. II.** – Paragraph (1) of Article 28 of the Law No. 69/1992 on the election of the President of Romania, published in the Official Gazette of Romania, Part I, No. 164 of July 16, 1992, with the subsequent modifications and completions, is hereby modified as follows:

“Art. 28. – (1) The statutory provisions for the election to the Chamber of Deputies and the Senate, referring to the covering of the electoral expenses, the stamp duty, the electoral alliances, electoral offices, the support by the Government of the activity of electoral bureaux and electoral offices, the storage of the materials utilized in the electoral process, as well as the trial by the courts of law of the objections, complaints and of any other petitions, shall also apply with regard to the elections for the President of Romania.”

\* The Expeditious Government Ordinance No. 154/October 10, 2000 was published in the Official Gazette of Romania, Part I, No. 498/October 11, 2000.

# EXPEDITIOUS ORDINANCE

## No. 165/2000

on the completion of Art. 5  
of the Law No. 68/1992 on the election  
to the Chamber of Deputies and the Senate\*

**Single article.** – After paragraph (7) of Article 5 of the Law No. 68/1992 on the election to the Chamber of Deputies and the Senate, published in the Official Gazette of Romania, Part I, No. 164 of July 16, 1992, with the subsequent modifications is introduced paragraph (8) with the following contents:

“(8) The organizations of citizens belonging to national minorities may choose to submit, as an exception to the provisions of par. (3), (6) and (7), one and the same list of candidates for the Chamber of Deputies in several constituencies.”

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\* The Expeditious Government Ordinance No. 165/October 13, 2000 was published in the Official Gazette of Romania, Part I, No. 514/October 19, 2000.

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